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Upper Missouri River Breaks National Monument

Proposed Resource Management Plan and Final Environmental Impact Statement

VOLUME II

January 2008

BLM

Lewistown Field Office

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BUREAU OF LAND MANAGEMENT

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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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UPPER MISSOURI RIVER BREAKS NATIONAL MONUMENT

PROPOSED RESOURCE MANAGEMENT PLAN AND FINAL ENVIRONMENTAL IMPACT STATEMENT

VOLUME II

Lewistown Field Office
Lewistown, Montana

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Public Comments on the Draft RMP/EIS

The Draft RMP/EIS was released for public review and comment in October 2005. Originally the comment period was to close on January 26, 2006. The BLM received several requests for extending the public comment period on the Draft RMP/EIS and the comment period was extended for an additional 90 days. The comment period closed on April 26, 2006.

To provide ample opportunities for public participation across northcentral Montana, the BLM hosted 12 public meetings on the Draft RMP/EIS. The meetings began at 6:00 p.m. with introductions and a brief BLM presentation about the Draft RMP/EIS. This was followed by an opportunity to talk individually with various resource specialists who prepared the Draft RMP/EIS. Around 7:30 p.m. a more formal public comment period was provided with a court reporter present to create an accurate transcript of the comments offered. Written comments were also accepted at these meetings. The meetings usually concluded at 9:00 p.m. Over 1,250 people attended the public meetings in:

- February 21 Lewistown
- February 23 Fort Benton
- February 27 Havre
- February 28 Chinook
- March 1 Big Sandy
- March 6 Malta
- March 7 Billings
- March 8 Great Falls
- March 9 Kalispell
- March 13 Winifred
- March 14 Helena
- March 15 Hays

The BLM received 67,454 letters and emails on the Draft RMP/EIS; including 17 different form-type letters and one form-type questionnaire. Letters postmarked or emails received after April 26, 2006 are part of the administrative record but are not included in the public comment analysis process. Actual comment submissions (letters, emails, etc.) have not been reprinted in the Proposed RMP/Final EIS.

The comment and response section was developed through a content analysis process. When reading the letters and emails, we look for specific comments or information that could modify the alternatives; develop new alternatives; supplement, improve or modify the analysis; and/or make factual corrections. Specific comments from each of the 17 form-type letters and the questionnaire are considered once, but not counted as votes. However, individual comments provided with form-type letters or the questionnaire are included in our analysis.

All submissions were read and specific comments were identified and coded into the appropriate subject category (e.g., wildlife, cultural resources, recreation, etc.). Duplicate comments from form-type letters and emails or "campaign-style" submissions were only coded once, but each submission is included in the public record.

The letters and emails contained about 7,900 specific comments covering every aspect of the Draft RMP/EIS, but the most common topics included road and travel management (motorized vs. non-motorized), landing strips, economics, private property, lifestyles, oil and gas, and recreation. These comments where then assigned to the appropriate resource specialist for analysis. This analysis included grouping similar comments. During the comment review, similar concerns were grouped, summarized, and addressed with one response. In some instances, the original language from the letter or email was retained and in others the comment was summarized, especially when several commenters expressed the same comment. Commenters should note that when several submissions identified the same comment, the comment was summarized once and may not appear with wording identical to the commenters' language. The 7,900 specific comments were grouped into about 1,700 summarized comments.

Summary of Public Comments – Personal Opinions or Preferences

Many comments received throughout the process expressed personal opinions or preferences. Those comments are not addressed in the Responses to Public Comments. However, this section provides a summary of those expressions of personal opinion or preference.

Air Quality

- questioned BLM's summary of summer temperatures.

Fish and Wildlife (Including Special Status Species)

- encouraged efforts to protect, preserve and restore wildlife habitat and to protect wildlife species;
- offered that hybrid bison would introduce problems in the Monument; stated our assessment of wildlife impacts was lacking detail;
- felt that the Monument should be restored to its condition of 200 years ago; or
- stated that only 40 percent of forage is for livestock.

Soils

- thought off road driving is harmful to soils;
- didn't think soils would support roads; or
- thought trails could be supported.

Vegetation

- stated that Alternative F offers protection for native plant species;
- supported control of invasive species and prescribes native species seeding for reclamation projects;
- stated that noxious weeds have been spread by wind and animals for more than a hundred years; or
- placed the blame on BLM and National Wildlife Service policies.

Water

- offered that BLM had the authority to restrict or revoke water rights;
- stated that private water rights did not eliminate BLM's environmental responsibilities;
- felt that private water rights were protected by the Montana constitution; and
- stated that wild mint was being affected by chemical use on private lands.

Forest Products

- opinions ranging from allowing some commercial wood product harvesting to banning all wood product uses and road building.

Land Ownership Adjustment

- generally agreed on the need to keep public lands.

Public Access

- expressed an opinion supporting public access in the Monument;
- expressed opinions on the amount and management of public access varied from making no changes to the current situation to severely limiting access; and
- supported access for hunting as especially important.

Livestock Grazing

- generally expressed that livestock grazing is not harmful to the land and should be maintained;
- stated that livestock grazing is a benefit primarily to the livestock operator at the expense of others;
- felt BLM mismanages grazing;
- offered that grazing management was much better now than in the past; and
- stated that the "government" would eliminate livestock grazing.

Oil and Gas

- thought oil and gas activity should be carefully restricted;
- stated that such activity should be allowed throughout the Monument including the wilderness study areas;
- felt that it was wrong to eliminate future leasing in the Monument; expressed disagreement over the effects of Judge Malloy's decision on oil gas in the Monument;
- offered that the leasing decision (in the proclamation) could be changed in the future;
- stated that oil and gas impacts in the Monument were minimal; and
- felt that oil and gas activity should continue.

Recreation

- supported what many would consider traditional recreational uses such as floating, hiking and hunting;
- expressed opinions on whether or not the collection of items, particularly antlers, should be allowed;
- offered that floater registration should be mandatory; that registration was merely a forerunner to limiting floaters on the river;
- favored a nominal amount of recreational development as opposed to more intensive development;
- discussed the virtues of motorized use;
- pointed out the impacts that even hiking can have;
- generally brought praise for the notion of dispersed camping with minimal development being favored over extensive development;
- favored informational signing; expressed concern to keep camping areas from being degraded by too many people or by livestock;
- offered concern about impacts from floaters;
- expressed the opinion that group sizes need to be limited;
- indicated that commercial floaters should be more closely managed than private outings;
- felt that private use should be given a higher priority than outfitter use;
- stated that the status quo on outfitting could be accommodated; offered that hunting should not be allowed;
- noted a need for motorized access and game carts;
- offered that motorized access was not needed at all;
- opposed a resident use fee except at some overnight campgrounds;
- support for non-motorized trails; or
- offered that horses caused more erosion on trails than motorized use.

Motorized Watercraft

- thought navigational rules are needed;
- supported the no wake policy in critical areas;
- offered that personal watercraft posed more problems and accident risks (apparently) than other watercraft; expressed support for the management outlined in the Preferred Alternative;
- offered opinions that motor should not be allowed;
- felt that no-wake speeds would be tolerable; opposed unlimited motor use because of noise;
- offered that restricting motorized use was a restriction on their rights;
- felt that those bothered by noise could go elsewhere;
- stated that motors had been used on the river basically since they became available and allowed greater access to a wider cross-section of visitors; and
- offered that the Gates of the Mountains Wilderness allows motors and has not suffered any ill effects.

Transportation

- supported keeping all roads and airstrips open; placing the entire monument off limits to any type of motorized use on land, water or in the air; expressed concern about OHV use rather than other forms of transportation;
- suggested that any decrease in OHV access here should be offset by increased access elsewhere;
- supported a sign system portraying trail difficulty; or
- felt that noise controls could be used instead of closing roads.

Aircraft Landings

- favored continued use of airstrips and pointed out that impacts from aircraft are of short duration and limited to relatively small areas; or
- felt that all airstrips should be closed or limited to permitted administrative and emergency uses.

Aircraft Overflights

- acknowledged the Hays Military Operating Area and its effects and also the danger of low-level flights.

BLM Roads

- did not agree on a definition of roads with some claiming tow-track roads should not be included in any discussion while others thought two-track roads should be included;
- provided interpretations of the Montana Constitution, the U.S. Constitution, the monument Proclamation and the National Environmental Policy Act; equated road closures to a trend toward communism;
- expressed concern over damage caused by off-road OHV use;
- favored restricting travel on roads;
- thought the status quo should remain;
- expressed a desire for all roads to remain open and stated private land owners should not be affected by the Monument;
- provided percentages from the Preferred Alternative;
- thought existing river access should be maintained;
- were against creating any unneeded access that would increase usage;
- felt that topography was more important than distance between road when it comes to noise;
- discussed the road density issue, some thinking the proposed density was too great while others thought it was fine.
- did not believe BLM should have used the road definition from the 1999 OHV EIS and offered different interpretations and definitions of what is or is not a road;
- offered suggestions for road construction and maintenance;
- offered their opinions on road restrictions;
- felt that an entirely new transportation plan was needed;
- thought Bullwhacker Road should be closed; that the Ervin Ridge and the DeWeese Roads should be closed;
- offered that it was important to keep roads open and specifically mentioned the Knox Ridge Road;
- asked that the Ervin Ridge Road be kept open;
- favored road closures and suggested prosecution for those who stray off road; and
- thought vehicles belonging to campers should be parked along side existing roads and not allowed to drive off road and create new spur roads.

Fire Use and Suppression

- thought that Alternative E maximizes the natural succession of fire impacts; or
- expressed frustration that the plan doesn't mention ranchers when referring to first responses.

Wild and Scenic River

- stated that "Alternative E is most appropriate treatment of the W&S Rivers considerations."

Economic Conditions

- equated reduced access with reduced economic activity that would hurt local communities and schools;
- believed that these reductions are meant by environmental groups to eventually drive out ranching interests;

- disagreed with the plan's economic data/assumptions calling it guess science;
- implied that unspecified impacts would cause a loss of revenue to counties and school districts and that BLM had failed in its obligation to meet with commissioners and school boards to tell them how much lost revenue to expect; or
- asserted that Monument visitation would have a positive economic impact on the area.

Private Land

- claims that the Monument designation has had a negative impact on private lands;
- stated that the designation would increase property values;
- offered that private property rights within the Wild and Scenic corridor since 1976 have not been affected;
- stated that private stewardship had protected the area; felt that Monument status was imposed on private landowners; or
- stated that reduce interest in gas activity on private land was an adverse impact.

State Land

- apparently thought that the designation transferred ownership of state land to the BLM and felt this was a theft by the federal government and environmentalists.

Health and Safety – Emergency Services

- thought the Monument brought unwelcome obligations; or
- that restrictions on motorized boating made it impossible for a group to get a grant for an emergency rescue boat.

Social Conditions

- offered that land included in a monument detracted from local residents;
- stated that having land set aside in a monument was "foreign" to Montana and the West; felt that a loss of agriculture would cause dramatic changes and that the Missouri Breaks honor the western culture; or
- offered that the land, the people and the agency "deserve better."

Management

- expressed an opinion about which alternative should be used to guide future management;
- offered advice on how to manage the Monument such as close roads, leave roads open, keep the area wild, allow development, allow power boats, restrict power boats, manage the area for wildlife, manage the area for recreation, don't change current management, and manage the area like a national park; stated general opposition to the plan;
- claimed the plan was illegal and violated federal law; thought the plan was biased against development;
- thought it was too restrictive;
- suggested requiring a special vehicle permit or license to use the monument;
- recommended removal of all abandoned farming equipment;
- asked what happened to all the gloom and doom predictions made when the monument was established in 2001;
- simply stated, "I am opposed;"
- agreed that the river and surrounding natural resource need to be saved;
- felt that this conservation approach would not harm local residents;
- offered that people should cooperate with BLM to resolve issues;
- shared the opinion that preserving the values (objects) for which the monument was designated was a top priority;
- felt that the draft monument plan fell short of what is needed to accomplish that protection, and listed activities that should not be allowed;
- stated that ranching should be among those things that are protected;
- were glad that monument status was being proposed;
- offered that BLM should use its charter, mission statement and policy and the national energy bill to guide monument management;
- thought the monument should be preserved at all costs;
- felt that preservation steps should wait until there was proof that preservation was needed;
- offered that that the area was as unspoiled as it was 50 years ago;
- stated that the monument designation would impede preservation by causing an increase in visitation and subsequent impacts;
- offered that the designation would preserve nothing and would turn the state into more wasteland; stated that there must be a provision to protect the area from overuse in the future; and
- felt that conserving the area is of paramount importance.

Planning/NEPA

- wondered why BLM was allowed to disregard NEPA and ignore any concerns from the community;
- thought BLM failed to consider effects; thought BLM should reevaluate the benefits to be derived from managing the Missouri through the Monument for non-motorized use;

- stated BLM was short on staff due to budget constraints and some comments were directed to congress and others who set BLM's budget;
- discussed where BLM staff should be stationed and what disciplines were most important for BLM to staff with its available budget;
- stated that because of a lack of communication they were not made aware in a timely manner that a monument had been proposed;
- felt that boundary changes had been made or that comment periods were underway; offered that independent scientific plan review was good;
- asked for copies of agency letters about the plan; emphasized a need to heed local landowner concerns; or
- felt that local landowners were not fair in their actions toward the general public.

Outside Scope

- suggested that BLM remove the monument designation;
- stated that the designation was illegal; felt that the monument was legal;
- offered that referred to livestock grazing as a problem needing a solution and as a liability and a massive welfare program;
- expressed a concern for predator control;
- suggested transferring as much BLM lands as are in the monument to private landowners; or
- offered that BLM handles money without legal authority; and held that Montanans will not be allowed to use the monument resources because the United Nations was against such use and wants to takeover the Missouri River and its resources.

Commenter Index

The following list displays the names of the individuals, organization, businesses and governmental agencies (other than the cooperating agencies) who commented on the Draft RMP/EIS and the corresponding comment codes (shown following the names). Some letters and emails did not have a comment that required a response and are not shown in the list below. Also, form-type letters and emails are not included in the list.

Name		Comment Group
Aaker	Judy and Jerry	2260-01, 2263-01, 2310-01, 2323-01, 6050-01
Abeles	Judith	6050-13
Adams	Francis	2323-05
Adams	Jenny	6050-02
Adamson	Ed	2253-01, 6050-32
Adamson	Jan	2253-01, 6050-32
Adcock	Raymond	2320-110
Adelman	Michael	2258-07
Adkins Trucking		2310-03, 2310-04, 2310-05, 2310-06, 2310-07, 2310-09, 2310-10, 2310-48
Aeromarine Publishing Corporation		2258-03
Aircraft Owners and Pilots Association		2258-07, 2310-05, 2310-06, 2310-07
Albert	Amy	2101-02, 2263-54
Albrecht	Robert	2258-03, 2258-06, 2310-15
Albritton	Michael	2250-52, 2251-29, 2263-01, 2320-28
Alderson	George and Frances	2102-22, 2258-11, 2263-01, 2310-01, 2322-10, 4250-01, 4250-03
Aldrian	Charles	2310-04

Name		Comment Group
Alexander	Sonia	2310-01, 2320-45, 2322-04, 5053-31
Allaire	Helene	2263-01, 2310-15, 2321-01, 2327-03
Alleman	Mark	2258-02, 2258-03, 2258-06
Allen	Dean	2150-107, 5053-05
Allen	Donald	2263-26, 2310-01, 2323-01
Allen	John	1100-01, 2101-57, 2320-174, 2320-175, 6103-39, 6500-28
Allen	Ray	6050-35
Allen	Tom	2320-85, 2324-64
Allen	Tressler	2101-42
Allred	Susan	2300-01, 4250-01
Alverson	Mary	2258-03
American Gas Association		2210-02, 2210-49, 2210-50
American Hiking Society		2263-01, 2263-33, 2310-01, 2323-35, 2325-01, 2326-03, 4150-01
American Watercraft Association		2262-01
American Wildlands		2310-01
Amnotte	Dave	2266-02, 2310-04, 2321-02
Anchor Ranch, Inc.		1100-02, 1100-03, 1150-35, 1350-02, 2100-10, 2103-02, 2150-105, 2200-02, 2200-07, 2200-08, 2210-40, 2210-41, 2210-42, 2210-43, 2210-44, 2210-45, 2210-46, 2210-65, 2213-02, 2215-09, 2310-05, 2310-44, 2320-169, 2320-225, 2320-226, 2324-61, 2324-72, 2325-01, 2325-47, 2325-48, 2328-11, 5000-49, 5200-09, 6050-01
Anderegg	Andy	2310-01, 6050-01, 6050-18, 6102-04, 6102-10
Anders	Dorothy and Clay	2263-01, 2310-12, 2321-02
Anderson	Clay	2255-01, 2260-11, 2263-01, 2323-01, 2327-05, 2258-13
Anderson	Darrell	1500-31, 2258-01, 2258-13, 2310-03, 2310-08, 2311-07
Anderson	Melvin	5053-02
Anderson	Pat Hanson and Maury	1350-01, 1401-04, 1403-01, 2255-01, 2263-01, 2300-04, 2310-01, 2327-03, 5053-01
Anderson	Paul	2101-57, 2320-01
Anderson	Robert	2310-04, 2310-06, 2310-15
Anderson	Tomas	2253-01, 2310-01, 2321-08, 2323-02
Andrews	Barbara	1450-02, 1500-01, 2150-05, 2210-59, 2259-01, 2310-03, 2323-04, 5053-05, 5151-01, 6052-15
Andrews	Barbara and Brad	2320-01
Andrews	Ira	6050-51, 6500-32, 6500-43

Name		Comment Group
Andrus	David	2252-12, 6050-36
Angell	Joe	2300-02, 2320-191, 6050-02
Annav	Heidi	2300-58
Anthony	Robert	2327-03, 6050-45
Arntzen	Doug	2101-63, 2310-06, 2323-05, 5053-05
Arsenault	John	2258-03
Arthun	Donna	2101-56, 2150-68, 5053-05, 6103-28
Arthur	Jim	2150-05, 2259-01, 2323-04, 5053-05, 6103-01
Arthur	Tony	1500-01, 2101-02, 2264-01, 2265-01, 2322-02, 6050-35
Artley	Dick	2310-01, 2323-01, 2324-07, 6054-54
Arves	Roy	2265-13, 2320-12
Ashcraft	Larry	2258-02
Astow	Barb	2320-200, 2323-01, 6054-54
Atkins	Phil	6050-45
Atkins	R P	2310-03, 2310-07
Austin	R R	2258-03
Aznoe	Richard	6050-110
Badgley	Mike	2251-26, 2320-09
Bahr	Bob	1401-03, 1403-11, 2253-12, 2257-11, 2265-05, 2265-16, 2265-17, 2310-02, 2320-08, 2323-04, 6050-33
Bailey	Ron	2150-05, 2200-01, 2215-16, 5053-02, 6050-32
Baitis	Hartmut	2200-01, 5053-04
Baitis	Inga	5053-02
Baker	Forrest	6050-31, 6052-15
Baker	Kane	2258-10
Baker	Lorraine	6052-12
Baker	Tim	2253-02, 2310-12
Balasky	Cathy	2300-01, 6050-45
Ballard	David	2263-01, 2322-05, 6050-01
Barcroft	David	2263-01, 2300-02, 2310-12, 2327-05, 6052-07
Barker	Georgia	6050-65, 6053-01
Barnard	Charles	2320-09
Barnard	Fred	6050-31, 6052-25
Barnard	Grant	2200-02, 2200-05, 2210-60, 2255-17, 2323-01
Barnard	Joanne	2320-226

Name		Comment Group
Barnes	Glenda	2254-01, 2310-13
Barnhart	Dale	2320-91
Barnosky	Charles	2250-03, 2255-01, 2260-02, 2263-01, 2310-13, 2322-17, 2324-64, 2325-01, 4100-01, 4150-01, 4250-03, 6050-13, 6050-54,
Barrett	Laurie	6050-18
Barrett	Linn	2255-01, 2310-01, 4150-01, 4250-03, 6050-16
Barta	Jacob	2265-32, 5053-05, 6050-35
Bartha	Gregory	2310-01, 2323-02, 6050-02
Barthelmess	Leo	1150-18, 5000-04, 5000-54, 5200-10, 6101-01
Bartholomew	Alice	6052-06
Bartkoske	Mary	5053-02
Basham	Lester	2320-197
Battin	Sharlot	2300-76, 2320-204
Bayless	Steve and Judy	2150-04, 2253-01, 2254-15, 2260-03, 2310-01, 2320-62
Beaupre	Shane	2320-217
Beaver Creek/ Cottonwood Creek RFD		2300-08, 3050-09, 3050-11
Becker	Julia	2263-01, 2310-01, 2322-11
Becker	Kurt	2258-03
Becker	Mike and Stephanie	1400-02, 2255-13, 2263-01, 2310-01, 2323-08, 6050-02, 6050-58
Beebe	Kari	2262-01
Beebe	Kevin	2262-01
BEEF Magazine		1400-15
Behan	Mark	1403-02, 2252-08, 2254-01, 2260-02, 2310-15, 2321-01, 2323-01, 2325-02
Behrens	Paul	2310-03
Bell	Charmayne	2200-02, 2250-62, 2251-05, 2256-01, 2310-01, 6050-54
Belston	Bill	2320-01
Belzer	Paul	2310-03, 2322-02, 6050-33
Benedict	Lyn	2311-01, 2323-03, 5200-02, 6052-07
Benes	Mark	6050-32
Benes	Shirley	2323-04, 5053-05, 5151-01, 6103-05
Benjamin	Lyle	2255-27
Bennett	Dan	2310-01, 2310-16, 2310-48, 2323-01, 6103-25
Bennett	David	2310-10, 6054-01

Name		Comment Group
Bennett	Jack	2258-01
Bennett	Judith	2253-02, 2263-38, 2310-01, 2321-02, 2327-05
Bentley	James and Evelyn	2263-04, 2310-13, 2324-64, 2325-01, 4100-01, 4150-01, 4250-03, 6101-02
Benton	Cameron	2258-01, 2258-07
Benzing	Brian	5000-04, 5000-45, 6050-35, 6103-01
Benzing	Oran	5000-04
Benzing	Suzy	2300-58, 2310-01, 2323-05, 5053-05
Berg	John	1150-09, 2150-08, 5151-01
Berg	Nancy	2310-14, 2320-57, 2324-01
Bergquist	Ed	6050-18
Bergstrom	Frank	2320-103, 2320-157, 2321-09, 2324-14
Bergum	Beth	2310-03, 2323-04, 5053-04
Bergum	Dave	2150-05, 2215-18, 2323-04
Bergum	Leroy Jack	2102-06, 2323-05, 5053-05, 6050-31, 6054-01
Bergum	Richard and Janet	2150-03, 2320-01, 5000-13, 5053-03, 6050-32
Berkenkamp	Glenn	2310-01, 2324-07, 6050-02
Berlinger	Wesley	6103-01
Bernard	Brenda	5053-04, 5053-05
Bernard	Joanne	1100-05, 2324-45, 6050-13, 6100-03, 6101-04
Bernard	Kelly	6500-02
Berner	Jerry	2260-03, 2322-11
Bertuleit	Henry	2101-36, 2101-58
Bethke	William and Joyce	6050-02
Betteger	Shawn and Joyce	5053-03, 5053-05
Biggs	Chan	2259-01
Bik	Patricia	1401-05, 2253-02, 2310-01, 2325-01, 2325-18, 6050-34
Billings Rod & Gun Club; Public Lands Access Assn.		2250-60, 2251-30, 2255-05, 2310-01, 2320-06, 2320-07, 2324-17, 6050-75
Birdsey	Barbara	2253-02, 2320-02, 6050-13
Birtles	Linda	2263-01, 2310-01, 2323-01
Bishop	Joan and Don	6050-34
Bishop	Jodi	1150-02, 1150-06, 2101-03, 2252-03, 2254-01, 2310-01
Bittenbender	Peter	2258-03

Name		Comment Group
Bitz	Larry	1500-01, 5053-05, 5053-24
Black	Allen	2258-10, 2258-13
Black Ranch Inc.		2200-01, 2252-10, 2253-01, 2310-05, 2320-08, 2324-08
Blair	Floyd	6050-31, 6103-01
Blair	Todd	2263-01, 2263-09, 2310-22, 2324-64
Blair-Smith	Lynn	2265-21
Blake	Robert	2310-04
Blalack	Russell	2252-01, 2310-01, 6052-07
Blank	Elizabeth	2263-01, 6050-06
Blank	Linnell	2320-02
Blasco	Chris	2323-04
Blee	Louise	2265-01, 2325-33
Blevins	Auzie	2212-01, 2310-13
Bloedel	Ed	2251-04, 2254-07, 2261-05, 2263-02, 2310-01
Bluewater Network		2261-05, 2262-02, 2262-04, 2262-05
Bock	Chuck and Uta	2300-02
Bohyer	Jean E	2320-07
Bohyer	Robert	2320-09, 6050-91
Boland	Will	2263-01, 2300-79
Bold	Annette	2150-05, 2200-01, 2323-04, 5053-05
Bold	Jill	1150-18, 1150-43, 1500-01, 1500-04, 2150-10, 2259-01, 2310-03, 2325-06, 5000-09, 5053-05, 6050-35
Bold	Robert	1500-01, 2150-05, 2200-01, 2210-39, 2310-03, 2320-05, 2323-04, 5053-05, 6050-114, 6103-01
Bold	Walter	1150-18, 1150-43, 1500-01, 1500-04, 1500-25, 2150-10, 2150-12, 2150-86, 2200-12, 2259-01, 2310-03, 2320-04, 2320-05, 2320-168, 2323-04, 2325-06, 3050-01, 3050-13, 3050-15, 5000-09, 5000-47, 5053-05, 5200-10, 6101-01
Boller	Audrey	6050-33
Boller	Robert	6050-35
Bollinger	Shirley	2150-02, 2263-01
Bondy	Rick	2253-01
Bonnand	Sheila	2263-01, 6050-13
Bonnet	Cal	2250-73, 2325-22, 5000-03
Bonney	Andrew	2258-13
Bookbinder	Phyllis	2323-04, 6052-07

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Booth	James	2258-03, 2258-07, 2258-10, 2310-03, 2310-06, 2310-08
Booth	Robert	2258-02, 2258-06, 2258-08, 2258-10, 2258-13, 2258-16
Borgreen	Jim	6050-36
Borst	Brad	2300-01, 2310-01, 2321-01, 2321-03, 2321-05, 5053-40
Bosper	Danny	2258-16, 2258-17
Bossert	Eleanor	5053-04, 6050-31
Bostain	Stephen	2320-121
Bostick	Blake	2323-05
Bouchard	Ron	2310-07, 6053-04
Boulanger	Aimee	2263-01, 2310-01, 2323-01, 6050-02
Bouldy	Kurt	2101-43
Bourdeau	Mark	6103-01
Bowser	Deb	1500-01, 2320-10, 5000-11, 5151-01, 5200-01, 6103-05, 6500-30
Bowser	Richard	2200-01, 2325-13, 5200-03, 6500-05
Boyce	Cleo	5053-05, 6050-46
Boyce	Gary	5053-21
Boyce	Laura	1500-01, 6103-26
Boyce	Mary	1150-59, 2150-34
Boyer	Amy	2259-01, 2322-02
Boyer	James	2250-77, 2259-01, 2261-01
Bradshaw	Lee	2258-07, 2261-01, 2265-03
Brady	Joseph	1150-64, 6051-01, 6052-06
Bramblett	Brian	2258-11, 2310-01, 2323-01
Brand	John	2258-03
Brandt	Bob	2310-04, 2310-05, 2310-20
Braun	Stephen	1150-03, 2200-10, 2212-04, 2310-01, 2320-211, 2323-01, 4250-01, 6054-05, 6100-02, 6101-13
Breeding	Noreen	2101-08, 2263-01, 2310-01, 2321-03, 6050-01, 6052-07
Breitag	Wayne	2101-02
Brenna	Jim	2260-01, 2310-01, 2320-186, 2320-43
Brenner	Corey	6500-09
Brewer	Lance	2258-03, 2258-12
Briese	Alice	6050-32, 6050-86
Bright	D	2310-04
Brilz	Anthony	2323-04

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Brininger	Wayne	2323-02
Broadwell	Jane	2320-02, 6050-34
Broehl	Nate	2258-03
Broere	Letha	2310-01, 2321-02, 6052-13
Bronec	Ellen	2264-01, 5053-01
Bronec	Jeanne	1500-01, 2150-05, 2213-14, 2323-04, 5053-05, 5053-06, 6050-107
Bronec	Lorraine	6103-20
Bronec	Pat	2150-51, 5053-02, 6103-01
Bronec	Wayne	2150-103, 5053-04
Brookhart	Glen	6103-06
Brooks	Grant and William	2258-03
Brooks	Judy	2320-63, 5053-02
Broquist	David	2101-57
Brown	Bill	1500-01, 5053-05
Brown	Dick	2200-01, 2200-11
Brown	Doug	2101-57
Brown	Lloyd	2252-03, 2254-01, 2310-01, 2324-13
Brown	Mike	2254-27, 2263-16, 2310-01, 6052-11
Brown	Perry	2258-07, 2265-06, 2310-03, 2323-04, 5200-20
Brown	Wes	6050-35
Brown	William	1150-63, 2310-10, 2320-137, 5053-18
Browning	Aaron	1100-07, 2253-02, 2310-03
Brownlee	Steele	2262-02
Bruno	Lou	1150-03, 1150-64, 1403-01, 1500-20, 2150-65, 2200-02, 2260-02, 2310-01, 2327-05, 6050-45
Bruton	Pamela	2255-12, 2300-01, 2310-01, 2310-05, 2310-12, 2310-15, 2321-02, 2321-18, 6052-06, 6052-13, 6103-06
Bryans	Henry	2258-11, 2263-01, 2322-04
Buckley	Cecelia	2310-01
Bucklin	Oliver	2258-10, 2310-03, 2310-08
Budd-Falen Law Offices for Missouri River Stewards		1100-01, 1150-01, 1150-06, 1150-12, 1150-13, 1150-18, 1150-46, 1150-57, 1450-03, 1450-07, 1500-01, 1500-23, 2150-01, 2150-36, 2320-12, 2320-13, 2320-14, 2320-130, 2320-131, 2320-132, 2321-14, 2324-50, 2325-57, 5000-04, 5000-05, 5000-06, 5000-07, 5000-08, 5000-10, 5053-16, 5200-45, 5200-46, 6050-59, 6101-01, 6101-02, 6101-14, 6101-15, 6102-01, 6103-09, 6104-06, 6104-19
Buhler	Carlos	6053-01

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Buley	Sara	2321-02, 2323-04
Bullard	Ross	2323-03, 6102-22
Bullis	Roddey	2101-54, 2101-02, 2101-03
Bumgarner	Edward	6050-35
Burak	Nadine and Steven	2310-04, 2310-07
Burch	Theron	1150-63, 2260-11, 2310-01, 2323-20
Burch	Tom	2259-01, 2323-04
Burger	Helen	5053-04
Burgher	Peter	2258-01, 2258-16
Burk	Arlie	6050-33, 6103-01
Burke	Polly	2150-14, 2200-02, 2266-01, 2310-01, 2320-71, 6052-06, 6052-07
Burkholder	Bob	6052-07
Burkland	William	2310-04
Burns	Bernice	2263-01, 2322-04, 6050-54
Burris	Don Edgar	2250-52, 2263-01, 2310-01, 2323-01, 6050-01, 6102-04
Burrows	Frank	2263-51, 2310-01, 6051-05, 6051-06
Burrows	Path	2263-28, 6052-10
Burton	Gary	2320-86, 2320-87
Buschena	David	5000-05, 5053-05, 6103-05
Butcher	Ed	2260-03, 2320-04, 2320-12, 2321-16, 2323-43, 5000-01, 5000-04, 5000-06, 5000-50, 5053-01, 5053-02, 5053-03, 5053-04, 5053-05, 5053-14, 5060-01, 6050-43, 6050-98, 6500-27
Butcher	Katie	2310-06
Butcher	Pamela	2323-04, 5053-05
Butcher	Trevis	2101-03, 2253-01, 2264-01, 2320-01, 2320-04, 2324-14, 5000-02, 5000-05, 5000-48, 5000-56, 5000-68, 5000-69, 5053-04, 5060-01, 5151-08, 5200-47, 5200-51, 6101-01, 6103-53, 6104-03
Butler	Thomas	2150-15, 2200-01, 5053-05
Butler	Thomas C	2200-01, 2215-16, 5053-05
Butler	Tom	5000-04, 5053-05, 6050-32, 6050-35
Butler	Tommy	2256-06
Bynum	Tony	1050-01, 1100-02, 1100-03, 1450-04, 2150-02, 2150-07, 2250-38, 2256-18, 2256-19, 2258-09, 2260-01, 2262-04, 2310-01, 2310-12, 2310-41, 2320-209, 2327-05, 2327-12, 5000-37, 5000-67, 5200-31, 5200-32, 6050-53, 6054-04, 6100-01, 6101-12, 6103-06
Byrd	Chris and Maureen	2258-03, 2258-10, 2310-04, 2310-05
Byrne	Kerrie	6050-45

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Byron	Tim	2320-190, 2323-15, 2323-16
Cain	Jerry	2310-03, 2310-05, 2310-07, 2310-08, 2310-09, 2310-10
Calaba	Paul	2310-07
Caldwell	Elizabeth	2300-01, 6050-02
Calendar	Steve	2150-20, 2212-01
Calvert	Dale	2101-44
Campbell	George	2310-06
Campbell	Joseph	2258-08
Cannon	Heather	2258-03
Cantu	Donna	2323-04, 5000-06, 5000-61
Cantu	Oscar	2101-02, 2150-05, 6050-35
Capital Trail Vehicle Association (CTVA)		1100-03, 1150-01, 1150-06, 1150-07, 1150-38, 1403-02, 1450-01, 2101-01, 2101-03, 2101-19, 2101-20, 2250-13, 2250-14, 2250-15, 2250-16, 2250-17, 2250-18, 2250-19, 2250-20, 2250-21, 2250-22, 2250-23, 2250-24, 2250-25, 2250-26, 2250-28, 2250-29, 2250-51, 2250-67, 2250-68, 2250-69, 2250-70, 2250-71, 2251-07, 2251-08, 2251-09, 2251-32, 2257-10, 2300-05, 2300-06, 2300-16, 2300-17, 2300-18, 2300-19, 2300-20, 2300-21, 2300-22, 2300-23, 2300-24, 2300-25, 2300-26, 2300-27, 2300-28, 2300-29, 2300-30, 2300-31, 2300-32, 2300-33, 2300-34, 2300-35, 2300-36, 2300-37, 2300-38, 2300-39, 2300-40, 2300-41, 2300-42, 2300-43, 2300-62, 2300-63, 2300-64, 2300-65, 2300-66, 2300-67, 2300-68, 2300-69, 2300-70, 2320-03, 2320-05, 2320-13, 2320-48, 2320-49, 2320-50, 2320-51, 2320-52, 2323-04, 2323-19, 2324-01, 2324-03, 2324-07, 2324-10, 2324-20, 2324-21, 2324-22, 2324-23, 2324-24, 2324-25, 2324-26, 2324-27, 2324-28, 2324-29, 2324-30, 2324-31, 2324-32, 2324-64, 2327-02, 2327-04, 2327-15, 2328-07, 5000-12, 5000-15, 5000-24, 5053-01, 5053-05, 5200-22, 5200-23, 5200-24, 5200-25, 5200-26, 6050-12, 6050-19, 6050-89, 6054-01, 6100-06, 6101-03, 6101-05, 6102-05, 6102-06, 6102-07, 6103-01, 6103-06, 6103-07, 6103-17, 6103-18, 6103-19, 6103-46, 6104-04, 6104-05, 6104-14, 6104-15
Capozzelli	J	2262-02
Cardin	William	2310-01, 2320-81, 2320-82, 2323-02
Carey	Catharine and Robin	2323-01
Carlbom	Lee	6050-33
Carlson	Graydon	2258-10
Carlson	Jason	2100-11, 5060-02
Carlstrom	Mark	2200-11, 2215-17, 2321-04
Carr	Felicia	1150-64, 2101-57, 2300-03, 6050-13
Carr	George	5000-61, 5200-49, 6050-112
Carr	John	2323-04, 6500-22
Carson	Debbie and Glenn	4250-02, 6050-18
Carson	G B	6050-54

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Carter	Mark	2323-04, 6050-35
Case	Thomas	2258-03
Cecil	George	2263-03, 2310-01, 2323-01, 6050-13
Cecrle	Kory	5053-10
Cecrle	Mitzi	2150-105, 5053-04
Central Montana Wildlands Association		1100-01, 1401-38, 1403-10, 2100-05, 2101-25, 2150-57, 2150-58, 2150-59, 2212-01, 2212-04, 2251-10, 2254-01, 2254-11, 2254-12, 2254-13, 2254-14, 2254-29, 2254-30, 2263-23, 2310-01, 2310-12, 2310-33, 2310-48, 2310-54, 2320-61, 2324-07, 2327-01, 2327-03, 6050-21, 6050-22, 6050-23, 6050-24, 6050-92, 6050-93, 6054-02, 6102-08, 6102-20, 6102-21, 6103-21, 6500-14, 6500-41
Champion	Robert	2254-01, 2310-01, 2320-65
Chandler	Alan	1401-01, 2150-07, 2150-113, 2150-19, 2150-25, 2150-29, 2250-54, 2251-02, 2251-28, 2252-05, 2260-03, 2310-01, 2324-16, 5000-18
Chapman	Doug	2310-04
Chapman	Michael	2328-01, 5053-03, 6050-13, 6102-04
Chapman	Vicki	2263-01, 2300-02
Chase	John	5053-02, 5053-36
Cheadle Rural Volunteer Fire Department		2300-08, 3050-09, 3050-11
Chesapeake Seaplanes		2258-03, 2258-10
Chesneau	Howard	2101-02
Chester	Maryalice	1500-34, 2150-02, 2150-41, 2263-01, 2310-01, 2310-02, 2323-02
Chester	William	2258-06
Chick	Ted	2258-07
Chinn	Perry	2258-13
Chinook, Harlem, Lloyd, Turner, Hogeland VFDs		3050-09, 3050-12
Chlopek	John	2258-04, 2258-10
Christensen	Arlie	1450-02, 2150-82, 2200-01, 2265-01, 2310-09, 5000-11, 5200-07, 6103-01
Christensen	Clay	2258-03, 2258-10
Christensen	Norma	2265-01, 2310-03, 2320-01, 5053-05, 5200-12
Christiaens	Bryce	2200-04, 6050-34
Christianson	Carmen	2263-01, 2323-01, 5200-39
Chuljian	David	2310-07, 2310-10, 2310-49, 2324-15
Citizens for Balanced Use		1150-07, 2101-16, 2300-05, 4100-04, 5000-07, 5000-15, 5000-23, 5000-65, 6101-02

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Citizens for Resource Development		5000-61, 5053-02, 6052-21
Claassen	LeRoy	2102-01, 2250-01
Clamar Floats		2258-03, 2258-10, 2258-22
Claren	Tim	2323-04, 5000-01
Clark	Ann	6050-18
Clark	Carl	2255-18, 2263-01, 2310-01, 2322-11, 2327-05
Clark	Dale	2258-08
Clark	George	2258-10
Clark	Jim	2310-07, 2320-155, 2321-09, 2324-14
Clark	Ramona and Clarence	6050-13
Clausen	Casey	2265-36
Clausen	Cody	2259-01
Clausen	Steve	6050-32
Claypool	Duane	2263-01, 2310-01, 2323-01, 6050-01, 6052-09
Cloepfil	John and Leone	2259-01, 2311-11, 2323-48
Cloud	Doug	2258-10, 2310-03
Coffee Creek Fire District		2300-08, 3050-09, 5151-01
Coggin	Paul	2258-02, 2258-03
Cogswell	Ann	2200-05, 2263-48, 2310-01, 2322-11
Cogswell	Ted	2150-02, 2300-02, 6050-45, 6053-03
Cohen	Steven	2255-01, 2263-01, 2327-03, 6053-08
Colavito	Dave	2200-02, 2263-01, 2310-01, 2323-04, 6052-06
Colby	Jo An	2310-04
Cole	Bob	1150-63, 2254-01, 2256-01, 2262-02, 2310-01, 2320-17, 2324-08
Columbia Seaplane Pilots Association		1150-02, 2253-03, 2258-01, 2258-02, 2258-03, 2258-04, 2258-05, 2258-06, 2258-07, 2258-08, 2258-10, 2258-13, 2258-14, 2258-15, 2258-16, 2258-17, 2258-18, 2258-19, 2258-20, 2258-21, 2258-26, 2258-28, 2258-32, 2310-10, 6050-02
Colvin	Susan	1150-63, 2310-01, 2310-12
Combs	Dave	6103-52
Combs	Tim	2320-01
Comer	Helen	6052-06
Conlin	Peggy	1150-64, 2310-01, 2323-03
Connell	C T	2258-03, 2258-10, 2265-18
Connell	Mark	2255-01, 2263-01, 2310-02, 2323-01, 6052-10

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Connell	Steve	6052-07
Connors	Joyce and Mike	2310-01, 2323-01
Cook	Eugene	2323-04, 5000-01
Cook	Kenneth and Peggy	2263-01, 2310-01, 2327-05, 6050-57
Cook	Larry	2259-01, 2264-01
Cooney	Ted	1401-01, 2101-06, 2263-01, 2310-01, 2322-11, 2323-01, 2327-15, 6050-16
Cooper	Marlin	2310-04
Corbin	Linda	2250-03, 2255-01, 2260-02, 2263-01, 2310-13, 2322-17, 2324-64, 2325-01, 4100-01, 4150-01, 4250-03, 6050-54, 6052-07
Corbridge	Clark	2258-06, 2258-12, 2258-13
Corley	George and Margaret	2258-10
Corrado	Greg	2258-03, 2258-06
Costin	Leroy	5053-04, 6500-33
Cottrell	Dan	2326-01, 4250-02
Couch	Ken	2258-03, 2310-08
Council	Paul	2263-01, 2323-01, 6050-13
Court	Virginia	1400-02, 1403-01, 2310-01, 2320-36, 2323-01, 6050-06, 6052-07
Covert	Cathy	2300-52
Cowan	William and Barbara	1450-02, 1500-01, 2150-05, 2150-08, 2210-11, 2259-01, 2310-03, 2324-04, 5000-05, 5053-02, 5053-05, 5151-01, 5200-40, 6101-01, 6103-05
Cox	Bobbie	6500-42
Cozzens	Sue	1400-06, 2255-01, 2263-01, 2310-01, 2327-05, 6050-02
Crandall	Evan anad Sue	6050-55
Crane	Gayle	2263-01, 2310-01, 2322-03, 6050-01
Crane	Tom	1150-02, 1350-03, 2256-08, 2256-23, 2300-02, 2300-10, 2300-11, 2310-01, 2310-12, 2310-13, 2310-15, 2310-26, 2310-27, 2310-45, 2311-04, 5200-19, 6050-13, 6102-01
Crawford	J E	2101-18, 2258-11
Crawford	Joy	2150-84, 2150-85, 5000-51, 5053-02, 5053-05, 6050-15, 6050-38, 6050-47, 6054-06, 6103-33
Crissman	Philip	2253-02, 2258-11, 2260-03, 2322-04, 6050-13, 6050-54
Cronk	Richard	2150-05, 2200-01, 2323-05, 6050-33
Cross	James	2101-02, 2310-02
Cryder	Michael	2258-03, 2300-03, 2310-07, 2310-08, 2320-01, 6050-36
Cue	Linda	2310-06, 2310-07
Culver	Jake	2262-02

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Culver	Richard	2101-65
Cunningham	Bill	1250-03, 2260-02, 2310-34, 2324-39, 2328-02, 3050-03
Currey	Melba	5053-02
Curry	James	2258-03, 2258-05, 2258-07, 2258-10, 2310-03, 2310-10, 2311-02, 2311-10
Curtiss	Aubyn	1500-35, 2150-47, 2310-12, 5000-61, 5053-02
Cushman	Susan and Robert	2263-13, 2300-02
Dafoe	Gerald	2310-03
Dahmen	Emily	2300-02
Dal Poggetto	Sandra	6050-01
Dangler	Bob	2101-02, 2320-117
Daniels County Commission		1150-04, 1150-09, 2150-13, 2259-01, 2310-04, 2320-60, 2321-10, 3050-09, 5200-06
Darlington	Darleen	5053-05
Davies	James	2310-04, 2310-08
Davis	Bob	2310-03
Davis	Craig	1400-02, 2255-01, 2263-01, 2310-01, 2327-05, 6050-02
Davis	Doyle	2310-03
Davis	Ken	1150-18, 2321-08, 2324-64
Davis	Max	6051-01
Davis	Nigel	2258-07, 2310-08
Dawson County Rod & Gun Club		2101-28
Degenhardt	Edwin	2258-10, 6500-34
Denton Fire Department		2300-08, 3050-09, 3050-11
DePetris	Eric	2258-03
Detwiler	John	2310-03
Deutsch	Donna	2100-12, 2324-68, 6052-23
Deveny	Christine	1401-01, 2250-74, 2263-01, 2310-01, 2311-06, 2322-11, 2323-01, 2327-15, 6050-16, 6050-54
Devine	Dan	2259-01
DeVries	Douglas	2258-13
DeYoung	Dirk	2101-58, 2320-111
Dickenson	Sue	2255-01, 2327-05
Dickerson	Julie	6050-55
Dickman	Edward and Lorelei	2258-03

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Diemert	James	6050-33
Dietz	Leo	2259-01, 2261-03, 2261-04
Dirkson	Joe	1500-01, 2150-05, 2265-01, 2310-03, 2323-04, 5000-01, 5053-05, 5053-06
Dirkson	Pat	2259-01, 2310-03, 2320-01, 5000-61, 5053-03, 5053-05, 5200-12, 6050-08, 6103-05
Diss	James	2258-03
Distel	Richard	2258-03
Dixon	Judy	2150-14, 2215-01, 2260-03, 2310-01, 2328-01
Doering	Charles	1400-02, 2255-01, 2263-01, 2323-01
Doig	Don	2323-11
Dolman	Aart	1100-02, 1100-09, 2300-01, 2300-49, 2300-74, 2300-75, 2310-13, 2320-04, 6050-02, 6050-03, 6050-103, 6050-104, 6050-13, 6052-28
Donaldson	John	2262-01
Donoho	Will	2324-14
Donovan	Jeannie	1400-02, 2263-01, 2310-01, 2327-01
Donovan	Linda and Dan	6050-55
Donsbach	Kirk	2150-26
Dorn	Lawrence	2310-03
Dornseifer	Pia	6050-35
Dostal	Paul	2257-03, 2260-10, 2310-02, 2322-17, 2325-19, 5053-01
Drain	Alan	2310-03
Drake	Royce	2324-14
Draper	Scott	2258-03, 2258-06
Drean	Gary	2310-10
Drennon	Paul	2310-05, 2310-07
Drga	Jim	2320-164, 5053-02, 5053-03, 5053-05
DuBois	Kristi	1150-63, 1401-03, 2150-06, 2251-01, 2251-17, 2252-17, 2260-02, 2310-01, 2322-17, 2324-06, 4250-02, 4250-07, 6050-58
Dufresne	Larry	2101-03
Duncan	Cary	2310-04
Duncan	Dan	2255-01, 2300-02, 6052-07
Duncan	Sue	2310-12, 2320-02, 6050-45
Dunlap	Noel	2310-05, 2310-06
Dunnagan	Robert	1100-02, 2150-03, 2260-03, 2310-02, 2323-01, 2323-03, 3050-01, 6050-13, 6102-09

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Dvorak	Allen	2259-01
Dvorak	Royetta	2259-01
Dyer	Darrell	5053-05, 6103-01
Ecklund	Richard and Alma	2310-01, 2323-01, 6050-45
Econom	Ann	5053-05
Econom	Nick	2310-03, 2310-08, 2323-05, 2323-09, 5053-05, 6050-100
Eggimann	William	2258-03
Ehlang	George and Jane	2200-01, 2259-01, 2310-03, 2323-04, 5053-05
Ehlert	Karen	1500-01, 5053-04, 5200-09
Ehlert	Steve	1500-01, 2265-06, 5053-05
Ehnes	Ramona	1401-03, 2101-33, 2200-01, 2215-16, 2265-06, 2310-03, 2320-01, 2320-12, 5053-05, 6050-35, 6050-96, 6103-51
Ehrich	Robert	2258-03
Eich	Todd	2258-03
Ekey	Robert	2263-27, 2310-01, 2320-02, 6050-54
Eldredge	Bonnie	2253-02, 2310-01, 2320-40
Ellestad	Dick	2320-04
Ellingsen	Valley	2250-02, 2253-02, 2310-01, 5200-21, 6050-55
Ellington	Benjamin	2320-140
Ellis	Betsy	2263-01, 2328-01
Ellis	Dean and Betty	2253-04
Ellis	Jo	2323-01, 2324-06, 5200-29, 5200-30, 6050-56
Ellis	Mark	2101-02, 2320-119, 2321-09, 2323-05, 2324-14
Ellis	Richard	2263-19, 2310-01, 2322-09, 2327-01
Ellison	Kay	2326-01
Emerson	Richard	2258-06, 2258-08
Ems	Ronald	2258-07
Engler	Gary	2258-03, 2258-29
Englund	Donna	2263-01, 2310-01, 2320-02, 4150-01, 6050-01
Enk	Michael	1150-17, 1150-21, 1401-02, 1401-03, 1401-15, 1401-16, 1401-28, 1401-33, 2150-106, 2250-34, 2253-02, 2256-03, 2256-13, 2256-14, 2256-15, 6050-13
Ensign	Dave	5053-01, 6050-33
Ericksen	Joel	2200-02, 2263-01, 2263-56, 2310-01, 2310-13, 2320-04, 2323-41
Ericksen	Judith	2310-01
Erlandson	Gene	2310-04
Esler	Brian	2258-01, 2258-03

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Espenscheid	Dick	2263-01, 6052-06
Esplin	Tina	2150-46
Ess	Charles	6053-01
Ethridge	Ed	2310-04, 2310-08, 2310-10, 2320-01, 6054-01
Eustice	Cynthia	2100-06, 2323-04
Evanoff	Mark	2258-03
Evans	Jeffrey	5053-04, 6050-60
Evans	Ken	2264-01
Evans	Michael	2258-03
Everett	George	1150-04, 2101-57, 5000-06, 5053-02
Evers Ranch Corp.		2310-06
Evertz	Gary	5000-06, 5053-02, 5053-03, 5200-04
Eyre	Arvin	2310-01
Eyster	Rayna and Erryl	2263-01, 2310-01, 2326-01
Faber	Timothy	1150-62, 1150-63, 1250-01
Fagg	Harrison	2310-01, 2323-01
Fahrenbruch	Darlene	5053-05
Falkenberg	Eric	2101-37
Fallon	Susan	2320-04, 2320-122
Farino	Pete	6052-12
Farmer	Mel	5000-61
Fatzinger	Roy	6103-02
Fauci	Joani	1401-02, 2260-03, 2310-01, 4250-01, 6050-01
Faught	Jeff	2258-03, 2258-12
Faust	William	2263-01, 2310-01, 2327-03, 6050-16
Fay	Mary	1250-03, 2260-03, 2263-57, 2310-01, 2310-04, 2310-12, 2321-02, 2323-01, 2323-03, 2325-01, 2328-01, 6050-17, 6054-02
Fenex	Ron	6050-70
Ferguson	Mike	2310-04
Ferrari	Eugenio	2258-07
Ferree	Kenneth	2323-04
Fettig	Judy	2263-12, 2300-01, 2310-01
Fiche	Linda	2310-03, 2323-04
Fidler	Jim	2300-01
Fields	Edwin	2253-02, 2254-03, 2260-08, 2310-01, 2311-01, 2321-05, 2323-01
Fina	Fred	6103-01

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Finch	Henry	2258-02, 2258-03
Fink	Tom and Naomi	2253-02, 2323-01
Finkbeiner	Delphine	6050-115
Finke	Fred	2200-01, 5053-02, 6050-35
Finke	Robert	2253-02, 2300-59, 2310-13, 2323-04, 5000-19, 5200-01, 6050-35
Fischer	Ernest	1150-63, 1403-01, 2150-03, 2200-02, 2320-06, 2323-03
Fiscus	Mike	2323-01
Fishback	Steve	2258-07
Fisher	Bill	2320-112
Fisher	Cheryle and James	2101-01, 2101-03
Fisher	George	2150-80, 2150-81, 2259-01, 2320-05, 5000-04
Fisher	J	2300-01
Fisher	Joanne and Richard	2323-03, 2327-01, 5000-14, 6053-01
Fisher	Richard	1401-01, 2101-59, 2150-06, 2254-03, 2260-06, 2263-04, 2300-01, 2300-84, 2310-01, 2324-06, 2327-06, 2328-05, 5053-02, 6102-01, 6102-13
Fisher	Sue	2150-08, 2213-20, 2259-01, 2323-04, 5053-05, 5053-06, 6103-01
Fitzgerald	Kathleen	6050-84
Flansaas	Robert	2327-03
Fligel	Charles	2310-03
Flowers	Sam	2310-03, 5053-04
Fontana	John	2260-06, 2310-01, 2327-03
Foran	Eva	1500-01, 2325-04, 5053-05, 6103-01
Foran	Todd	1500-01, 2323-04, 2325-04, 5000-01, 6103-01
Forbes	Tom	2258-10, 2310-03, 2310-04, 2310-08
Ford	Mike	2260-02, 2310-01, 2324-41, 6050-53
Foreman	William	2259-01
Fox	Carol	2263-01, 2310-01, 2320-56, 2321-03
Francis	Duane	2310-04, 2310-07
Franke	George	2321-09, 2324-14
Frasier	Stan	1150-64, 2263-01, 2320-11, 4250-01, 6050-01
Frazier	Chad	2320-114
Frederickson	Harvey	2200-01, 2323-04
French	Bill	2150-0-5, 2320-181, 2323-04, 5053-05
French	Robert	6050-35
French	William	2150-05, 5053-05, 6500-21
Freyholtz	Mert	2101-58, 2263-01, 2310-01, 2310-06, 2323-02

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Freyholtz	Valborg	2200-04, 2200-05, 2213-08, 2310-01, 2324-14, 6050-109
Friends of the Missouri Breaks Monument		1100-05, 1150-01, 1150-12, 1150-17, 1150-21, 1150-31, 1150-32, 1150-45, 1150-62, 1150-63, 1150-64, 1400-12, 1400-13, 1401-03, 1450-05, 1450-06, 1450-07, 1500-05, 2050-02, 2100-01, 2100-03, 2101-41, 2101-53, 2102-10, 2103-03, 2103-06, 2150-28, 2150-71, 2150-101, 2210-01, 2210-07, 2210-22, 2210-25, 2210-28, 2210-41, 2210-48, 2210-67, 2213-02, 2213-13, 2215-13, 2250-44, 2250-45, 2250-46, 2250-47, 2250-48, 2250-79, 2250-80, 2251-01, 2251-22, 2251-23, 2251-24, 2251-35, 2251-36, 2252-14, 2254-01, 2254-21, 2254-22, 2256-05, 2258-15, 2261-05, 2263-04, 2310-01, 2310-16, 2311-01, 2311-04, 2311-09, 2311-11, 2320-129, 2320-176, 2320-228, 2321-02, 2321-03, 2321-08, 2322-01, 2322-05, 2322-15, 2323-06, 2324-02, 2324-49, 2324-70, 2325-30, 2327-05, 2328-01, 3050-10, 4100-11, 4250-03, 4250-04, 4250-11, 4250-13, 5000-14, 5000-52, 5052-04, 5200-33, 6050-03, 6053-01, 6055-06, 6100-01, 6100-02, 6100-12, 6101-02, 6103-08, 6103-32
Fritz	Anna	1400-02, 2253-02, 2255-01, 2310-01, 2327-03, 6050-02
Frye	Dale	2323-05
Fulbright	Jake	5053-05
Fultz	Mary Belle	1401-37, 2323-03, 6103-14
Fultz	Tom	2150-87, 2212-08, 2320-01, 5000-04, 5053-02, 6103-01
Funk	Richard	3050-02, 5053-02, 6050-33, 6500-11, 6500-36
Furshong	Gabriel	5000-66, 6052-07
Fuselier	Marilyn	2263-01, 2310-12, 2320-02
Gallatin Wildlife Association		1150-03, 2254-01, 2263-01, 2310-01, 2321-12, 6050-45
Gallea	William	2258-07, 2310-08
Gallison	Edwin	2259-01
Gallus	Charles	6054-01
Gallus	John	2260-03
Galt	David	6103-01
Gans	Marcia	2263-01, 2310-01, 2327-05, 6050-03
Gardner	Howard	2101-62, 2254-31, 2324-13, 6050-11
Garman	Shane	6050-111
Garrity	William	6052-09
Garvey	Lydia	1150-63, 1400-01, 2255-01, 2263-01, 2310-01, 2327-03, 5000-14, 6050-02, 6050-11, 6050-18, 6051-01
Garwood	Michael	2258-07
Garwood	Ronald	2150-26, 6050-32
Gasvoda	Brian	2200-01, 2310-03, 2323-04
Gebo	Keith	1150-06, 2323-01, 6051-01
Gedrose	Doughlas	2323-04

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Gee	Richard	2258-13
Gehrmann	John	2258-13
Geiger	Rick	2310-05, 2310-07
Gerhart	Doris	6052-17
Gerrard	Doyle	2255-01, 2263-01, 2310-01, 2327-03, 6050-02, 6050-18, 6103-11, 6103-12
Getchell	John	2310-57, 2325-02
Gibbs	David	5053-05
Gibson	James	6500-02
Gibson	Vicki	6500-02
Gies	Paul	1150-11, 1500-02, 2102-02, 2250-27, 2256-24, 2261-01, 3050-01, 6050-03, 6050-07, 6102-01
Giese	Bob	2101-15, 2101-60
Gifford	Artie	2101-02
Gifford	Austin	6103-01
Gifford	Thadd	2250-81
Giger	Tony	2259-07, 2300-02, 2310-01, 6053-06
Gill	Alan	2310-01, 2323-24
Gillitzer	Roman	5053-04
Gilman	Emogene	2263-01, 2310-01, 2322-03, 2323-01, 6050-01, 6052-16
Gilman	Nicholas	2258-07, 2258-13
Gilmer	Joe	6103-01
Gilmore	Jim	1150-18, 2323-05
Gilmour	Kenneth	2262-02
Gilpatrick	J C	2323-04, 5053-02
Gilpatrick	John	2101-61, 2251-34, 2252-16, 2259-01, 2310-03, 2323-04, 6054-01
Gilpatrick	Stephen	2265-01, 2320-01
Gingras	Brain	6052-06
Gleason	James	6050-35
Good	James	2260-03, 2310-01, 2323-01
Goodwin	Jerry	2265-02, 2265-14, 6050-83
Gorkes, Jr	Richard	2258-08
Gostomski	John	2258-13
Gouge	Patricia	6053-01
Goundry	George	2310-07
Governor, State of Oregon		2258-03

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Grace-Kelly	Arika	2263-01, 2310-01, 2323-01, 4150-01, 6052-16
Graef	Shawn	2323-01, 6050-78, 6102-15
Graham	Ken	2258-03
Grass Range Rural Fire District		2300-08, 3050-09, 3050-11
Gratch	Alan	6050-57, 6103-01
Grauman	Margaret	2323-01, 6053-01
Gray	Randy	2266-01, 2310-01, 2323-01, 5000-14, 5052-02, 5200-28, 6050-03, 6050-13
Gray	Ronald	2324-14
Greater Yellowstone Coalition		2310-01
Greay	Arena	2255-01, 2257-05, 2310-01, 2320-66, 2327-03
Green	Alice and Jim	1150-11, 1403-01, 1450-02, 1500-01, 2150-26, 2261-01, 2310-10, 2325-04, 5000-34, 5053-35, 6050-32
Green	Jeffrey	2258-13
Gregovich	Gayle	2200-05, 2263-01, 2310-01, 2323-01, 6050-01
Gremaux	Emil, Rhonda and Brett	2150-05, 2150-08, 2310-48, 2323-04, 5053-03, 5053-05
Grenfell	Donald	6054-01
Gribble	Thomas	2258-03, 6050-32
Gries	Charles	2258-02, 2258-06, 2258-13
Griffith	Gary	2101-03, 2321-09, 2324-14
Griffith	Paul	2300-01, 6050-13
Griffith	Richard	5000-11
Grogan	Sterling	2310-04
Grosenick	Jerry	2265-15, 2310-04, 2323-04, 2325-53
Guile	Jean	2310-01, 2320-02
Guilmette	John	2253-01, 2259-01, 2265-12, 2300-60, 2320-09
Guldi	James	2310-03
Gull	David	6103-04, 6103-05
Gustafson	Lee	2310-01, 2324-08
Gustafson	Monty and Gayle	2323-01, 6053-01
Gustafson	Shirley	5053-01
Guynn	Peter and Caroline	2263-01, 2300-57, 2310-02, 2324-64
Haddon	David	1150-64, 2253-02, 2323-23, 2323-44
Hague	Lynn	2263-01, 2310-01, 2326-01
Haire	Gene	1100-03, 2263-18, 2300-01, 2310-01, 2321-02

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Hale	Alisa	2300-73, 6050-35
Hall	Jim	2258-07
Halliday	Richard	2258-03
Hallinen	John	2258-107, 2258-10, 2258-13
Halter	Jerry	2320-141, 2323-04
Hamilton	Gary	2310-07
Hammel	Fred	5053-02, 6104-22
Hammer	Bill	1150-06, 1450-08, 2253-02, 2254-02, 2260-07, 2262-02, 2300-03, 2300-14, 2310-02
Hampton	Robert	2258-03
Hancock	Beverly	2300-02, 6050-13
Handelsman	Robert	2200-02, 2250-52, 2300-02, 6050-06, 6052-07
Hanley	Jerry	1150-04, 1500-01, 2150-32, 2210-54, 2250-06, 2311-05, 2323-05, 5000-20, 5000-60, 5053-02, 6050-33, 6050-72, 6050-73
Hansen	Monte	2258-03
Hanson	Frances	2259-01, 2323-04
Hanson	Gary and Susan	2150-05, 5053-05, 6050-35
Hanson	Lowell	2310-04
Hanson	Mark	2262-01
Hapner	Kenneth	1150-64, 2150-06, 2251-06, 2263-01, 2300-03, 2311-01, 2311-02, 2320-42, 6050-45
Harden	Harry	2258-02, 2310-04
Harding	Thomas	2255-01, 2263-01, 2310-01, 2324-05
Hardy	H F and Paulette	2300-01, 2310-01, 2327-03
Harmon	Scott	2300-01, 4100-03
Harms	Paul	2263-01, 2310-01
Harrington	J T	2323-01
Harris	Chuck	2258-10, 2310-08
Harris	Dale	2200-01, 2323-04
Harris	Judy	2258-10, 2310-08
Harris	Virginia	2263-01, 2310-01
Hart	Ardelle	5053-05
Hart	Ken	6050-54
Hartford	Tim	2259-01
Hartl	Stephen	2258-03
Hartman	Dave	2310-07
Hastings	Darryl	2320-102

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Hastings	Teresa	6050-18
Hauptman	Charles	2323-04, 6050-35, 6500-01
Havasu Seaplane Adventures LLC		2258-02, 2258-10
Hawkins	Dan	2323-04
Hayes	Robert	2200-01
Headley	Richard	2253-02
Heath	David	2300-01, 2311-01, 2323-01, 6051-01
Heath Rural Fire District		2300-08, 3050-09, 3050-11
Hedditch	David	2310-04, 2310-06, 2310-10, 2310-13
Hedman	Hilary	2324-14
Hedrick	Charles	2254-01, 2254-16, 2256-02, 2260-03, 2262-03, 2320-70, 6050-35
Hedrick	Jeffrey	2258-13
Heffern	Jacquie	2300-02, 6053-01
Heggem	Judith	6050-35
Heggem	Lance	6050-35
Heggem	Loren	1500-01, 2150-23, 2253-01, 2323-04, 2325-04, 5000-06, 5053-05, 6050-35
Heggem	Ron	5053-03, 6050-32
Heimgartner	Larry	2101-01, 2265-01, 2310-04
Heisner	Eric	2258-10
Helena Orthopaedic Clinic		2310-04
Heller	Bob	2265-01, 2320-146, 2320-147, 2323-04, 2323-38, 6103-01, 6103-33
Heller	Dennis	2102-02, 2200-03, 2265-10, 2323-04, 5000-06, 6050-31
Hellgate Hunters and Anglers		2251-18, 2254-01, 2310-01, 2320-118, 2323-01, 6050-54
Helm	Mary	2259-01
Helm	Matt	6050-32
Helton	John	2258-03
Helvey	Angela	1401-01, 2323-02
Helvey	Kathy	2300-01
Henderson	James	2325-46, 5053-02
Hendricks	Sidney	2258-03
Hendrickson	Dean	6050-35
Hendrickson	Elizabeth	6050-35
Hendrickson	Larry	2300-15

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Henke	Tristan	5053-05
Henke	Virgil	5053-04, 6050-35
Henning	Daniel	2252-02, 2254-03, 2260-01, 2310-01, 2321-02, 5052-01, 6052-07
Herlihy Group		2258-03
Herman	Elaine	2320-09
Hermes	Gary	2300-01, 6052-16
Hernandez	Cesar	2300-01
Herrick	Greg	2258-07
Herrick	Michael	2263-01, 2320-20
Hertel	Karl	1500-01, 2200-01, 2210-55, 2265-01, 2310-03, 2323-04, 5053-05
Hessler	Marvin	2310-03
Hewitt	Gail	6050-66
Hewitt	Kirk	6050-29
Hiaring	Robert	2263-01, 2300-01, 2300-02, 2310-01, 6050-45
Hibl	Richard	2101-26, 2101-27, 5053-05
Hicks	Donald	1401-03, 5053-05
Hicks	Kathryn	2250-53, 2257-01, 2324-08, 6500-02
Hicks	Steve	2213-01, 2250-63, 5053-02
Hiebert	Keith	2310-04
Hiestand and Neal Miller	Kathryn	1150-64, 2263-01, 2310-01, 2322-03, 2323-01, 6052-07
Hildebrandt	Todd	2263-01, 2310-01, 2326-01, 6052-09, 6052-16
Hilden	Alan	1150-63, 2250-55, 2310-02, 2323-01
Hilger Fire District		2300-08, 3050-09, 5151-01
Hill	Beth	1100-02, 2310-02, 2320-02, 2328-01
Hill	Michael	2263-01, 2310-01
Hinkle	Jack	6050-03
Hinzman	Ken	2101-12, 2320-04, 6050-80
Hirons	John	2310-04
Hislop	Dale	2101-39, 5000-61
Hlavnicka	Tom	2258-10, 2310-03, 2310-08
Hobbs	Joe	2323-04, 2323-05
Hodgeboom	Fred	2320-230, 2323-04, 5200-07
Hodgeson	Kathleen	5053-01
Hoff	Ron	1400-03, 2150-06, 2263-01, 2310-01, 6050-02
Hoffer	Marvin	2310-12, 2327-01

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Hoffer	Ted	2323-37
Hoffland	Larry	2265-03
Hohn	Tom	6054-01
Hoitsma	Todd	2263-01, 2310-01, 2322-01, 6050-45
Holcomb	Mendy	1100-07, 2323-04, 5000-01, 5000-04, 6100-17, 6101-01, 6102-01
Hollandsworth	Harvey	2323-04
Hollister	Robert	2250-30
Hollopeter	James	2264-01
Hollopeter	Joyce	2265-30, 2323-04, 5053-05
Holman	James	6050-60
Holmes	Brian	1150-15, 2310-05, 2320-120, 5052-02
Holmes	Michael	2250-03, 2255-01, 2260-02, 2263-01, 2310-13, 2322-17, 2323-01, 2325-01, 4100-01, 4150-01, 4250-03, 6050-04, 6052-07
Holton	George	2210-58, 2253-02, 2310-01, 2323-01
Holzheimer	Charlotte	6050-50
Holzheimer	Lewis	2310-01, 2324-06, 4250-03, 6050-01, 6050-13, 6102-04
Hopkins	Anne	2258-03, 2258-06, 6050-87
Horelick	Tom	2101-01, 2310-01, 2320-95
Hostetler	Craig	2310-03
Hover	Jerry	2310-03, 2310-07
Howard County Bird Club		1150-17, 1150-58, 2263-01, 2310-01, 2323-01, 4250-01, 6052-09
Hower	Linn	2258-03, 2258-10
Hubbard	Stan	2258-08
Hubbard Broadcasting, Inc.		2258-15
Huck	Clayton	5000-61
Hudson	Chris	2323-01
Hudson	Hank	6050-57
Hudson	Jon and Berkley	2258-03, 2310-05, 2310-07
Huestis	Guy	2259-01
Hughes	Kevin	2258-13
Humphrey	Mark	5053-19
Hundtofte	Ron	2150-43, 2323-01
Hunnes	Jeff	1150-06, 1150-64, 2320-108, 6050-13, 6052-08
Hunsaker	Pamela	2320-01, 5053-02

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Hurd	Josh	2263-01, 2310-01, 2322-01, 2323-03, 2323-07
Hurdle	Joan	2310-02, 2323-01, 6052-09
Hurly	Robert	2320-24, 2320-189, 6103-04
Huston	Dave and Kathryn	6500-02
Hutchison	William	2300-01, 6050-54
Ibsen	Dirk	2323-04
Idaho Aviation Association, McCall Chapter		2310-04
Idaho Conservation League		2310-01, 2310-16
Illes	Greg	2258-10, 2310-08
Illi	Warren	2320-178, 2325-49
Indian Butte Cooperative State Grazing District		2150-102, 2300-09, 6500-02
Inman	J R	1100-03, 1100-07, 1100-09, 2251-25, 2253-02
Intrator	Joan	2263-01, 2300-01, 2310-13, 2327-05
Isaackson	Bobbi Sue	2320-04, 2320-177
Isaackson	Johanna	2320-01, 6104-03
Island Seaplane Service Inc.		2258-03, 2258-08
Israel	Nellie	2300-01, 2310-01, 2323-01, 6050-55
Iverson	Boyd	2323-03
J G Moore & Co Inc.		2258-10
Jack Paulson Construction		2259-01
Jackson Hole Conservation Alliance		2310-01
Jacobs	Bruce	2258-02, 2258-03, 2258-15
Jacobs	Dean	5053-02
Jacobs	Francis	1150-63, 2250-76, 2310-03, 5053-04
Jacobs	Roy	2260-02, 2310-01, 2324-06, 6102-04
Janikowsky	Ed	2250-72
Jarecki	Chuck	2258-03, 2310-03, 2310-04, 2310-06, 2310-07, 2310-12, 2310-15, 2310-55, 2311-10
Jarecki	Penny	2310-03, 2310-10
Jayne	Jerry	2263-01, 2263-04, 2310-01

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Jefferson	Theodore	2320-39, 5000-06, 6050-35
Jennings	Chuck	2300-03, 2323-01, 6050-13
Jennings	Elizabeth	1401-01, 2200-05, 2263-01, 2320-02, 6053-01
Jennings	Gerry	2300-55, 2310-01
Jensen	Nels	2310-04
Jensen	Robert	2258-03
Jines	Lanny	2258-13
Jobe	Cindie	2300-02
Johnson	Adam	1403-02, 6052-06
Johnson	Bill	5000-61
Johnson	Carol	6050-18, 6050-45
Johnson	David	2310-06, 2320-74, 5000-06, 6050-32
Johnson	Donna	1100-01, 1150-18, 1450-02, 1500-01, 2100-04, 2150-05, 2150-08, 2150-26, 2150-45, 2259-02, 2320-05, 2323-05, 2324-04, 4250-05, 5000-01, 5000-04, 5000-05, 5053-03, 5053-05, 5053-06, 5053-07, 5151-01, 5200-03, 5200-10, 5200-12, 6100-05, 6101-01, 6102-01, 6103-05, 6103-15, 6103-16, 6104-02, 6104-08, 6104-09, 6104-10, 6104-11, 6104-12, 6500-10
Johnson	Eric	2258-03, 2310-04
Johnson	Eugene	2250-59, 2263-01, 2311-13, 6052-20
Johnson	Geoff	2150-109
Johnson	Gilbert	2310-05
Johnson	Glenn and Dorothy	2254-03, 2263-14, 2310-01, 2323-01, 6050-13, 6050-77
Johnson	Ray	2258-08
Johnson	Richard	2101-03, 2310-15
Johnson	Robert	2300-01
Johnson	Sharon	2258-02, 2258-08
Johnson	Wayne and Jeanne	2200-02, 2300-71, 2320-02, 6500-17
Johnson	Will	2258-03, 2258-05
Johnston	Aurilla	1500-19, 2323-04, 5053-03, 5053-05
Johnston	Bob	2263-01, 2300-02
Johnston	Stephen	2310-07
Jones	Bill	5053-27
Jones	Cedron	2250-65, 2260-02, 2262-02, 2310-01, 2320-44, 2325-17, 2328-06
Jones	David	2254-03, 2263-01, 2323-01, 6050-13
Jones	Herb	6500-38

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Jones	Jack	1150-01, 1150-03, 1150-10, 1150-12, 1150-14, 1150-19, 1150-20, 1150-39, 1150-63, 2100-13, 2101-23, 2150-04, 2150-55, 2320-09, 2323-04, 2323-05, 6100-02, 6103-49, 6103-50, 6104-02, 6104-25, 6500-03, 6500-13
Jones	Linda	6050-13
Jones	Mary	1150-23, 2050-04, 2150-67, 2210-13, 2250-37, 2310-05, 2310-37, 2320-84, 2320-203, 5200-42, 6050-14, 6050-54, 6100-02, 6500-01
Jones	Thomas	1100-02, 2101-57
Jones Marine LLC		2258-03
Joslyn	Iva	6050-54
Jost	Dan	2310-03
Josti	Tammy	2263-04, 2310-01, 2322-13
Juhnke	Chuck	2324-14
Jump	Kevin	5000-13
Jump-Rauthe	Darlene	6050-60
Junker	Doug	2258-21
Jutila	John	6050-02
Kach	Roy	2259-01
Kaeding	Beth	2263-01, 2300-50, 2310-01
Kanduch	Joe	6050-60
Kanduch	Tammie	5053-37
Kantorowicz	J C	2200-01, 2215-16, 2258-07, 2258-13, 2264-01, 2310-03, 2320-93, 5053-04
Kapp	Michael	2320-113
Kary	Douglas	2250-58, 2323-04, 2323-40, 2323-47
Kasemodel	Alan	2310-04
Kauffman	Nathan	5000-26
Kaufman	Gordon	2259-01, 2322-02
Kearney	Patrick	2323-04
Keaveny	Theresa	2250-02, 2257-06, 2260-03, 2310-01, 2323-01, 2325-55, 2327-05, 5000-14
Keene	Leo	6103-01
Kehler	Bill	2300-02
Keith	Kevin	2263-01, 2310-01, 2326-01, 6052-16
Kelleher	Kevin	2310-07
Kelley	Amy	2263-01, 2310-01, 2321-01, 2322-05, 2323-03, 6102-04
Kelly	John	2264-02
Kembel	Bob	2258-05, 2258-06, 2258-10, 2258-15

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Kemmerer	Jim	2262-02, 2310-01, 2327-05
Kempa	Daniel	2300-58
Kendy	Eloise	1401-03
Kenny	Michael	2253-02
Kent	Lysette	2323-04
Kent	Lyshelle	2320-05
Kent	Maxine	2323-04
Kent	Ned	2323-04, 5000-61
Keppers	Victor	2200-01, 2253-02, 2255-23, 2310-12, 2320-32
Kesel	Greg	2258-02, 2258-06, 2258-16
Kestrel Aerial Services Inc.		2310-50
Keyes	John	2320-212
Khalsa	Sat	2258-08
Kiehn	Grady	2310-03
Kienenberger	Carol	1500-01, 2323-04, 5053-05, 5151-01
Killham	Dan	6050-32
Killham	Trudi	2259-01
Kilmer	Tom	2263-01, 2323-01, 6052-07
Kimzey	Dennis	6050-18
King	John	2323-09
King	Michael	2300-02
King	Scott	2327-17
Kingsland	Norm	2259-01
Kirby	Charlotte	2250-52, 2265-28, 2310-01, 2320-193, 5053-01
Kirby	Kim	2258-08
Kirkpatrick	Jay	2258-08, 2263-01, 2300-13, 2310-01, 2320-196, 2323-01
Kirkpatrick	Michael	2258-03
Kislak	Philip	2310-04
Kitchenmaster	Don	2259-01, 2322-02
Kiver	Eugene	2255-01, 6051-01, 6052-07
Klarich	Dave	2320-03, 2320-202, 2326-02, 2327-11
Kleineahlbrandt	Trevor	2101-57
Klingaman	Tim	2258-13
Klippenes, Jr	Stephen	2265-37
Knapstad	Michael Andy	2255-31, 2265-11, 5000-15

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Knight	Walter and Janet	2263-01, 2310-01, 2327-05
Knox	Bob	2265-22, 2320-05
Knox	Doris	2150-30, 2150-96, 5200-55
Knox	Karla	1050-09, 1150-04, 1150-09, 1150-13, 1150-18, 1450-02, 1500-01, 1500-24, 2150-05, 2261-01, 2310-04, 2310-08, 2320-12, 2325-34, 5000-05, 5000-09, 5053-05, 5200-03, 6050-32, 6052-32, 6101-01, 6103-05
Knox	Matt	1150-09, 1150-18, 1450-02, 1500-01, 2100-04, 2100-06, 2259-01, 2310-03, 2310-08, 2320-11, 2320-12, 2320-167, 2325-04, 3050-09, 5000-09, 5053-05, 5200-07, 5200-10, 5200-52, 6103-02
Knox	Sally	1403-09, 1450-02, 2320-05, 2324-14, 2325-06, 2325-08, 2325-37
Knox	Sarah	1450-02, 2253-01, 2325-07
Knox	Steven	2213-08, 2259-01, 2310-03, 2320-12, 2320-13, 2320-79, 2320-184, 2320-199, 2321-09, 2323-04, 2324-02, 2324-13, 5000-06, 5053-03, 5053-34, 6050-32
Knudsen	Bruce	2323-04
Knudson	Ken	6050-33
Knudson Associates		1100-01, 1100-05, 1100-06, 1100-08, 1100-09, 2250-31, 6101-01, 6104-17
Kobialka	Jan and Gayla	2263-01, 2310-01, 2321-03
Kolar	Jerry	1150-63, 1150-65, 2256-01, 5053-12
Kolczak	Francis	2150-26, 2200-01, 2323-04
Kopp	Michael	2258-01, 2258-03, 2258-07, 2258-08
Korb	Robert	6050-108
Korman	Maxine	2150-91, 2324-63, 4250-10, 6050-15, 6100-05
Korman	Maxine and Ron	6500-02, 6500-16
Korney	Brian	2258-03
Koss	Kelly	2320-05
Kozub	David	2259-01, 2325-11
Kraftenberg	Don	2320-01
Kraftenberg	Karla	5053-04
Krall	Dave	2258-03, 2310-03, 2310-10
Kraus	Jim	2300-48
Kreck	Loren	2101-57, 2254-26, 2254-34, 2260-06, 2262-02, 2300-01, 2310-01, 2310-13, 2324-04, 6050-54
Kreis	George	2259-01
Kriesel	Bonnie	2259-01, 2323-03
Kriesel	Tom	2259-01, 2323-03
Krone	Kent	2323-02

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Kruossy	Thomas	6050-35
Kruse	Stephan	2258-02
Kuckler	Brian	2258-10
Kuffel	Tom	2310-03, 2310-04, 2310-06, 2310-13, 6054-01
Kuhl	Richard	2263-31, 2310-01, 2326-01, 6052-07
Kunnemann	Kimard	2200-01, 2320-09, 2323-04
Kunze	Paul	2253-01, 2323-04, 5000-61
Kurki	Al	2253-02, 2260-02
Kurrie	Jim	2258-08
La Ban	Sally	2255-15, 2310-01, 2322-11
Labouvie	Eric	6050-54
Lackey	Fred	2150-05, 2259-01, 2323-04, 5053-05, 6103-36
LaFond	Russell	2323-04, 5053-05, 5200-12
LaGrone	Larry	2258-03
Lalum	Mark	5200-16
Lambert	Bonnie	6050-45
Lambing	John	2300-45
Lammerding	Jim	2101-13, 2324-64
Lamp	Darren	2310-03
Landis	Connie	1401-01, 2200-05, 2263-01, 2310-01, 2327-03
Lane	Arlie	1403-02, 2255-01, 2310-01, 2327-03, 6050-18, 6103-06
Lansberry	Darlene	6052-12
Lark	Fred	2310-04, 2310-08, 2310-53
Lark Unlimited, Inc.		2310-03, 2310-04
LaRocco	Rich	2324-64
Larsen	Bruce	2310-03, 2310-07
Larson	Larry	2310-04
Last Chance Audubon Society		2263-01, 2310-12, 2322-04
Leaver	Thomas	2258-01, 2258-03, 2258-07
LeBarron	Suzette	2320-139
Lee	Bill	2320-05, 2325-12
Lee	Brandt	2325-04
Lee	Mark	2258-10
Lee	Ron	1401-01, 2263-01, 2300-01, 2320-154
Lee	Teresa	2325-04, 2325-43

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LeGrande	John	1400-02, 2250-61, 2327-03
Lehman	Tim	2101-35
Lehman	Wendell	2258-13
Lehnherr	David	2263-01, 2310-01, 2323-01, 6050-01
Leibrand	Gary	1150-47, 2251-11, 2263-01, 6050-94, 6102-04, 6103-22
Leininger	Bill	5000-01
Lemanski	Thomas	2258-03
Lents	B D	1400-02, 2255-01, 2327-03
Leonard	Sarah	2150-05, 2150-97, 5053-05, 5200-48
Leonard Hudson Drilling Co., Inc.		2258-10
Leonetti	Richard	2310-03
Lewis	Jim	2310-06
Lewis and Clark Trail Heritage Foundation, Inc.		1100-06, 1100-07, 2310-01, 6102-04
Lewistown Rural Fire District		2300-08, 5151-01
Libby	Tyler	2258-06
Liberty	Janet	2310-05, 2310-07, 2310-08
Liberty County Conservation District		2300-04
Liddle	Harry and Carolyn	2150-105, 2323-04, 5053-05
Liddle	Justin	2323-04, 5000-22
Liddle	Mark	1401-01, 2150-105, 2323-09
Liddle	Travis	2150-105
Lien	David	5000-63
Linafelter	Rickey	2102-02, 2323-50
Linarez	Karen	2300-02
Lincoln	Roger	2310-04, 2310-10, 2310-15
Lind	Stephen	2258-13, 2258-23
Linden	Gudrun	6053-01
Lindstrom	Art	2310-03, 2310-39
Linn	Amanda	2261-05, 2310-01, 6050-04
Lipscomb	Bob	2265-01
Livesay	Bob	2264-01
Livingston Sr.	Curt	2252-01, 2321-07, 4250-02

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Lloyd	Kathy	1150-64, 2150-14, 2263-04, 2310-01, 2320-18
Lloyd	Merle	2200-01, 5000-25, 6500-37
Locke	Charlene	2257-02, 2263-01, 2323-03
Logan	Dave	2310-06
Logozzo	Jack	2310-01, 2323-01, 6050-45
Lohne	Martin	2258-08
Loman	Anita	2262-01
Loomis	Clint	1401-03, 1401-31, 2253-02, 2257-04, 2310-04, 2324-08, 2327-08
Lopp	Robert	1150-64, 2150-14, 2262-02, 2263-01, 2300-04, 2310-01, 2323-01, 2324-05, 6050-45, 6050-74
Love	Jack	2300-01
Lubbers	Robert	6103-06
Luebeck	Al	2255-01, 2263-01, 2310-01, 2327-03
Lund	Thomas	2320-07
Lunde	Craig	2320-05, 5000-06, 5053-02, 6103-01
Luparell	Vince	2327-02
Lutes	Amy	2258-07
Lutz	Bell	5053-05
Lutz	Scott	2323-04
Lutzhe	James	2250-75
Lybyer	Geneva	6103-06
Lydon	Sally	1400-01, 2150-06, 2263-01
Lympus	Ted	5053-02
Lynch	John	2200-02, 2310-15, 2324-07
Lyon	Bob	6050-13
Lytle	Denise	6052-06
Maberry	Guy	2259-01
MacDonald	Anne	2310-04
MacDonald	Ethel	1100-07, 2263-15, 2323-03, 5000-64
Mack	Wakefield	2258-02
MacLeod	John	2323-04
MacPherson	Jeanne	2310-04
Madsen	Craig	2254-33, 2259-01, 2261-01, 2264-01, 2265-27
Madsen	William	2101-46, 5000-44
Madzel	Lloyd	2263-01, 2327-03, 6050-55
Maedge	Rick	1150-63, 1500-01, 2323-04, 3050-09

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Maffly	Brian	2263-01, 2263-04, 6053-01
Magda	Gary	2325-06
Magee	Sharyn	1150-63
Maine	Clifford	2258-03
Makich	Kathleen	2300-01, 2310-01, 2323-01, 6050-45
Makich	Max	2263-01, 2323-01, 6050-01
Maklin	Joe	2310-06
Malloy	Howard	2320-05
Mancusi	William	2310-06
Manning	Charles	2310-03, 2310-07, 2310-08, 2310-42
Manor	Dale	6050-102
Manuel	Deborah	1100-06, 1500-01, 2150-05, 2200-01, 2265-25, 2310-03, 2325-41, 2325-42, 5000-05, 5053-05, 6103-05
Manuel	Ted	1500-01, 2150-08, 2200-01, 2265-03, 2310-13, 2323-04, 5053-05, 5200-09, 6103-05
Marble	Donald	2300-78
Marble	Harriet	2300-02
Mari	David	1500-06, 2101-01, 2102-07, 2103-01, 2103-03, 2103-06, 2210-01, 2260-04, 2310-01, 2310-02, 2310-05, 2310-12, 2310-17, 2310-47, 2311-01, 2320-16, 2324-02, 2325-01, 2328-01, 6052-18, 6053-02, 6500-01
Marieb	Katherine	2323-01, 4250-12
Marino	Joe	5053-01
Markaluras	Peter	2263-01, 2310-01, 2327-05, 6050-45, 6050-54
Marlen	Charles	1401-06
Marotz	Brian	1401-18, 2210-01, 2210-04, 2210-05, 2210-52, 2260-02, 2310-02, 2323-01, 2323-07, 2324-05, 2324-07, 2324-08, 6050-03
Marsden	Bruce	2300-01, 2300-02, 6050-45
Marshall	Imogene	2263-01, 2310-24, 2320-02, 2320-30, 6053-01
Marsik	Bill	2260-05
Marsolek	Michael	2300-72
Martin	Marise	2323-04
Martin	Paul	2150-110, 2323-04, 5000-60
Martineau	Claire	2255-01, 2263-01, 2310-01, 2327-01, 2327-03, 6050-02
Martinell	Kristina	1450-02, 1500-01, 2150-08, 2210-14, 2300-58, 5000-05, 5053-05, 5053-06, 6103-05
Marty	Leslie and Bruce	2263-01, 2310-23, 2320-29, 2323-01, 6052-12
Maryatt	Douglas	2258-03

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Matheson	Kelly	2321-02, 2323-01, 6050-54
Mathison	Andrew	6050-33, 6103-02
Mathsen	Lillian	2263-01, 2322-11
Mathsen	Ronald	2258-30, 2310-01, 2323-01, 6050-03, 6052-12
Matott	Judith	2323-09
Matteoni	Paul	6052-07, 6102-11
Mattfeldt	Jay	1400-03, 1401-01, 2255-01, 2310-01, 2322-11, 2323-01
Matthes	Lisa	2262-02
Matthew	Daniel	2310-52
Mattson	Carl	2258-10
Matyas	James	2253-07, 2258-03, 2258-05, 2258-10, 2258-12, 2265-07
Maurer	John	2258-10
Mavencamp	Bud	2259-01
Maxson	William	2263-01, 5200-02
Mayer	Larry	2310-03, 2310-10
Mayernik	Stephen	1400-04, 1403-01, 2150-05, 2323-04, 2323-05, 2324-01, 2328-14, 6050-31, 6050-61, 6050-62, 6050-63
McAlpine	Roberta	2258-03
McBride	Eldora	6050-56
McCabe	George	2323-01
McCarrel	Bill	2258-03
McCart	Doug	2258-03, 2258-08
McCarthy	Barbara	2212-01
McCartney	Ward	1150-03, 2263-01
McCaulley	Jay	2258-16, 2258-07
McClain	Liz	6500-26
McCleary	Nancy	6103-01
McClellen	Mark	2310-08
McCleod	Pat	6052-06
McClure	Doreen	2323-04, 2325-36, 5000-01, 5053-02
McClure	Rodney	2265-01, 2265-24, 2320-144, 2323-04, 2324-14, 2325-05, 2325-38, 5000-04, 5052-05, 5200-08
McCullough	Stephanie	2263-01, 2327-05, 6050-18
McDanel	Sandra	6050-15
McDonagh	Bob	2258-10, 2253-01, 2258-07
McDonald	Sharon	2259-01, 2310-02

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McDrew	Richard	2310-12, 2310-14, 2310-21, 2324-03
McGillivray	Ralph	2101-10, 5000-04, 5000-21, 5151-03, 5200-04, 6100-01, 6102-02, 6102-03
McGlynn	Bill	2310-06
McGurrin	Matt	2258-03
McHugh	Quinn	1401-03
McIntosh	Brian	6050-35
McIntosh	Drew	6050-60
McIver	Rod	2254-35
McKean	Jay	2101-02
McKean	Paul	2323-04
McKeever	Lyle	1100-02, 2256-25, 2259-01
McKenna	John	2258-13, 2310-08, 2310-10, 2310-13
McKinlay	Caroline	5053-02
McKinney	Ruben	2200-01
McLeroy	John	2258-03
McLorend	Niatthere	2258-03
McMeans	Micky	2255-28, 2263-01, 2310-01, 2327-03, 6050-16, 6050-55
McMillan	Donald	2320-05
McMillan	Sarah	1100-01, 1100-04, 1100-05, 1100-07, 1150-17, 1150-40, 1403-04, 1500-07, 2200-04, 2250-40, 2253-02, 6052-17
McNally Smith College of Music		2258-03
McNeely	Jim	2323-09
McPhilips	Lawrence	2258-03
McReynolds	Mike	5053-05
Meade	Jim	2263-07, 2310-13, 2324-06
Mecklins	Keith	6050-99
Medicine River Canoe Club		2256-12, 2256-22, 2260-03, 2260-12, 2310-01, 2310-04, 2323-01
Mehl	Chris	2263-01, 2310-01, 2323-08, 4150-01, 6050-01, 6050-02
Meis	Rick	1150-03, 2253-02, 2260-02, 2310-01, 2320-107, 2323-01, 2324-64, 6050-45, 6050-54, 6052-13
Meiss	Kassem	2101-57
Meister	Sean	2263-01, 2310-01, 2323-17, 2326-01
Melichar	Les	6050-32
Melle	Jean	2200-01, 2250-57, 2323-04, 6050-69

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Mellinger	George	2320-01
Menahan	Clare	2310-01, 2323-02, 6050-18
Menahan	William	2263-01, 2310-13
Mendel	Mary	2200-02, 2263-01, 2310-01, 2327-01, 5052-03, 5053-05, 5151-04, 6102-19, 6103-30, 6500-08
Menge	Jody	2259-01
Menson	John and Sharene	2263-01, 6050-45
Mercenier	Jacqueline	2213-23, 2263-25, 2310-12, 2327-01
Mercer	Colleen	2263-49, 2300-01, 2320-02
Merlan	Steve	2258-13
Mers	Mark	2258-03, 2258-07, 2258-13
Meyer	G W	2101-38
Meyer	James	2258-06
Meyer	Stan	2259-01, 2310-02, 2321-01
Millard	Doug	2258-03, 2258-12, 2258-15
Millenbach	Mat	2253-02, 2310-05, 2310-32
Miller	Audrey	2300-46, 5053-04
Miller	Donald	2150-21, 2254-24, 2320-142, 2323-04, 2323-05, 2323-10, 5053-01, 5053-02
Miller	Joan	2260-01, 2300-03
Miller	John	2253-10, 2310-02, 2320-47, 2324-03
Miller	Neil and Jennifer	2263-01, 2310-01, 2323-26, 2327-03, 6050-01, 6050-55
Miller	Paul	2310-06, 2310-10
Mills	Patty	2310-01, 2323-01, 6050-54
Mills	Ronnie and Mary	2323-03
Minnick	Lynn	2210-55, 2210-69, 2255-06, 2310-12, 2324-64
Misch	Gordon	2310-03
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Missouri River Outfitters/ Adventure Bound Canoe		2252-15, 2253-05, 2259-01, 2261-02, 2265-01, 5200-38, 6050-37, 6050-105
Missouri River Stewards		1150-04, 1150-09, 1450-02, 1450-03, 1500-01, 2150-12, 2150-78, 2210-39, 2259-01, 2310-03, 2310-04, 2320-12, 2320-143, 2320-170, 2323-04, 2324-14, 2325-04, 2325-07, 2325-35, 3050-09, 4250-05, 5000-04, 5000-09, 5053-05, 5151-01, 5200-03, 6050-30, 6050-35, 6103-02, 6103-05

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Mitchell	Bill	2320-01, 2323-49, 2325-14, 2325-25
Mitchell	Francis	6050-118
Mitchell	Harry	6100-07
Mitchell	Winston	2200-01
Moak	Mark	2324-03
Moline	Joseph	2250-51, 2259-01, 2322-02
Moline	Renita	2250-51, 2259-01, 2322-02
Monahan	Glenn	1401-01, 1401-03, 2261-01, 2262-01
Monahan	Mike	6050-34
Moncur	Max	6050-33
Monk	George	2258-03, 2258-10
Monson	Stan	2310-04
Montana Association of State Grazing Districts		6103-01
Montana Audubon		1401-01, 1401-17, 1401-22, 1401-32, 2251-14, 2263-01, 2263-03, 2310-01, 2320-201, 2323-03, 6050-02
Montana Bowhunters Association		2254-06, 2323-12
Montana Chapter, Backcountry Hunters and Anglers		2255-19, 2255-20, 2260-11, 2263-34, 2263-35, 2310-01, 2322-14
Montana Farm Bureau Federation		1150-63, 1450-02, 2100-07, 2150-05, 2150-114, 2215-10, 2259-01, 2324-14, 5000-61, 5053-05
Montana Grass Conservation Commission		2150-05
Montana Native Plant Society		1400-09, 1400-10, 1401-35, 1403-02, 1403-08, 2150-117, 2210-04, 2210-05, 2220-05, 2323-06, 3050-04
Montana Natural Heritage Program		1401-19
Montana Outfitters and Guides Association		2320-41
Montana Petroleum Association		2102-02, 2210-11, 2210-12, 2213-03, 2213-04, 2213-06, 2213-07, 2215-14, 5000-27, 5000-28, 5000-29, 5000-30, 5000-31, 5000-32, 5000-33, 5000-53, 5053-03
Montana Pilots' Association		2258-01, 2258-03, 2258-05, 2258-06, 2258-07, 2258-08, 2258-23, 2258-24, 2258-25, 2258-27, 2310-03, 2310-04, 2310-05, 2310-07,

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		2310-08, 2310-10, 2310-12, 2310-13, 2310-15, 2310-30, 2310-31, 2311-02, 2311-07, 2311-10, 2311-11
Montana River Action		1150-03, 1400-02, 2254-24, 2255-01, 2263-01, 2310-01, 2323-01, 2327-03, 6050-02, 6050-45, 6050-54
Montana River Outfitters		2260-03, 2261-01, 2264-01, 2265-01, 2266-01
Montana Seaplane Association		2258-02, 2258-03, 2258-04, 2258-06, 2258-07, 2258-13, 2310-04, 2310-05
Montana Shooting Sports Association, Inc.		1150-03, 1150-63, 2101-07, 2320-187, 2323-04, 2323-05, 6104-03
Montana Stockgrowers Association		1150-04, 1150-06, 1150-18, 1401-27, 1450-02, 1500-21, 1500-22, 2100-06, 2101-31, 2150-26, 2150-35, 2150-62, 2150-63, 2150-64, 2150-89, 2150-90, 2150-104, 2266-02, 2320-05, 2320-183, 2324-44, 5053-05, 5053-06, 5053-26, 6050-32, 6100-11, 6103-01, 6103-24, 6103-41
Montana Trail Vehicle Riders Association		2300-47, 2310-03, 2320-75, 2323-04, 5000-15, 5000-61
Montana Wilderness Association		1100-05, 1150-04, 1150-08, 1150-12, 1150-16, 1150-21, 1150-28, 1150-29, 1150-30, 1150-42, 1150-63, 1150-64, 1350-05, 1350-06, 1350-07, 1350-08, 1401-24, 2103-01, 2103-03, 2103-06, 2150-03, 2200-02, 2200-05, 2210-01, 2210-16, 2210-25, 2210-27, 2210-28, 2210-29, 2210-61, 2213-13, 2215-07, 2215-12, 2253-02, 2254-02, 2260-02, 2263-02, 2263-40, 2310-01, 2310-12, 2310-15, 2320-05, 2320-128, 2320-186, 2321-01, 2321-02, 2321-03, 2322-16, 2323-01, 2323-03, 2323-36, 2324-02, 2326-01, 2328-12, 2328-13, 4250-01, 5053-41, 6050-01, 6050-14, 6050-28, 6050-53, 6055-05, 6101-01, 6101-17, 6500-19, 6500-20
Montana Wildlife Federation		1150-12, 1150-21, 1150-41, 1150-45, 1150-56, 1150-63, 1150-64, 1400-11, 1400-17, 1401-20, 1403-02, 1403-03, 1500-28, 2050-02, 2050-03, 2100-01, 2101-01, 2101-03, 2101-05, 2150-07, 2150-70, 2250-78, 2251-19, 2251-20, 2251-21, 2252-13, 2252-19, 2254-01, 2254-19, 2254-20, 2255-30, 2256-02, 2256-21, 2260-03, 2260-14, 2260-18, 2300-54, 2310-01, 2310-04, 2310-12, 2320-214, 2320-215, 2320-216, 2321-02, 2321-05, 2322-01, 2322-16, 2323-01, 2323-03, 2323-05, 2323-45, 2324-07, 2324-47, 2324-48, 2325-29, 2325-50, 2325-56, 2328-01, 3050-03, 3050-14, 4100-02, 4100-13, 5151-05, 5200-54, 6050-13, 6050-14, 6053-01, 6055-04, 6101-02, 6103-03, 6500-01
Montana Woolgrowers Association		1150-04, 2150-26, 2150-33, 2323-05, 5053-05
Monteleone	Rich	2310-06
Montgomery	John	5053-01
Montgomery	Tom	2150-05, 2324-19, 5000-61
Moodie	James	2259-01, 2323-04, 5053-05
Moody	Gy	2250-02, 2263-04, 2310-04, 2321-13, 2323-01, 2323-34, 6050-18

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Moody	Ron	1250-03, 2101-03, 2101-04, 2101-05, 2101-24, 2150-28, 2150-56, 2251-01, 2253-09, 2254-01, 2256-02, 2310-04, 2328-02, 3050-03, 5000-05, 5000-14, 5052-01, 5200-09, 6050-11, 6100-02, 6100-08, 6100-09, 6102-03, 6102-04, 6103-03, 6500-01
Moore	Dan	2260-09, 2325-16, 2326-01
Moore	George	2258-03
Moore	James	2258-10
Moore Rural Fire District		2300-08, 2310-06, 3050-09, 5151-01
Moran	Felix	2310-09, 2310-10, 2310-11
Morine	Jerry	2324-18
Morris	Connie	5053-05
Morris	Robert	2258-03
Morrison	Berta	2310-01, 2320-05, 6050-02
Morrissey	John	2258-02, 2258-03
Morrow	John	2258-03
Morrow	Kyle	2265-04
Morstein	Mona	2300-01, 2310-01, 2326-01
Mortenson	Kip	1400-01, 1400-02, 2250-52, 2255-01, 2263-01, 2310-01, 2327-03, 6050-13, 6050-55
Mosby Musselshell Watershed Group		1450-02, 1500-01, 2150-05, 5000-11, 5053-05
Moseman	Daniel	2320-01, 5053-08
Moseman	Delores	5053-09
Moss	Guy	2258-02, 2258-08
Mothershead	Randall	5000-61
Mountain Air Research Inc.		2258-03
Mountain States Legal Foundation		2213-03, 2213-09, 2213-12, 6050-32
Mowbray	Carmine	2310-04, 2310-06, 2310-08
Moyle	Marta	2324-64
Mueller	A V	2310-01, 2323-01
Mueller	Martin	2258-13
Muhs	William	2101-02, 2101-64, 2320-109
Mullen	Norm	1150-64, 2253-02, 2265-02, 2310-01, 2323-08
Mullen	Pierce	2327-05
Mullenix	Robert	6050-32

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Mullens	Michael	2300-58
Munhollon	S	2101-51, 2101-52, 2324-14
Munson	David	6052-06
Munyan	Bernard Allen	2323-04
Murnion	David	1100-02, 1150-63, 1150-64, 2150-14, 2200-02, 2215-01, 2250-32, 2310-01, 2320-64, 2322-05, 2322-17, 2325-01, 6050-01, 6102-0
Murphy	Paul	2320-229
Murphy	Paul Michael	2254-01, 2258-11, 6055-10
Myers	David	2263-01, 2323-01
Myers, Jr.	Elmer	2101-66
Nagle	Michael	2258-03
Nardinger	Chuck	2200-01
National Parks Conservation Association		1401-14, 1401-29, 2251-13, 2254-01, 2254-03, 2260-01, 2260-11, 2310-01, 2310-04, 2310-05, 2310-13, 2310-56, 2320-77, 2323-01, 2323-03, 2323-06, 2324-14, 2325-26, 6050-13, 6050-14, 6050-53, 6051-01, 6052-31
National Trust for Historic Preservation		1100-04, 1100-05, 1100-06, 1100-07, 1100-08, 6100-02, 6101-16, 6101-18
National Wildlife Federation		1150-63, 1150-65, 2310-01, 2320-124, 2320-125, 2323-01, 6050-13, 6054-02
Naugle	George	2101-58, 2320-88
Neal	Chuck	2310-01, 2323-01, 6050-56
Negaard	Daniel	2320-04, 2320-180, 2325-09, 6100-15
Negaard	Joshua	2320-05, 2320-205
Neil Williamson & Staker		2310-06
Neill	Arthur	2253-03, 6050-36
Neils	Herbert	2255-02, 2310-01, 6050-01, 6050-54
Nelson	Bob	2259-01, 2261-03, 2261-04
Nelson	Dan	2310-10
Nelson	Diane	6052-04
Nelson	Eric	2254-25, 2263-01, 2311-03, 2320-21, 6052-09
Nelson	Jay	6050-88, 6500-35
Nelson	Mike	2323-04
Nemes	Joseph	6050-18
Neumiller	Robert	2323-04
New Mexico Cattle Growers' Association		1500-01, 2150-16, 2150-17, 2320-96, 2320-97, 2320-98, 2320-207, 2324-14, 5000-04, 5000-06, 5000-07, 5000-08, 5000-13, 5053-03, 5053-04, 5053-05, 5151-01, 5200-43, 6100-04, 6101-20, 6103-05

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New Mexico Wool Growers, Inc.		1500-01, 2150-16, 2150-17, 2320-99, 2320-100, 2320-101, 2320-208, 2324-14, 5000-04, 5000-06, 5000-07, 5000-08, 5000-13, 5053-03, 5053-04, 5053-05, 5151-01, 5200-44, 6100-04, 6101-20, 6103-05
Newby	Patrick	1401-01, 2200-05, 2310-01, 2323-01, 6053-01
Newell	Susan	2101-01, 2102-04, 2210-01, 2263-01, 2310-01, 2327-06, 4250-01, 6050-34, 6050-76, 6500-01
Newman	Linda	2325-51
Newman	Ron	2320-05, 2321-09, 2324-14
Newton	Dennis	6050-32, 6050-48
Newton	Lonnie	5200-11
Nickens	Dan	2253-06, 2258-03, 2258-05, 2258-10, 2258-12, 2265-07
Nielsen	Trent	2320-01, 2320-03, 2323-04, 6103-01
Nies	LuAnn	1150-18, 1150-63, 5000-05
Noel	Duane	6050-85
Noel	James	2258-08
Nordstrom	John	2258-03
Nordstrom	Phil and Sue	2101-57, 2200-01, 2250-56, 3050-01
Norgaard	Roger	2260-03, 2310-02, 2323-28, 6052-26
Norris	Robert and Lonnette	2310-03
Norskog	Chris	2265-01
North Dakota Pilots Association		2310-03
Norton	Michelle	6050-01, 6050-54
Nygard	Emil	2323-04
O'Bagy	Paul	2310-03, 2310-07
Ober	Michael	1150-63, 2260-03, 2310-01, 2320-25, 2323-01
Obie	Donald	2200-01, 2323-30, 3050-09, 3050-12, 5053-05, 6050-15
Obie	Sandra	2200-01, 2323-31, 5053-05, 6050-15
O'Brien	Mary	2265-01, 2310-01, 2323-01
O'Connell	Peter	2258-10
O'Connor	Susanne	2263-01
Odell	Robert	2259-01, 2323-04
Ogrin	Kirk	2310-04
Ohlin	Ronald	6050-60
Oil & Gas Accountability Project		1150-24, 1150-25, 1150-26, 1350-02, 2200-10, 2210-01, 2210-10, 2210-15, 2210-16, 2210-17, 2210-18, 2210-19, 2210-20, 2210-21, 2210-22, 2210-23, 2210-24, 2213-13, 2213-18, 2215-03, 2215-04, 2215-05, 2215-06, 2215-11, 5053-03, 6052-05

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Oldenburg	Bob	2250-12, 2251-02, 2324-64, 6050-11
Oley	Billy	2323-02
Olsen	Mike	2321-09, 2324-14
Olson	Bernie	2320-05, 6050-31, 6052-01
Olson	Darryl	2101-03, 2324-08
Olson	Doug	2200-02, 2255-26, 2263-44, 2300-03, 2300-12, 2310-01, 2311-11, 6050-34
Olson	Jeffrey	2323-03
Olson	Lethia	2259-01
Olson	Lowell	2259-01
Olson	Mark	6500-02
Olson	Paul	1150-64, 2150-98, 2263-01, 2310-02, 2327-01
Olson	Vicki	1150-18, 2150-05, 2150-92, 2150-93, 2266-03, 6100-16, 6104-23
O'Malley	Ted	2310-10
Omen	David	1350-09, 1400-02, 2200-02, 2257-08, 2257-09, 2263-01, 2263-24, 2310-02, 2311-12, 2323-01, 5151-02, 5200-17, 6052-09
O'Neil	Jerry	1500-30, 2200-01
Ophus	Clint	2320-01, 2320-163, 2320-223, 2323-05, 2323-09, 2325-02, 6050-35
Ophus	Reece	1150-63, 1500-03, 2150-27
Ophus	Shane	1500-03, 2323-04, 6500-12
Orcholski	Gerald	6050-34
Oregon Natural Resources Council		2310-01
Orham	Harlan	2310-02, 2320-76, 6050-45
Ortlip	Stephen	2258-13
Orton	Tim	2258-02, 2258-03, 2258-13
Our Montana Inc.		1150-05, 1150-13, 1150-17, 1150-36, 1400-08, 1401-02, 1403-01, 2100-05, 2150-03, 2150-22, 2150-24, 2150-42, 2150-100, 2212-02, 2250-08, 2250-09, 2250-10, 2250-11, 2250-18, 2250-52, 2250-53, 2250-64, 2251-18, 2253-02, 2254-10, 2256-09, 2257-01, 2310-01, 2310-12, 2324-06, 2324-08, 2324-09, 2325-02, 2327-15, 2328-14, 3050-03, 3050-04, 4250-02, 6050-53, 6102-16, 6102-17, 6102-18, 6103-03, 6500-01
Overcast	John	2323-04
Owsowitz	Judy	2200-02, 2263-01, 2310-01, 2323-01, 2324-03, 2324-04
Oxarart	Eva	2300-04, 2300-44, 5053-04, 5053-20, 6103-12, 6104-07
Pacini	Paul	2310-01, 2324-04, 6050-82
Paddock	Mark	6103-01
Paden	Chuck	2263-02, 2300-01, 6053-01

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Page	John	6050-35
Palinkos	Stephen	2258-03
Palmer	Karen	6053-01
Palmer	Michael	2255-01, 2300-02, 2310-01, 2327-03
Palucki	Carl	2258-03
Panepinto	Lyle	2258-08, 2258-10, 2258-13
Pankrutz	Bill	5000-61
Parker	Bradford	2101-02, 2258-07
Parker	Eric	2310-07
Parker	Linda	5053-04
Parks	Mary Ann	2259-01
Parsons	Don	2323-09
Patel	A	6052-16
Patrick	Robert	2101-03, 2258-13, 2310-04, 2310-08
Patterson	Amber	1400-01, 2255-01, 2263-01, 2310-01, 2327-03, 6050-02
Patterson	N D	5053-05
Paugh	Justin	2102-01, 2250-01
Paul	Billy	2310-03
Pavlicek	Dave	2101-01, 2310-01, 2320-166, 2323-51
Payne	Gilbert	2260-04, 2310-35, 2323-27
Peltz	William	2262-02
Peltzer	Greg	2323-04
Penfold	Mike	6050-53
Pennell	Donn	6051-04
Peralta	Ana	6050-35
Perkins	Craig	2101-57, 5200-20, 6050-35, 6103-04
Perry	Raymond	2258-03
Persson	Scott	6050-49
Pervier	Norville	2258-03
Peters	Cheryl	6050-81
Peters	Gerard	6050-35
Peters	Nathaniel	2263-01, 2310-01, 2326-01
Peters Jr.	Gerald	2310-07, 2310-48
Peterson	Jim	6050-09, 6050-44
Peterson	Mr. and Mrs. Roger	2256-01, 2257-07
Petritz	Nick	2265-19

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Pettard	Lee	2259-01
Pfau	Dale	2259-01, 2320-01
Pflueger	Hazel	2300-01, 6052-07, 6052-16
Phelan	Ed	2258-03
Phelps	James	2256-02, 2310-01, 2324-13, 3050-04, 6100-02
Phillips	Jim	2323-04
Phillips	Wayne	1150-17, 1401-03, 2150-18, 2256-03, 2256-04, 2310-01, 2320-106, 2322-11, 2326-01
Phipps	Bernie	2101-02, 2101-57, 2321-09
Piccolo	Bob	2100-01, 2150-05, 2253-02
Pierce	Penelope	6050-13, 6052-08
Pippin	Howard	2210-49, 2215-18, 2259-01, 2310-03, 2323-04, 5053-05
Pisauro	David	2320-02
Pitblado	Nancy	2310-01
Pittard	Lee	2323-04
Poe	Shawn	2323-32
Poertner	Janet	2260-05
Poertner	Ron	1150-18, 1500-01, 2213-04, 2259-02, 2260-13, 2265-26, 2310-03, 2320-05, 2320-13, 2320-14, 2320-162, 2324-14, 5053-03, 5053-05, 5200-10, 6050-10, 6052-18, 6103-01
Poloson	Albert and Grace	2310-04, 2310-11
Porte	Sanna	1401-01, 2255-01, 2263-01, 2310-01, 2322-08
Porter	Leroy	2263-01, 2310-01, 2323-01, 4250-03, 6050-01, 6050-54
Posewitz	Jim	2101-03, 2254-01, 2300-07, 6050-106
Posson	John	2258-13
Post	Randall	1150-64
Potter	Jack	1401-02, 1401-03, 1401-18, 2050-04, 2101-06, 2150-11, 2200-02, 2251-01, 2252-03, 2252-11, 2254-04, 2254-05, 2263-04, 2263-52, 2300-80, 2310-01, 2320-02, 2322-01, 2322-05, 2324-05, 2328-15, 4100-10, 6050-13
Potter	Rachel	1401-03, 2050-04, 2101-06, 2150-11, 2200-02, 2251-01, 2252-03, 2254-04, 2254-05, 2263-01, 2263-04, 2263-52, 2300-03, 2310-01, 2320-02, 2320-94, 2321-04, 2322-01, 2322-05, 4100-10, 5000-14, 6050-45, 6052-13
Poulter	Jim	2258-08
Povenmire	King	2258-13
Powell	Helen	6050-54
Power	Michael	2254-08
Prach	Edwin	2310-01, 2324-06, 6050-32

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Prairie Kraft Specialties		2310-06, 2310-07
Pratt	Gary	2258-03
Preikszas	Bonnie	2327-16
Preszler	Keith	2263-01, 2300-02, 2322-11
Price	Craig	2323-03
Price	Jean	2263-11, 2310-01, 2323-01, 6050-71
Prill	Daniel and Margie	2310-04, 2310-07
Prinkki	Heather	5053-25
Proctor	Joe	6050-02
Proescholdt	Kevin	2255-01, 2263-01, 2310-01, 2327-03, 2327-05, 4250-02, 6050-02
Profota	Don	2310-03
Proske	Ted	2320-15
Public Lands Advocacy		2213-03, 2213-15, 2213-16, 6050-15, 6104-06
Pugh	Dale and Jeanne	2263-01, 2263-05, 2263-06, 2263-20, 2310-01, 2320-10, 2320-19, 2323-01, 2323-13, 6050-02, 6053-01
Puliafico	Charles	2310-05, 2310-07
Putnam	J Pete	2258-03
Radford	J	2300-02
Rafferty	Gary W	6103-01
Rainey	Keith	2263-01, 2310-01, 2326-01, 6050-13
Rambo	Neil	2258-03
Ramsey	Mary	6050-45
Rana	Paul	6052-07
Rand	Mark	2253-01
Rankin	Peter	2101-01
Ransdell	Hilary	2260-02, 2310-01, 2323-01
Rapp	Thayne	2310-04
Rare Air		2310-04
Raschkow	Russell	2320-172
Rasmussen	James	2259-01
Ratcliff	Don	2258-03
Rath	Dick	2323-29, 5000-58, 5053-05
Rau	Brian	2310-03
Ray	Marcella	2263-01, 2323-04, 6052-09
Read	Thomas	2258-03

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Ream	Bob	2258-03
Ream	Tarn	2255-01, 2263-01, 2310-01, 2320-188, 2327-05
Reardon	Jim	2327-01
Recreational Aviation Foundation		2310-04
Redfield	Alan	1500-01, 2150-79, 2259-01, 2310-10, 2320-01, 5053-05
Redner	Bob	2258-03
Reesor	Lance	2310-10, 2320-06, 6050-32
Reesor	Steve	2259-01, 2322-02, 2323-09, 2325-05
Regnier	Linda and Jim	6050-79
Reichelt	Doris	5053-02
Reichelt	William	5053-04
Reichert	Cheryl and Arlyne	2253-02, 2310-01, 2326-01
Reif	Kerry	1150-64, 2250-52, 2255-01, 2300-02, 6052-14
Reiman	Joan	1400-03, 1401-01, 2310-01, 2322-11
Reimann	Carol	2320-224, 2321-15
Reimers	James	2310-03
Reitan	Rodney	2310-03, 5053-05
Renema	Arlene	2258-08
Reno	Phil	6050-32, 6102-01, 6102-02
Reynolds	Ladonna	6050-67
Reynolds	TJ	2310-04, 2310-05
Rice	Bill	2265-01
Rice	Sheila	1401-01, 2263-50, 2310-01, 2322-11
Rice	Troy	5053-05, 6050-03
Rich	Neil	1450-02, 5000-11, 5000-71
Richards	James	2310-04
Richards	Robert	2320-01, 2324-14
Richardson	Gail and John	2263-01, 2310-01, 2323-04, 6050-02
Richter	Dee	2263-01, 2310-01, 2320-27, 2327-03, 6050-02
Rickels	Robert	1401-01, 2255-14, 2310-01, 2322-01, 6050-45
Rickl	Matt	2265-31, 5053-05
Riddle	Danny	2323-01
Riddles	Michael	2258-01, 2310-04
Riggins	Steve	2258-08
Riley	George and Lauria	2263-22, 2310-01, 2326-01

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Riley	Terry	2101-06, 2323-03
Rindal	Ella	2322-02, 5053-05
Rindall	Glen	2259-01
Ringler	Bob	2254-01, 2262-02, 2310-04, 2321-08
Riordan	Donald	1401-01, 2101-06, 2263-01, 2310-01, 2322-11, 2323-01, 2327-01, 6050-16
Ripper	Oliver	2250-50, 2252-20, 2264-01, 5053-04
River and Plains Society		2259-01, 2264-01
Roadarmel Jr	Jack	2323-04
Robbins	Frank	5053-02
Robbins	Jack	2300-02
Robbins	Mark and Deanna	2323-04, 3050-08
Robel	Tom	2311-10, 6103-01
Roberts	Craig	2254-01, 2310-04, 2324-08, 2328-09
Roberts	Deborah and John	6050-01, 6050-04, 6052-16
Roberts	Joe	2310-07
Robertson	Frank	2258-07
Robins	William	2262-02
Robinson	Eva	1450-09, 1500-01, 5053-05, 6102-01
Robinson	James and Elizabeth	2263-01, 2310-01, 2325-01, 2327-05
Robinson	Randy	2265-09
Robison	R	6050-55
Rockhold	Anne	2263-01
Rodgers	Rand	2150-37, 2320-05, 5000-05
Rodgers	Ross	2300-01, 2322-05
Roe	Teddy	6050-13
Roeth	Jim	2258-06, 2310-13
Rogers	Brian	2263-01, 2327-01
Rogers	Ralph	2310-08, 2310-38, 2310-48
Rogers	Ray	1250-01
Rokita	Rusty	2101-02, 2320-05, 6050-27
Romans	K C	2101-47
Rominger	Gary	2150-05, 2323-04
Ronish	Ken	5053-29, 6103-05
Root	Gary	2255-03
Root	Robert	6050-02

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Rose	Bernard	2250-41, 2322-02, 6052-13
Rose	Bill	2310-06
Roseland	John	2101-03, 2150-14, 2254-32, 2320-115, 6103-29
Rossow	Richard	6050-35
Roswick	R J	2258-03
Roth	Richard	2150-83, 5053-02
Rouns	Bobbie	2259-01
Rowe	Annie	5053-02
Rowe	William	2150-05, 2200-0-1, 5053-02
Roy Volunteer Fire Department		2300-08, 3050-09, 3050-11
Rue	Judy	2323-04
Rue	Victor	2323-04
Ruffini	Ryan	2258-02, 2258-08, 2258-13
Rundquist	Marilyn	6050-45
Rusche	Mark	2310-04
Rusk	Bill	2258-03
Rusnak	Richard and Ann	2255-01, 2263-01, 2310-13, 2320-26, 2327-03, 6050-18, 6050-64
Russell	Michael	2258-08, 2310-06
Russell	Todd	2250-52, 2263-01, 2263-04, 2300-01, 2310-01, 2320-58, 2320-194, 2323-03, 6050-18, 6050-54, 6050-55, 6052-07
Russell Country Sportsmen		1150-08, 2101-01, 2101-03, 2254-01, 2321-02, 6055-02, 6500-15
Ruth	John	2322-11, 2323-01, 6050-45
R-X Ranch		2320-03
Ryan	Ben	2310-04
Sabin	Michael	2262-01
Sackett	John	2310-07, 2310-08
Safari Club International		2101-40, 2102-09, 2320-126, 2320-185, 2324-14
Sagebrush Sea Campaign		1150-06, 1150-22, 2150-09, 2150-61
Sain	Ronald	2258-13
Salero	Ed	2321-09, 2324-14
Salinas	Ana	2300-81, 2326-01, 4250-01
Salisbury	Russ	6052-30
Sallmon	Henry	2258-07
Salois	Betty	6050-18

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Salois	Larry	1100-07, 2323-02, 6050-54
Salsbery	Kevin	2150-76, 2323-04
Saltonstall	Tim	2258-08
Sampsel	John	2150-05, 5053-05
Samuel	Vic	2101-06, 2320-210, 2324-04
Sand	Wayne	2310-04, 5053-02
Sanders	Byril	2255-01, 2263-01, 2310-01, 2327-03
Sandy	George	2258-03
Sauer	Greg	1401-01, 2101-06, 2263-01, 2320-92, 2323-01, 2327-05
Saunders	Peter	6050-36
Saunders	Scott	2258-02, 2258-03, 2258-06, 2258-10, 2258-31
Saunders	Steve	2258-01
Scalf	K	2320-01
Scarlett	R K	2258-13
Schallip, Jr	Robert	2258-03
Schaub	David	2320-02, 2320-14
Scheele	Don	2320-09
Scheele	Rick	6050-33
Schell	Fred	5053-28
Schemm	George	2253-13, 2310-01, 2327-03
Schendel	Dale	2250-07, 2258-01, 2310-03
Scherzer	Ernest	2263-01, 2310-01, 2327-01, 2327-03
Schevis	David	2258-03
Schieffelbein	John	2252-03, 2310-01, 2320-09, 2323-04
Schlesselman	John	2258-03
Schmidt	Mike	2258-13
Schneider	Daniel	1403-02, 2263-01, 2310-01, 2320-37, 2327-03
Schneider	Marilyn	1150-17, 1401-03, 2150-18, 2252-18, 2255-16, 2256-03, 2256-04, 2263-01, 2263-30, 2263-53, 2310-01, 2322-11, 2323-01, 2327-05
Schoenfelder	Mark	2101-02, 2321-09, 2324-14
Scholer	Henry	2258-03
Schroeder	Bob	2258-13
Schroeter	Franklin	2255-29, 2263-17, 2310-01, 2323-01, 2327-01, 6050-13
Schultz	Nancy	2253-01, 2259-01, 2261-01
Schultz	Roberta	2300-01
Schuth	Gerald	6050-34

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Schwartz	Jim	2265-01
Schwecke	Dick and Sue	2260-05, 2325-10, 2328-03, 2328-04
Schwenke	Lorraine	2150-05, 2150-08, 2210-56, 2325-03, 5000-05, 5000-60, 5053-05, 5200-07
Schyler	John	1401-03, 2260-03, 2310-02, 2323-01
Scott	Christopher	6050-35
Scott	David	2258-06, 2258-10
Scott	Mark	2258-03
Scott	Steve	2258-13
Scrimm	David	2310-01, 2320-02, 2323-01, 2328-01
Seaberg	Bill	2101-14, 2255-10, 2324-64
Seaplane Pilots Association		1150-02, 2258-01, 2258-02, 2258-03, 2258-06, 2258-07, 2258-12, 2258-13, 2265-34
Secord	Reed	2263-01, 2310-02, 2323-01
Sedlack	Elaine	1401-01, 2215-02, 2260-02, 2310-01, 2310-12, 2327-05, 6050-45, 6052-07
Seel	Faye	2150-105, 2310-03, 2323-09, 5053-05
Seilstad	Sidney	2150-05, 2323-04, 5053-05, 5200-07, 6103-01
Selph	Terry	2260-03, 6103-06
Selyem	Bruce	1350-01, 2255-04, 2255-24, 2263-01, 2263-43, 2310-01, 2320-195, 2323-03, 2327-05, 2327-07, 6050-13
Sentz	Gene	2250-05, 2252-02, 2253-08, 2254-03, 2310-02, 2323-01, 5052-01, 6052-07
Sentz	Gene and Linda	2263-04, 2310-02, 2323-01, 6050-04, 6052-10
Setter	Marian	1401-11, 2263-47, 2310-13, 2323-01
Setterberg	Wendell	2258-03
Sewell	Mark	2320-09, 5000-61
Seyfert	Don	2320-05, 6500-29
Shade	Betsy	2263-01, 2310-01, 2321-01, 2325-20, 6052-09
Shafchuk	Patsy	2310-01, 2320-02
Shambo	Reno	1100-04, 2101-02
Shaulis	Ira	6050-35
Shearer	Ralph	2323-04
Shearman	Robert	2320-116, 2321-09, 2324-14
Shechter	Joel	2256-10
Sheehan, Jr.	Thomas	2258-02, 2258-10, 2258-13
Shelden	Jeff	2263-45, 2310-04, 2310-13, 2323-18
Shepherd	Gary	2259-01, 2310-06, 2320-145, 5053-05, 6050-117, 6054-01, 6103-01

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Shepherd	Marian	2323-04, 5053-04, 6053-11, 6103-01
Sherman	Frank	2258-12
Sherman	Roger	2300-02, 2323-01
Sherman	Susan	2323-01
Short	Valerie	5053-05
Shuland	Ray	6050-101
Siebel	Gonnie	1400-01, 1401-02, 1403-01, 2263-01, 2310-01, 2327-05, 6050-02
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Simac	Kelly	1403-12, 5053-22, 5200-12
Simac	Patsy	2150-05, 2200-01, 5053-05, 5151-06
Simac	Robert	1500-01, 2150-05, 2323-04, 5053-05
Simmons	Pat	2253-02, 2254-02, 2322-17
Simon	Arleyn	2150-48, 2150-49, 2150-111, 2150-112, 2250-66, 6050-31
Simonds	Ross	2101-01, 2320-89, 2321-09
Simonsen	Linda	2250-82
Sioholm	Laura	2258-03, 2310-06
Skari	Arlo	2200-04, 2251-12, 2260-17, 2310-01, 2310-12, 2320-72, 2320-186, 2323-01, 2323-52, 2324-06, 2325-01, 2325-24, 2325-54, 2328-14, 5053-32, 5053-33, 6050-03, 6104-24
Skelton	Dorothy	2210-53, 2259-01, 2310-03, 2323-04, 6053-01
Skelton	Stan	2258-13
Skierka	Bernice	2150-27
Skierka	Damian	2321-17
Skierka	Fred	5053-04
Skierka	Jeanne	2200-01, 2323-04, 5053-05
Skierka	Lawrence	2321-17
Skierka	Stephen and Lisa	2150-05, 2255-11, 2323-04, 5053-02, 6050-35, 6500-31
Skinner	Dale	2323-04, 5053-05
Skinner	Dave	1100-03, 2150-26, 2256-20, 2320-123, 5000-03, 5200-53, 6050-41, 6103-31
Skinner	Nancy	5053-02, 5053-04, 6103-01
Slade	Earl and Frances	2323-04
Slegers	Betty	6050-13
Slivka	Les	2100-04, 2261-01, 2300-08, 2320-01, 2320-173, 2323-04, 3050-09, 5053-03, 5053-05, 5151-01, 5200-10, 6050-32, 6050-113, 6100-14, 6103-02, 6103-05

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Slivka	Pat	2100-04, 2259-02, 5053-03, 5053-05, 5200-10, 6103-01, 6103-02
Slivka	Shane	2325-39, 2325-40, 5053-03, 5053-05, 5200-10, 6101-01, 6103-40
Slocum	Seth	2323-04
Sluggett	Carol	2259-01
Sluggett	Lester	2259-01, 2323-04
Smiling Gulch Ranch		2258-01, 2310-03, 2310-04, 2310-08, 2310-09, 2310-10, 2310-48
Smith	Alicia	2310-06
Smith	Clayton	6103-01
Smith	Dale	2321-11
Smith	Daryl	2150-05, 2200-01, 2259-01, 2265-01, 2310-03, 2323-04, 5053-05, 5200-09, 5200-12, 6050-32
Smith	David	2258-03
Smith	Deb	2263-46, 2323-01, 6050-54
Smith	Duane	2310-01, 6050-13
Smith	Ed	5053-02
Smith	Franklin	2263-01, 2310-01, 2322-05, 6050-01
Smith	Jeff	2320-23, 6052-07
Smith	Jim and Jennifer	2150-02, 2263-01, 2310-01, 2327-03, 6050-02, 6050-16
Smith	Leigh	1100-07, 2200-09, 2265-01, 2310-04, 2320-105
Smith	Linda	5053-04
Smith	Loren	2310-03
Smith	Marion	2300-83
Smith	Mark	2259-01, 2320-218
Smith	Pete and Rebecca	2310-04, 2310-51
Smith	Raven and Edward	6050-32
Smith	Wayne Newell	2258-03, 2258-13
Snow	Donald	1403-02
Snyder	Dave	2253-01, 2323-03, 5000-11
Snyder	Elaine	2255-01, 2263-01, 2327-03, 6050-57
Snyder	Harold	2100-06
Snyder	Steve	2322-18
Sonju Industrial, Inc.		2258-13
Sorte	Don	2300-02
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Sowa	Arnold	2260-02, 6500-06
Spaulding	Eva	6052-07
Speck	Virginia Lee	1400-02, 2255-01, 2263-01, 2310-01, 2327-03, 6050-02
Sperry	Steve	2258-10
Speyer	Tim	1150-64, 2250-52, 2263-01, 2310-01, 2323-01
Spinler	Ed	2101-06, 2310-01, 2310-12, 2310-15, 2323-01
Spooner	Robert	2323-04
Spotts	Joseph	2258-13
Sprague	Ed	6050-60
Square Butte Grazing Assn.		5053-05, 5200-05
Squires	John	2254-09, 2266-01, 2323-01, 6053-07
St. Lawrence	Abigail	2150-15, 2264-01
Staffanson	Robert	6050-18
Stallknecht	Gil	2259-01
Stamm	John	2263-01, 2300-01, 2327-03, 6050-02
Stanley	John	2320-09, 5053-02, 6104-06
Stansberry	Scott	1250-02
Starkey	Bill	2263-01
Starshine		2310-01, 4250-01
Stearney	Ronald	2258-06
Stebbins	Robert	2258-06
Steckman	Holly	2300-01
Steeves	Richard	2258-03
Stehlik	Linda	6050-33
Stein	Wade	2259-01
Steinmuller	David	1400-02, 2255-01, 2263-01, 2310-01, 2327-03, 6050-02
Steinmuller	Patti	1150-63, 2255-01, 2263-01, 2310-01, 2327-03, 6050-18
Stephens	Robert	2310-03
Stephens	Thomas	2321-09, 2324-14
Stephenson-Love	John	2260-01, 2310-12, 2328-14
Stevens	Hope	6052-12
Stevens	Marcus	6054-01
Stevens	Rhoads	1150-04, 1150-18
Stewart	Roberta	1401-01, 2263-01, 2322-11
Stimac, Jr	Olaf	2264-01

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Stipeich	Ron	2101-45
Stockton	Ken	2320-09
Stoick	Rod	2263-08, 2310-01, 2323-01, 2325-01, 4150-01, 4250-03
Stokes	Robert	2101-02, 2321-09, 2324-14
Stonecipher	Wayne	2258-01, 2258-03, 2258-07
Storch	Bradley	2258-03, 2258-06, 2258-07
Strause	Howard	2300-01, 2300-56
Strebig	Randy	2258-03
Strong	Tim	6050-116
Struck	Wolf	2320-54
Strumcha	Alvin	2255-09
Stulc	Aaron	5053-04, 6053-10
Stulc	Anton and Frances	2325-04
Stulc	Berniece	6050-90
Stulc	Blaine	1150-04, 2320-38, 2325-04, 5053-05
Stulc	Jerry	2324-60
Stulc	Joe	2325-04, 5053-04, 6103-01
Stulc	Luke	5053-04
Stulc	Marylou	5200-07
Stulc	Robert	2322-06, 5053-04, 5053-05, 6500-04
Stulc	Robyn	2325-04, 5053-05, 5200-01
Stulc	Rudy	2320-179, 053-03, 5053-05, 6050-40
Stulc	T J	5053-02
Stulc	Wilson	2200-01, 2320-04, 6050-32
Stull	Jack	2310-01, 2322-01
Sturgess	Fred	2325-02, 2327-02
Sullivan	John	2310-07
Sullivan	Patrick	2320-01
Supercub.org-SLP Inc.		2310-04
Swanberg	John	2310-04
Swann	Steve and Tawni	2310-04
Swanson	John	4250-02, 6050-18
Swartz	Mick	2320-138
Sweatman	Roland	6052-12
Sweeney	Donna	2263-01, 2320-59

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Sweeney	Mark	6103-01
Swenson	Don	6050-05
Swenson	Leonard	6053-09
Swenson	Stan	2258-13, 2259-03, 2260-13
Tabbert	Scott	2101-57
Taglia	Jacquelin	2300-01, 2323-01
Talcott	Diana	1400-03, 2263-01, 2310-01, 2322-11, 6050-52
Talcott	Ron	2310-03
Taleaferro	Mark and Sara	5053-15
Tatz	Janet	1401-01, 2300-01, 2310-01, 2320-02, 2322-11, 2323-01
Taylor	Christina	2300-61, 2310-06, 2323-05
Taylor	Karen	6050-32, 6103-47
Taylor	Myron	5000-61
Taylor	Shannon	2251-33, 2254-01, 2324-13, 2324-64, 6050-11
Teberg	Barbara	2263-01, 2310-01, 2320-206, 6050-45
Tello	Edgar	2258-02, 2258-03, 2258-06, 2258-08, 2258-16
Tempel	Neil	5000-61
Terhune	Greg	1150-06, 2258-18, 2310-01, 2320-02, 6050-13
Thackery	Bill	1401-03
Thaden	Bob and Marilyn	1100-03, 1401-01, 2200-05, 2320-198, 2327-05
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Thomas	Bill	6050-31, 6101-01
Thomas	Charles	2101-01, 2323-04, 2324-46
Thomas	Melvin and Evelyn	5000-61
Thompson	Dick	2310-04
Thompson	Dorothy	2259-01, 2323-04
Thompson	Gary	2101-03, 2101-57, 2250-39
Thompson	Glenn	2323-04

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Thompson	Gordon	2251-27, 2263-01, 2263-42, 2320-35
Thompson	Jennifer	1100-07, 1150-64, 1401-02, 2150-06, 2262-04, 2263-32, 2310-01, 6052-12
Thompson	Paul	2258-13
Thompson	Ted	2310-08
Thompson	Ted and Tom Ford	2310-08
Thorell	Dennis	2258-10
Thornberg	Brad	2310-10
Thornton	Samuel	2263-01, 2310-01, 2323-03
Thoroughman	Michelle	6050-54
Thorsen	Jeff	2320-05
Thweatt	Dick and Suzanne	2253-02, 2310-01, 2320-10
Tighe	Dennis	1050-01, 1100-01, 1100-02, 1150-10, 1150-27, 1401-03, 2150-07, 2210-01, 2210-16, 2210-22, 2210-25, 2210-26, 2210-27, 2210-28, 2210-29, 2250-43, 2256-05, 2263-37, 2310-16, 2311-02, 2320-127, 2322-11, 2323-01, 2327-13, 2328-01, 4250-03, 6050-01, 6050-03, 6100-02, 6101-02
Tighe	Dennis and Michelle	6103-08
Tillinger	Todd	1401-02, 1401-34, 2150-02, 2251-01, 2251-03, 2252-04, 2256-07
Tokish	Michael	2258-07, 2258-12, 2258-13
Tomaszewski	Nina	2310-13, 2323-04
Tomlinson	Bryan	2259-01
Tomuesor	Thomas	6050-35
Torgerson	Eric	2310-05, 2310-10
Torgerson	Ken	2150-44, 2212-05, 2323-04, 5000-01, 5053-02, 5053-04
Torgerson	Leif	2310-07
Torgerson	Pat	2102-08, 2320-08
Toubman	Sara	1401-03, 2263-21, 2310-15, 2327-05
Touchett	John	2258-03
Townsend	Jerry	6050-33
Trail	Pepper	2263-01, 2310-01, 2326-01, 4150-01, 6050-13
Traner	Nancy	2310-04
Trask	Karla	6050-32, 6050-35
Trautman	Mike	2258-07
Trautman Jr.	Paul	2258-03
Travis	Lee	2200-02, 2263-01, 2310-01, 2327-03, 6050-45
Triffleman	Lucy	2263-01, 2310-01, 2320-220, 4150-01
Triplett	Eddie	2324-14, 5053-02

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Tucek	Ron	6050-35
Tucek	Tom and Cheryl	2215-16, 2266-01, 2300-77, 6500-18
Tuck	Gerald	2265-01, 2265-29
Tuck	Jake	2265-33, 6050-15
Tucker	Doris	2265-01, 2310-03, 5053-02, 6500-02
Tureck	Hugo	2254-18, 2300-07, 2310-01, 2323-03, 2328-01, 5053-39, 6500-46
Turner	Bruce	2323-04
Tuss	Bob	2250-51, 2259-01, 2323-14
Tuss	Elsie	2310-01, 2323-42, 6052-12
Tuss	Joyce	2265-08
Tuss	Tony	2265-04
Tussing	Darlene	1401-01, 2200-05, 2300-03
Tutvedt	Brian	2101-57, 2150-116
Tutvedt	Bruce	5053-02
Twiford	Robert	2259-01, 2265-02, 2323-04
Udelhoven	Bill	2102-02, 6103-01
Udelhoven	Bruce and Cheryl	2101-02, 2101-55, 2215-15, 2320-01, 6050-35
Ulman	Nick	2258-03
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Urban	Rudy	2101-09, 2150-05, 2150-23, 2323-09, 5053-04, 5200-20
Urick	Joe	5053-05
US Dept of the Army, Corps of Engineers		1150-49, 1500-09, 2250-04, 6101-02
US Environmental Protection Agency		1050-02, 1050-03, 1050-04, 1050-05, 1050-06, 1050-08, 1150-05, 1150-08, 1150-21, 1150-37, 1150-38, 1150-45, 1150-48, 1350-04, 1401-03, 1401-07, 1401-08, 1401-09, 1401-10, 1403-02, 1403-06, 1403-07, 1500-08, 1500-10, 1500-11, 1500-12, 1500-13, 1500-14, 1500-15, 1500-16, 1500-17, 1500-18, 1500-27, 2050-01, 2150-52, 2150-53, 2200-06, 2210-05, 2210-07, 2210-08, 2210-09, 2210-10, 2210-57, 2252-07, 2253-02, 2310-16, 2323-01, 2323-07, 2323-22, 2324-03, 2324-05, 2324-11, 2324-36, 2324-37, 2324-38, 2324-64, 2324-67, 2327-05, 2327-09, 2327-10, 2328-01, 2328-08, 3050-04, 3050-05, 3050-06, 3050-07, 4100-05, 4250-01, 4250-02, 6050-01, 6050-02, 6050-20, 6052-22, 6055-01, 6101-19, 6104-16
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Vaccato	Carol	2323-04
Van Alstyne	Jill	2263-01, 2322-05, 2323-02, 6050-01
Van Hyning	Dyrck	1100-07, 1150-63, 1150-64, 1150-66, 1401-02, 2100-02, 2103-02, 2150-38, 2150-39, 2150-108, 2200-04, 2210-03, 2212-07, 2213-02, 2213-22, 2251-37, 2310-01, 2310-02, 2310-11, 2310-12, 2310-18, 2310-19, 2310-58, 2320-53, 2323-21, 2324-02, 2324-33, 2324-34, 2324-35, 2324-65, 2324-66, 2325-01, 2325-03, 2325-21, 2325-58, 2327-05, 5000-55, 5200-18, 6050-03, 6100-02, 6103-10, 6103-13, 6104-13, 6500-39, 6500-40
Van Hyning	Karen	2150-40, 2310-25, 2324-02, 6054-03
Van Tighem	David	6050-33, 6050-35, 6052-07
Van Winkle	Spencer	2101-57
Vance	Jim	2212-01, 2212-04, 2260-03, 2310-04, 2327-15
Vane, Jr	Terence	2320-90
VanTine	Jeff	2325-01
Vartcicchio	David	2262-02, 2323-01
Vaughn	Warren	2200-05, 2300-0-2
Vermillion	Richard	2324-69
Verrill	Todd	1400-03, 1401-01, 2255-01, 2263-01, 2310-01, 2322-11, 2323-01
Vignere	Joel	2310-01, 2310-12, 2310-46
Vintage Aircraft Association		2258-03
Vivion	Michael	2258-01, 2258-03, 2310-10
Vogler	Robin	2263-01, 2310-01, 2322-03, 2323-01, 6050-01
Voldseth	Norman	5053-04, 6050-33, 6103-48
Vylasek	Robert	6050-35
WA State Dept of Transportation		2258-13
Wagner	George	6050-18, 6052-06
Wainwright	Charles	2258-06, 2258-10
Waldron	Bob	1400-05, 2255-01, 2263-01, 2310-04, 2324-06, 6050-68
Waldron	Susan	2263-01, 2310-02, 2323-01, 6050-57
Walker	Dale	2258-03, 2258-10
Walker	George	2258-06, 2258-16
Walker	Ray	2258-03
Walker	Scott	2101-02
Walker	Steve	2263-41, 2310-01

Name		Comment Group
Wallace	Ken and Stephanie	2263-03, 2310-01, 2310-12, 2310-28, 2321-05, 2323-46, 2327-05, 2328-01, 6052-06
Wallace	Stephen	1400-07, 1400-16, 2255-07, 2263-01, 2310-01, 2327-01
Walleyes Unlimited, Crooked Creek Chapter		2259-01
Walling	Gladys	2150-77, 2150-95, 2320-182, 3050-09, 5053-30, 6103-01
Walsh	Walter	2323-01, 2325-01, 2327-05
Walter	Steve	2259-01
Walton	Dick	2101-32, 2300-01, 2300-85, 6050-13, 6050-18, 6051-01, 6101-11
Wambach	Marvin	2261-01
Wanner	Kathleen	1401-01, 2101-06, 2200-05, 2263-01, 2310-01, 2320-55, 2322-11, 2323-01
Warchime	Helen	1401-01, 2200-05, 2263-01, 2310-01, 2322-11, 2323-01
Ward	Doris	6051-01
Ward	Gayle	2323-04, 5053-05
Wark	Jim	2310-04, 2310-06, 2310-07
Warneke	Laura	2265-05, 2265-20, 2323-04, 5053-04, 5053-05
Warren	Kenneth and Helen	2263-01, 2310-01, 2327-05
Warren	Maury	2310-03
Wasco	Shirley	5053-02
Washington Pilots Association		2310-03, 2310-05, 2310-06, 2310-09
Washington State Seaplane Pilots Association		2101-03, 2258-05, 2258-10
Waters	Thomas	2310-03
Weber	Byron	2310-02, 2320-192
Webster	Margaret	2263-03, 2310-01, 2310-12, 2321-01, 2321-06, 2321-07, 5151-02, 6050-04, 6052-11, 6103-06
Weeden	Catherine	2263-01, 2310-01, 2320-213, 6052-06
Weeden	Hester	6050-18
Weeding	Rod	2310-03
Weeks	Elwin	5053-02
Weglarz	Gary	2325-04, 6103-45
Weihl	Kenneth	2258-03
Weil	Richard	6054-01
Weinheimer	Robert	2320-46
Weisenbach	Robert	2320-46, 1150-63, 1400-02, 2310-01, 2327-05, 6050-54

Name		Comment Group
Weitz	Thomas	2310-03
Welch	Thomas	1150-64, 2259-01
Wellman	David	2258-03, 2258-08, 6103-03
Wells	C Robert	2263-01, 2310-01, 2323-01
Welton	Dick	6050-34
Weninje	Debb	5053-02
Werk	Velvet	6050-39
Werner	John	6050-18
Western Environmental Law Center		1050-01, 1100-01, 1100-05, 1100-08, 1150-01, 1150-02, 1150-05, 1150-06, 1150-21, 1150-32, 1150-40, 1150-50, 1150-51, 1150-63, 1401-03, 1401-12, 1401-13, 1401-23, 1401-26, 1500-06, 1500-32, 1500-33, 2150-60, 2213-02, 2250-33, 2252-09, 2261-06, 2310-01, 2310-12, 2310-15, 2320-67, 2320-68, 2323-25, 2324-06, 2324-12, 2324-40, 2325-23, 2328-01, 4050-01, 4100-06, 4100-07, 4100-08, 4100-09, 4250-03, 4250-06, 5000-14, 5200-41, 6050-03, 6050-14, 6050-25, 6050-95, 6052-02, 6052-03, 6052-14, 6052-24, 6054-02, 6100-01, 6100-02, 6100-03, 6100-10, 6101-01, 6101-02, 6101-04, 6101-06, 6101-07, 6101-08, 6101-09, 6101-10, 6104-26
Western Montana Trail Riders & Trail Vehicle Riders Associations		2327-04, 6050-33
Weston	David	2310-03
Weyermann	Gary	2310-08
Whalen	R F	2258-02, 2258-06, 2258-08, 2258-10, 2258-13, 2258-16
Wheeler	Gregg	2263-01, 2320-69, 6050-18
Whisler	Don	2265-38
White	Donald	2258-07
White	Emma	5053-02, 5053-05, 5060-01
White	Kerry	2300-58
White	Pete	2310-03
White	Reed	2310-03
Whitehead	David	2101-02
Whittaker	Jim	5060-01
Whittington	Mike	2255-22, 2320-165
Wickens	Jamie	5200-09
Wickens	Matt	2101-34, 2101-58, 2320-05, 5000-16, 5053-05, 6050-26, 6050-97, 6102-02
Wickens	Matt and Jamie	2320-05, 5000-16
Wild Rockies Tours		1150-17, 2150-02, 2150-18, 2200-02, 2251-15, 2251-16, 2258-11, 2263-29, 6050-45, 6052-29

Name		Comment Group
Wilderness Watch		2310-01
Wiley's Seaplanes		2258-01, 2258-03
Wilfong	Donald	2310-03
Willett	Frank	2263-01, 2310-01, 2321-03
Williams	Dick	2310-03
Williams	Kennie	2259-01
Williams	Kevin	2320-219
Williams	Price	2310-04
Williams	Reed	2101-02, 2321-09, 2324-14
Wilson	Charles	2258-03, 2258-10
Wilson	Warren	2323-04
Windom	Robert	2101-21, 2310-03, 5053-02
Winegardner	Dean	2258-04
Winifred Community Ambulance		5151-01
Winifred Rural Vol. Fire Department		2300-08, 3050-09, 3050-11
Wink	Scott and Hollis	2320-07, 6050-35, 6053-05
Winslow	Maria	2300-01, 2326-01, 5000-35, 6050-13, 6050-18
Wirch Jr	T A	2258-13
Wishman	Carl	5053-02, 5053-05
Wittington	Mike	2101-03
Woerner	Don	2101-03, 2150-24, 2310-01
Wolff	Ed and Marilyn	2254-01, 5000-62, 6050-55
Wolverton	John	2263-01, 2310-01, 2327-05, 6050-01
Women Involved in Farm Economics		1500-01, 2150-33, 2265-35, 2310-08, 2323-33, 5053-04, 5053-05
Wood	Cathy	2320-156, 2321-09
Wood	Floyd	2101-03, 2212-01, 2310-01, 2323-03
Wood	Julie	5200-27, 6050-54
Woodcock	Charlene	2263-01, 2310-01, 2326-01, 6050-54, 6052-09
Wooderchak	Stephanie	2210-39, 2210-54, 2210-66, 2320-01, 5000-01
Woodhouse	Bill	2310-04
Worden	Mike	2101-02
Worthington	Wayne	2101-11, 2150-03, 2251-02, 2254-28, 2260-04, 2310-29, 2324-64, 2325-15, 6500-07
Wortman	Lacy	1500-26, 2320-04, 2320-12, 2323-04, 2325-06, 2325-52, 6050-35

Name		Comment Group
Wrede	John	2323-04
Writer	Philip	2258-03
Wrobel	Tom	2310-10, 2311-10
Wulden	Shannon	2210-51, 2310-01, 2320-22
Wyoming State Shooting Association		2255-25
Yaeger	Charles	1403-01, 2210-06, 5060-01
Yellowstone County Commission		2310-04, 2310-08
Yellowstone Valley Audubon Society		2263-01, 2310-01, 2324-08, 1150-05, 1150-17, 1403-01, 2100-05, 2150-14, 2150-22, 2250-53, 2257-01, 2310-01, 2320-34, 2324-08, 4250-01, 4250-02, 6052-19, 6102-14, 6500-01
Yoder	Donna	6052-06
Yost	Jay	6050-33
Young	Alison	2323-01
Young	Robin	2250-03, 2255-01, 2260-02, 2263-01, 2310-13, 2322-17, 2323-01, 2325-01, 4100-01, 4150-01, 4250-03, 6050-04, 6052-07
Young	Thomas	2258-03
Younkin	Jim	2150-15, 2200-01, 2265-02, 2310-04, 2310-07, 2310-10, 2323-05
Yute Air Taxi		2258-03, 2258-06, 2258-07
Zachary	Valerie	2263-01, 2310-01, 2323-01, 6050-02
Zackheim	Hugh	2310-01, 2320-104, 2323-01, 4250-01, 6050-11
Zarnowski	Pete	6103-01
Zeinstra	Juanita	2262-02
Zidack	Nina	2150-69, 5053-05
Zidack	Walter	5000-36, 5053-02

Names Withheld by Request

Those individuals who requested privacy are not listed, but their letters were reviewed and considered during the comment analysis process. Following is a list of comment codes for the individuals whose names were withheld.

		Comment Group
Names Withheld by Request		1150-09, 1150-12, 1150-13, 1250-02, 1401-03, 1401-21, 1401-30, 1450-02, 1450-07, 1500-01, 1500-06, 1500-29, 2100-08, 2100-09, 2101-02, 2101-17, 2101-48, 2101-49, 2101-50, 2101-67, 2101-68, 2102-05, 2150-05, 2150-08, 2150-31, 2200-01, 2210-52, 2213-21, 2250-83, 2250-84, 2251-31, 2253-01, 2259-01, 2259-02, 2260-15, 2263-01, 2263-10, 2265-01, 2265-02, 2300-01, 2300-53, 2300-58, 2310-03, 2310-04, 2310-08, 2310-13, 2320-01, 2320-08, 2320-11, 2320-14, 2320-33, 2320-148, 2320-149, 2320-150, 2320-151, 2320-152, 2320-153, 2322-02, 2323-03, 2323-04, 2323-39, 2324-14, 2324-53, 2324-54, 2324-55, 2324-56, 2324-57, 2324-58, 2324-59, 2324-71, 2325-04, 2325-07, 2325-44, 2325-45, 2327-05, 5000-01, 5000-61, 5053-02, 5053-03, 5053-04, 5053-05, 5053-23, 5151-01, 5151-07, 5200-10, 5200-13, 5200-14, 5200-15, 6050-04, 6050-13, 6050-18, 6050-32, 6050-33, 6050-35, 6050-54, 6052-06, 6100-02, 6100-05, 6102-01, 6102-04, 6103-01, 6103-08, 6103-34, 6103-35, 6104-21, 6500-23, 6500-24, 6500-25, 6500-45

Form-Type Comment Letters and Questionnaire

The BLM received 17 form-type comment letters and a questionnaire. Each letter was coded one time and the coded comments were considered during the comment analysis process. Following is a list of comment codes for each form-type letter and the questionnaire.

		Comment Group
Form-Type Letter 1		1150-21, 2200-02, 2200-05, 2210-68, 2215-08, 5000-46, 6052-16
Form-Type Letter 2		2310-04, 2310-05, 2310-06, 2310-07, 2310-09, 2310-10, 2310-12, 2310-15, 2310-48, 4250-09
Form-Type Letter 3		2263-01, 2310-01, 2323-01, 4150-01, 4250-03, 6050-01
Form-Type Letter 4		2262-01
Form-Type Letter 5		2263-01, 2310-01, 2321-02, 4150-01, 4250-03, 6050-01
Form-Type Letter 6		2263-01, 2310-01, 2320-159, 2325-01, 4150-01, 4250-03, 6050-01
Form-Type Letter 7		2263-01, 2310-01, 2325-01, 2326-01, 4150-01, 4250-03
Form-Type Letter 8		1150-38, 2200-02, 2310-15, 2324-07
Form-Type Letter 9		1450-03, 1500-01, 2150-31, 2259-01, 2310-03, 2324-14, 3050-09, 5000-04, 5053-05
Form-Type Letter 10		2258-18, 2310-01, 2321-03, 6050-13
Form-Type Letter 11		6102-23
Form-Type Letter 12		2258-03, 2258-10, 2258-12
Form-Type Letter 13		2262-02
Form-Type Letter 14		1401-01, 2200-05, 2263-01, 2310-01, 2322-11, 2323-01, 2323-02

Form-Type Letter 15		2263-01, 2310-01, 2320-02, 4150-01, 6050-01
Form-Type Letter 16		2263-01, 2310-01, 2326-01, 4150-01
Form-Type Letter 17		2320-158, 2324-14
Questionnaire		2150-32, 2210-54, 2310-03, 2320-160, 2320-161, 2320-221, 2320-222, 2323-04, 2323-05, 5000-17, 5000-59, 5000-60, 5000-61, 5053-02, 6050-32, 6050-33, 6050-119

Responses to Public Comments

This section contains the public comments received from individuals, businesses, agencies (other than the cooperating agencies), organizations and groups during the comment period on the Draft RMP/EIS and BLM's responses to the comments. The comments and responses are organized by categories as shown on the following page. Many comments have been grouped and summarized if they were similar in substance. Each comment is followed by the response. Gaps in the numbering of comments and responses do not represent missing information; rather, that similar comments and responses were further combined in the final analysis.

Commenters can reference their name (listed alphabetically by last name or by the name of the organization, business, etc.) to identify the sections that contain responses to their identified comments.

Comment Group Codes

Group	
1050	Air Quality
1100	Cultural Resources
1150	Fish and Wildlife (including Special Status Species)
1250	Paleontology
1350	Soils
Vegetation	
1400	Vegetation – Native Plants
1401	Vegetation – Riparian
1403	Vegetation – Noxious and Invasive Plants
1450	Visual Resources
1500	Water
2050	Forest Products
2101	Public Access
Lands and Realty	
2100	Land Ownership Adjustment
2102	Access, Rights-of-Way/Easements
2103	Utility and Communication Corridors
2150	Livestock Grazing
Minerals	
2200	Minerals
2210	Oil and Gas Activity
2212	Oil and Gas Leasing within the Monument
2213	Oil and Gas Lease Validity
2215	Oil and Gas Impacts within the Monument
Recreation	
2250	Recreation
2251	Camping
2252	Floating
2254	Outfitting
2255	Hunting
2256	User Fees
2257	Non-Motorized Trails
2258	Seaplanes
Motorized Watercraft	
2253	Motorized Watercraft – General
2259	Motorized Watercraft – No Change
2260	Motorized Watercraft – Other Alternatives
2261	Motorized Watercraft – Data and Information
2262	Personal Watercraft
2263	Motorized Watercraft – No Motors
2264	Motorized Watercraft – Older Boaters or Individuals with Disabilities
2265	Motorized Watercraft – Allow Motors
2266	Motorized Watercraft – Administrative Use

Group	
2300	Transportation
2310	Aircraft Landings
2311	Aircraft Overflights
BLM Road System	
2320	Roads – General
2321	Roads (75% of the Monument within 1/2 Mile of a Road)
2322	Roads – River Access
2323	Roads - Density
2324	Roads - Definition
2325	Roads – Specific Roads Identified
2326	Roads – 400 Miles Open
2327	Roads – Legal
2328	Roads - Camping
3050	Fire Use and Suppression
Special Designations	
4050	ACECs
4100	Wild and Scenic River
4150	WSAs, ACECs, Wild and Scenic Rivers
4250	Wilderness
5000	Economics
5052	Communities
5053	Private Land
5060	State Land
5151	Health and Safety – Emergency Services
5200	Social
Overall Management	
6050	Management
6051	Management – Conserve
6052	Management – Protect
6053	Management – Preserve
6054	Management – Multiple Use
6055	Management – Adaptive
Planning/NEPA	
6100	Planning/NEPA
6101	Planning/NEPA – Analysis
6102	Planning/NEPA – Budget/Staff
6103	Planning/NEPA – Public Involvement
6104	Planning/NEPA - Regulations
6500	Outside Scope

Group		Air Quality
1050-01	*Comment*	*The BLM needs an alternative that considers adopting a Class I re-designation to protect the Monument's air quality. The BLM should petition the State of Montana to change the air quality status of the Monument to Class I. The proclamation specifically states visibility resources are important and must be preserved, therefore, the BLM should consider a reclassification or more stringent air pollution protection than are now proposed.*
1050-01	Response	The Monument is within Airshed 9 and is a Class II airshed. An alternative to designate and manage the Monument as a Class I airshed was considered but eliminated from detailed study because the State of Montana has delegated responsibility for management of the Clean Air Act, including requests to re-designate airsheds. A change in airshed classification also requires action by the Environmental Protection Agency. The BLM will comply with national and state air quality standards under all alternatives but does not have the authority to re-designate airsheds.
1050-02	*Comment*	*The RMP should meet potential future Regional Haze requirements established by the State, and EPA.*
1050-02	Response	The BLM will comply with national and state air quality standards under all alternatives including potential future Regional Haze requirements.
1050-03	*Comment*	*In the list of ambient air quality standards in Appendix F, the symbol for micrograms per cubic meter (ug/m3) appears to be incomplete.*
1050-03	Response	The symbol for micrograms per cubic meter in the Appendix has been corrected in the Proposed RMP/Final EIS (Appendix I).
1050-04	*Comment*	*The Draft RMP/EIS mentions the low content of hydrogen sulfide (H2S) in the natural gas produced in the Monument (page 203). This paragraph mentions the delineation between sweet and sour gas (an H2S content of approximately 25 parts per million, or ppm) made by the Railroad Commission of Texas. Although the produced gas probably will not exceed the threshold, we suggest that this section also mention BLM's Onshore Oil and Gas Order No. 6, Hydrogen Sulfide Operations, which applies when the H2S concentration exceeds 100 ppm.*
1050-04	Response	Onshore Oil and Gas Order No. 6, Hydrogen Sulfide Operations, sets a threshold criterion of 100 ppm in the gas stream to identify those wells and facilities that are subject to the requirements of Onshore Oil and Gas Order. The threshold of 100 ppm is not used to determine what is sour gas and sweet gas. Sweet gas is defined as natural gas that does not contain hydrogen sulfide (H2S) or significant quantities of carbon dioxide (CO2) (CO2 amounts greater than or equal to 1% of the gas stream can be considered significant). The Proposed RMP/Final EIS includes additional information on Onshore Oil and Gas Order No. 6 and the delineation between sweet and sour gas.
1050-05	*Comment*	*In chapter 4, the Drilling section (page 202) refers to the Montana Air Quality Bureau (now Air, Energy and Pollution Prevention Bureau of the Montana Dept. of Environmental Quality) considering oxides of nitrogen as potentially of concern "for drilling rig engines greater than 1,500 horsepower," as contrasted with the typical drilling engines of approximately 350 horsepower used in the Monument. It is not clear whether these power levels apply to individual engines or the total power used in drilling, or whether the two numbers are based on the same assumption. Please clarify the basis of the comparison.*

Group		Air Quality
1050-05	Response	The average horsepower capacity of a typical drill rig that would be used in the Monument is 350 hp. However, there are other engines involved in the drilling operation (e.g., mud pump motor and smaller diesel generators for camp trailers). Total horsepower on a typical well drilled in the Monument area is less than 1,500 hp. Information on three drill rigs used in this area had the following horsepower ratings: two rigs were rated on 780 hp and one was rated at 1,420 hp. The Proposed RMP/Final EIS includes additional information on horsepower ratings.
1050-06	*Comment*	*We note that it is stated (2nd paragraph under Air Quality, page 139) that, "the State of Montana determines the Class," referring to designating areas as Class I, Class II, or Class III under Prevention of Significant Deterioration regulations. This statement is partly correct, since under Section 169A of the Clean Air Act, EPA listed 156 mandatory Class I areas (in 40 CFR 81), leaving remaining areas as Class II, and a state or tribe may request that an area be redesignated from Class II to Class I; however, it is worth noting that it would require action on EPA's part to redesignate an area. We also note that while the Monument is designated as a Class II air quality area (pages 15) the nearby UL Bend National Wildlife Refuge is designated as a Class I air quality area. We suggest that this information be integrated into the air quality discussion on page 139.*
1050-06	Response	The Air Quality section in Chapter 2 of the Proposed RMP/Final EIS has been revised to reflect that it would require action by EPA to redesignate an area from Class II to Class I. The Air Quality section in Chapter 3 has also been revised to include additional information about nearby Class I areas (UL Bend Wilderness Area).
1050-07	*Comment*	*BLM must protect the air quality and visibility in the Monument. BLM is legally obligated to protect the air quality and visibility of the Monument to the minimum standards set forth in the Clean Air Act. The final RMP must contain baseline data on existing air quality and visibility; an analysis of how the activities, especially energy development and increased use of fire as a management tool, that the agency proposes will affect this increasingly valuable resource; and an analysis of how the increased particulates and air pollution from those activities, when added to the increased particulates and air pollution expected from the increased energy development that will be occurring outside the Monument, will affect both the Monument and the UL Bend Wildlife Refuge.*
1050-07	Response	The BLM will comply with federal and state air quality standards as identified in the Draft RMP/EIS on page 15, including the ambient air quality standards listed in Appendix I of the Proposed RMP/Final EIS. Air quality in this area is regarded as good mainly due to the few industries and homes located in the area. No air quality monitoring sites currently exist. Federal and state regulations require air quality monitoring for activities which could degrade existing air quality. Detailed monitoring and mitigation plans will be developed when an environmental analysis is prepared for a proposed action that could degrade air quality. As identified in the Draft RMP/EIS, natural gas operations would affect air quality from vehicle traffic on unpaved roads, diesel fumes from heavy equipment, combustion byproducts from flaring, and the venting or releasing of gases during well testing. These effects are short-term and normally quickly dispersed by winds. The reasonable foreseeable development of natural gas exploration and development in the area is not anticipated to exceed the federal and state ambient air quality standards (Appendix O in the Proposed RMP/Final EIS).
1050-08	*Comment*	*It would be appropriate to reference in the air quality discussions in the draft RMP and EIS that Standard #4 in the Standards for Rangeland Health and Guidelines for Livestock*

Group **Air Quality**

Grazing (Appendix H, page 410) states that "Air Quality meets State Standards." We believe such an Air Quality Standard should be applied across all BLM lands, and it would appear more appropriate to include this Standard in the section on Air Quality rather than a section on Livestock Grazing. Also, it would be appropriate to integrate the recent guidance on the PM-2.5 particulate standard into this RMP Standard. Also it lists only Montana Ambient Air Quality Standards (MAAQS) and should address National Ambient Air Quality Standards (NAAQS) in general.

1050-08 Response The Standard for Rangeland Health #4 is referenced in the Air Quality section of the Draft RMP/EIS on page 15. This section in the Proposed RMP/Final EIS has been revised to include additional information on this standard in the text of the document with an additional reference to Appendix J (previously Appendix H), which includes all the Standards for Rangeland Health. This standard also applies to all public land under administration of the Lewistown Field Office.

The Air Quality section in Chapter 2 of the Proposed RMP/Final EIS has also been revised to clearly indicate the need to comply with the National Ambient Air Quality Standards and Montana Ambient Air Quality Standards. The Standards for Rangeland Health established in 1997 are not being revised through this resource management plan.

Group **Cultural Resources**

1100-01 Comment *When a tribe provides information regarding present spiritual practices and other indigenous ways it is with great trepidation that this information not be exploited or misused. Tribal members still want to be able to utilize lands in the Monument since they have hunted and fished there, and have ancestral ties.*

It is unknown if the list of contacted tribes is all inclusive, or if adequate consultation (face-to-face meeting with tribal councils, elders, or other traditional culture practitioners) has occurred. Historic, Native American religious and historic resources must be identified by Native American nations, and their legal rights and cultural/religious needs fully protected by our BLM employees within the Monument.

Pursuant to the NHPA agencies are supposed to contact local governments if there could be an adverse effect on historic properties. To our knowledge this consultation has not occurred.

There is no evidence that the BLM adequately solicited information and input from potentially affected Native American Tribes about the agency's plans to identify areas of traditional, cultural and religious significance.

1100-01 Response Information gained through formal consultation with tribal governments, tribal historic preservation offices, and culture committees is treated respectfully and confidentially in matters regarding sacred practices. Tribal members continue to have access to lands in the Monument to hunt and fish and maintain ancestral practices. Based on our knowledge of the use of the area within the Monument by different tribal members, changes proposed in the Monument's travel management should not adversely affect tribal members' access.

Government-to-government consultation with tribes is an ongoing process. Chapter 5 of the Proposed RMP/Final EIS has been updated to identify the latest consultation efforts. Tribal councils, culture committees, and tribal historic preservation office staffs have been

contacted to participate in this process and will continue to be involved as the document and Record of Decision are finalized. Information shared between tribal entities and the BLM in this consultation process is handled separately from public comments, yet will still affect the content of the final document. As part of this plan we are proposing to annually consult with the various tribal governments interested in the area included within the Monument. Currently that list includes the tribes associated with the Flathead, Blackfoot, Rocky Boy's, Fort Belknap, Fort Peck, Crow, and Northern Cheyenne Indian Reservations.

No known adverse effects are proposed with this document. Management strategies proposed in this document that could have the potential to affect historic properties would be mitigated through avoidance, project redesign, or data recovery to either have no effect or no adverse effect.

1100-02 *Comment* *There have been a lot of people coming and stealing artifacts: Indian artifacts, paleontology, fossils, etc. This is "withdrawn" land and the collection of items of historic or prehistoric significance, geological or paleontological objects, plants, fossils, and petrified wood for personal use is prohibited under the Antiquities Act. The RMP allows the random collection of artifacts from the known and unknown sites. People are going to come to the Monument and strip out all of the historical and cultural resources.*

1100-02 Response It is unfortunately true that people have been stealing artifacts from public land. However, the Antiquities Act does not prohibit all collection of artifacts, fossils, or petrified wood. In an effort to better track cultural resources within the Monument we are implementing a monitoring program in which the BLM archeologist monitors known historic properties (ranging from lithic sites to cabins), establishing a schedule for the more significant sites. We also will be requiring law enforcement rangers to patrol and monitor high profile sites within the Monument. As we develop our monitoring program we will be able to identify those sites that are experiencing heavy visitor use or degradation through natural or human causes so we can focus law enforcement efforts at those sites.

1100-03 *Comment* *There is little that conveys to the reader the importance of the place to the indigenous people of the region or the newer generations of emigrants and its significance to the pre-history and recent history of the United States of America. Western culture and heritage need to be protected and the travel plan should include opportunities to visit these features as part of motorized spur destinations and loops. Signage around historically significant areas should be improved. The history of the Monument should be made public knowledge, documented, and put in interpretive centers. Interpretive panels regarding the Nez Perce in 1877 should be developed.*

Would like to see the Cable, Gist, and Gilmore places restored, and more primitive and motorized camping spots in that area so that people know where to go and where to stop.

1100-03 Response With the opening of the Missouri Breaks Interpretive Center in Fort Benton much more of the history of the Monument will be accessible to the public. We are proposing interpretive projects regarding the agricultural history of the Monument, including interpretive panels placed at visitor sites along the river, as well as a video capturing the history which could be played at the visitor center. We continue to stabilize historic structures along the Missouri River, with specific plans to conduct work at Gist Bottom on the Irvin place in 2007. We also propose to complete the National Register of Historic Places nomination for the Hagadone Homestead by 2008.

Group		Cultural Resources
1100-04	*Comment*	*Roads need to be reduced because current roads are likely to damage areas of religious or cultural value. Areas with historic landscape qualities are highly susceptible to visual intrusions. It is difficult, if not impossible, for the public to understand the consequences associated with the proposed transportation plan. Allowing vehicles to travel 300 feet off designated roads for camping has the potential to increase new impacts on cultural resources and historic landscapes. An adequate analysis of the impacts and proposed mitigation measures is needed.* *The BLM's authorization of the designation of roads and routes as open for travel and transportation is an action which has the potential to adversely affect historic properties. The BLM must comply with Section 106 prior to approving access and transportation designations. There is no indication that BLM has initiated Section 106 for the access and transportation designations, especially for unauthorized roads, such as user-created roads/routes that have never been evaluated.* *Afraid we might lose access to buffalo jumps and things of that nature.*
1100-04	Response	As new roads are designed and developed by the BLM Section 106 inventories are completed to determine possible effects to historic properties. User-created roads/routes are not federal undertakings and therefore have not required Section 106 surveys. As improvements or modifications to existing roads are proposed, an assessment is made to determine if the roads have been inventoried according to the National Historic Preservation Act. If we were to identify historic properties in areas impacted by existing or proposed roads we could assess effects at that time. Since the Preferred Alternative reduces road densities we are reducing the potential to affect known and unknown historic properties. Under the Preferred Alternative in the Proposed RMP/Final EIS, outside of the WSAs, motorized or mechanized vehicles may park adjacent to a road to provide a reasonable safe distance for the public to pass. However, parking must be within 50 feet of a road.
1100-05	*Comment*	*Further investigations of cultural and historic sites are necessary to develop strategies for their protection. The discussion of the cultural resource component is inadequate and as such does not provide a baseline for evaluating the potential impacts to those resources, nor does it delineate a plan for their management. Site data is inconsistent in the document regarding numbers of sites. Impacts of oil and gas development need to be addressed, and a Cultural Resource Emergency Discovery Plan needs to be developed.* *The BLM is not sure how many cultural sites exist (Native American or other) or precisely where these sites are located in the Monument, yet still attempts to assess the impacts of its proposed action on these yet to be discovered sites. Under NEPA more is needed. The BLM can not assess how its decision directly impacts such sites in a specific, concrete manner unless such an inventory is completed beforehand.* *Less than 5%, and as little as 2% of the Breaks has been inventoried for cultural resources. The lack of cultural resource inventories exacerbates the problem of analysis of impacts. Amount of CR inventory needs to be clarified, as do site density and site distribution. No specific impacts are mentioned in connection with access and transportation designations, oil and gas exploration and development, recreational/visitor use and infrastructure, airstrip designations, and grazing. Mitigation measures need to be provided that seek to avoid, minimize, or mitigate adverse impacts to identified and unidentified cultural resources.* *We're concerned that the draft fails to provide mitigation measures to prevent impacts to cultural resources; provides insufficient analysis of direct and indirect impacts to cultural resources; and relies on assumptions to analyze effects to cultural resources.*

1100-05 Response

Baseline data for the analysis included in this document came from a search of the Montana State Antiquities Database, a review of records held in the Lewistown Field Office, and a literature review completed under a cultural resource contract. Inconsistencies regarding a number of sites have been corrected. Oil and gas parcels identified in the maps have been reviewed subsequent to the Draft RMP/EIS being produced, and one cultural property was noted within the boundaries of the parcels. Prior to development activity on oil and gas parcels a cultural resource inventory is completed either by BLM archeologists or archeologists contracted by the leasing company.

The amount of survey in the Monument has been more accurately figured than was stated in the Draft RMP/EIS. Acreages have been taken from the cultural resource site and survey atlas that is being developed. Acreages in the Draft RMP/EIS came from the overview prepared by the cultural resource contractor. They did not calculate all survey acreage since some of the reports that they used did not have maps or were not included in the state's database. Those omissions are being corrected.

Mitigation measures tend to be site-specific. Since we do not have any adverse effects identified in this plan we have not developed mitigation measures tied to actions. Common mitigation measures include: avoidance of sites or of components of sites that have integrity or that are contributing elements of the site; project redesign; data recovery where effects to the site could not be avoided; or interpretation of the site.

1100-06 *Comment*

The BLM does not need to manage our historic objects. Landowners have done a very commendable job.

A realistic cultural resource management plan for cultural property inventory, evaluation, and management should be provided within known or predicted budgets, complementing the information provided in the updated UMNWSR management plan.

1100-06 Response

On federal lands administered by the BLM, or on other lands affected by a federal undertaking (for example, a prescribed burn that incorporates federal and private or state land, or a range water well, pipeline and tank originating on public land for a custodial use allotment), the BLM is required to follow regulations that require us to formally consider impacts to cultural resources.

As part of this plan we will continue to conduct Section 106 inventories for undertakings within the Monument. Additionally, we are proposing to complete Section 110 inventories, either with BLM employees or with challenge cost share projects and partners. We are proposing to complete non-project driven inventories and monitor previously recorded sites annually. Areas selected for Section 110 inventory will be based on known site concentrations, or areas lacking previous inventories, or blocks of land that could reasonably be inventoried in a given field season. Since this is a long-term goal the criteria will change as more inventories are completed and more information is gathered. As opportunities arise we will also complete National Register nominations for eligible properties, beginning with the Hagadone Homestead.

1100-07 *Comment*

The RMP must emphasize protection and preservation of the Monument's historic, geological, biological, and cultural objects. The local cultural heritage for the area surrounding the Monument is cattle ranching and farming, boating and fishing, as well as Native Americans and all others who visit. Once damaged or compromised the pristine condition of this area and part of America's heritage would be permanently lost. The constitutional duty to preserve cultural resources should be mandatory rather than discretionary.

The only attempt the BLM has made in fulfilling its responsibility of protecting the important cultural resource of ranching is to record oral histories from long-term residents of the area. No study of the local customs, culture or traditions was done with the Counties considering the specific communities that would be affected.

The Nez Perce National Historic Trail is a highlight of the area. The Cow Creek area could potentially be impacted. This area needs adequate protection given its significant historical value, and should maintain its rural character, relatively free of development, recreational or otherwise. Traditional uses should be maintained at their current level.

The draft RMP fails to incorporate BLM's responsibilities under the NHPA and fails to ensure that irreplaceable historic and cultural resources are fully considered in management decisions.

1100-07 Response The BLM completed an overview of historic settlement along the Missouri River in 1998. This document led to the management of homesteads and other historic buildings within the Monument. We are pursuing the development of a video documenting the historic settlement in the Monument, and as part of this project we are proposing interpretive panels placed at strategic locations along the river (i.e., boat launch sites, within homestead buildings). The video would be made available to the general public. It could be shown at the Missouri Breaks Interpretive Center in Fort Benton, and would be made available to Montana PBS for television broadcast.

In 1992, the BLM completed a cultural resources management plan for the Upper Missouri National Wild and Scenic River that highlighted the resources along the river. We are continuing to survey and monitor sites along the river since our current knowledge of the area shows a higher site density and greater probability of the area containing historic and prehistoric sites. We will continue to complete Section 110 survey away from the river to determine if that site distribution pattern changes with increased survey.

The BLM has and will continue to abide by all applicable federal laws, regulations, and policies. Internal reviews during the preparation of the Draft RMP/EIS and Proposed RMP/Final EIS did not reveal actions in conflict or non-compliance with these laws. We are continuing to improve our site and survey database, which in turn allows us to conduct a more comprehensive Section 110 program. We are coordinating a more formal site monitoring program, and we are completing inventory not tied to project compliance. We also are proposing to complete the National Register nomination of the Hagadone Homestead. As time allows we will continue with other nominations while at the same time recognizing that all properties determined eligible for listing in the National Register are afforded the same protection as sites already listed. We continue our efforts to preserve historic properties in the Monument, and continue to emphasize the preservation of abandoned homesteads in the Monument, as identified in the Proclamation.

1100-08 Comment *In addition to compliance with the FLPMA and NEPA, Monument cultural resources must be managed in compliance with and consideration of [federal] laws and their accompanying policy, regulations, and guidelines. This includes, in part, NHPA Section 110, E.O. 13007 (Sacred Sites), and NAGPRA. According to Section 110 of the NHPA, BLM is required to identify, evaluate, and nominate historic properties to the National Register, as well as assume responsibilities for preserving historic properties.*

The draft RMP fails to meet Montana constitutional requirements to protect the State's cultural resources.

EO 13287 requires each Federal agency to prepare an assessment of the current status of its inventory of historic properties, and to ensure the management of historic properties in

Group		**Cultural Resources**
		its ownership is conducted in a manner that promotes long-term preservation and use of those properties. The BLM needs to integrate President Bush's proactive stewardship agenda. *The BLM failed to comply with NHPA's mandates for identifying historic properties within the Monument.*
1100-08	Response	The BLM has and will continue to abide by all applicable federal laws, regulations, and policies. Internal reviews during the preparation of the Draft RMP/EIS and Proposed RMP/Final EIS did not reveal actions in conflict or non-compliance with these laws. We are continuing to improve our site and survey database, which in turn allows us to conduct a more comprehensive Section 110 program. We are coordinating a more formal site monitoring program, and we are completing inventory not tied to project compliance. We also are proposing to complete the National Register nomination of the Hagadone Homestead. As time allows we will continue with other nominations while at the same time recognizing that all properties determined eligible for listing in the National Register are afforded the same protection as sites already listed. We continue our efforts to preserve historic properties in the Monument, and continue to emphasize the preservation of abandoned homesteads in the Monument, as identified in the Proclamation.
1100-09	*Comment*	*A Chippewa-Cree sacred landscape previously has been identified in the Cow Creek area, yet it is not mentioned as a resource in the Monument. That category of resources is not identified in the document, and it appears that no effort has been made to identify sacred areas and traditional cultural properties (TCPs). "High potential historic sites" related to the Lewis & Clark and Nez Perce National Historic Trails are not discussed, nor is there information about trail-related resource management. Bodmer landscapes are treated as visual rather than cultural resources, and should be submitted to the SHPO as a discontiguous district, eligible for nomination to the National Register.*
1100-09	Response	The Cow Creek area was identified as a sacred landscape in the Upper Missouri National Wild and Scenic River Cultural Resource Management Plan (BLM 1992), however, no formal designation or specific geographic delineation has been made as a result of that identification and no additional information has been received through consultation. Based on past and current consultation with tribes no traditional cultural properties have been identified in the Monument. We will not be identifying TCPs in the Monument without input from the tribes. We have added information to the Chapter 3 Special Designations section of the Proposed RMP/Final EIS regarding the Lewis & Clark and Nez Perce National Historic Trails. The Bodmer landscapes were documented in the Upper Missouri National Wild and Scenic River Cultural Resource Management Plan completed in 1992. At that time the landscapes were categorized as visual resources rather than cultural resources. No Smithsonian numbers were assigned to the landscapes since Bodmer illustrated geologic formations rather than historic sites. Historic sites that he documented have been assigned Smithsonian numbers. The BLM has no plans to nominate the Bodmer landscapes to the National Register but will continue to protect them as part of VRM Class I under the Preferred Alternative in the Proposed RMP/Final EIS.
Group		**Fish and Wildlife (including Special Status Species)**
1150-01	*Comment*	*Based on observations and discussions with other agencies, it is our impression that consultation and cooperation between the BLM and other agencies has been limited and problematic, especially relative to wildlife concerns. The draft RMP states that "The*

BLM has a strong commitment to work with other agencies and communities in managing the Monument," however it is not evidenced in the RMP. Such cooperation and coordination is vital for the maintenance and enhancement of healthy wildlife populations.

Need an explanation as to why no antelope crucial winter range has been depicted south of the Missouri River. Antelope routinely winter south of the river and failure to depict this fact brings into serious question the validity of the science used to support actions in the Draft RMP/EIS.

The sources, methods and data collection efforts, including dates that were used to delineate wildlife habitat is needed, including an explanation of how those dates were established.

Defining winter range in the Missouri Breaks Region and the plains of central Montana is a highly debatable concept and does not coincide with winter range concepts defined in the other mountainous regions of the West. In the Missouri Breaks/plains region, winter snows are less intense, of shorter duration on the ground, and do not force migration of animals to lower valley areas to winter as is the case in the mountainous regions. Typical winters in the Breaks are cold with occasional snows, but more typically the landscape remains mostly bare. Following a winter snow, slopes frequently blow clear and game commonly move negligible distances to feed on the open slopes. Farm crops and adjacent lands often are a key factor in determining where game animals winter.

The depiction of elk and deer winter range (Map F), without differentiation between white-tailed deer, mule deer or elk is incomplete, inaccurate, and offers an arbitrary foundation upon which sound road closures/restriction decisions can be based.

The DEIS does not include the impacts assessment on the Monument's threatened and endangered species. Under NEPA the impacts analysis must be included.

1150-01 Response

Wildlife information for areas within the Monument was compiled or provided by BLM and Montana Fish, Wildlife and Parks (MFWP) biologists in three BLM offices and two MFWP Regions. Information on populations and distribution was collected by both agencies, and concurrence was made on all distribution and habitat maps. A misunderstanding between BLM and MFWP on winter range was responsible for some of the misleading winter range delineations in the Draft RMP/EIS.

Additional inventory and consultation between agency biologists have better defined this habitat in the Proposed RMP/Final EIS. The wildlife habitat maps in Chapter 3 have been updated, including antelope winter range, elk winter range, and mule deer winter range. The maps also refer to the source of the information (Montana Fish, Wildlife and Parks).

Winter habitat does not mean areas free from snow, but any area sought out by a species where it can obtain food, get protection from severe weather conditions, and occupy with minimal chance for disturbance which may cause them to burn energy that can not be replaced.

As per consultation with the U.S Fish and Wildlife Service (USFWS), all aspects of the Preferred Alternative including the use of the airstrips and floatplanes, were reviewed for impacts to threatened or endangered species. The USFWS determination for all the proposed actions was May Affect, Not Likely to Adversely Affect any threatened or endangered species within the Monument. The determination of May Affect was made with the knowledge that bald eagles nest along the Missouri River and would be affected by any floatplane landing in their proximity. The Preferred Alternative reduces this potential impact by further restricting floatplane landing areas.

Group		Fish and Wildlife (including Special Status Species)
1150-02	*Comment*	*BLM did not analyze impacts to all wildlife species, including bighorn sheep and T&E species (Bald Eagle nesting sites) from low-level flights, noise, or collisions with wildlife from air, water or land vehicles. While the Columbia Seaplane Pilots Association would work cooperatively with BLM to help protect wildlife sensitive areas (through a Notice to Airmen) the impacts from airstrips and seaplanes were not adequately analyzed.*
1150-02	Response	Overflights, including low-level flights, are beyond the scope of this document and not within BLM authority to manage or enforce. Available scientific literature indicates that aircraft noise in close proximity will impact wildlife to some degree. The level of impact can be influenced by many factors, including type and size of plane, season of use, frequency of use, and most importantly, the amount of traffic. Based on current and historic use and lack of documented impacts from BLM and Montana Fish, Wildlife and Parks (MFWP) biologists, the potential for noise, vehicle strikes, or disturbance by use of the airstrips is negligible, and much less than the impacts from roads which access the airstrips or motorized use on the river. As demonstrated by the healthy populations of elk, mule deer and bighorn sheep, the current use level and location of aircraft use in relation to populations is not currently a major impact to population levels of these three species. It does not mean there is not an impact on these species, or that aircraft are not continuing to impact other species. Population or distribution information about the large number of non-game species within the Monument is not available, nor is the ability to document the impacts for all the species present or potentially present. The total number of airstrips declines in the Preferred Alternative, further reducing potential impacts in some areas. The Preferred Alternative attempts to minimize existing and future impacts, while allowing continued traditional use of the Monument. As per consultation with the U.S. Fish and Wildlife Service (USFWS), all aspects of the Preferred Alternative including the use of the airstrips and floatplanes, were reviewed for impacts to threatened or endangered species. The USFWS determination for all the proposed actions was May Affect, Not Likely to Adversely Affect any threatened or endangered species within the Monument. The determination of May Affect was made with the knowledge that bald eagles nest along the Missouri River and would be affected by any floatplane landing in their proximity. The Preferred Alternative reduces this potential impact by further restricting floatplane landing areas. The available scientific literature indicates that roads impact all wildlife to some degree. The level of impact can be influenced by many factors, including type and size of road, season of use, frequency of use, type of vehicles using road, location of a road, and most importantly, the amount of traffic. As demonstrated by the healthy populations of elk, mule deer, and bighorn sheep, the current traffic level and location of traffic in relation to populations is not currently a major impact to population levels of these three species. It does not mean there are no impacts to these species, or that road impacts are not continuing to impact other species. While potential impacts to wildlife are well documented, specific impacts within the Monument are not.
1150-03	*Comment*	*We do not find any, or at least adequate, representations in the Plan or EIS about what authority, ability or long-term intentions BLM will have about introduction, reintroduction or management of large predators, such as lions, bears, and wolves.* *The Monument offers some unique wildlife restoration and management opportunities, in particular restoration of the Bison to the Great Plains. Restoration and conservation of the Bison to the Monument should be an agency priority.*

Group		Fish and Wildlife (including Special Status Species)
1150-03	Response	The Proposed RMP/Final EIS includes additional information concerning the reintroduction of species in the Fish and Wildlife section of Chapter 2. The stocking or reintroduction of any species will be coordinated with Montana Fish, Wildlife and Parks (MFWP). Introduction of game species by MFWP will only occur after the appropriate environmental review and public involvement, and will only be allowed for native species or common naturalized species within Montana, such as wild turkey. Reintroduction of any threatened or endangered species will be coordinated with U.S. Fish and Wildlife Service (USFWS) and MFWP, and will only occur after the appropriate environmental review and public involvement.
1150-04	*Comment*	*Due to BLM's RMP management and protections, game animal or other species could expand and damage resources or cause other resource users to face further restriction or reductions in their authorized use. These potential impacts were not analyzed.* *Up to 90% of the breaks is not suitable sage grouse habitat and to use this species to justify everything from road closures to new citing regulations does not make sense.* *Road building associated with oil and gas development could have negative impacts on some (short horned lizard) populations.*
1150-04	Response	The BLM will maintain and enhance habitat for wildlife. However, wildlife populations, notably game populations, are managed by Montana Fish, Wildlife and Parks (MFWP). The BLM can make recommendations based on protecting critical populations or to protect habitat. The BLM can authorize control of species such as coyotes and beavers to protect resources or call on Animal and Plant Health Inspection Service (APHIS) to control problem non-native species such as starlings. Sage-grouse have declined range-wide. Monitoring of leks indicates sage grouse numbers are stable within the Monument, and additional leks are still being found in and adjacent to the Monument. Potential impacts from population expansion and natural gas exploration are addressed in Chapter 4, Fish and Wildlife. The environmental consequences section of the Draft RMP/EIS and Proposed RMP/Final EIS addresses the impacts from the six alternatives discussed in Chapter 2. This includes the direct, indirect, and cumulative impacts.
1150-05	*Comment*	*How do the aircraft and airstrips and their associated activities and noise levels impact the region's raptors and wildlife? We think that there should be more focus on management of the 48 species of fish in the waters and specifically the threatened and endangered populations.*
1150-05	Response	The environmental consequences section of the Draft RMP/EIS and Proposed RMP/Final EIS addresses the impacts from the six alternatives discussed in Chapter 2. This includes the effects to fish and wildlife. Due to infrequent seasonal use of all airstrips taking place through summer and fall, current impacts to wildlife from use of airstrips, is not significant and no impacts have been documented by BLM and Montana Fish, Wildlife and Parks (MFWP). The Proposed RMP/Final EIS includes additional information concerning the reintroduction of species in the Fish and Wildlife section of Chapter 2. The stocking or reintroduction of any species will be coordinated with MFWP. Introduction of game species by MFWP will only occur after the appropriate environmental review and public involvement, and will only be allowed for native species or common naturalized species

within Montana, such as wild turkey. Reintroduction of any threatened or endangered species will be coordinated with U.S. Fish and Wildlife Service (USFWS) and MFWP, and will only occur after the appropriate environmental review and public involvement.

1150-06 *Comment* *The citizen's transportation proposal provides substantial reductions in the amount of land near roads. I recommend the use of landscape analysis techniques to assess the degree of habitat fragmentation caused by roads.*

The draft fails to document instances where vehicle travel has adversely impacted terrestrial and aquatic wildlife and fails to document vehicle travel densities on roads slated for closure or seasonal restrictions; rather it appears to make sweeping generalizations devoid of verifiable science. How will the road network directly impact the region's wildlife populations and habitats.

Road impacts to wildlife are less detrimental than stated, or nonexistent as demonstrated by healthy big game populations. Road impacts to wildlife are more detrimental than stated, and literature backs this.

1150-06 Response Impacts from roads are well documented in the available scientific literature, in that roads impact all wildlife to some degree. The level of impact can be influenced by many factors, including type and size of road, season of use, frequency of use, type of vehicles using road, location of a road, and very important is the amount of traffic. As demonstrated by the healthy populations of elk, mule deer, and bighorn sheep, the current traffic level and location of traffic in relation to populations is not currently a major impact to population levels of these three species. It does not mean there is not an impact on these species, or that impacts from roads are not continuing to impact other species. While potential impacts to wildlife are well documented, specific impacts within the Monument are not. Populations or distribution of the large number of non-game species, including migratory birds and designated sensitive species, within the Monument are not available, nor is the ability to document the impacts for all the species present or potentially present.

The Preferred Alternative attempts to minimize existing and future impacts from all activities, while allowing for continued vehicle use to access traditional use areas of the Monument.

The environmental consequences section of the Draft RMP/EIS and Proposed RMP/Final EIS addresses the impacts from the six alternatives discussed in Chapter 2. This includes a road analysis for wildlife habitat in the Monument (miles, density, and acres).

1150-07 *Comment* *Impacts from non-motorized use (camping, hiking, floating) are not adequately addressed or analyzed.*

1150-07 Response Some literature does document greater stress to big game animals from people on foot and mountain bikes opposed to those using motorized vehicles; however, qualifications concerning noise level, duration of disturbance, frequency and type of use need to be factored in. Restricting vehicle use into any block of habitat would lessen the overall impacts from traffic, hunting, vehicle strikes and even pedestrian use of an area. The Preferred Alternative would reduce the density of roads which would provide greater habitat security.

1150-08 *Comment* *How can the effects of oil and gas development activities, particularly cumulative effects, be identified and then mitigated if BLM monitoring resources are so limited? Develop specific wildlife and wildlife habitat objectives and monitor population trends to assess and address impacts (including cumulative) over the long term.*

Group		Fish and Wildlife (including Special Status Species)
1150-08	Response	The BLM monitors public land habitat for fish and wildlife, while Montana Fish, Wildlife and Parks (MFWP) monitors fish and wildlife populations. This information is shared and is the basis for management recommendations. Every effort will be made to work cooperatively with other agencies or non-governmental groups to collect data and analyze impacts to those species not monitored by MFWP (non-game and migratory birds, reptiles, amphibians, predators and small animals). Impacts from oil and gas activity are well documented from exploration to production in other parts of the country, and use of BLM Best Management Practices, lease stipulations and conditions of approval, are all meant to minimize these impacts whenever possible. The BLM has a study proposal submitted to U.S. Geological Survey (USGS) to document the impacts to big game locally from roads in the Missouri River Breaks. For more information, see also the discussion of vegetation monitoring for wildlife in Chapter 2, Decisions Common to All Alternatives, Vegetation – Native Plants.
1150-09	*Comment*	*Delineated habitat is not occupied or is on private land. BLM has no right to designate private land as important habitat and use that status to limit use on adjacent federal lands. Restrictions should not be applied to an area that wildlife may inhabit in the future.*
1150-09	Response	Wildlife populations, notably game populations are managed by Montana Fish, Wildlife and Parks (MFWP) which, in cooperation with other agencies including BLM, designates winter or other important habitat based on its importance to the species. These habitats may or may not be occupied at any given time, but determination is based on the habitat available. These designations have no impact on private lands and convey no authority over them. Wildlife on private lands can be affected by actions on adjacent BLM land, and BLM has the authority to limit actions on BLM lands to protect habitat for important management species. In addition, BLM may, in the future, impose new protections on newly occupied habitat for important species. Allowing expansion of these important species may prevent additional, more restrictive protections on occupied habitat in the future.
1150-10	*Comment*	*Definitions are needed for "human encroachment" and "surface-disturbing activity."*
1150-10	Response	The term "human encroachment" has been changed to "human disturbance" in Chapter 4, Fish and Wildlife, Impacts to Fish and Wildlife from Access and Transportation, Road System Criteria. The following definition of "surface-disturbing activities" has been added to the Proposed RMP/Final EIS in Chapter 2, Fish and Wildlife Mitigation, and in the Glossary: Surface-Disturbing Activities: Those activities that alter the structure and composition of vegetation and topsoil/subsoil. This includes any action created through mechanized or mechanical means that would cause soil mixing or result in alteration or removal of soil or vegetation and expose the soil to erosive processes. Some examples of surface-disturbing activities include construction of roads, well pads, trenching for pipelines, construction or reconstruction of reservoirs and pits, and facility construction. Vegetation renovation treatments that involve soil penetration and/or substantial mechanical damage to plants (plowing, chiseling, chopping, etc.) are also surface-disturbing activities.
1150-11	*Comment*	*Sage grouse populations depend on the weather and predators to a much larger extent than on the cattle grazing close to them. Cows avoid stepping on nests. As long as the*

sage is there, sage hens and other wildlife will do very well - including along the edge of farmed fields.

Wildlife has thrived in the area. They like to have cows keep the grass grazed so that it is not real coarse and matted. Wildlife also like the minerals and salt put out for the cows. The water provided for cows help all matter of wildlife especially in the past several drought years. Bighorn sheep have multiplied in the area without regulations regarding when people and cattle can use the range they happen to be in.

The BLM should also research and include a provision to allow cattle grazing to improve big game habitat. What research and consideration has been given to this issue?

1150-11 Response

The habitat and vegetation within this area evolved with large numbers of bison, elk, bighorn sheep, deer, pronghorn and smaller herbivores. Since bison are absent, and deer, elk and bighorn sheep will likely never reach pre-settlement levels, livestock are now used to harvest vegetation and help to maintain natural communities. Grazing management can help many species. Additional livestock waters can improve big game distribution, create new habitat for amphibians, or create new riparian communities which can benefit species such as sage grouse. Grazing can create nesting habitat for species preferring minimal cover, aid in expansion of prairie dogs, and remove older, decadent herbaceous vegetation making new growth available for other species. However, grazing has been documented to have negative impacts on wildlife habitat if not properly managed. The BLM follows Standards for Rangeland Health to minimize negative impacts, maintain healthy habitat and, when possible, enhance wildlife habitat.

1150-12 Comment

The current road network is too extensive across the landscape for the protection of the objects of interest. Current spatial landscape analysis techniques should be employed, supported by the latest applicable wildlife research to assess road densities and their impacts on wildlife.

Fish and wildlife mitigation measures (page xiii) should follow state or federal recovery plans. The BLM should not reference crucial habitat that is not listed in a state or federal recovery plan that has been through a valid public participation process.

In most cases, the "affected environment" section of the draft RMP/EIS simply notes presence of a wildlife species or sensitive resource, with virtually no data on the location, status, or future trends of any species of concern. Without an adequate inventory and evaluation that create a baseline of knowledge of cultural, wildlife, special status plants, and other sensitive resources, the agencies are unable to fulfill their obligation to analyze impacts under NEPA or to preserve "monument objects." The plan inaccurately shows the distribution of big sagebrush communities in that area and does not refer to all the wildlife research done and published in scientific journals in any bibliography. That includes all the research mostly Montana State University M.S. graduate work in wildlife management. Without this information BLM has violated the Federal Data Quality Act. The document is seriously flawed without accurate information.

The depiction of elk and deer winter range (Map F) without differentiation between white-tailed deer, mule deer or elk is incomplete and arbitrary. The sources, methods and data collection efforts used to delineate the elk distribution depicted on Map E of the draft has been omitted from the map. The BLM should explain why it has shown were bighorn sheep lambing areas are located and why the definition of lambing areas is more critical than the establishment of elk, deer or antelope birthing areas.

Throughout the development of the RMP, the discussions held that general information and specific lek data and winter range occupation for sage grouse wasn't readily

available and/or much information was missing or out of date. Monument Biologist Jody Peters expressed at a March 2006 open house that a survey flight was completed in early 2006 which revealed considerable sage grouse overwintering north of the Missouri River with a high count estimate of 722 birds. This study also confirmed suspected sage grouse winter range within the Monument to be occupied by a significant percentage of that count and the area used was more extensive than previously thought. We believe it is this very type of exploration that can confirm sage grouse use of the Monument and the RMP needs to have a formal, detailed comprehensive plan to proceed. Only then can the RMP truly accommodate the needs for stabilization and/or sustainable sage grouse numbers in the area.

The RMP needs to address the cumulative effects from all activities to reptiles, amphibians and songbirds.

1150-12 Response

The environmental consequences section of the Draft RMP/EIS and Proposed RMP/Final EIS addresses the impacts from the six alternatives discussed in Chapter 2. This includes a road analysis for wildlife habitat in the Monument (miles, density, and acres). This analysis includes the direct, indirect, and cumulative impacts to fish and wildlife.

The BLM complies with the Data Quality Act by using the best data available and disclosing the source and quality of that data. The BLM's policy addressing the requirements of the Data Quality Act is contained in its Information Quality Guidelines published in accordance with OMB guidance (Handbook 1601-1, part V.B. http://www.blm.gov/nhp/efoia/data_quality/).

The Draft RMP/EIS was produced using the best available resource data and scientific literature available at the time the information was compiled, although most literature citations have been omitted to reduce the size of the document. Literature often suggests the most stringent recommendations to protect all or the highest percentage of individuals of a wildlife species. However, these recommendations do not necessarily protect the majority of the species or their habitat or consider the need for multiple use management or the legal requirements that allow other activities within a defined area.

The Proposed RMP/Final EIS also was produced using the best resource data and scientific literature available at the time the information was compiled. Much of this data has been updated with the cooperation of other agencies and as additional literature has become available. Additional inventory and consultation among agency biologists have better defined this habitat for the Proposed RMP/Final EIS. The wildlife habitat data and maps in Chapter 3 have been updated, including sage-grouse winter range, antelope winter range, elk winter range, and mule deer winter range. The maps also refer to the source of the information (Montana Fish, Wildlife and Parks). Inasmuch as a large amount of research is available on impacts to wildlife, a representative selection is cited in the Bibliography of the Proposed RMP/Final EIS. Additional reference citations have been added to the Proposed Final RMP/EIS to more readily provide the reader with the information sources used to prepare the RMP.

1150-13 *Comment*

Antelope routinely winter south of the river and failure to depict this fact brings into question the science used to support actions in the draft. The BLM needs to outline the sources, methods and data collection efforts used to establish the boundaries of the antelope winter range indicated on Map G. It is unclear how any portion of the vast sage brush ecosystems occurring in the Monument can be labeled as crucial. The credibility of the information shown on Map G is in question.

Critical winter range of antelope, deer and elk is also in question, because we see all of these animals in the winter and it isn't shown on any maps. It is difficult to come to any logical conclusions concerning these issues with the references provided in this document.

We were surprised to see that no antelope winter range is shown south of the river. We have no specific knowledge of this, but raise the issue because we know that antelope are in the area.

1150-13 Response Wildlife information for areas within the Monument was compiled or provided by BLM and Montana Fish, Wildlife and Parks (MFWP) biologists in three BLM offices and two MFWP Regions. Information on populations and distribution was collected by both agencies, and concurrence was made on all distribution and habitat maps. MFWP, in cooperation with other agencies including BLM, designates winter or other important habitat based on importance to those species. These habitats may or may not be occupied at any given time, but determination is based on the habitat available.

Additional inventory and consultation among agency biologists have better defined this habitat for the Proposed RMP/Final EIS. The wildlife habitat maps in Chapter 3 have been updated, including antelope winter range, elk winter range, and mule deer winter range. The maps also refer to the source of the information (Montana Fish, Wildlife and Parks).

1150-14 Comment *What about bobcat, coyote, beaver and all the fur bearing species?*

1150-14 Response The BLM will maintain and enhance habitat for wildlife. However, wildlife populations including furbearers are managed by Montana Fish, Wildlife and Parks (MFWP). The BLM can make recommendations based on protecting critical populations or to protect habitat. The BLM can authorize control of species such as coyotes and beavers to protect resources or call on Animal and Plant Health Inspection Service (APHIS) to control problem non-game native species such as starlings.

Analyses of the potential impacts from population expansion are addressed in Chapter 2 under Decisions Common to All Alternatives, Fish and Wildlife, Implementation; and in Chapter 4, Fish and Wildlife.

The furbearing predators are generally cyclic and dependent on availability of prey or other food sources. Proper habitat management which provides for healthy and diverse vegetative communities will provide the necessary prey or forage component for these species. Monitoring per Standards for Rangeland Health will continue to ensure that BLM is providing habitat within the Monument, while MFWP will ensure that harvest does not exceed levels which they determine are acceptable.

1150-15 Comment *In Appendix L you have misspelled the Latin (scientific) name of several of the species, including the black-tailed prairie dog, yellow-pine chipmunk, greater sage-grouse, and several others.*

1150-15 Response Corrections have been made where misspellings were identified.

1150-16 Comment *All potential raptor nesting habitat should be shown and impacts to important nesting features (cliffs, snags) analyzed. All raptor nest sites should be shown on maps. No mining disturbance should be allowed within 1-3 miles of nests.*

1150-16 Response Most habitats within the Monument (cliffs, tall trees, snags, riparian areas, grassland and sagebrush habitats) have the potential to provide a nesting site for raptor species or other nesting species. The Preferred Alternative includes timing and spatial protective conditions of approval to protect all known nesting sites, regardless of location. Proposed actions could be moved 1/4 mile and/or delayed 90 days to protect sensitive species. Management actions, such as prescribed burning, are expected to create snags that would benefit cavity nesters or those utilizing the tops of dead trees.

While some raptors relocate nest sites fairly often and may not nest in a site any given year, other species have high nest fidelity. It is not BLM Montana policy to identify known raptor nests in public documents. At the time of any proposed action which could affect nesting raptors, all areas are field checked and cleared before actions are authorized.

Raptor nests within the Monument will not be disturbed by mining because all mining entry was closed within the Upper Missouri National Wild and Scenic River (UMNWSR) at the time of that designation in 1976 and mining entry within the Monument outside the UMNWSR was closed at the time of the Monument designation. Although 32 lode claims are located within the Monument, any future plans to further explore the potential of these claims would be subject to the adjudication of valid existing rights that existed before the Proclamation date. No production of hardrock minerals is presently occurring. For more information see the discussion in Chapter 2, Decisions Common to All Alternatives, Geology.

1150-17 *Comment* *The Monument provides an ideal large-block landownership that could allow a Category 1 prairie dog complex of up to 12,000 acres, yet BLM does not address this element of the Black-tailed Prairie Dog Conservation Plan in the DEIS and does not commit to allowing and maintaining a larger, Category 1 complex on the Monument.*

Black-Tailed Prairie Dogs are a very important species ecologically. Your direction for management seems to put the Prairie Dog at the bottom of the list of importance compared to other resources. For example, if Prairie Dogs "adversely affect" livestock forage, other wildlife, other resources, etc., they can be controlled. We know that in some people's values, this means that almost any Prairie Dog town is subject to control. This has not been BLM's policy, and we suggest that the language be substantially tightened up for the purpose of protecting Prairie Dogs.

Dog towns should be allowed to expand and contract in a natural process.

We find that your proposed prairie dog management lacks the specificity necessary to understand what the likely outcomes of management decisions will be. The draft RMP does not provide adequate protection for prairie dogs and fails to prohibit unauthorized shooting poisoning or taking prairie dogs.

The draft RMP does not adhere to the state's Conservation Plan for Prairie Dogs.

If you believe there's not the potential for losses of forage available for livestock from prairie dog towns, page 273, and this is not going to have an impact, you're wrong.

1150-17 Response While prairie dogs and the other 40 BLM (Montana and Dakotas) designated sensitive species which occur or could occur within the Monument are of management importance, prairie dogs are unique as one of the few to be identified for additional protection and management. While the habitat they create is important to several other species, the location, size of town, proximity to other towns, and location in relation to topography all influence its value to other species. At the same time, the expansion of prairie dog towns into new habitat can have detrimental impacts on other important management species. Some expansions can be caused or exacerbated by drought or man-caused fire. The BLM has attempted to balance the importance of these towns with their impacts to other species and public land users. Based on location and topography, some towns have much higher value to associated species and for maintaining geographic distribution. Currently, there are just over 500 acres of prairie dog towns in the Monument. This low density of small towns is not considered suitable habitat for black-footed ferret expansion.

Current public access to prairie dog towns within the Monument is very limited except by foot or boat, with only three of the towns being accessible by vehicle. Montana Fish, Wildlife and Parks (MFWP) has a closed season for shooting prairie dogs on BLM lands from March through May. Under the Preferred Alternative, surface-disturbing activities could be restricted within 1/4 mile of a prairie dog town.

Under the Preferred Alternative in the Proposed RMP/Final EIS, prairie dog management would utilize the Conservation Plan for Black-Tailed and White-Tailed Prairie Dogs in Montana (Montana Prairie Dog Working Group 2002) for overall guidance and direction. Regional plans (based on Montana Fish, Wildlife and Parks administrative regions) would be utilized when they are completed. Prairie dog towns would be allowed to expand as long as they are not adversely impacting adjacent private or state land, other resources, or affecting Standards for Rangeland Health (Appendix J).

While BLM maintains the option for limited control of prairie dogs, criteria to do so will be restrictive. The BLM also has the option of introducing prairie dogs to areas which are determined important, or have died off due to illegal poisoning or disease. All of these actions will require separate and specific NEPA action with public review. Any action to control or relocate prairie dogs would be coordinated with the MFWP Region 6 Prairie Dog Working Group to ensure continuing viability of prairie dogs in areas identified by the group as important; e.g., the town is supporting the breeding of other sensitive species, or is geographically isolated and unlikely to be re-colonized in the future. Under the Preferred Alternative, total acres of prairie dog towns will exceed the acreage at the time of the Monument designation and will likely increase whenever conditions are favorable. The exception to this is the possibility of disease die-offs, which are beyond the scope of any planning.

1150-18 *Comment* *The DRMP/DEIS call for monitoring by measuring stubble height; however, other BLM offices have determined that "dependence on stubble height as a monitoring tool could lead to erroneous determinations about riparian conditions. BLM Information Bulletin No. OR-2005-159. The BLM and the Forest Service jointly commissioned the University of Idaho to research the validity of using stubble height as a monitoring tool. "This research determined that there is no scientifically established cause and effect relationship between a specific stubble height level and long-term riparian conditions." Id. Clearly, the BLM cannot use stubble height monitoring and be in alignment with best available science and Data Quality Act requirements.*

1150-18 Response All references to stubble height have been removed in the Proposed RMP/Final EIS. Utilization of vegetation and residual cover is an important consideration in rangeland management for a variety of reasons. Stubble heights are easily articulated and observable but are not always applicable as absolute values. A 7-inch stubble height was offered in Management Plan and Conservation Strategies for Sage Grouse In Montana as one of several indicators in assessing habitat suitability for sage grouse. This plan and conservation strategies were prepared by the Montana Sage Grouse Work Group made up of state and federal agencies as well as representatives from agriculture and other industry. As was discussed in that document, not all indicators can be used as absolutes and must take into consideration factors such as site and weather. The stipulation of a 7-inch stubble height was removed from the Proposed RMP/Final EIS in recognition that it is not a universally applicable criteria/indicator for management objectives. However nesting habitat for sage-grouse is still an important consideration in management.

The BLM complies with the Data Quality Act by using the best data available and disclosing the source and quality of that data. The BLM's policy addressing the requirements of the Data Quality Act is contained in its Information Quality Guidelines

published in accordance with OMB guidance (Handbook 1601-1, part V.B. http://www.blm.gov/nhp/efoia/data_quality/). The BLM believes that the data used to prepare the Draft RMP/EIS, and its underlying inventories, is the best available and of adequate quality and quantity to support the analysis presented in the EIS. Additional reference citations have been added to the Proposed Final RMP/EIS to more readily provide the reader with the information sources used to prepare the RMP.

1150-19 *Comment* *BLM failed to mention the significance of the outstanding elk population in the Missouri Breaks and that population introduced through the Pitman-Robertson act of 1937. This is sportsmen's hunter dollars. BLM will prevent the public from harvesting elk with this Plan. There is a limited high demand for the limited number of permits. None of this mentioned. The same with wild sheep introduced with the assistance of the Foundation of N.A. Wild sheep and through the P.R. program of FWP. BLM did not mention the MOU with FWP as well including land treatment projects.*

1150-19 Response Montana Fish, Wildlife and Parks (MFWP) manages wildlife populations and sets harvest numbers. MFWP worked with BLM to establish a travel plan which would provide habitat security for big game within the Monument while providing adequate access to meet harvest objectives. The BLM responded to concerns about the quality of the hunting experience for people who don't hunt from vehicles, by providing the blocks of security habitat which hunters can access by foot or horseback. The BLM will also allow the use of many seasonally closed roads for game retrieval from 10 a.m. to 2 p.m.

The BLM continues to work with MFWP and landowners who have and will continue to provide some of the most important habitat and land treatments to benefit these very popular huntable populations of high quality trophy animals.

1150-20 *Comment* *Your Plan violated the Federal Data Quality Act since none of these issues are presented and they are in motion now. BLM has violated Title 18 1001 of the Federal Code as well.*

1150-20 Response The BLM complies with the Data Quality Act by using the best data available and disclosing the source and quality of that data. The BLM's policy addressing the requirements of the Data Quality Act is contained in its Information Quality Guidelines published in accordance with OMB guidance (Handbook 1601-1, part V.B. http://www.blm.gov/nhp/efoia/data_quality/). The BLM believes that the data used to prepare the Draft RMP/EIS, and its underlying inventories, is the best available and of adequate quality and quantity to support the analysis presented in the EIS. Additional reference citations have been added to the Proposed Final RMP/EIS to more readily provide the reader with the information sources used to prepare the RMP.

The BLM makes every effort to ensure the information it presents in the RMP/EIS is accurate. One of the reasons for public review of a Draft RMP/EIS is to provide the public and other agencies with the opportunity to identify specific information or analyses it believes to be inaccurate so it can be corrected or updated. While inaccurate information may occasionally remain undetected even after agency and public review, such accidental occurrences are usually rare and should not involve information critical to a reasoned choice among alternatives.

1150-21 *Comment* *The impacts from grazing, associated activities and other management decisions are not adequately analyzed; impacts to wildlife and special status species (such as sage grouse and peregrine falcons) are not identified, or mitigated. This would also include impacts to riparian areas. The BLM acknowledges that livestock grazing is having both direct and indirect impacts on Monument resources, but then declines to actually assess what those impacts are to big game or sage grouse or take affirmative steps to correct and/or mitigate such impacts.*

Group		**Fish and Wildlife (including Special Status Species)**
		We recommend the BLM consider extending the no surface disturbance period for sage grouse crucial winter range beyond March 31. Also, the surface disturbance protection zone should be expanded to ½ mile and only the oil and gas development allowed by the proclamation should be allowed. *The mitigation language for bighorn sheep should be strengthened to define what specific activities would be exempted from regulation.*
1150-21	Response	The impacts of grazing and associated activities to fish and wildlife have been addressed in the Missouri River Breaks and Prairie Potholes Grazing EISs and individual watershed plans. As each allotment within the watershed plans was assessed, impacts to riparian vegetation, wildlife, wildlife habitat, and wildlife needs were scrutinized and evaluated. Riparian and wildlife habitat protections and the input of wildlife biologists are major components in determinations about whether an allotment is meeting the Standards for Rangeland Health. The impacts to wildlife and wildlife habitat, including riparian, from grazing and all other activities are documented in Chapter 4, Impacts to Fish and Wildlife, in the Proposed RMP/Final EIS. Decisions regarding the management of vegetation during drought are made each year in which BLM wildlife, range, soil and other resource staff determine that negative impacts are possible. At that time, soil moisture measurements and vegetative readiness evaluations are made throughout the management area. When conditions warrant, contacts are made with grazing permittees by letter or phone to discuss alternatives. When necessary, decisions are made to delay turnout, reduce numbers, or not issue a permit. These decisions are made for health of upland and riparian vegetation and wildlife habitat. Impacts from oil and gas activity and roads are well documented in the available scientific literature, in that roads impact all wildlife to some degree. The level of impact can be influenced by many factors, including type and size of a road, season of use, frequency of use, type of vehicles using a road, location of road, and most importantly, the amount of traffic. As demonstrated by the healthy populations of elk, mule deer, and bighorn sheep, the current oil and gas activity and traffic levels and location of traffic, in relation to populations is not currently a major impact to population levels of these three species. It does not mean there is not an impact on these species, or that impacts from roads are not continuing to impact other species. While potential impacts to wildlife are well documented, specific impacts within the Monument are not. Populations or distribution within the Monument of the large number of non-game species, including migratory birds and designated sensitive species, are not available, nor is the ability to document the impacts for all the species present or potentially present. The Preferred Alternative attempts to minimize existing and future impacts from all activities, while allowing for continued authorized, permitted, or traditional use to access areas of the Monument. Alternative A in the Draft RMP/EIS considered a no surface disturbance period for sage-grouse winter habitat to May 15. Under the Preferred Alternative the timing restriction would be December 1 through March 31. Also, Alternative E considered a 2 mile distance for sage-grouse leks. A definition of surface-disturbing or disruptive activities is included in the Fish and Wildlife – Mitigation section of Chapter 2 in the Proposed RMP/Final EIS.
1150-22	*Comment*	*All drilling activities for gas and oil development should be prohibited within 5.5 km (3.3 miles) of active leks and their associated nesting areas (Holloran 2005). Further, all existing and new compressor stations should add noise abatement devices (mufflers) to reduce audible noise within 5.5 km of active leks. The actual level of noise (measured in*

decibels) that would not negatively affect greater sage-grouse breeding and nesting activities is presently unknown.

1150-22 Response

While the Holloran literature recommends protective distances greater than those within the Proposed RMP/Final EIS, the Preferred Alternative recommended distances would remove all or almost all impacts to nesting sage-grouse. In an area with established roads, existing wells and leases, and private land ownership, this would not remove existing impacts within the recommended spacing. The suggested spacing (Holloran) does not take into account topography or vegetation present within 3.3 miles of a lek. There are often visual and sound barriers much closer to the lek, which will obscure any potential impacts from the proposed activity. A well separated from a lek by a timbered ridge will effectively eliminate impacts to sage grouse.

The Preferred Alternative would reduce existing and future impacts to sage grouse within most breeding, nesting, and wintering habitats. Prohibiting new wells or roads within 1/4 mile of any lek, any drilling or construction within 2 miles of a lek during the nesting season, and any drilling or construction on winter habitat between December and end of March, will protect the majority of all nesting associated with a lek and any wintering birds. The requirement for noise reduction in the Proposed RMP/Final EIS was selected based on the best available literature, and to impose stricter requirements would not be defensible using currently available science.

1150-23 Comment

The assumption that shooting coyotes, prairie dogs and other "nuisances" because they are an annoyance, or a form of entertainment for some factions, is not warranted under the Proclamation. All species indigenous to this landscape should continue to be a part of it, simply because they make up a part of the Upper Missouri River Breaks National Monument.

1150-23 Response

Wildlife populations are managed by Montana Fish, Wildlife and Parks (MFWP), including allowing trapping and shooting of furbearers, predators, and prairie dogs. The Proclamation which established the Monument stated that "Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of Montana with respect to fish and wildlife management." MFWP has a closed season for shooting prairie dogs on BLM lands from March through May.

The BLM can make recommendations based on protecting critical populations or to protect habitat. The BLM can authorize control of species such as coyotes and beavers, to protect resources or call on Animal and Plant Health Inspection Service (APHIS) to control problem non-native species such as starlings.

1150-24 Comment

The DEIS states that construction and heavy trucks will be restricted from being within 2 miles of sage-grouse leks at certain times of day. Will similar noise restrictions be placed upon drilling operations, which can reach noise levels of 100 dBa?

1150-24 Response

Appendix R.1 in the Proposed RMP/Final EIS, Mitigation Measure No. 3 states: Restrict use of heavy equipment that exceeds 49 dB within 2 miles of a lek from 4 a.m. – 8 a.m. and 7 p.m. – 10 p.m. during March 1 – June 15 (Management Plan and Conservation Strategies for Sage Grouse in Montana – Final 2005).

1150-25 Comment

The DEIS states that the timing condition of approval with regard to greater sage-grouse crucial winter habitat "does not apply to the operation and maintenance of production facilities." In light of the purposes of the Monument and the language in the Proclamation, the BLM must provide a legally defensible rationale for this statement. Operations in winter months will disturb sage-grouse. The BLM, then, must show how this disturbance is consistent with the requirement that no new impacts be allowed.

1150-25	Response	Operation and maintenance of production facilities are a requirement and legal aspect of holding and producing any lease. The Preferred Alternative would limit any new construction or non-emergency use of heavy equipment, and limit non-emergency visits to each well to twice a month. The reduced number of trips would be made using pickup trucks and represent a decrease in traffic, during most months, from the current operations. Any heavy equipment, compressors, or generators at production sites would be required to meet noise limitations as specified in Appendix R.1 in the Proposed RMP/Final EIS, Wildlife Mitigation Noise Levels.
1150-26	*Comment*	*The DEIS admits that the Preferred Alternative will (a) disturb winter roosting areas of bald eagles (p. 216) and, (b) have impacts, including "habitat fragmentation, additional disturbances from traffic and reduced wildlife habitat on new resource roads (11.1 miles)." (p. 218) Once again, the BLM has not complied with the Proclamation's explicit mandate that valid existing leases may not create new impacts to the biological resources present in the Monument.*
1150-26	Response	The only identified wintering area within the Monument has private lands and roads adjacent on two sides, over which the BLM has no jurisdiction. The public lands have not been leased and are now closed to mineral leasing. The level of disturbance occurring in this area will not increase unless private landowners permit additional activity. Bald eagles will roost in other cottonwood trees along the Missouri River, individually or in small groups. All Federal minerals in the Monument are now closed for mineral leasing and no existing leases are within 1/2 mile of potential river roost sites. Consultation for all aspects of this plan was completed with U.S. Fish and Wildlife Service (USFWS) (Appendix X in the Proposed RMP/Final EIS), and concurrence was May Affect but Are Not Likely to Adversely Affect bald eagles, including winter roosting.
1150-27	*Comment*	*Helicopters should be used only outside of big game calving areas.*
1150-27	Response	Private flights of helicopters are beyond the scope of this plan and the authority of the BLM, except for the use of landing strips as identified in the Proposed RMP/Final EIS, Chapter 2, Access and Transportation, Aviation. The BLM, Montana Fish, Wildlife and Parks (MFWP), and other government agencies are allowed to use helicopters when necessary to complete their mission or to manage resources within their respective management authority, and for emergency purposes.
1150-28	*Comment*	*The following are best science practices outlined in the Wyoming Game and Fish 2004 publication titled: "Recommendations for Development of Oil and Gas Resources within Crucial and Important Wildlife Habitats." I outline impacts to wildlife using these guidelines where they are more conservative than RMFITC guidelines. Again I copied sections of this report and bolded items of particular concern for the UMRBNM because the draft RMP violates the practice. I have also provided pages of the RMP for reference, or comments to clarify violations.* *Table 1. Category of Impact, Species and Habitat Function* *Moderate impacts can be minimized or avoided through effective management practices & habitat treatments.* *High impacts are increasingly difficult to mitigate and may not be completely offset by management and habitat treatments.* *Extreme habitat function is substantially impaired and cannot generally be recovered through management or habitat treatments.*

Elk Crucial Winter Ranges and Parturition Areas - At 1-4 well locations and up to 60 acres of disturbance per section there is high impact. The recommendation is to avoid to the extent reasonable – violates p 70.

Bighorn Sheep Crucial Winter Ranges and Lambing Areas - At 1-4 well locations and up to 60 acres of disturbance per section there is extreme impact. The recommendation is no disturbance within 1 mile of crucial winter ranges or lambing areas – violates p 70.

Because bighorn winter range has not been defined, open road density in overall range should be reduced significantly – from 96% currently within 1 mile to 0%. Alternately BLM needs to define winter range and close it seasonally.

1150-28 Response

The acreage for disturbance from wells in the Wyoming report is from deep wells requiring substantially larger disturbance than the shallow wells which occur within this production area. The shallow wells in the Monument analysis area average about 2.2 acres of disturbance per well, including the access road. Under the highest permitted development of 4 wells per section, total disturbance would be less than 9 acres per section before reclamation. The activity from local wells is also substantially less than is needed to maintain the larger facilities in Wyoming. While terrain, soils, visual resource management, and other resources will limit the available sites suitable for drilling within each lease, the potential total number of wells within this planning area has been analyzed for the Proposed RMP/Final EIS.

As is demonstrated by the growing and healthy bighorn and elk populations, current impacts from existing roads and natural gas activity are not significant. The Preferred Alternative in the Proposed RMP/Final EIS would reduce the number of open roads yearlong on important big game habitat, and seasonally restrict additional roads. Industry traffic would be limited to two trips per month for non-emergency maintenance and operations, reducing traffic from the current level in most months.

1150-29 Comment

Although seasonal restrictions are intended to protect specific habitats (e.g., winter and reproductive habitats) and species (e.g., pronghorn, mule deer, elk, sage grouse) at critical times of year, they generally have been most effective during the exploration and drilling phases of oil field development. However, oil and gas operations also disturb and displace wildlife throughout the production phase (up to 40 years and longer; WDGF 2004). It is equally important that mitigation measures be applied during the production phase, as production results in substantial, long-term loss of habitat function (WDGF 2004).

1150-29 Response

Operation and maintenance of production facilities are requirements and legal aspects of holding and producing any lease. The Preferred Alternative would limit any new construction or non-emergency use of heavy equipment, and would limit non-emergency visits to each well to twice a month. The reduced number of trips would be made using pickup trucks and represent a decrease in traffic most months from the current operations. Any heavy equipment, compressors, or generators at production sites would be required to meet noise limitations as specified in Appendix R.1 Wildlife Mitigation Noise Levels.

1150-30 Comment

Mitigate by removing an equal or greater length of roads in sensitive wildlife habitat for all new roads built for oil and gas. Remove roads from sensitive seasonal wildlife areas.

1150-30 Response

Access to important wildlife habitat is currently limited by private landowners, and any new roads created for oil and gas would be closed to the public and open for authorized agencies and permitted activity only under the Preferred Alternative. As is demonstrated by the growing and healthy bighorn and elk populations, current impacts from existing

roads and natural gas activity are not significant. The Preferred Alternative in the Proposed RMP/Final EIS would reduce the number of open roads yearlong on important big game habitat, and seasonally restrict additional roads.

1150-31 *Comment* *There is no discussion of the impact of additional non-native (plant) species on wildlife in the Monument.*

1150-31 Response The BLM recognizes the serious impacts noxious weeds can have on native vegetation and wildlife habitat. Under all alternatives, BLM will continue to aggressively locate, and control noxious weeds in cooperation with other agencies and private landowners, using livestock and chemical, biological, and mechanical removal wherever noxious weeds are located. For more information see the discussion in Chapter 2, Decisions Common to All Alternatives, in the Fish and Wildlife, and Vegetation – Native Plants sections.

1150-32 *Comment* *There is no mention of how river recreation including camping on islands will affect pallid sturgeon habitat and spawning areas. How do motorboats impact paddlefish and pallid sturgeon?*

1150-32 Response Currently available research does not show that motorboats or non-motorized craft impact pallid sturgeon. Continued motorized and non-motorized use on the river and camping was not an issue of concern for U.S. Fish and Wildlife Service (USFWS) during the consultation process with regard to pallid sturgeon. A Biological Assessment was prepared for the Preferred Alternative identified in the Draft RMP/EIS. This assessment was reviewed by USFWS Ecological Services, which concurred with the analysis of potential impacts to listed species (Appendix X).

1150-34 *Comment* *Winter protection of wildlife habitat is insufficient in the draft RMP.*

1150-34 Response Impacts from roads and other activities in winter habitat are well documented in the available scientific literature, which indicates that traffic and other activity impact all wildlife present to some degree. The level of impact can be influenced by many factors, including type and frequency of activity. As demonstrated by the healthy populations of elk, mule deer, and bighorn sheep, the current impacts are not currently significant to these three species. It does not mean there are no impacts on these species, or that there are no continuing impacts to other species. While potential impacts to winter habitat are well documented, specific impacts within the Monument are not.

The Preferred Alternative would reduce the existing number of open roads, restrict some winter disturbing activity, protect key areas through spatial or timing restrictions, and reduce authorized oil and gas production-related traffic. The Preferred Alternative increases the protection and management of wildlife habitat from that which is currently occurring, and minimizes existing and future impacts from some activities while allowing for continued traditional uses of the Monument.

1150-35 *Comment* *The seismic activity ran all of the wildlife out of the area which covered about 6 sections. They started right before hunting season and didn't finish until 3 weeks into hunting season which was not very good timing.*

1150-35 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, seismic activity would be restricted seasonally in important winter habitat, and vehicles would be restricted to existing roads and trails. Seismic activity in the late summer/early fall presents less of an impact to big game species than winter or spring activity. In addition, the companies usually make an effort to avoid doing surveys during big game season, to avoid conflicts with hunters and for the safety of their employees working in the area.

Group		Fish and Wildlife (including Special Status Species)
1150-36	*Comment*	*The Missouri and Judith Rivers and Arrow Creek are important to T&E fisheries and deserve focus in the plan.*
1150-36	Response	The Judith River and Arrow Creek have not been identified as crucial habitat to any threatened or endangered species. The impacts of this plan on pallid sturgeon were assessed by the U.S. Fish and Wildlife Service (USFWS) during Section 7 consultation, and concurrence was provided that this plan would not adversely affect this species (Appendix X in the Proposed RMP/Final EIS).
1150-37	*Comment*	*While we support the fish and wildlife goal in the RMP (page 16) to "manage, enhance and protect fish and wildlife habitat and special status species," we believe the goal could be strengthened with additional integration of these concepts. For example,* *"Ensure that the structure, composition, and function of aquatic ecosystems is maintained and/or restored to support a diversity of aquatic plant and animal species, and ensure that hydrologic connectivity within watersheds is maintained and/or restored to provide for habitat and connectivity needs to maintain populations of aquatic dependent species."* *"Ensure that native wildlife species are provided habitat of sufficient quantity and quality, including connectivity and wildlife movement corridors, habitat complexity, forest openings, edges, and ecotones, to enhance biological diversity . . . ."*
1150-37	Response	Maintaining and restoring structure, composition and functions of aquatic ecosystems within historic ranges of variability is within the BLM's goal to manage, enhance and protect the fish and wildlife habitat for special status species. The stocking or reintroduction of any species will be coordinated with Montana Fish, Wildlife and Parks (MFWP). Introduction of game species by MFWP will only occur after the appropriate environmental review and public involvement, and will only be allowed for native species or common naturalized species within Montana, such as wild turkey. Reintroduction of any threatened or endangered species will be coordinated with U.S. Fish and Wildlife Service (USFWS) and MFWP, and will only occur after the appropriate environmental review and public involvement.
1150-38	*Comment*	*The preferred alternative will not protect the endangered species found in the Monument. The final RMP/EIS should include the Biological Assessment regarding potential effects to T&E species and any associated U.S. Fish & Wildlife Service Biological Opinion or formal concurrence.* *The draft RMP will not provide required protection for the pallid sturgeon.* *We recommend that the final EIS and Record of Decision not be completed prior to the completion of ESA consultation. We believe the stipulation should prohibit surface disturbance within ½ mile of bald eagle nests active within the last 7 years.*
1150-38	Response	A Biological Assessment was prepared for the Preferred Alternative identified in the Draft RMP/EIS. This assessment was reviewed by U.S. Fish and Wildlife Service (USFWS) Ecological Services, which concurred with the analysis of potential impacts to listed species (Appendix X in the Proposed RMP/Final EIS). The BLM will work with the USFWS to recover threatened and endangered species, including reintroduction efforts consistent with recovery plans and conservation strategies. This includes the Recovery Plan for the Pallid Sturgeon (USFWS 1993a) and the Montana Bald Eagle Management Plan (BOR 1994). In order to reduce risk of bald

eagle mortality, Avian Power Line Interaction Committee (APLIC) guidelines will be followed for all power lines and will be incorporated into all power line rights-of-way. In order to reduce risk to pallid sturgeon, all rights-of-way applications for pipelines that cross the Missouri River will include a condition that the pipeline be drilled under the river bed, avoiding disturbance to the river channel. The bald eagle, black-footed ferret and pallid sturgeon are all species of special interest.

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

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

No action will be initiated on BLM land that will jeopardize any federally listed threatened and endangered plant or animal. Future actions will require site-specific environmental review and, if necessary, associated biological assessments. Any action determined as "May Affect" would require consultation with USFWS. A proposed action can only proceed if USFWS concurs that the proposed action "Is Not Likely to Adversely Affect" any protected species, crucial habitat, or its prey base. The BLM will comply with all decisions reached during consultation with the USFWS. Prior to the initiation of any action on BLM land, its effect on other sensitive species and state-designated species of special interest will be evaluated and applicable mitigation developed.

1150-39 *Comment* *BLM has not mentioned the problems with wolves when they show up in the Missouri River Breaks, if not already there.*

1150-39 Response The gray wolf is documented within the area historically as far back as the Lewis & Clark expedition and as recently as the 1950s. As human population increased within the area, lands were converted to farming and livestock production, prey base and secure habitat declined, and increasing conflicts with humans resulted in the wolf's extirpation. The lands within the Monument provide the habitat and prey base necessary to support resident wolves. The BLM does not expect wolves to occupy Monument land due to the lack of social acceptance of wolves in the areas between current populations and the Monument. For additional information see the discussion of wolves in Chapter 2 of the Proposed RMP/Final EIS under Fish and Wildlife, Threatened and Endangered Species.

1150-40 *Comment* *Didn't analyze impacts to all T&E species under all alternatives or include BA or BE for public review. The BLM notes there are five federally listed species in the Monument however the DEIS fails to engage in an assessment of the impacts of the new RMP on such species.*

1150-40 Response A Biological Assessment was prepared for the Preferred Alternative identified in the Draft RMP/EIS. This assessment was reviewed by U.S. Fish and Wildlife Service (USFWS) Ecological Services, which concurred with the analysis of potential impacts to listed species (Appendix X in the Proposed RMP/Final EIS). Additional information on threatened or endangered species is included in Chapter 3 of the Proposed RMP/Final EIS.

Group		Fish and Wildlife (including Special Status Species)
1150-41	*Comment*	*Threatened and Endangered Species pg. 18. To make the statement that BLM will work with the US Fish and Wildlife Service within various management plans is somewhat lacking in proactive identification of necessary actions. This section needs to be expanded with a specific plan. Although the USFWS is charged with the recovery of T&E species, BLM controls management of habitat, so BLM must take a proactive role or all other efforts are simply a moot exercise.*
1150-41	Response	The BLM will work with U.S. Fish and Wildlife Service (USFWS) whenever possible to manage habitat for threatened or endangered species, but it still falls to USFWS to designate critical habitat. If the lands within the Monument are designated, already occupied or utilized, BLM will manage to protect that habitat. If the lands within the Monument are not already identified as critical habitat or occupied, BLM will manage them for other resident wildlife or resource activity, as determined through this and other planning efforts.
1150-42	*Comment*	*Prior to issuing any oil and gas leases, endangered species should have been identified and the impacts analyzed to comply with the Endangered Species Act. Drilling activities must be disallowed or mitigated if they detrimentally affect endangered or threatened species. Any assessment of the impacts must consider the cumulative impacts from all other uses proposed for the area.*
1150-42	Response	Several leases were issued prior to the National Environmental Policy Act and Endangered Species Act. The other leases were reviewed at the time of leasing. Cumulative impacts are addressed in Chapter 4 of the Proposed RMP/Final EIS and consultation with U.S. Fish and Wildlife Service (USFWS) has occurred.
1150-43	*Comment*	*According to Proclamation 7398 "Nothing in this Proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of Montana with respect to fish and wildlife management." Yet, the DRMP mission statement on page 32 directly contradicts this. "The BLM's goal is to manage, enhance and protect the fish and wildlife habitat and special status species."*
1150-43	Response	The BLM will maintain and enhance habitat for wildlife. However, wildlife populations, notably game populations, are managed by Montana Fish, Wildlife and Parks (MFWP). The BLM can make recommendations based on protecting critical populations or to protect habitat. The BLM can authorize control of species such as coyotes and beavers to protect resources or call on Animal and Plant Health Inspection Service (APHIS) to control problem non-game native species such as starlings. Analyses of the potential impacts from population expansion are addressed in Chapter 2, Decisions Common to All Alternatives, Fish and Wildlife, Implementation; and in Chapter 4, Fish and Wildlife.
1150-44	*Comment*	*Pg 18: Threatened and Endangered Species: Grey wolves north of the Missouri River are listed as Endangered.*
1150-44	Response	The text in Chapter 2 has been corrected.
1150-45	*Comment*	*Duration of timing stipulations is inadequate to protect wintering animals. The BLM should consider extending the no surface disturbance period for big game winter range beyond March 31.* *Alternative F should be modified to extend the no new surface disturbance requirement through June 30 in order to allow lambs to gain more strength.*

1150-45	Response	The winter timing conditions of approval to protect wildlife were selected to include the period of time when the most severe conditions have occurred most years and correspond with the recommended seasonal restrictions used by state and federal agencies in Montana. It is recognized that severe conditions could occur before or after the dates used in some years. The dates for this timing restriction may be modified if new wildlife use information indicates that the December 1 to March 31 dates are not valid for the area (Appendix O in the Proposed RMP/Final EIS). While the extension of these protections would not be needed most years, the authority is present to extend them in severe weather years. Alternatives A and D in the Draft RMP/EIS considered a no surface disturbance period for big game winter range to May 15. Under the Preferred Alternative the timing restriction would be December 1 through March 31. The Preferred Alternative would prohibit surface-disturbing or disruptive activities in identified bighorn sheep lambing areas between April 1 and June 15. This mitigation could reduce stress to ewes during parturition and protect lambs when they are not as mobile, able to safely negotiate rough terrain, or evade predators, and are most vulnerable. This could improve lamb survival and maintain or improve populations within the available habitat.
1150-46	*Comment*	*Our clients question the utility of depicting both deer and elk winter range on the same map without being able to distinguish between deer and elk wintering areas.*
1150-46	Response	These species have been separated in the Proposed RMP/Final EIS maps and analysis. White-tail deer habitat is year-round along riparian areas of major drainages. This species is a prolific breeder and is considered very adapted to man and his activities. Protections were not considered necessary for white-tail deer and habitat was not mapped.
1150-47	*Comment*	*All unnecessary fencing if it restricts wildlife movement should be removed.*
1150-47	Response	The BLM fence specifications would be followed with allowances for certain classes or types of livestock (BLM Handbook H-1741-1). Four-wire fences could be authorized if the class or kind of livestock necessitate the need for a more substantial fence. For additional wildlife mitigation, the bottom wire on four wire fences would be 12 1/2 gauge barbless wire placed at least 16 inches above the ground or 18 inches from the ground if barbed. New fences would not have a top wire over 40 inches from the ground and wire stays would not be allowed. When suitable alternatives are available, fences would not be constructed along steep slopes or in dense vegetation, including timber.
1150-48	*Comment*	*With regard to the stipulation for protection of designated sensitive species, it is not clear to us why surface disturbance would only be prohibited seasonally within 1/2 mile of nests of active ferruginous hawk. What about nests of other avian sensitive species? How will other avian sensitive species be protected if the only nests to be given any protection are nests of active ferruginous hawks? We believe a seasonal prohibition on surface disturbance should apply to active nests of other avian sensitive species whose nests and rearing activities may be disturbed by oil and gas drilling, especially in a National Monument created to protect wildlife and other valuable natural and cultural resources.*
1150-48	Response	The available scientific literature documents the sensitivity of ferruginous hawks in comparison to other raptor species. While 1/4 mile is considered an adequate buffer for most nesting raptors, the sensitivity of ferruginous hawks requires a larger buffer, and 1/2 mile is considered adequate.
1150-49	*Comment*	*The compensatory mitigation measures are not specified within the EIS. For example, in the Environmental Consequences section, the EIS identifies that there may be impacts to*

Greater Sage Grouse populations that require compensatory mitigation. The specifics of this mitigation should be disclosed within the document.

If unmitigated habitat degradation or loss is allowed to proceed, it will be left to private and/or state landowners to make up for the loss in order to fulfill the vision of "no net loss" in the state plan, effectively transferring the burden of BLM impacts to others. To avoid that outcome, some treatment of methods the BLM will use to offset habitat damages such as conifer removal, sage brush plantings, or development of nesting cover should be included in the plan.

The Monument RMP includes activities that are likely to create long-term (on the scale of multiple sage grouse generations) habitat degradation in sage grouse habitat, reducing or even eliminating the suitability of that habitat for sage grouse into the foreseeable future. We would like to see the issue of the commitment to no net loss of habitat for sage grouse treated in the EIS in the context of oil and gas operations as well as grazing and vegetation management. We recommend that if activities having negative impacts on sage grouse habitat (such as oil and gas development) are conducted, additional on-site and compensatory offsite mitigation be undertaken to compensate for adverse effects on sage grouse.

1150-49 Response The mitigation for Fish and Wildlife, including greater sage-grouse, is included under the Fish and Wildlife – Mitigation section of Chapter 2. Under the Preferred Alternative, the BLM would not authorize new surface-disturbing or disruptive activities within 1/4 mile of active leks, nor would it allow new surface-disturbing or disruptive activities within nesting areas (a 2-mile radius of an active lek) from March 1 to June 15. This alternative would not authorize any new surface-disturbing or disruptive activities in active sage-grouse winter habitat from December 1 to March 31.

If needed, compensatory mitigation is an option, but not a requirement. Additional information has been included in the Fish and Wildlife section of the Environmental Consequences, Chapter 4, of the Proposed RMP/Final EIS. Mitigation for sage-grouse would include no surface-disturbing or disruptive activities on identified sage-grouse winter habitat from December 1 to March 31 (12,000 acres); no surface-disturbing or disruptive activities in identified nesting areas between March 1 to June 15 within 2 miles of sage-grouse leks (21,000 acres); and no surface use within 1/4 mile of a sage-grouse lek (141 acres). This would prevent additional disturbance to wintering sage-grouse during a periods of physical stress. Disturbance during breeding and nesting can cause sage-grouse to abandon breeding activity or attempt to relocate historic and preferred breeding and nesting areas. Activity within this area can also result in nest destruction. These disturbances can reduce breeding success, which can cumulatively impact the population within the area.

In Montana most nesting occurs within 2 miles of the lek (Wallestad and Pyrah 1974, Braun, et al. 1977), but a recent study in central Montana (Moynahan, B. 2004) showed approximately 40% of all nests monitored were located farther than 5 km from the lek at which hens were trapped. Canfield, et al. (1999) pointed out that forced activity caused by human disturbance exacts an energetic disadvantage, while inactivity provides an energetic advantage for animals. Geist (1978) further defined effects of human disturbance in terms of increased metabolism, which could result in illness, decreased reproduction, and even death. Even with warming temperatures and reduced snow depths, early spring reveals many ungulates at the absolute lowest physical condition of the year. Until new, green forage restores lost weight and energy, these animals may succumb to stresses that would be considered minor at other times of the year (Canfield, et al. 1999).

1150-50 Comment *The DEIS concedes that cattle grazing in and around the region's wet meadows and springs decreases the amount of available forbs and insects which indirectly impacts the*

Monument's wildlife, in particular the greater sage-grouse population. See DEIS at 207. Where is the assessment of this indirect impact?

1150-50 Response The discussion on page 207 of the Draft RMP/EIS addresses the potential impacts to wildlife from fencing wet meadows and seeps associated with greater sage-grouse management. Fencing wet meadows and seeps from livestock grazing would protect late brood-rearing habitats. This could improve brood survival by maintaining a favorable forbs component and insect supply.

1150-51 Comment *The geographic scope must extend to the "total range" of greater sage-grouse in north-central Montana. The impacts of other private, state, and federal actions (i.e., oil and gas drilling on BLM land in the West Highline area) affecting greater sage-grouse habitat and populations in the region need to be taken into account. The BLM must consider the synergistic impact such actions are having on greater sage-grouse populations and habitat in north-central Montana. The only way to do this is to expand the geographic scope of the BLM's cumulative impacts analysis to encompass the range of the species.*

1150-51 Response The Proposed RMP/Final EIS analyzes potential impacts and takes into account the limited habitat for sage-grouse within the Monument. To include all potential impacts to sage-grouse in northcentral Montana would require analysis beyond the scope of this plan. The Preferred Alternative would reduce the existing number of open roads; protect key areas through spatial or timing restrictions; and reduce authorized oil and gas production-related traffic. The Preferred Alternative increases the protection and management of wildlife habitat from that which is currently occurring, and minimizes existing and future impacts from some activities while allowing for continued traditional uses of the Monument.

1150-52 Comment *According to Appendix L of the RMP 24 of these species are designated as sensitive species or listed under the Endangered Species Act as threatened or endangered. We believe that in order to adequately address management of migratory birds in the RMP, each of these species should be given individual treatment. For those species that only occasionally use monument habitats, no in-depth analysis is needed. However, for those species that maintain populations within the Monument or use the Monument as a significant stopover during migration, a few paragraphs summarizing the importance and potential of Monument habitats for these species would be appropriate.*

1150-52 Response Populations or distribution of the large number of non-game species, including migratory birds and designated sensitive species, within the Monument are not available, nor is the ability to document the impacts for all the species present or potentially present. The Preferred Alternative minimizes existing and future impacts from some activities, while allowing for continued traditional uses of the Monument.

1150-53 Comment *Page 144: Greater sage grouse: 1st paragraph says that sage grouse have declined but is unclear as to whether referring to Monument lands or range-wide. We suggest that you include FWP and BLM monitoring summary for the monument to illustrate population changes if available.*

1150-53 Response Sage-grouse have declined range-wide. Monitoring of leks indicates sage grouse numbers are stable within the Monument, and additional leks are still being found in and adjacent to the Monument.

1150-54 Comment *Page 145: brood rearing habitat: Need citation here and elsewhere when referring to research in central Montana.*

1150-54 Response Additional citations are included in the Proposed RMP/Final EIS.

1150-55 Comment *Page 214: Alternative F (B), Sage grouse: Need a discussion here of the effects to sage grouse outside of the proposed buffers and outside of the proposed timing restrictions.*

1150-55 Response Sage-grouse habitat and birds may be impacted outside the proposed distances and timing restrictions, but the Preferred Alternative would protect the majority of habitat and individuals. The Preferred Alternative would reduce existing and future impacts to sage-grouse within areas which support the majority of breeding, nesting, and wintering habitats. Additional protections could be required if any proposed action is determined, through site-specific NEPA, to have unacceptable impacts, or if additional leks or important habitat are identified.

Under the Preferred Alternative, the restriction of new wells or roads within 1/4 mile of any lek; drilling or construction within 2 miles during the nesting season; and drilling or construction on winter habitat between December and the end of March would protect the majority of all nesting associated with leks and any wintering birds. The requirement for noise reduction on all construction, heavy equipment, compressors, or generators was selected based on the best available literature to reduce potential impacts to all breeding and nesting birds, and is shown in Appendix R.1 in the Proposed RMP/Final EIS.

1150-56 Comment *Range Improvements pg. xiv. This passage refers to fence specifications but fails to mention what specifications will be implemented. The BLM Fence Manual H-1741-1 gives the proper legal fence spacing of 3 wire, 39 inches in height with a bottom to ground clearance distance of 20 inches in Bighorn sheep range. Additionally, the Unlawful Enclosures Act (UEA) of 1885 guarantees that wildlife access to and from federal lands is a legitimate use protected by the UEA. MWF demands the BLM meet legal fence requirements for the benefit of wildlife and requests that these stipulations be included in the final management plan, referred to in the Appendix, to be assured that this statute will be respected. Finally, Montana Code Annotated 81-4-101 defines legal fences which limit fences to a maximum of 48" high.*

1150-56 Response The BLM fence specifications would be followed with allowances for certain classes or types of livestock (BLM Handbook H-1741-1). Four-wire fences could be authorized if the class or kind of livestock necessitate the need for a more substantial fence. For additional wildlife mitigation, the bottom wire on four wire fences would be 12 1/2 gauge barbless wire placed at least 16 inches above the ground or 18 inches from the ground if barbed. New fences would not have a top wire over 40 inches from the ground and wire stays would not be allowed. When suitable alternatives are available, fences would not be constructed along steep slopes or in dense vegetation, including timber.

1150-57 Comment *The BLM Has Acted Illegally in its Management of Sage-Grouse*

Sage-grouse within the Monument should be managed following the plan written by the State of Montana. There is only one lek on BLM lands within the Monument. Leks on private land should not result in additional restrictions on BLM land. Most of the Sage-grouse leks are located on private land. However, the BLM has made significant changes to management for Sage-grouse on BLM land included in the DRMP/DEIS. Currently, since the Sage-grouse is not listed under the Endangered Species Act, the State of Montana has developed a Sage-Grouse Plan. The BLM's actions as listed in the DRMP/DEIS do not follow the State's plan. While the Montana plan does suggest avoiding the placement of salt near leks during breeding season and avoiding supplemental winter feeding on crucial winter habitat, it does not go so far as to suggest conservative stocking levels to avoid concentrations of livestock. The RMP/EIS should

follow the 2005 Management Plan and Conservation Strategies for Sage-Grouse in Montana which recognizes that "properly managed grazing can stimulate growth of grasses and forbs, and thus livestock can be used to manipulate the plant community toward a desired condition. See 2005 Management Plan and Conservation Strategies for Sage-Grouse in Montana at 55.

Furthermore, as stated earlier in these comments, the BLM failed to conduct the necessary economic analysis to determine the impacts of Sage-grouse management on the local customs and culture, which is required by NEPA. Also, the BLM has not provided an adequate basis for its plans surrounding Sage-grouse leks so that the public could provide adequate comments. Again, there is a total lack of scientific basis and data as required by NEPA and the DQA.

1150-57 Response

Wildlife populations, notably game populations are managed by Montana Fish, Wildlife and Parks (MFWP) which, in cooperation with other agencies including BLM, designates winter or other important habitat based on its importance to the species. These habitats may or may not be occupied at any given time, but determination is based on the habitat available. These designations have no impact on private lands and convey no authority over them. Wildlife on private lands can be affected by actions on adjacent BLM land, and BLM has the authority to limit actions on BLM lands to protect habitat for important management species. In addition, BLM may, in the future, impose new protections on newly occupied habitat for important species. Allowing expansion of these important species may prevent additional, more restrictive protections on occupied habitat in the future.

Any action which concentrates livestock will increase utilization of grasses and shrubs, decreasing cover for birds breeding or nesting near the site of the livestock concentration. Management of vegetation near leks is intended to maintain adequate breeding and nesting cover for sage-grouse. When authorized, winter livestock feeding would be located in areas which would not impact sage-grouse. Considering the small number of leks within and adjacent to the Monument, this removes only a small percentage of the public land from potential winter feeding.

The Proposed RMP/Final EIS was produced using the best resource data and scientific literature available at the time the information was compiled, although some literature citations have been omitted to reduce the size of the document. Much of this data has been updated with the cooperation of other agencies and as additional literature has become available. Inasmuch as a large amount of research is available on impacts to wildlife, a representative selection is cited in the Bibliography of the Proposed RMP/Final EIS.

1150-58 Comment

Sage-grouse habitat should be enhanced by barring livestock grazing in identified nesting habitat and critical winter habitat from December 1 to June 15, and no supplemental livestock feeding should be allowed in those areas (DEIS page 104).

1150-58 Response

The BLM manages the land to meet Standards for Rangeland Health, including healthy wildlife habitat as discussed in Chapter 2 of the Proposed RMP/Final EIS under Decisions Common to All Alternatives, the Vegetation – Native Plants section. When necessary to protect winter sage grouse or any other important habitat, grazing management will limit livestock use. Winter grazing is currently limited within the Monument and will continue to be authorized only when it can be done while meeting Standards for Rangeland Health.

1150-59 Comment

On pages 16 through 18 you discuss fish and wildlife. You talk about the possible reduction of livestock grazing if you feel an area is deteriorating from herd expansion.

1150-59 Response

The BLM will maintain and enhance habitat for wildlife. However, wildlife populations, notably game populations, are managed by Montana Fish, Wildlife and Parks (MFWP). The BLM can make recommendations based on protecting critical populations or to protect habitat. The BLM can authorize control of species such as prairie dogs, coyotes and beavers to protect resources or call on Animal and Plant Health Inspection Service (APHIS) to control problem non-native species such as starlings.

Potential impacts from population expansion are addressed in Chapter 2, Decisions Common to All Alternatives, Fish and Wildlife, Implementation; and in Chapter 4, Fish and Wildlife.

The BLM's responsibility is to maintain healthy habitat, which in turn provides for wildlife, livestock, watershed, protection of soils, and recreational opportunities. Livestock grazing would be reduced to protect the resource if livestock are determined to be responsible for habitat degradation, if weather conditions such as drought have reduced carrying capacity for livestock and wildlife, or if MFWP has been unable to adequately maintain big game numbers within an area. These possible reductions would be made only after working with the MFWP and grazing permittees to remedy wildlife or livestock problems affecting rangeland health.

1150-60 *Comment*

We find the goals set forth to manage fish and wildlife resources to be general and vague. The lack of specific goals for the management of fish and wildlife resources makes it difficult to determine if the RMP follows the vision laid out by the planning team.

We suggest that the BLM establish specific goals for threatened, endangered, and sensitive species taking into account the importance and potential of Monument lands for their range-wide conservation.

1150-60 Response

The Proposed RMP/Final EIS analyzes potential impacts and takes into account the limited habitat for sage-grouse within the Monument. To include all potential impacts to sage-grouse in northcentral Montana would require analysis beyond the scope of this plan. The Preferred Alternative would reduce the existing number of open roads, protect key areas through spatial or timing restrictions, and reduce authorized oil and gas production-related traffic. The Preferred Alternative increases the protection and management of wildlife habitat from that which is currently occurring, and minimizes existing and future impacts from some activities while allowing for continued traditional uses of the Monument.

1150-61 *Comment*

We find your impact analysis to be incomplete. Specific areas in need of more in-depth analysis are cited below. In general, you have determined that mitigation efforts would remove effects of actions without any evidence that the magnitude of the effect of the mitigation is enough to counteract the effects of the action. We suggest that if, after mitigation, deleterious effects are still expected, that those effects should be indicated in the effects section.

1150-61 Response

The very definition of mitigation is to lessen or reduce impacts. It is unlikely that one can ever totally remove impacts from an activity or action until that activity or action is removed. We know that any action or activity which takes habitat away from its unaltered or natural state will cause impacts. Reducing the impacts to specific actions can occur without knowing the exact level of mitigation resulting. We know that removing or reducing impacting activities will reduce or eliminate those impacts in that area. Reducing traffic on a road, seasonal closures, closing roads, reducing impacts from project construction, and other actions all will reduce impacts for some species. The complete level of those impacts may not currently be known nor can the reduction of

impacts be quantified at this time. The Proclamation and BLM regulations allow for multiple use management of the Monument, and other activities will always cause impacts which cannot be eliminated. The goal of this plan is to reduce impacts from competing activities to a level which does not irretrievably alter the resources for which the Monument was designated.

1150-62 *Comment* *The list of sensitive species fails to identify the sagebrush lizard and there is no analysis of impacts on this reptile from proposed activities. I have observed a number of sagebrush lizards in the Bull Creek area of the Monument. This species is absent from the list of herpefauna in the Draft Management Plan/EIS. The table on page 482 of the draft RMP must be corrected to include the Sagebrush Lizard, Sceloporus graciosus (Phrynosomatidae) which is found in the Monument and is a state listed sensitive species.*

1150-62 Response Sagebrush lizard is not a BLM (Montana and Dakotas) Designated Sensitive Species (Appendix R.3.2). Based on limited data of occurrence, distribution, populations, and impacts, it would be impossible to analyze impacts for every species with some potential to occur somewhere within the Monument.

At the time of preparation of the 2005 Draft RMP/EIS observations of the sagebrush lizard were not documented in any inventory available to us; more specifically, there were no documented sightings in or near the Monument, based on BLM, MFWP, and Montana Natural Heritage Program records. However, during the summer of 2007 there was a documented sighting of the sagebrush lizard along the Missouri River.

In the Proposed RMP/Final EIS, the sagebrush lizard has been added to the list of species within the Monument (Appendix R.2). The BLM list is compiled in cooperation with experts and field biologists from MFWP, BLM, the Montana Natural Heritage Program, The Nature Conservancy, and others recognized for their knowledge of species within the state.

1150-63 *Comment* *The BLM should prohibit unauthorized shooting, poisoning or taking of prairie dogs, coyotes and other native species. The Proclamation lists the prairie dog and the other wildlife observed by Lewis and Clark as objects of interest.*

1150-63 Response Animal damage control will be conducted only with the Monument manager's approval when the animal control measure targets the specific offending animal(s) and health and safety factors are not issues. Animal damage control activities will also adhere to off-road vehicle restrictions in that all vehicle travel is limited to designated roads, including roads available for administrative use. The Monument manager will approve other site-specific restrictions as needed.

1150-64 *Comment* *Mule Deer - Avoid disturbance related to human activities on identified important deer habitat during the following use periods: primary and secondary winter ranges (approximately Dec. 1 – May 15), transitional ranges (approximately Oct. 15 – Dec. 31), and migration corridors (approximately May 15 – June 15).*

Bighorn Sheep - Avoid disturbance related to human activities on identified important bighorn sheep habitat during the following use periods: winter ranges and rutting areas (approximately Sept. 1 – May 15), lambing areas and mineral licks (approximately April 15 – June 30), provide 1 mile buffer zone of no activity to separate each disturbance activity from an occupied bighorn sheep seasonal use area, avoid well drilling or pipeline

Group		**Fish and Wildlife (including Special Status Species)**
		construction within 1 mile of bighorn winter ranges and rutting lambing and mineral lick areas, avoid road construction within 1 mile of winter ranges and rutting lambing and mineral lick areas unless use is restricted to during sheep use periods, restrict cattle grazing to July 1 to October 15 in bighorn sheep range.
1150-64	Response	The timing restrictions to protect wildlife were selected to include the period of time when the most severe conditions have occurred most years and correspond with the recommended seasonal restrictions used by state and federal agencies in Montana. It is recognized that severe conditions could occur before or after the dates used in some years. For oil and gas activities it is also within BLM's authority to delay a permit for 60 days or move an activity 200 meters to protect important resources or populations. While the extension of these protections would not be needed most years, the authority is present to extend them in severe weather years. Alternatives A and D in the Draft RMP/EIS considered a no surface disturbance period for big game winter range from December 1 to May 15. Under the Preferred Alternative the timing restriction would be December 1 through March 31. The Preferred Alternative would prohibit surface-disturbing or disruptive activities in identified bighorn sheep lambing areas between April 1 and June 15. This mitigation could reduce stress to ewes during parturition and protect lambs when they are not as mobile, able to safely negotiate rough terrain, or evade predators, and are most vulnerable. This could improve lamb survival and maintain or improve populations within the available habitat.
Group		**Paleontology**
1250-01	*Comment*	*This area is of great scientific importance, both from a regional and a more global standpoint. Indeed, the area is of central importance to North American paleontology, especially with regard to vertebrate fossils. Moreover, from a stratigraphic perspective, the area is perhaps one of the most important natural laboratories on Earth within which geologists can document the transition from terrestrial to marine strata. Simply stated, keeping the Missouri Breaks accessible to scientific research is a must. There is a long history of productive scientific research in the region (dating from the mid-1800s), and many students have been trained within the confines of the monument. Given the standard practice of BLM oversight, there is simply no reason to diminish or negate the potential for scientific endeavors in the Missouri Breaks.* *There is a long and rich history of professional scientists conducting research in our national monuments. At present I have two colleagues conducting paleontological research in designated national monuments – one in Dinosaur National Monument and the other in Grand Staircase-Escalante National Monument (and I am sure there are many other scientists presently at work in our national parks and monuments).*
1250-01	Response	Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, the BLM would allow and authorize paleontological research. All BLM land is closed to commercial collecting of paleontological resources under existing policy and regulation (BLM Manual 8270). Permits are issued to accredited institutions to conduct activity on BLM land to ensure that the resource is used for public display and education purposes only. Scientific use allows for survey/reconnaissance or limited excavation work with a minimum amount of surface disturbance, as long as such work is conducted under a paleontological permit and maintains the values for which the Monument was established.

Group		**Paleontology**
		For additional information, see Alternative F (Preferred Alternative) in the Research, Collection and Special Events section of Chapter 2.
1250-02	*Comment*	*The personal collection of minerals and invertebrate fossils, for non-commercial purposes, should be allowed to continue. The vast majority of invertebrates which are being considered for tighter restrictions are common. It is easier to find a Bacculite in the Breaks than a deer.* *Fossils decay quickly, at the rate of erosion. An ammonite exposed one year will decay into rubble within 5 to 10 years. They are very susceptible to the freezing and thawing action that destroys all rocks in the Breaks. To not collect is to kiss it goodbye.*
1250-02	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, the surface collection of common invertebrate fossils and petrified wood for personal use would be authorized and allowed, as limited by the regulations (43 CFR 3620 and 8365), except in the Cow Creek ACEC, Cow Creek WSA, and Dog Creek WSA. For additional information, see Chapter 2, Recreation, Alternative F (Preferred Alternative), Research, Collection and Special Events.
1250-03	*Comment*	*The Preferred Alternative would permit the removal of invertebrate fossils. This conflicts directly with the Proclamation (second to the last paragraph). Even though the BLM does not believe the Antiquities Act provides guidance for the collection of fossils, I suggest that the collection of such fossils be prohibited.*
1250-03	Response	Chapter 2 of the Proposed RMP/Final EIS includes the following language under Recreation, Alternative F (Preferred Alternative), Research, Collection and Special Events: The BLM would allow and authorize paleontological research. All BLM land is closed to commercial collecting of paleontological resources under existing policy and regulation (BLM Manual 8270). Permits are issued to accredited institutions to conduct activity on BLM land to ensure that the resource is used for public display and education purposes only. Scientific use allows for survey/reconnaissance or limited excavation work with a minimum amount of surface disturbance, as long as such work is conducted under a paleontological permit and maintains the values for which the Monument was established. The surface collection of common invertebrate fossils and petrified wood for personal use would be authorized and allowed, as limited by the regulations (43 CFR 3620 and 8365), except in the Cow Creek ACEC, Cow Creek WSA, and Dog Creek WSA. It is permissible to collect reasonable amounts of nonrenewable resources such as rocks, mineral specimens, common invertebrate fossils and semiprecious gemstones (43 CFR 8365.1-5(b)(2)). The maximum quantity of petrified wood that any one person is allowed to remove is 25 pounds in weight plus one piece, provided that the maximum total amount that one person may remove in one calendar year does not exceed 250 pounds (43 CFR 3622.4(1)). In the Cow Creek ACEC, Cow Creek WSA, and Dog Creek WSA the collection of common invertebrate fossils and petrified wood would be prohibited. Exceptions could include collections authorized by permit in conjunction with authorized research or management activities.
Group		**Soils**
1350-01	*Comment*	*The BLM should restore the damage caused by illegally made tracks and roads. The serious problem of erosion is only going to get worse and more expensive to resolve if restoration is not an important priority in the RMP.*

Group		Soils
1350-01	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, 13 miles of roads would be closed for erosion concerns. All BLM roads designated closed would either be allowed to reclaim naturally or selected segments may require ripping, scarifying, controlling runoff and/or seeding with a native seed mix. Language has been added to Chapter 2, BLM Road System section that addresses control of runoff, erosion and sedimentation through Minimum Maintenance Standards for roads for each Maintenance Level. All surface-disturbing activities are subject to an on-site evaluation to develop mitigation measures to protect streambank stability; control runoff; reduce erosion, sediment yields, and soil compaction; improve soil stability; and control salinity. Mitigation measures or BMPs (Appendix K) will also prescribe revegetation programs (for additional information, see Chapter 2 of the Proposed RMP/Final EIS, Decisions Common to All Alternatives, Soils, Implementation).
1350-02	*Comment*	*The DEIS goes on to assert, without documentation, that "experience" shows that operations on slopes 20% and greater can be successfully reclaimed and erosion controlled (p. 237). BLM cites no studies, documents or examples, either within the Monument, itself, or anywhere, for that matter, to support this assertion. Therefore, the assertion should be removed as a justification for allowing development on slopes 20% or greater. It is not even possible to have development on slopes 20% and greater, due to the soil conditions being gumbo, and the mud in the Breaks type topography.* *Moreover, the BLM does not indicate if this "experience" is based upon its current inspection staffing levels and budget, or whether this "success" would meet the mandate of no new impacts that is required under the Proclamation. For example, on p. 240, the DEIS states that "avoiding operations during moist/wet soil conditions" will be one of the mitigations for seismic activity. However, such restrictions require BLM staff enforcement to be effective, i.e., field visits to determine when the soil is wet enough to trigger the restriction and then follow-up enforcement with the operator. Voluntary compliance does not work, as a general rule, when the management priority is required to be prevention of impacts, rather than restoration after impacts have been allowed to occur.*
1350-02	Response	Successful reclamation and erosion control on slopes 20% and greater have occurred in past projects. Stringent stipulations and mitigation measures were enforced. Sediment containment systems, erosion control products, mulching, and drill seeding were some of the devices and practices used to capture sediment, control erosion and re-establish vegetation. Examples within the Monument include the Klabzuba pipeline and the 34-25-19 well. The Northern Border and Express pipelines are examples outside the Monument where reclamation and erosion control were successful. These two projects were conducted on similar landforms with similar soil types as found within the Monument. The Proclamation states "The Secretary of the Interior shall manage development on existing oil and gas leases within the monument, subject to valid existing rights, so as not to create any new impacts that would interfere with the proper care and management of the objects protected by this proclamation." Soils are not specifically listed as an object of the Monument. Soils would be impacted from oil and gas activity. However, soils would receive proper care as all surface-disturbing activities would be subject to an on-site evaluation to develop mitigation to protect streambank stability; control runoff; reduce erosion, sediment yields, and compaction; improve soil stability; and control salinity. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Decisions Common to All Alternatives, Soils, Implementation. The mitigation measure of avoiding operations during moist/wet soil conditions is attached to a geophysical permit and is part of the terms and conditions of the permit. It is

considered a preventive measure to minimize damage to the land during moist or wet soil conditions. If an operator fails or refuses to comply with the terms and conditions of a permit, the BLM shall notify the operator, in writing (Notice of Noncompliance), of the violation or default. Such notice shall also set forth a reasonable abatement period to rehabilitate the land (43 CFR 3163.1). The BLM will not release the operator's bond until rehabilitation and revegetation of the disturbed land is acceptable.

1350-03 *Comment* *The plan does not recognize, evaluate, or provide controls for the rehabilitation of land resources due to the disruption, displacement, erosion, compaction, moisture loss, over-covering of soil due to the airstrips, either active or closed, and their parking and taxi areas; nor, to the introduction and/or spread of noxious weeds by aircraft or related aircraft operations.*

1350-03 Response Soil displacement, erosion, and compaction currently are not issues on the airstrips as the airstrips are vegetated. The vegetative canopy cover meets or exceeds what is expected for the sites. This vegetative cover provides protection to the soils from wind and water forces.

The four airstrips recommended for closure in the Proposed RMP/Final EIS would be reclaimed naturally.

Currently there are no known infestations of noxious weeds on or adjacent to the airstrips. If noxious weeds and/or invasive plants are discovered, the BLM will attempt to control, contain, and eradicate the noxious weeds and/or invasive plants following guidelines set forth in the Upper Missouri River Breaks National Monument: Guidelines for Integrated Weed Management (BLM 2001b).

1350-04 *Comment* *The BLM's goal to maintain or improve soil health and productivity to provide an ecosystem supporting plant and animal species (page 19), could be improved by adding a commitment to minimize erosion and compaction and to reduce mass wasting on unstable soils.*

1350-04 Response The BLM is committed to minimizing soil erosion, compaction and reducing mass wasting by implementing site specific mitigation measures and Best Management Practices as described in Chapter 2, Decisions Common to All Alternatives, Soils, Implementation section of the Proposed RMP/Final EIS. Surface-disturbing activities would be subject to an on-site evaluation to develop mitigation measures to protect streambank stability; control runoff; reduce erosion, sediment yields, and soil compaction; improve soil stability; and control salinity.

1350-05 *Comment* *Most of the soil in the Monument is highly susceptible to severe erosion especially on steep slopes and during muddy and/or wet soil periods. The DEIS fails to provide a map to the public showing erosive and slumping soils within the lease areas.*

1350-05 Response A soils map for the Monument is available on the internet at the following location: http://www.blm.gov/mt/st/en/fo/lewistown_field_office/um_rmp_process.html. This map was adapted from the United States Department of Agriculture Natural Resources Conservation Service's (USDA-NRCS) Soil Survey Geographic (SSURGO) datasets. Appendix S (Soil Survey Geographic (SSURGO)) in the Proposed RMP/Final EIS lists the SSURGO soil mapping units on BLM land. For each soil series, general soil characteristics and associated ecological sites are listed. Those series with severe water or wind erosion hazards, hydric soil or prime farmland soil are noted in the table.

Geographic Information System (GIS) analysis was used to calculate the amount of acres on slopes 30% and greater and on slopes 20% and greater with severely erosive and/or slumping soils that are depicted in Chapter 4 of the Proposed RMP/Final EIS under Oil and Gas Lease Stipulations and Conditions of Approval, and Impacts to Minerals – Oil and Gas from Natural Gas Exploration and Development. The GIS layers used included slope data derived from a Digital Elevation Model (DEM) and severely erosive soil mapping units from SSURGO datasets. The analysis calculations are limited due to the accuracy of the DEM layer. The DEM is generally accurate to 30 meters; therefore, the accuracy of the slope data layer should be considered no better than 30 meters. Elevation changes within the 30 meter cells would not be recognized because they represent an average elevation.

1350-06 *Comment* *The conditions of approval, Appendix K, regarding 20 and 30% slopes appears to be inconsistent with statements made by the BLM to Judge Molloy where the testimony was that the BLM would not permit development on steep slopes including 30% slopes. Moreover, the conditions for approval contain discretionary waivers that vitiate the requirements.*

1350-06 Response Statements made by the BLM to Judge Molloy were addressing the current West HiLine Oil and Gas Lease Controlled Surface Use (CSU) stipulation for surface use and occupancy on slopes over 30%, or 20% on extremely erodable or slumping soil. This CSU stipulation does not prohibit surface use or occupancy on slopes over 30%, or 20% on extremely erodable or slumping soil; instead, it gives notice to the lessee/operator that the lands within this lease may include special areas and that such areas may contain special values, may be needed for special purposes, or may require special attention to prevent damage to surface and/or other resources. Any surface use or occupancy within such special areas will be strictly controlled, or if absolutely necessary, excluded. Use or occupancy will be restricted only when the BLM and/or the surface management agency demonstrates the restriction necessary for the protection of such special areas and existing or planned uses.

The Conditions of Approval (COA) for the Preferred Alternative would only allow surface use or occupancy on slopes 30% and greater or severely erosive and/or slumping soils on 20% and greater slopes if several resource protective and performance measures are demonstrated and implemented. If such measures cannot be satisfied, including demonstration of success under similar conditions, surface use or occupancy would not be permitted.

The only way the COAs would be waived is if it is determined that the affected area does not include slopes 30% and greater or severely erosive and/or slumping soils on 20% and greater slopes. The only reason the BLM would waive these COAs on a lease is if, upon further review in the field, it was determined that none of the lease contains slopes 30% and greater or severely erosive and/or slumping soils on 20% and greater slopes.

1350-07 *Comment* *There is no requirement that the developer reclaim steep slopes to original contours. Failure to reclaim to original contours is a violation of the spirit and letter of the Proclamation which requires the BLM to preserve and protect.*

1350-07 Response The reclamation standard the BLM follows is guidance under Best Management Practices (BMPs). Appendix K (Best Management Practices), Natural Gas Operations, Section 3(d) in the Proposed RMP/Final EIS states: Interim reclamation should begin shortly after construction or establishing oil or gas production on the site. Steps include: (1) Fully recontour unneeded areas to the original contour or a contour that blends with the surrounding topography; (2) Respread topsoil over the entire pad; and (3) Revegetate to

Group		**Soils**
		re-establish habitat. Guidance provided in the Gold Book (page 43) states that "The Reclamation process involves restoring the original landform or creating a landform that approximated and blends in with the surrounding landform." The "Gold Book" (Surface Operating Standards and Guidelines for Oil and Gas Exploration and Development 2006) can be found on the internet at the following website: http://www.blm.gov/bmp/goldbook.htm.
1350-08	*Comment*	*Reliance on the "Best Management Practices" offers minimal protection and does not meet our concerns about steep slopes, fragile soils and depositing overburden in coulees.*
1350-08	Response	Best management practices (BMPs) are innovative, dynamic, and improved environmental protection practices applied to surface-disturbing activities to help ensure that activities are conducted in an environmentally responsible manner. BMPs protect wildlife and landscapes. BMPs are matched and adapted to meet the site-specific requirements of the project and local environment. BMPs are applied to minimize and control erosion on steep slopes and to keep sediment contained on the disturbed location. Sediment containment systems, erosion control products, mulching, and drill seeding are some of the devices/practices implemented to capture sediment, control erosion and re-establish vegetation.
Group		**Vegetation – Native Plants**
1400-01	*Comment*	*Make every effort to restore the landscape with native plants.*
1400-01	Response	The Vision and Management Goals stated in Chapter 1 of the Proposed RMP/Final EIS include the following goal: Manage these BLM lands in a manner that provides a healthy ecosystem supporting plant and animal species and achieves a sustainable variation of native vegetation communities.
1400-02	*Comment*	*Make every effort to restore the landscape and undo damages caused by ORV traffic, which includes stopping erosion, re-seeding and replanting illegally made roads, stopping ORVs from bringing in weeds, and working to restore native plants and vegetation.*
1400-02	Response	Under the Proclamation, all motorized and mechanized vehicle use off road is prohibited except for emergency or authorized administrative purposes. Some existing roads have been identified for closure, and the necessity for reclamation of closed roads would be determined on a site-specific basis. Reclamation efforts would follow standard operating procedures and Best Management Practices as discussed in the Vegetation section of Chapter 2 of the Proposed RMP/Final EIS.
1400-03	*Comment*	*Revegetate and undo damage from past oil and gas drilling and motorized vehicle use.*
1400-03	Response	In those instances where vegetation has not recovered to an acceptable level from past oil and gas activities and motorized use, reclamation actions would be initiated. Where natural recovery has occurred, additional reclamation may not be pursued when the reclamation activities would cause new surface disturbance and opportunity for introduction of weeds and non-native species. As discussed in Chapter 2 of the Proposed RMP/Final EIS under Vegetation, Alternative F (Preferred Alternative), surface-disturbed areas would be rehabilitated with native grasses, forbs and shrubs to minimize the potential for soil erosion and to provide forage and cover for wildlife and livestock. Non-native plants may be used under special circumstances, such as emergency soil stabilization.

Group		Vegetation – Native Plants
1400-04	*Comment*	*Not sure increasing Sagebrush acres is beneficial.*
1400-04	Response	Sagebrush is a native species, a natural component of the vegetation community, and contributes to plant diversity in the Monument. Several wildlife species need and/or use sagebrush communities including sage-grouse. Restoring sagebrush where it has been eliminated or substantially reduced in the plant community, or where the plant community is unhealthy, conforms with meeting Standards for Rangeland Health and is in keeping with the Vision and Management Goals for the Monument as stated in Chapter 1 of the Proposed RMP/Final EIS. See also the discussion in the Vegetation section of Chapter 2 in the Proposed RMP/Final EIS.
1400-05	*Comment*	*Restore the landscape; rehabilitate if necessary those areas infused with non-native vegetation especially excising those plants that are increasers to the range.*
1400-05	Response	The BLM would determine which priority non-native vegetation sites should be restored to a native species community, as stated in the Vegetation section of Chapter 2 in the Proposed RMP/Final EIS. Increaser plants is a commonly used term referring to those native plants in the plant community that increase when the plant community is abused or under stress. Increaser species are part of the normal functional processes in the plant communities and are not, in themselves, "bad" and would not necessarily be managed against. A rise in the increaser component of the vegetation community is a symptom of some influence(s) which are causing them to increase. With management change(s) that address and correct the causal influences, increaser plants will naturally become less conspicuous in the plant community. Vegetation will be managed under Standards for Rangeland Health as stated in Chapter 2, Decisions Common to All Alternatives, Vegetation-Native Plants.
1400-06	*Comment*	*Make every effort to restore the damaged landscape caused by ORV traffic. We are in dry conditions and every human activity seems to cause long-lasting damage to plants and soils.*
1400-06	Response	The BLM recognizes that the environmental conditions of weather and other site factors make vegetation of the Monument vulnerable to abusive use and are slow to recover. In those circumstances where damaged vegetation has not recovered, reclamation actions may be pursued.
1400-07	*Comment*	*Restoration of native vegetation should be budgeted.*
1400-07	Response	Management actions require budgeting (funds and personnel) to implement. Implementation is subject to normal work planning, including priority ranking of projects and budget and personnel concerns.
1400-08	*Comment*	*Your goals for vegetation are good. Vegetation restoration is probably the most important task facing Monument managers. The management problem stems from a variety of issues: lack of flooding for restoration of cottonwood galleries; rapid infusion of non-indigenous species including Russian Olive and Tamarisk, and poor livestock management. Management should re-establish the cottonwood galleries and upland habitats that were seen by Lewis and Clark. Livestock grazing must be carefully monitored and managed.*
1400-08	Response	The Proclamation and Vision and Management Goals for the Monument, as stated in Chapter 1 of the Proposed RMP/Final EIS, identify maintaining and/or restoring the natural landscape while recognizing valid rights and providing multiple use opportunities.

Livestock grazing and other uses of the Monument are administered in accordance with existing regulations.

The Vegetation-Riparian section has been updated in Chapter 3 of the Proposed RMP/Final EIS to describe the current status of invasive, exotic species within the Monument and how the operation of upstream dams affects cottonwood/willow recruitment. In the Summary of Cumulative Impacts to Vegetation-Riparian section of Chapter 4 in the Proposed RMP/Final EIS, recognition of the spread of Russian olive within the Upper Missouri National Wild and Scenic River and the time sensitive window for control has been acknowledged.

At select locations along the Upper Missouri River, BLM is maintaining livestock exclosures and planting trees. Tree plantings and exclosures do not by themselves remedy the problem of sustaining long-term riparian health on the Upper Missouri River. In order to sustain riparian health on the river, a return to a more natural flow regime (flooding), appropriate livestock management, and control of nonnative, exotic species are needed.

1400-09 *Comment* *We believe that the preferred alternative (F) adequately provides for protection of sensitive plant species. However, the EIS fails to mention Mimulus ringens, a species of concern, in Montana known only from 8 miles below Virgelle.*

1400-09 Response Mimulus ringens has been added to the Proposed RMP/Final EIS in Chapter 3, Vegetation – Native Plants, Threatened, Endangered, and Sensitive Plant Species.

1400-10 *Comment* *Montana Native Plant Society agrees that non-native vegetation should be restored whenever possible, but we oppose using invasive exotics, such as crested wheatgrass (Agropyron cristatum), smooth brome (Bromus inermis) or sweetclover (Melilotus spp.).*

1400-10 Response Native plants are stipulated for restoration and reclamation activities wherever practical. The BLM does not prescribe use of crested wheatgrass, smooth brome or sweet clover in restoration projects. These species were used in the past and are commonly found in and around the Monument. It does happen that these species inadvertently become established in restoration areas and native rangelands.

1400-11 *Comment* *Vegetation pg. xiii. "The BLM's goal is to manage for healthy vegetation communities...progress toward proper functioning condition in riparian areas." The management directions and parameters here are well intended. MWF commends this goal and is hopeful that funding will be prioritized to accomplish these goals. One caution must be expressed. To reduce grazing stress within the riparian zones, grazing use will be moved into the uplands then management will depend upon moving livestock by the strategic use of artificial water sources. Given that upland pastures are much slower to respond to overgrazing than riparian areas, MWF cautions against sacrificing the uplands and the required big game forage and security cover for the sake of improving the riparian zones; such damage would not solve the problem and would simply transfer the negative impact to another equally valuable resource. BLM must retain the tool in the toolbox of reducing AUMs to accommodate repair of riparian zones and list this tool in the Monument RMP as this will constitute a technique to meet Proclamation's directives.*

1400-11 Response It does happen that putting emphasis on one resource can lead to unintended consequences in other areas. Existing rangeland management and grazing regulations for all public land (43 CFR 4100) provide means of addressing and making adjustments in authorizing grazing on the public land to meet Standards for Rangeland Health (43 CFR 4180) and management goals established in resource management plans. These means include, but

are not limited to, adjustments of allocated use (AUMs), seasons of use, and range improvements to redistribute livestock. Impacts of specific management actions on resources (direct and indirect) are considered in an environmental assessment or other document in accordance with the National Environmental Policy Act. A component of the recent watershed plans included a review of resources on public land and incorporation of Standards for Rangeland Health and implementation of Guidelines for Livestock Grazing Management.

1400-12 *Comment* *Alternative E is the best alternative regarding riparian habitat.*

We support Alternatives D/E for restoration of non-native vegetation sites to a native species community. Alt. F is an inadequate statement of intent because there is no defined standard for the public to understand what is a "priority site" and what is not.

There is no range of alternatives for the goal of allowing cattle to manage vegetation communities. The failure of the DEIS to analyze impacts of livestock grazing on the Monument leaves the public without any understanding of what areas may be "managed" by grazing and how managing vegetation communities with grazing will impact other objects such as historic and prehistoric sites and wildlife habitat.

Alternative F for rehabilitation of surface-disturbed sites should be modified to define what it means for the use of non-native plants under special circumstances. There is no standard for special circumstances. The public has no way of knowing if special circumstances include a simple waiver for a developer who complains about cost.

1400-12 Response Priority sites would be areas where the natural plant community has been substantially disrupted and the natural resource values have been lost (or are in jeopardy of being lost) and there is potential for being restored to a natural state. Beyond this, there are no absolute criteria for establishing priority areas, and the BLM would apply reasonable discretion in establishing priority areas for restoration based on the extent/seriousness of the situation and resources (funding, means and personnel) available.

The Proclamation did not assert a need to change or otherwise review livestock grazing and affirmed that existing grazing regulations apply in the Monument. For additional information, see the discussion of livestock grazing in Chapter 2 under Decisions Common to All Alternatives, Livestock Grazing.

Not all special circumstances can be anticipated and analyzed in an RMP. Within guidelines of regulations and approved RMPs, the BLM maintains discretion to respond and apply best management practices to address circumstances as they arise, as stated in Chapter 2, Decisions Common to All Alternatives, Livestock Grazing, Implementation. An example of a special circumstance could be native plants not establishing on a site quick enough to prevent erosion. In such a case, a short-lived, non-invasive, rapid-establishing cover species could be approved to stabilize the site long enough for native perennials to establish.

1400-13 *Comment* *Alternatives D/E provides for recontouring sites. This is consistent with the protective mandate of the Proclamation. Failure to recontour and "leaving no trace" does not meet the "preserve and protect" goal in the purpose and need statement in the DEIS.*

We agree that non-functional reservoirs, pits and water developments should be reclaimed, but there is no definition of non-functional development. The current plan to rehabilitate reservoirs in the Monument suggests that there are no non-functional sites because they will all be rehabilitated. The public has incomplete information on this issue.

1400-13 Response "Leave no trace" and "preserve and protect" principles are generally used in different context; however, they do have a similar intention to maintain and protect the landscape. Neither one of these preclude responsible uses of the land and resources. In circumstances where old surface disturbance has recovered to natural vegetation even though original surface configuration is somewhat modified, re-contouring would create new surface disturbance which would need to be reclaimed.

Non-functional developments are infrastructure that was installed in the past which are no longer serving the purpose for which they were installed. The cause of becoming non-functional could be natural processes but could also include (but not be limited to) vandalism, lack of routine maintenance, lack of use or not suitable for current needs.

Because a development is non-functional is not a decision about the need for the development or what would be done with the development. If a non-functional development is still needed it would be considered for repair, maintenance, reconstruction and/or replacement including mitigating measures to maintain and protect the values for which the Monument was established. If a non-functional development is no longer needed, a decision to reclaim a site or allow natural processes to recover the area would be made on a case-by-case basis. Reclamation efforts would follow standard operating procedures and Best Management Practices as discussed in the Vegetation section of Chapter 2 of the Proposed RMP/Final EIS.

1400-15 Comment *In response to Appendix H, Standards for Rangeland Health and Guidelines for Livestock Grazing management, I understand that the plan and EIS is promoting forage management practices that would call for stubble residue of at least seven inches in the fall. I strongly question from a range management standpoint given the species mix on our short grass prairies if a seven-inch stubble height every fall is attainable. Some of the valuable forage grasses in the Missouri River Breaks seldom grow more than seven inches. It seems that a lot of other healthy sage grouse habitat elsewhere in the country is done with less than a seven-inch stubble height. A mandate of a seven-inch stubble height in the fall may mean no utilization of some species.*

1400-15 Response The Draft RMP/EIS discussed perennial herbaceous cover (stubble height) under Fish and Wildlife – Greater Sage-Grouse Habitat in Chapter 2, but not in reference to riparian conditions. The Proposed RMP/Final EIS does not include any reference to stubble height.

Although it is inappropriate to use stubble height as a long-term monitoring tool to determine trend, according to the University of Idaho study, stubble height can be used as a short-term indicator of grazing effects on meeting long-term riparian management objectives.

1400-16 Comment *Aerial and satellite photographs show how the land around the Monument has been decimated by overgrazing.*

1400-16 Response Aerial photography and satellite imagery are useful tools in resource management and are regularly used by BLM and other land managers. However, drawing conclusions about what is shown in photographs without supporting causal information is not sound basis for management decisions and would be speculation.

Since 1997 the BLM has been assessing Standards for Rangeland Health and implementing Guidelines for Livestock Grazing Management. For additional information, see the discussion of implementation, including monitoring and adjustments to grazing strategies, in the Livestock Grazing section of Chapter 3 in the Proposed RMP/Final EIS.

Group		Vegetation – Riparian
1401-01	*Comment*	*BLM should restore the cottonwood gallery forests along the Missouri River corridor. Cottonwoods are essential to the river's character, recreation value, and ecology.*
1401-01	Response	At select locations along the Upper Missouri River, BLM is maintaining livestock exclosures and planting trees. Tree plantings and exclosures do not by themselves remedy the problem of sustaining long-term riparian health on the Upper Missouri River. In order to sustain riparian health on the river, a return to a more natural flow regime (flooding), appropriate livestock management, and control of nonnative, exotic species are needed. As stated in Chapter 2, Decisions Common to All Alternatives, Vegetation-Riparian section of the Proposed RMP/Final EIS, the BLM will coordinate with the U.S. Army Corps of Engineers, U.S. Bureau of Reclamation, and county/city/private organizations to secure the release of water from dams upstream from the Monument. High water events would help to establish deciduous forest and woody riparian seedlings, create water flows favoring wildlife habitat and native fishes and promote endangered species recovery. Within the Monument there are eight watershed and landscape plans which implement Standards for Rangeland Health and Guidelines for Livestock Grazing Management, including Standard #2: Riparian and wetland areas are in proper functioning condition. If it is determined that an allotment is not meeting standards and current livestock management is considered a factor, corrective adjustments are required under the grazing regulations. Under all alternatives, BLM plans to control non-native species that cause or may cause significant negative impacts and do not provide an equivalent benefit to society. The BLM has specific plans to control, or eradicate where possible, Russian olive and salt cedar (tamarisk).
1401-02	*Comment*	*In order to protect the riparian areas and cottonwoods, portions of the river should be protected from livestock, ice and humans. Discouraging hot season grazing will be an important factor in re-establishing cottonwood and general riparian health.*
1401-02	Response	In order to sustain riparian health on the Upper Missouri River, a return to a more natural flow regime (flooding), appropriate livestock management, and control of nonnative, exotic species are needed. Within the Monument there are eight watershed and landscape plans which implement Standards for Rangeland Health and Guidelines for Livestock Grazing Management, including Standard #2: Riparian and wetland areas are in proper functioning condition. If it is determined that an allotment is not meeting standards and current livestock management is considered a factor, corrective adjustments are required under the grazing regulations. Riparian-wetland objectives would be met at current stocking levels with adjustments that have been implemented as part of the incorporation of Standard and Guidelines in the watershed and landscape plans. Riparian management would be emphasized through continued monitoring and meeting Standards for Rangeland Health. This emphasis has shifted some grazing use to uplands. This trend would continue and, in general, less hot season grazing would occur in riparian areas. Campers create small, localized disturbances to riparian resources. Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM would monitor standards and indicators to manage visitor use of and impacts to resources (Appendix Q). Once those standards

and/or indicators are reached or exceeded, the BLM would take the necessary action to reduce impacts to resources without limiting the number of people boating the Missouri River.

Protecting riparian areas from ice damage would literally be impossible.

1401-03 Comment *The Monument Draft RMP/EIS fails to provide an adequate level of restoration, management actions, and alternatives to protect the cottonwood gallery forests and other important riparian areas which have important values for wildlife habitat, recreational experience, livestock forage, and water quantity and quality along the Upper Missouri River. Poor livestock management, including continued hot-season grazing, is a significant factor preventing regeneration of cottonwood and willow and degrading the health of riparian areas that should be analyzed further in the EIS. The impact analysis, including cumulative impacts, of livestock grazing on riparian areas is not adequately addressed in the Draft RMP/EIS. BLM should pursue actions that are necessary to restore a historic, flooding flow regime to the mainstem of the Missouri and to protect the flow regimes which exist in the tributaries. BLM should plant trees and protect existing cottonwood groves from beaver and livestock.*

We encourage the BLM to establish a more specific goal or objective along with management actions to regenerate cottonwood, willow and other undestroy species within the Missouri River corridor.

1401-03 Response Under the Decisions Common to All Alternatives, Vegetation-Riparian section of the Proposed RMP/Final EIS, BLM's goal is to achieve, or make significant progress toward, proper functioning condition in riparian and wetland areas.

At select locations along the Upper Missouri River, BLM is maintaining livestock exclosures and planting trees. Tree plantings and exclosures do not by themselves remedy the problem of sustaining long-term riparian health on the Upper Missouri River. In order to sustain riparian health on the river, a return to a more natural flow regime (flooding), appropriate livestock management, and control of nonnative, exotic species are needed.

As stated in the Decisions Common to All Alternatives, Vegetation-Riparian section of the Proposed RMP/Final EIS, the BLM will coordinate with the U.S. Army Corps of Engineers, U.S. Bureau of Reclamation, and county/city/private organizations to secure the release of water from dams upstream from the Monument. High water events would help to establish deciduous forest and woody riparian seedlings, create water flows favoring wildlife habitat and native fishes and promote endangered species recovery.

Within the Monument there are eight watershed and landscape plans which implement Standards for Rangeland Health and Guidelines for Livestock Grazing Management, including Standard #2: Riparian and wetland areas are in proper functioning condition. If it is determined that an allotment is not meeting standards and current livestock management is considered a factor, corrective adjustments are required under the grazing regulations.

Under all alternatives, BLM plans to control non-native species that cause or may cause significant negative impacts and do not provide an equivalent benefit to society. The BLM has specific plans to control, or eradicate where possible, Russian olive and salt cedar (tamarisk).

Under the Proclamation, "Laws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its

jurisdiction shall continue to apply with regard to the lands in the monument." The Proposed RMP/Final EIS is a comprehensive plan on how lands within the Monument would be managed. The eight watershed or landscape plans have allotment-specific goals and objectives and grazing prescriptions for reaching those objectives.

The cumulative impacts from livestock grazing are discussed under Impacts to Vegetation-Riparian Common to All Alternatives and Summary of Cumulative Impacts to Vegetation-Riparian in Chapter 4 of the Proposed RMP/Final EIS.

1401-04 *Comment* *If any changes need to be made to protect riparian areas, ranchers should be more than compensated for the changes. For example, any fencing or alternate watering systems that are needed should not only be paid for, but they should be installed by the government.*

1401-04 Response Ultimately, it is the responsibility of the grazing permittee to meet Standards for Rangeland Health, which includes Standard #2: Riparian and wetland areas are in proper functioning condition. If BLM were to manage a specific riparian/wetland site for a particular value, the financial responsibility may fall with BLM.

1401-05 *Comment* *At Eagle Creek, for example, the entire mouth of the creek has often been trampled thoroughly, with mucky and manured suck-holes at the creek bottom. The once grassy areas along the shorelines are nibbled to the root. I am pleased that the RMP/EIS addresses the unbridled access cattle have had to the river banks, and strongly urge the Bureau to curtail grazing by fencing and selective leasing. There is no good reason that cattle should have open access to the Missouri River or the tributary streams.*

1401-05 Response Eagle Creek is located on private land. It must be recognized that BLM has no management authority over private or state land. Through BLM's watershed planning process, BLM grazing allotments are assessed for rangeland health and compliance with Standards for Rangeland Health, which include Standard #2: Riparian and wetland areas are in proper functioning condition. If it is determined that an allotment is not meeting standards and current livestock management is considered a factor, corrective adjustments are required under the grazing regulations.

1401-06 *Comment* *Need to restore the cottonwood trees. Recommend the following:*
(1) Special fencing to protect trees from beaver and cattle damage.
(2) Plant trees.
(3) Contact wildlife organizations to volunteer manpower and materials.
(4) Invite private landowners to be part of this if they wish to participate.

1401-06 Response The suggestions offered to restore the cottonwood trees, including livestock exclosures, protection from beavers, and tree planting are currently taking place in select locations within the Monument. The BLM is appreciative of volunteer efforts and the use of volunteers can be an integral part of restoration activities.

1401-07 *Comment* *We support that BLM's riparian goal to achieve or make significant progress toward proper functioning condition in riparian areas (page 20), but we believe the goal should also promote protection and restoration of wetlands areas. It is important that the RMP include management direction that prioritizes protection and/or restoration of riparian areas and wetlands to support riparian and wetlands functions and healthy aquatic ecosystems (e.g., water quality and hydrologic processes; physical integrity of the aquatic ecosystem; naturally functioning riparian vegetation communities; habitats for riparian- or wetland-dependent species; woody debris sufficient to sustain physical and biological*

complexity; adequate summer and winter thermal regulation). We recommend modification of the BLM riparian goal to include wetland protection and restoration. For example:

The BLM's goal is to achieve, or make significant progress toward, proper functioning condition in riparian areas and protection and restoration of wetlands.

1401-07 Response The Decisions Common to All Alternatives, Vegetation-Riparian section in Chapter 2 of the Proposed RMP/Final EIS has been updated to state: The BLM's goal is to achieve, or make significant progress toward, proper functioning condition in riparian and wetland areas.

The items mentioned such as habitats for riparian- or wetland-dependent species, woody debris sufficient to sustain physical and biological complexity, and adequate summer and winter thermal regulation are values which follow a riparian or wetland area being in proper functioning condition. Protection and restoration are tools that may be used to achieve proper functioning condition; however, they are not a goal or objective.

1401-08 Comment *We recommend that management direction more clearly promote mitigation and/or enhancement of riparian areas, including establishment of riparian conservation areas (i.e., streamside buffer zones) to avoid adverse impacts to streams and riparian areas.*

1401-08 Response As stated in Chapter 2 of the Proposed RMP/Final EIS, Vegetation-Riparian section, BLM's goal is to achieve, or make significant progress toward, proper functioning condition in riparian and wetland areas. Although no areas are identified for streamside buffer zones, exclosures, change in season of use, refined grazing prescriptions, riparian pastures, etc. could be used to achieve proper functioning condition.

1401-09 Comment *The draft RMP/EIS states that riparian areas generally are not meeting BLM's goals of proper functioning condition, since they are impacted by flow regulation from upstream dams, continuous hot season grazing, and irrigation withdrawals (page 152). Is it known how many miles of streams within the Monument are not attaining proper functioning condition? It would be helpful if such information were disclosed in the final RMP/EIS to assure that adequate monitoring for proper functioning condition is occurring, and to help establish targets for increasing the number of stream miles in proper functioning condition.*

1401-09 Response The number of stream miles and their respective conditions may be found in the eight watershed or landscape plans (Table 2.2 in the Proposed RMP/Final EIS). This data was not compiled because the information was not needed for the decisions that will be made within the scope of the Monument RMP. The BLM's goal is to maintain or improve all riparian-wetland areas.

1401-10 Comment *With regard to the stipulation for protection of streams and riparian/wetland areas we ask the BLM to include natural springs and seeps within the 500 foot buffer distance for no surface disturbance to streams and riparian/wetland areas (i.e., state that this buffer applies to ephemeral, intermittent and perennial streams, springs, seeps, and the outer margin of riparian and wetland areas). Exceptions to this buffer distance are provided for pipelines and short segments of roads. We believe it is important to avoid placement of roads near streams within riparian areas and wetland areas, and that drilling activities should be sited to avoid road construction within such sensitive areas. We also recommend that the BLM require that oil and gas operators make maximum use of directional drilling within the National Monument to increase protection of sensitive resources (i.e., require use of directional drilling to reduce risks to sensitive resources such as water quality and important aquatic or terrestrial habitats).*

It is also important that wetlands and riparian areas be avoided as much as possible during pipeline routing, and any pipelines unavoidably placed through wetland areas should avoid dewatering of wetlands during trench construction. Trench drainage plugs can be used to minimize this drainage effect. Pipelines through wetlands and other sensitive areas should also use a minimal narrow width for pipeline right-of-ways.

1401-10 Response The Decisions Common to All Alternatives, Vegetation-Riparian section of the Proposed RMP/Final EIS has been updated to include that proposed projects within riparian-wetland areas will have best management practices and adequate mitigation measures applied to protect riparian-wetland vegetation, riparian-wetland characteristics, and water quality. The BLM will follow all state and federal permitting regulations for streams and riparian-wetland areas.

Under the Preferred Alternative in the Proposed RMP/Final EIS, surface disturbance associated with oil and gas activities would be prohibited within 100-year floodplains or within 500 feet of the channels of ephemeral, intermittent, and perennial streams, or within 500 feet of the outer margins of riparian and wetland areas. Natural springs and seeps would be included as riparian or wetland areas. An exception to this condition of approval may be granted if the operator submits a plan which demonstrates that impacts to riparian-wetland areas and water quality can be adequately mitigated.

1401-11 Comment *Riparian areas should be protected by preventing unauthorized camping and pollution and by preventing erosion of the banks due to wakes from motorboats.*

1401-11 Response Campers create small, localized disturbances to riparian resources. Wakes from motorboats are not recognized in any scientific documents as a causal factor for riparian health degradation on the Upper Missouri National Wild and Scenic River.

1401-12 Comment *How will the existence of exotic plants and tree species impact riparian vegetation? Do dam operations play a role in the loss of such vegetation and if so, how? It is not enough to simply conclude that impacts may occur – an actual analysis of such impacts is required.*

1401-12 Response The Vegetation-Riparian section has been updated in Chapter 3 of the Proposed RMP/Final EIS to describe the current status of invasive, exotic species within the Monument and how the operation of upstream dams affects cottonwood/willow recruitment. In the Summary of Cumulative Impacts to Vegetation-Riparian section of Chapter 4 in the Proposed RMP/Final EIS, recognition of the spread of Russian olive within the Upper Missouri National Wild and Scenic River and the time sensitive window for control has been acknowledged.

1401-13 Comment *With respect to dam operations: Studies indicate that the "protection of riparian cottonwood stands along the [UMNWSR] . . . depends upon maintaining the historic magnitude, frequency, and duration of floods." Attach. No. 15 at 1 (Flood Dependency of Cottonwood Establishment Along The Missouri River). How is the BLM taking this information into account when assessing the overall impacts to the Monument's dwindling numbers of riparian cottonwood stands? Do other, proactive measures need to be taken to offset this impact or to compensate for any Army [Corps of Engineers] decisions not to allow flooding? Are authorized activities like hot season grazing exacerbating the problem?*

1401-13 Response The BLM is aware of the flood dependency of cottonwoods in the Monument. The operation of upstream dams is discussed in Chapter 3, Vegetation-Riparian and Chapter 4, Summary of Cumulative Impacts to Vegetation-Riparian sections of the Proposed

RMP/Final EIS. The BLM is taking proactive measures, including 14 livestock exclosures, and is tree planting in selected locations. Limited staff and budget affect the amount of proactive measures taken. Livestock management is addressed through the watershed planning process. The BLM grazing allotments are assessed for rangeland health and compliance with Standards for Rangeland Health, including Standard #2: Riparian and wetland areas are in proper functioning condition. If it is determined that an allotment is not meeting standards and current livestock management is considered a factor, corrective adjustments are required under the grazing regulations.

1401-14 *Comment* *NPCA would like to see the BLM adopt an aggressive and creative approach to restorations of Monument riparian areas, with special attention to the main river corridor and re-establishment of historic cottonwood communities. NPCA believes that the Monument is a working landscape and that operating ranches are an integral part of that landscape. We encourage the BLM to build collaborations with Monument-based cattle operations to partner on appropriate methods and strategies to limit riparian damage caused by excessive grazing and livestock use.*

1401-14 Response Within the Monument there are eight watershed and landscape plans which implement Standards for Rangeland Health and Guidelines for Livestock Grazing Management, including Standard #2: Riparian and wetland areas are in proper functioning condition. If it is determined that an allotment is not meeting standards and current livestock management is considered a factor, corrective adjustments are required under the grazing regulations.

Collaboration and partnerships with livestock permittees and volunteer groups are important for improving the health of the Monument's riparian areas.

1401-15 *Comment* *The overwhelming evidence - provided by the desperate condition of these riparian areas - is that the BLM cannot come close to meeting its management objectives with current grazing methods, and that drastic changes, including major reductions, adjustments, and extensive enclosures, are needed NOW (not in the future) to protect and restore this critically important resource!*

1401-15 Response Within the Monument there are eight watershed and landscape plans which implement Standards for Rangeland Health and Guidelines for Livestock Grazing Management, including Standard #2: Riparian and wetland areas are in proper functioning condition. If it is determined that an allotment is not meeting standards and current livestock management is considered a factor, corrective adjustments are required under the grazing regulations.

1401-16 *Comment* *The BLM has provided no credible basis for its assurances that necessary actions will be taken to meet the objectives for PFC. Rather, the DEIS pays more lip service to the BLM's watershed planning process, Standards for Rangeland Health and Guidelines for Grazing Management, and continued monitoring - all of which have so far failed to show results on the scale needed to reverse the nearly universal decline of cottonwood/willow riparian communities on the UMNWSR.*

1401-16 Response Within the Monument there are eight watershed and landscape plans which implement Standards for Rangeland Health and Guidelines for Livestock Grazing Management, including Standard #2: Riparian and wetland areas are in proper functioning condition. If it is determined that an allotment is not meeting standards and current livestock management is considered a factor, corrective adjustments are required under the grazing regulations.

Group		Vegetation – Riparian
		The BLM monitors between 100 and 150 river miles each year within the Monument. Furthermore, BLM and USGS have 11 consecutive years of data monitoring the establishment, growth, and mortality of cottonwood seedlings along the Upper Missouri River. Monitoring indicates that in the last 16 years, since BLM began adjusting riparian grazing practices on the Missouri River, there has been an upward trend in riparian health and recruitment of preferred woody species on BLM land, although more still needs to be done. It must be recognized that a majority of the river from Fort Benton to Judith Landing flows through private land, and BLM has no management authority over private or state land.
1401-17	*Comment*	*Any preferred alternative needs to have measurable on-the-ground improvements to riparian areas and cottonwood regeneration.*
1401-17	Response	Under all alternatives, BLM's goal is to manage for healthy riparian and wetland areas. If the proper sequence of events occurs (moisture, sediment deposition, seed sources, temperatures, etc.), cottonwood regeneration will occur. At select locations along the Upper Missouri River, BLM is maintaining livestock exclosures and planting trees.
1401-18	*Comment*	*The loss of cottonwoods along the river is catastrophic; from historic, biological as well as recreational perspectives. The Monument must pursue, (with congressional help) legislation that modifies river flows to allow for the periodic flooding necessary for cottonwood regeneration. In addition, grazing allotments along the river should require fencing of regenerating cottonwood groves and potential habitat.*
1401-18	Response	As stated in Chapter 2, Decisions Common to All Alternatives, Vegetation-Riparian section of the Proposed RMP/Final EIS, the BLM will coordinate with the U.S. Army Corps of Engineers, U.S. Bureau of Reclamation, and county/city/private organizations to secure the release of water from dams upstream from the Monument. High water events would help to establish deciduous forest and woody riparian seedlings, create water flows favoring wildlife habitat and native fishes and promote endangered species recovery. Within the Monument there are eight watershed and landscape plans which implement Standards for Rangeland Health and Guidelines for Livestock Grazing Management, including Standard #2: Riparian and wetland areas are in proper functioning condition. If it is determined that an allotment is not meeting standards and current livestock management is considered a factor, corrective adjustments are required under the grazing regulations.
1401-19	*Comment*	*Since the riparian forest habitat is almost certainly the most important terrestrial habitat within the Monument and possibly of regional/national importance, we urge special attention to the control of Russian olive, which is present in limited numbers and locations within the area. We also urge continued monitoring and control, if necessary, of tamarisk, which has been recorded downstream of the Monument.*
1401-19	Response	Under all alternatives, BLM plans to control non-native species that cause or may cause significant negative impacts and do not provide an equivalent benefit to society. The BLM has specific plans to control, or eradicate where possible, Russian olive and salt cedar (tamarisk).
1401-20	*Comment*	*Although MWF supports BLM intentions to "maintain or make significant progress toward proper functioning condition in riparian areas" we are concerned that the eight watershed and landscape management plans are inadequate to address meeting the directives of the Monument Proclamation. The current Draft RMP is an EIS process but the eight watershed plans are of a lesser detailed process, Environmental Assessments.*

Group		Vegetation – Riparian
		What assurances can BLM give hunters that the eight Watershed EAs adequately protect the resource without further exploring grazing impacts within this RMP? Since many of the Watershed Plans and W&S Plans preceded Monument designation, by definition, they could not prioritize the Monument Proclamation objects, therefore the Monument RMP is predestined to be flawed if tiered off these documents. In addition, this method of handling grazing management as "reverse tiering" of the EIS on the smaller watershed plans fails to meet the need for the BLM's planning to be transparent and accountable.
1401-20	Response	Under the Proclamation, "Laws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument." The Proposed RMP/Final EIS is a comprehensive plan on how lands within the Monument would be managed. Livestock grazing will continue to be governed by a number of laws and regulations that apply to grazing on all public land administered by the BLM. In addition, the BLM developed Standards for Rangeland Health and Guidelines for Livestock Grazing Management for Montana, North Dakota, and South Dakota which was approved by the Secretary of the Interior in August 1997. To protect the objects for which the Monument was designated livestock grazing will continue to be managed under the Lewistown District (Lewistown and Malta Field Offices) Standards for Rangeland Health and Guidelines for Livestock Grazing Management (BLM 1997). Guidelines for Livestock Grazing Management practices will be followed to protect the objects of the Monument and rangeland resources and, where necessary, to mitigate conflicts with other Monument uses and values. Administrative actions will be implemented under existing regulations to ensure compliance with existing permit/lease requirements. These actions include monitoring and supervision of grazing use and enforcement in response to unauthorized use. NEPA documentation will be prepared before renewal of grazing permits. This documentation will include a review of new monitoring and resource data, and may include a reassessment or evaluation. The normal term of a grazing permit is 10 years, but they may be issued for a shorter period if resource concerns or administrative reasons merit. The BLM will continue to implement the completed watershed plans (Table 2.2 in the Proposed RMP/Final EIS) including the associated range improvement projects to meet Standards for Rangeland Health. These watershed plans or other grazing activity plans will be updated as necessary during the renewal of 10-year grazing permits.
1401-21	*Comment*	*Per Montana v. United States, 450 U.S. 544,551-552 (1982), the State owns all water bottoms on navigable rivers to the mean high water mark. In that the State of Montana has not relinquished that ownership, the BLM lacks the authority stated in the RMP to manage the Missouri River's islands and riparian areas that fall within the high water mark.*
1401-21	Response	According to Montana Code Annotated, the high water mark is defined as "the line that water impresses on land by covering it for sufficient periods to cause physical characteristics that distinguish the area below the line from the area above it. Characteristics of the area below the line include, when appropriate, but are not limited to deprivation of the soil of substantially all terrestrial vegetation and destruction of its agricultural vegetative value. A flood plain adjacent to surface waters is not considered to lie within the surface waters' high-water marks." Most islands and riparian areas do not fall within the high water mark.

Group		Vegetation – Riparian
1401-22	*Comment*	*The goal in the management plan on page 20 is very good. It says that the BLM will achieve or make significant progress towards proper functioning conditions in riparian areas. But the affected environment is not so good. That's described on page 152. It specifically states that riparian areas are generally not meeting BLM's goal of proper functioning condition, that there is a significant lack of regeneration of cottonwoods, willows, and understory species, and there's actually no cottonwood regeneration for the 76 miles between mile 41 and mile 127 on the river except on islands. And one of the two reasons that is cited as a problem for cottonwoods and other riparian species is continuous hot season grazing of riparian areas. And that's well documented by biologists on the river.* *The range improvement section of this plan – that's page 38 – basically does not address managing hot season grazing. It specifically talks about fencing specifications and new water development projects only. The environmental consequences section of this plan also does not make any commitment to dealing with hot season grazing. There, it just basically says, in general – this is actually a quote: "In general, less hot season grazing would occur in riparian areas." And that's the commitment that the plan makes to improving this habitat.*
1401-22	Response	The Range Improvements section in Chapter 2 of the Proposed RMP/Final EIS discusses how range improvement projects, such as fences and water developments, would be managed in the Monument. In general, this would result in less hot season grazing as identified in Chapter 4, Impacts to Livestock Grazing Common to All Alternatives. The commitment which the Proposed RMP/Final EIS makes to improving riparian areas is that the BLM's goal is to achieve, or make significant progress toward, proper functioning condition in riparian and wetland areas. Within the Monument there are eight watershed and landscape plans which implement Standards for Rangeland Health and Guidelines for Livestock Grazing Management, including Standard #2: Riparian and wetland areas are in proper functioning condition. If it is determined that an allotment is not meeting standards and current livestock management is considered a factor, corrective adjustments are required under the grazing regulations.
1401-23	*Comment*	*There is absolutely no assessment of how the BLM's decision to authorize motorized watercraft throughout the River will impact the area's fish species and riparian habitat.*
1401-23	Response	Motorized watercraft is not documented as being a significant contributor to the degradation of fish habitat and riparian areas on the Upper Missouri River compared to flow regulation from upstream dams, hot season grazing, and invasive, exotic species.
1401-24	*Comment*	*The RMP should address how potential nesting habitat will be affected with regard to this objective: maintain and enhance in riparian habitats.*
1401-24	Response	Maintaining and improving riparian areas would improve and increase nesting habitat.
1401-26	*Comment*	*Areas within the Monument that are not accessible to livestock grazing (i.e., islands) have healthy, new cottonwood stands. How does the BLM account for this? What actions will BLM undertake to remedy the problem? At a minimum, the BLM should consider exclosure fencing to protect the area's cottonwood stands from livestock. Why not adopt some hard commitments to reduce or eliminate livestock grazing in the sensitive riparian areas? Stocking cattle at current levels, adopting "adaptive management techniques," and continued monitoring clearly isn't the solution.*

1401-26 Response

According to Auble et al. (2005), the conditions required for cottonwood recruitment can be summarized as bare, moist sites that are relatively safe from subsequent disturbance. These requirements are most often met by flow-induced lateral channel movement. The channel in the Upper Missouri River is constrained within a narrow valley and has low sinuosity. However, exceptions to the laterally constrained reach occur in areas such as back channels and islands and tributary junctions. Islands in the Upper Missouri River provide a dynamic, less constrained area in a laterally static river. Unless a pathological flow regime exists, woody species establishment will generally follow depositional areas associated with channel movement or in this case island building or movement.

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

Within the Monument there are eight watershed and landscape plans which implement Standards for Rangeland Health and Guidelines for Livestock Grazing Management, including Standard #2: Riparian and wetland areas are in proper functioning condition. If it is determined that an allotment is not meeting standards and current livestock management is considered a factor, corrective adjustments are required under the grazing regulations.

1401-27 Comment

In Chapter 3 on page 152, the riparian areas are described as generally not meeting the BLM's goal of proper functioning condition. This paragraph goes on to discuss flow regulation and hot season grazing as the reasons impacting the riparian areas. The term hot season grazing reflects that livestock are the exclusive cause of riparian impacts and cottonwood regeneration, BLM needs to clarify and include in the RMP/EIS that wildlife also place impacts on riparian areas and cottonwood regeneration. Also, BLM does not identify the riparian areas that are being impacted by "irrigation withdrawals and continuous hot grazing." BLM infers that all riparian areas are in need of improved management, but does not provide the documentation to prove this. BLM should remove the second half of this paragraph because it does not have management authority over vested water rights and grazing management on private lands.

1401-27 Response

Browse from wildlife such as deer, elk, bighorn sheep, and beaver may impact the recruitment of woody species in riparian areas. However, they are not recognized as a significant factor contributing to the degraded health of riparian areas within the Monument. A portion of the Vegetation-Riparian section in Chapter 3 of the Proposed RMP/Final EIS has been revised to read that riparian areas within the Monument which are affected by upstream dams and irrigation diversions outside the Monument may never be able to achieve proper functioning condition. The BLM has no control over upstream irrigation diversions; therefore, the goal of proper functioning condition may not be accomplished on the BLM reach if the factors affecting riparian condition are outside of BLM's management capability.

1401-28 Comment

The DEIS fails to adequately consider the cumulative impact of ineffective piecemeal watershed grazing plans on the highly valued but disappearing riparian resources of the UMRBNM as a whole.

1401-28 Response

The Summary of Cumulative Impacts to Vegetation-Riparian section in Chapter 4 of the Proposed RMP/Final EIS states that livestock grazing has also impacted riparian regeneration, but can be partially mitigated by the management prescriptions contained in

the Decisions Common to All Alternatives section of Chapter 2. The impacts to riparian regeneration from dams and livestock grazing would persist in both the short and long terms.

1401-29 *Comment* *If the BLM chooses to adopt a more progressive and proactive approach to restoration of natural riparian vegetation and ecosystem zones, NPCA will work with managing agencies and other interests in an effort to secure necessary levels of federal funding to support establishment of water improvements in the uplands and zonal fencing near natural water sources and the river in order to provide opportunity for natural riparian communities to re-establish themselves.*

Whereas NPCA recognizes that the reasons underneath the loss of cottonwoods on the river are more complex than any single factor related to one use, we are (concerned) by the decline of this singular historic object and by the commensurate loss of riparian vigor throughout the watershed system. One critical way to reverse this momentum is to inject new livestock grazing strategies and practices within the Monument.

1401-29 Response Within the Monument there are eight watershed and landscape plans which implement Standards for Rangeland Health and Guidelines for Livestock Grazing Management, including Standard #2: Riparian and wetland areas are in proper functioning condition. If it is determined that an allotment is not meeting standards and current livestock management is considered a factor, corrective adjustments are required under the grazing regulations. Collaboration and partnerships with livestock permittees and volunteer groups are important for improving the health of the Monument's riparian areas.

1401-30 *Comment* *I suggest the management plan keep livestock off the river, especially during hot season. Even if flooding is not possible, keeping livestock off the river allows grasses and herbs to reestablish, which stabilizes streambanks. BLM can't honestly claim the area is just as Lewis and Clark saw it if 50% of the cottonwood forests are gone.*

1401-30 Response Within the Monument there are eight watershed and landscape plans which implement Standards for Rangeland Health and Guidelines for Livestock Grazing Management, including Standard #2: Riparian and wetland areas are in proper functioning condition. If it is determined that an allotment is not meeting standards and current livestock management is considered a factor, corrective adjustments are required under the grazing regulations.

1401-31 *Comment* *The surrounding willow growth and old growth sage are being trampled by casual grazing practices. The cows must have access to the water but there are ways to contain them and in the process protect the riparian banks. Possibly while looking at fencing solutions, the type of fence itself can be discussed. I have seen sections surrounded by fences designed to make it extremely difficult for wildlife to move freely from one area to the next.*

1401-31 Response Within the Monument there are eight watershed and landscape plans which implement Standards for Rangeland Health and Guidelines for Livestock Grazing Management, including Standard #2: Riparian and wetland areas are in proper functioning condition. If it is determined that an allotment is not meeting standards and current livestock management is considered a factor, corrective adjustments are required under the grazing regulations.

At select locations along the Upper Missouri River, BLM is maintaining livestock exclosures and planting trees. Tree plantings and exclosures do not by themselves remedy

the problem of sustaining long-term riparian health on the Upper Missouri River. In order to sustain riparian health on the river, a return to a more natural flow regime (flooding), appropriate livestock management, and control of nonnative, exotic species are needed.

1401-32 *Comment* *Although one of the main culprits is identified as continuous hot season grazing of riparian areas, very little is proposed to rectify this situation. There is almost no commitment to dealing with hot season grazing. For example, no AUM reductions are being anticipated to meet riparian-wetland objectives.*

1401-32 Response Within the Monument there are eight watershed and landscape plans which implement Standards for Rangeland Health and Guidelines for Livestock Grazing Management, including Standard #2: Riparian and wetland areas are in proper functioning condition. If it is determined that an allotment is not meeting standards and current livestock management is considered a factor, corrective adjustments are required under the grazing regulations.

At select locations along the Upper Missouri River, BLM is maintaining livestock exclosures and planting trees. Tree plantings and exclosures do not by themselves remedy the problem of sustaining long-term riparian health on the Upper Missouri River. In order to sustain riparian health on the river, a return to a more natural flow regime (flooding), appropriate livestock management, and control of nonnative, exotic species are needed. For additional information, see also the Vegetation – Riparian section under Chapter 2, Decisions Common to All Alternatives, in the Proposed RMP/Final EIS.

1401-33 *Comment* *Incredibly, the BLM proposes to largely continue the same ineffective grazing management that has played a major role in the both the destruction of these riparian habitats and the relentless suppression of willow, cottonwood, green ash and box elder regeneration. If the major factors responsible for this lack of regeneration are flow regulation by upstream dams and continuous hot season use by livestock, as the DEIS claims, why then does cottonwood/willow regeneration persist on islands less accessible to cattle?*

1401-33 Response According to Auble et al. (2005), the conditions required for cottonwood recruitment can be summarized as bare, moist sites that are relatively safe from subsequent disturbance. These requirements are most often met by flow-induced lateral channel movement. The channel in the Upper Missouri River is constrained within a narrow valley and has low sinuosity. However, exceptions to the laterally constrained reach occur in areas such as back channels and islands and tributary junctions. Islands in the Upper Missouri River provide a dynamic, less constrained area in a laterally static river. Unless a pathological flow regime exists, woody species establishment will generally follow depositional areas associated with channel movement or in this case island building or movement.

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

Within the Monument there are eight watershed and landscape plans which implement Standards for Rangeland Health and Guidelines for Livestock Grazing Management, including Standard #2: Riparian and wetland areas are in proper functioning condition. If it is determined that an allotment is not meeting standards and current livestock management is considered a factor, corrective adjustments are required under the grazing regulations.

Group		Vegetation – Riparian
1401-34	*Comment*	*Let's educate the Monument users on how to help with cottonwood recovery. Let the Monument users know how to minimize their impacts, and how they can help in small ways to enhance or at least not adversely affect, cottonwood regeneration.*
1401-34	Response	At select locations along the Upper Missouri River, BLM is maintaining livestock exclosures and planting trees.
1401-35	*Comment*	*Wetland and riparian areas provide important but relatively rare habitat on the Monument. Montana Native Plant Society believes that surface disturbance should be prohibited within 1/4 mile of wetland and riparian areas as prescribed in Alternatives D and E.*
1401-35	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, surface disturbance is prohibited within 500 feet of the channels of ephemeral, intermittent, and perennial streams, or within 500 feet of the outer margins of riparian and wetland areas. Natural springs and seeps would be included as riparian or wetland areas. This language was stated in the Oil and Gas section of Chapter 2 in the Draft RMP/EIS, and has been included in the Oil and Gas and Vegetation-Riparian sections of Chapter 2 in the Proposed RMP/Final EIS.
1401-36	*Comment*	*Page 145: Bald eagle occurrence: Indicates need for active management for cottonwood regeneration.*
1401-36	Response	Under all alternatives, BLM's goal is to manage for healthy riparian and wetland areas. If the proper sequence of events occurs (moisture, sediment deposition, seed sources, temperatures, etc.), cottonwood regeneration will occur. At select locations along the Upper Missouri River, BLM is maintaining livestock exclosures and planting trees.
1401-37	*Comment*	*My folks have a ranch in the bend of Missouri River and as a crow flies the homestead is 3 miles from the river. One of the arguments that cattle are a big detractor from the area and cause much damage is a misnomer. The good old Montana weather has a bigger impact on this area than the cattle do. With the spring thaw ice on the river melts and begins to move snapping younger trees. Beaver in the area also do more damage. We know that down the road they will force cattle off the river.*
1401-37	Response	Under all alternatives, BLM's goal is to manage for healthy riparian and wetland areas. If the proper sequence of events occurs (moisture, sediment deposition, seed sources, temperatures, etc.), cottonwood regeneration will occur. At select locations along the Upper Missouri River, BLM is maintaining livestock exclosures and planting trees.
1401-38	*Comment*	*Restoration and biologically-correct riverine management of the Upper Missouri River Wild-Scenic-Recreation corridor requires complete removal of all livestock and all agricultural uses thereof immediately, permanently from all federal land within the corridor. The systematic, long-term, well documented ecological proof, and well understood principle destructive cause-agent, specifically livestock grazing, of the riverine, riparian communities has been almost exclusively, and intentionally, ignored by our BLM employees for decades.*
1401-38	Response	Under the Proclamation, "Laws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument." The Proposed RMP/Final EIS is a comprehensive plan on how lands within the Monument would be managed.

Group		**Vegetation – Riparian**
		Within the Monument there are eight watershed and landscape plans which implement Standards for Rangeland Health and Guidelines for Livestock Grazing Management, including Standard #2: Riparian and wetland areas are in proper functioning condition. The eight watershed or landscape plans have allotment-specific goals and objectives and grazing prescriptions for reaching those objectives. If it is determined that an allotment is not meeting standards and current livestock management is considered a factor, corrective adjustments are required under the grazing regulations.
Group		**Vegetation – Noxious and Invasive Plants**
1403-01	*Comment*	*Priority should be given to cooperatively develop, fund, and implement aggressive weed management programs to address salt cedar, Russian olive, knapweeds, leafy spurge, and other species the draft plan shows exist in the Monument.*
1403-01	Response	Noxious and invasive plant management in the Monument will follow the guidelines provided in the Upper Missouri River Breaks National Monument: Guidelines for Integrated Weed Management (2001) and any future revisions. This plan prioritizes the management of invasive species and cooperation with other entities as funding allows. The BLM places high priority on weed and invasive species management in its funding requests that must be approved by Congress, and then specifically allocated to field-office level programs by the BLM Montana State Office.
1403-02	*Comment*	*Transport mechanisms for the spread of noxious and invasive plants include both natural and human causes. The Draft RMP/EIS should make a fair evaluation of all sources and uses that contribute to invasive species spread, and should incorporate specific prevention protocols including restricting/eliminating motorized vehicle activity, closing roads, implementing a weed free forage program that applies to recreation and livestock grazing, and feeding livestock weed free hay in pens prior to release on public lands until potential weed seeds have passed.*
1403-02	Response	Noxious and invasive plant management in the Monument will follow the guidelines provided in the Upper Missouri River Breaks National Monument: Guidelines for Integrated Weed Management (2001) and any future revisions. The Proclamation designating this Monument prohibits off-road vehicle travel and the proposed transportation plan will close (seasonally or permanently) 312 miles of roads in the Monument. The BLM also requires that weed-free hay be fed to livestock/horses year round on all public land in Montana and the Dakotas. In 1997, the BLM Montana State Director signed an Environmental Assessment (EA) that requires public land users, including permittees and local, state, or federal government agents conducting administrative activities, use certified noxious weed seed-free forage on BLM-administered lands in Montana. (Federal Register / Vol. 62, No. 200 / Friday, Oct 17, 1997 / Notices / Pages 54123 and 54124). The BLM addresses potential sources and spread of invasive plants by recognizing potential pathways and committing itself to a weed prevention schedule (for additional information, see page 15 and Appendix 2 of the Upper Missouri River Breaks National Monument: Guidelines for Integrated Weed Management, 2001).

Group		**Vegetation – Noxious and Invasive Plants**
1403-03	*Comment*	*The BLM should balance its weed control efforts with its obligation to protect the integrity of natural systems in the Monument by restricting herbicide use, and implement practices such as releasing classical biological controls and using alternative grazers such as sheep, goats, bison, etc. BLM needs to aggressively seek funding to achieve these goals. Permits should be amended to require prior approval in advance of herbicide use and weed control in WSAs should be in accordance with the IMP.*
1403-03	Response	Integrated Weed Management principles are used to combat invasive species as determined by the Vegetation Treatment on BLM Lands in Thirteen Western States Final EIS (BLM 1991b). BLM policy requires that an appropriate environmental assessment be made when vegetation treatments are proposed. In addition to this assessment, the BLM must put together a Pesticide Use Proposal for herbicide use or a Biological Control Agent Release Proposal for classical biological control releases (the use of insects/plant pathogens for weed control). These processes require consideration of potential impacts on components of environmental systems. Herbicides are applied to BLM land only by licensed applicators or under the direct supervision thereof. When herbicides are used as part of a total integrated weed management strategy and applied correctly, the use of herbicides enhances existing systems by controlling the undesired plant species and releasing resources (nutrients, water and space) for more desired species. To allow invasive plant species to expand across the Monument landscape would have long-term negative impacts on the sustainability and functionality of existing systems. Alternative grazing options are limited due to wildlife concerns (i.e. domestic sheep/goats can pass disease to bighorn sheep), availability, and logistics (requires intensive management). Classical biological controls (the use of insects/plant pathogens to control invasive species) are already used to the extent possible for the specific species they require. Most invasive species occurring in the Monument do not have classical biological control agents available for use. Herbicides cannot be applied to BLM land without approval from the BLM. However, in many instances BLM works cooperatively with county weed district personnel and permittees/leases to implement herbicide treatments. All pesticide applications on BLM land must be recorded with the BLM, and for the use of restricted-use pesticides, a record must be made available to the Montana Department of Agriculture. The BLM's budget process includes an annual work plan for setting priorities and allocating funding based on final congressional appropriations. Funding levels affect the timing and implementation of management actions and project proposals, but do not affect the decisions made in an RMP. The Interim Management Policy and Guidelines for Lands Under Wilderness Review does not restrict the ability to conduct integrated weed management treatments. Procedures and guidelines for pesticide use, classical biological control, and integrated weed management can be found in the following BLM manuals/handbooks: 9011, H9011, 9014, 9015. Copies of these manuals and handbooks are available for viewing at most BLM offices.
1403-04	*Comment*	*The DRMP fails to acknowledge and adhere to the State of Montana's 2005 Statewide Weed Management Plan which supersedes the 2001 UMRBNM: Guidelines for Integrated Weed Management Plan developed for the Monument.*

Group		Vegetation – Noxious and Invasive Plants
1403-04	Response	Noxious and invasive plant management in the Monument will follow the guidelines provided in the Upper Missouri River Breaks National Monument: Guidelines for Integrated Weed Management (2001) and any future revisions. These guidelines were developed under and refer to the State of Montana's 2001 Statewide Weed Management Plan. The 2005 update of Montana's Statewide Weed Management Plan has not changed to the extent that the 2001 BLM Integrated Weed Management Plan contradicts it or would need revision.
1403-06	*Comment*	*Guidelines and procedures should be developed to ensure T&E, and sensitive status species are considered when pesticide use is proposed.*
1403-06	Response	BLM policy requires that an appropriate environmental assessment be made when herbicide use is proposed. In addition to this assessment, the BLM must put together a Pesticide Use Proposal. These two processes require consideration of potential impacts on threatened or endangered and sensitive species. The Vegetation Treatment on BLM Lands in Thirteen Western States EIS (1991) outlines which herbicides can be used on BLM administered lands. Other guidance on the use of herbicides is outlined in BLM Manual 9011 and Handbook H-9011 (available for viewing at most BLM offices).
1403-07	*Comment*	*Management direction should assure that public health and water contamination concerns of herbicide usage be fully evaluated and mitigated.* *Aerial applications of herbicides, when properly mitigated, can be the most cost-effective means of addressing widespread weed infestations.*
1403-07	Response	BLM policy requires that an appropriate environmental assessment be made when herbicide use is proposed. In addition to this assessment, the BLM must put together a Pesticide Use Proposal. These two processes require consideration of potential impacts on public health and water quality issues. Other guidance on the use of herbicides is outlined in BLM Manual 9011 and Handbook H-9011 (available for viewing at most BLM offices). Aerial applications of herbicides would be of very little benefit due to restrictions on aircraft along the river. Aerial herbicide applications can be used on upland sites should large enough infestations be documented.
1403-08	*Comment*	*Montana Native Plant Society believes that the DRMP fails to adequately acknowledge the threat of invasive plants on biological resources in the Monument. Protocols for preventing weed invasions should be incorporated into the preferred alternative.*
1403-08	Response	Noxious and invasive plant management in the Monument will follow the guidelines provided in the Upper Missouri River Breaks National Monument: Guidelines for Integrated Weed Management (2001) and any future revisions. That document requires the BLM to address potential sources and spread of invasive plants by recognizing potential pathways and committing itself to a weed prevention schedule.
1403-09	*Comment*	*Restricted motorboat use would eliminate cooperative weed management efforts on parts of the river corridor.*
1403-09	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, administrative use of motorized watercraft would occur during the seasonal restrictions. A cooperative effort among agencies operating on the river would be initiated. A Memorandum of Understanding would be developed with the goal of achieving uniform standard operating

procedures designed to minimize impacts to boaters from administrative use of motorized watercraft.

1403-10 *Comment* *Livestock are the primary source of noxious weed infestations of the Breaks NM. The private persons that lease the federal grass within the Breaks NM further introduce and spread weeds by their use of motorized equipment during livestock subsidies construction, e.g. fences, corrals, water sources, water pipelines and tanks, and during annual livestock movement actions.*

1403-10 Response Although livestock use and the associated activities for their management can contribute to the spread of noxious weeds, they are not the primary source of these invasive species in the Monument. The distribution and location of these species indicate that natural mechanisms (such as ice scouring and water movement) are the most likely source of most occurrences. Livestock movement and disturbance can move these species from where they now exist, although recreational activities and wildlife movement have a higher risk of spreading invasive species from current infestations.

Noxious and invasive plant management in the Monument will follow the guidelines provided in the Upper Missouri River Breaks National Monument: Guidelines for Integrated Weed Management (2001) and any future revisions. That document requires the BLM to address potential sources and spread of invasive plants by recognizing potential pathways and committing itself to a weed prevention schedule.

Group **Visual Resources**

1450-01 *Comment* *Visual and other impacts associated with motorized trails have been cited as having significant negative impacts. Many non-motorized trails have environmental impacts similar to motorized trails. Existing wilderness and non-motorized areas include many trails that are visually and functionally similar to primitive motorized roads and trails. Motorized and non-motorized trails should be considered visually equal with respect to the landscape.*

1450-01 Response Visual resource inventories evaluate scenic quality, sensitivity to changes in the visual landscape, and distance zones. The visual resource management (VRM) program does not make a distinction between motorized and non-motorized use of trails when inventorying for scenic quality. However, when public sensitivity levels of the landscape and distance zones are taken into account, depending upon the width of the trail/road or other factors such as location, they may affect or be affected by the outcome of the inventory. An example would be if a trail or road were highly visible it could raise the inventory objective to Class III or IV during the RMP process due to scenic quality considerations. Under a different alternative the same route could be considered for rerouting or rehabilitation to improve the scenic quality of the area and the inventory objective would be lowered to Class I or II.

1450-02 *Comment* *The more restrictive VRM classifications could be a vehicle for AUM reduction on allotments in the future. Reclassification of lands into VRM Class I & II could be considered zoning. There now is 73% of Class I and II in the preferred alternative (48% in current management); this prohibits surface disturbing activities and requires over time returning a disturbed area to a seamless natural landscape. How will ranchers maintain or make new water developments, fences or other range improvements under these conditions? If strictly interpreted it could even prevent routine maintenance of reservoirs, fences and other range improvements. This brings into question whether the*

multiple use mandate of the Monument will be upheld. The plan should include language such that VRM Class I and II will not be interpreted in such a way as to prevent routine fencing, reservoir maintenance or other maintenance or range improvements.

1450-02 Response

The Preferred Alternative in the Proposed RMP/Final EIS clarifies that the maintenance of existing range improvement projects and other structures in VRM Class I areas would be allowed.

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

In the WSAs, the VRM Class I designation would not prevent the construction of structures or maintenance of existing structures that would be allowed in the WSAs under the Interim Management Policy and Guidelines for Lands Under Wilderness Review.

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

1450-03 Comment

What is the logical explanation for the drastic increase in Class I and II, except to say, "we had to classify the WSAs Class I." We don't accept this and the re-inventory could be illegal due to lack of public comment on the results. The apparent justification for the new designation is that the change is necessary to "comply with BLM policy for visual resources in six WSAs." While the BLM is required to manage lands in wilderness study areas in a manner so as not to impair their suitability for inclusion into the National Wilderness Preservation System (NWPS), this is subject to the continuation of existing mining and grazing leases as was occurring prior to October 21, 1976 (FLPMA).

1450-03 Response

Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, the WSAs, portions of the wild segments of the Upper Missouri National Wild and Scenic River, and the Bodmer landscapes would be designated as VRM Class I. The remaining portions of the Monument would be designated as VRM Class II, III, or IV as shown on Map C and in Table 2.5. The WSAs would be classified as VRM Class I and managed according to VRM Class I management objectives until such time as Congress decides to designate the area as wilderness or release it for other uses (WO IM No. 2000-096). If the WSAs are determined by Congress as not eligible, they would be managed consistent with adjacent BLM land.

The BLM's VRM Inventory Handbook states on Page 6, paragraph 1, that ". . . Class I is assigned to those areas where a decision has been made previously to maintain a natural landscape. This includes areas such as wilderness areas, and other congressionally and administratively designated areas where decisions have been made to preserve a natural landscape." Therefore, it is Bureau policy, recognizing case-by-case exceptions for valid existing rights and grandfathered uses, that all WSAs should be classified as Class I, and managed according to VRM Class I management objectives until such time as the Congress decides to designate the area (or portions thereof) as wilderness or release it for other uses.

If the WSA is released, the RMP for the area would need to be amended and appropriate VRM management objectives established (Instruction Memorandum No. 2000-96).

Group **Visual Resources**

As addressed in the Inventory Handbook, visual resource inventory classes are assigned through the inventory process. While Class I is assigned to those areas where a management decision has been made previously to maintain a natural landscape, Classes II, III, and IV are assigned based on a combination of scenic quality, sensitivity levels, and distance zones.

Visual resource management classes are then assigned through the resource management plan. The assignment is based on management decisions considering visual values, actions that may result in surface disturbances, and the impacts on the visual values. The Draft RMP/EIS addressed a range of alternatives for VRM classes and an opportunity for public comment.

1450-04 *Comment* *Class I and II VRM are only 20% of the total Monument acreage. There should be less III and IV, not I and II. VRM classifications in the draft RMP should reflect the Monument scenic values and management priorities, so there should be no Class III and IV. BLM should use primarily Class I (including but not limited to WSAs, lands with wilderness characteristics, lands along the wild and scenic river segment, as well as other creeks and rivers, and ACECs) or Class II designations (including existing oil and gas leases) in order to protect the scenic values and landscape of the Monument, in compliance with the Proclamation. The RMP should also reiterate that compliance with VRM classes is not discretionary and may result in denial or limitation of proposed activities.*

1450-04 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, there would be an increase (66% or 92,540 acres) in the most restrictive visual management categories (VRM Class I and II). The impact would be that 73% of the Monument (273,040 acres) would be under more stringent visual standards compared to the 48% currently designated under Alternative A (Current Management).

Any surface-disturbing projects/proposals located on BLM land would require a visual contrast rating be completed, no matter what the type of VRM class. This type of documentation formally becomes a part of the site specific NEPA analysis.

A total of 111,480 acres (30%) would be designated as VRM Class I, an increase of 14%. The VRM Class II acreage would total 161,560 acres (43%), an increase of 12%. The VRM Class III acreage would total 24,770 acres (7%), which would be an increase of 5%. The VRM Class IV acreage would total 77,190 acres (20%), a 30% decrease from the existing situation.

The BLM VRM system is not discretionary; the BLM managers, activity proponents, and commercial users with valid or existing rights must comply with and implement actions according to established policy in (BLM) Handbook Manual H-8400; Visual Resource Management; VRM Handbook Manual H-8410-1, Visual Resource Inventory; and VRM Handbook Manual 8431, Visual Contrast Rating, as well as other laws (FLPMA and NEPA), and numerous agency directives.

1450-05 *Comment* *Alternative F should provide that surface disturbing activities are prohibited in Class I areas unless the activity is at a low level and is undertaken to preserve and protect other attributes of the Monument. The burden should be on the proponent of an activity to prove that a proposal is compatible with the Proclamation and VRM Class I.*

1450-05 Response The objective of VRM Class I is to preserve the existing character of the landscape. This class provides for natural ecological changes; however, it does not preclude limited management activity. The level of change to the characteristic landscape should be very low and must not attract attention.

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

1450-06 *Comment* *The failure to include a map showing the inventory of VRM classes is a major flaw. The public is left to guess where the VRM III and IV acres are because they are vaguely referred to as being in the "uplands." This is inadequate and does not answer the goal of protecting the visual features in the landscape as identified in the Proclamation. The Proclamation mentions, for example, the Bullwhacker, but there is no analysis of VRMs for this area.*

1450-06 Response The map of Visual Resource Management Classes (Preferred Alternative) is located on Map A of the Draft RMP/EIS and Map C in the Proposed RMP/Final EIS. The Bullwhacker Creek area has been identified as Class II, III, and IV.

1450-07 *Comment* *The BLM arbitrarily and illegally elected to conduct a new inventory for lands in VRM Class lll and lV. This inventory offers no explanation of how 73% of the Monument came to be classified and Class l and ll, the most restrictive categories. This drastic change in management without adequate justification precludes the public from being able to provide meaningful comment and fails to meet the requirements of NEPA.*

The DEIS fails to give any examples of what activities would qualify for the visual classifications. There is no cumulative effects analysis of whether a quantity of activities in VRM II would lead to reassignment as VRM III. This is a major flaw.

The DEIS fails to meet its own vision statement that its goal is to "preserve and protect" the features in the Monument, including the visual features. Accumulation of activities will affect VRMs but there is no analysis of this type of cumulative effect.

1450-07 Response When a visual resource management (VRM) inventory is conducted, the evaluation of scenic quality is, in part, based upon the relationship to the natural landscape. This does not mean, however, that man-made features necessarily detract from the scenic value (BLM Handbook Manual H-8410-1, Visual Resource Inventory, page 2). Man-made features that compliment the natural landscape may enhance the scenic value. Visual resource inventories should avoid, according to the manual, any bias against man-made modification to the natural landscape. In summary, man-made features in the Monument landscape may not necessarily reduce the scenic quality rating given during the inventory. It should be noted that the VRM inventory process is informational and is not used for management decision-making, but it does provide managers with a tool for determining visual values. The four inventory classes only represent the relative value of the visual resources.

The VRM inventory determines the management classes to be used in the RMP process. The management classes, also I through IV, represent BLM's preference for managing the Monument's scenic values. The public's involvement in determining VRM classes is needed in the RMP process, as well. Once the RMP is finalized and implementation is realized, the goal to establish management direction for the preservation of the scenic

resources within the Monument would be achieved. Visual impacts for surface-disturbing activities in the Monument, based upon the management classifications, would be analyzed on a project-by-project basis consistent with the RMP.

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

1450-08 *Comment* *Building construction within view of the river should not be allowed.*

1450-08 Response The wild and scenic sections of the Upper Missouri National Wild and Scenic River are mostly in VRM Class I; therefore, any surface-disturbing activities would be required to be unnoticeable to the casual observer.

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

In the WSAs the VRM Class I designation would not prevent the construction of structures or maintenance of existing structures that would be allowed in the WSAs under the Interim Management Policy and Guidelines for Land Under Wilderness Review. The VRM objectives are designed to support the IMP guidelines to not impair the natural character of the existing landscape.

1450-09 *Comment* *As for the viewshed, there's only one good place, and that's up Knox Ridge road, and what tourist is going to attempt that. As an excuse for making a big Monument, this view can be seen in hundreds of places in this country. Let the State have it.*

1450-09 Response The Monument has a scenic Backcountry Byway which traverses county and BLM public roads on the south side of the river. The Knox Ridge road is but one section of the byway. The DY Trail and Lower Two Calf Road are also very scenic sections of the byway, making areas in the Monument closer to the Missouri Breaks more accessible to visitors seeking viewsheds of their rugged and unique beauty.

Group **Water**

1500-01 *Comment* *The federal reserved water rights on Arrow Creek and the Judith River should be removed from the Monument RMP/EIS. BLM cannot grant itself a water right when the land has already been reserved once for the Upper Missouri Wild and Scenic River; the reserved water rights doctrine only allows the federal government to claim reserved water for the purposes of the federal reservation at the time the land was first reserved. A majority of the ownership in the Arrow Creek and Judith River basins is private land, and BLM cannot reserve water that is not adjacent or appurtenant to BLM land. The reserved water right will adversely affect landowners in the basins and the local economy. These basins are already over allocated; furthermore, the ability to get future water rights will*

be impacted. BLM should not be allowed to take water rights from the people, and State and private water rights should take priority. The water is not necessary for the health of the Monument, and a water right cannot be granted without a beneficial use.

1500-01 Response

The Proclamation reserves "a quantity of water in the Judith River and Arrow Creek sufficient to fulfill the purposes for which this monument is established." The federal reserved water rights on Arrow Creek and the Judith River will remain as discussed in Chapter 2 under Decisions Common to All Alternatives, Reserved Water Rights in the Proposed RMP/Final EIS. The federal reserved right cannot be lost over time. In fact, only congress can revoke it. Federal reserved water rights may be created when federal lands are withdrawn from the public domain (e.g., national parks, wildlife refuges, national forests). Federal reserved water rights are different from state appropriated water rights. They may apply to both instream and out-of-stream water uses; may be created without actual diversion or beneficial use (as defined by State law); are not lost by non-use; have priority dates established as the date the land was withdrawn; and are for the minimum amount of water reasonably necessary to satisfy both existing and foreseeable future uses of water for the primary purposes for which the land is withdrawn (Alaska Department of Natural Resources, 2000).

The BLM is not seeking additional reserved water rights on the mainstem of the Missouri River for cottonwoods. The BLM and the State of Montana have already entered into a compact for instream flow reservations on the 149-mile stretch of the Missouri River that comprises the Upper Missouri National Wild and Scenic River. The Proclamation reserves a sufficient quantity of water in Arrow Creek and the Judith River to support the "outstanding objects of biological interest that are dependent on water, such as a fully functioning cottonwood gallery forest ecosystem that is rare in the Northern Plains." Although maintaining the cottonwood gallery forests on Arrow Creek and the Judith River would have positive effects on cottonwoods on the mainstem of the Missouri, the reserved water right is not an additional reservation of water for cottonwoods on the Missouri.

Although a majority of the land on which the cottonwood galleries occur on Arrow Creek and the Judith River is private land, it states in the Proclamation that "Lands and interests in lands within the proposed monument not owned by the United States shall be reserved as a part of the monument upon acquisition of title thereto by the United States." Even though BLM has no authority to manage for cottonwoods on the private land, if those lands were to come into ownership of the United States, they would be withdrawn from the public domain. The BLM will consider any land acquisition proposal brought forward by a willing seller, but will not pursue the acquisition of private land unless approached by a landowner or their representative.

If the existing water rights are senior to the date of the Proclamation, no impact will occur as a result of the federal reserved water rights. The State of Montana has never allowed federal reserved rights to impact existing state based water rights.

Existing water rights junior to the date of the Proclamation may be impacted if it is determined that the water use is harming BLM's water rights. Changes to existing water rights could, and probably would, also be affected. The BLM would likely object to any expansion of the existing water rights or to changes that would alter the flow regimes in ways that would negatively impact the federal reserved water right (i.e. changing an irrigation right from summer diversion to impoundment in a reservoir during spring runoff).

Language has been added to Chapter 4 of the Proposed RMP/Final EIS under Livestock Grazing – Impacts to Livestock Grazing Common to All Alternatives, in the Water

section to better explain potential impacts from the water reservation. The BLM will not know the quantity of water established by the reserved water rights until the necessary data collection is completed and then negotiations begin and are completed with the Reserved Water Right Compact Commission.

As of now, a flow regime still exists in the Judith River and Arrow Creek to support the purposes for which the Monument was created. Spring flood flows provide adequate water, lateral channel movement, and sediment yield to support the biological resources and cottonwood gallery forests. The BLM will examine water right applications to determine the potential impact and magnitude of that effect on spring pulses. Small livestock reservoirs in limited numbers and domestic wells should not pose a problem, although the reservoirs have the potential to cause a cumulative impact if too many are built. As far as irrigation claims are concerned, the basins are already over appropriated and there is not enough water for all current users. Main stem reservoirs and large irrigation developments or expansions have great potential to impact the reserved rights and will be looked at very closely.

1500-02 *Comment* *The BLM has a water rights compact with the State of Montana for the portion of the Missouri River included in the National Wild and Scenic Rivers program, does an equivalent agreement exist between the BLM and any Native American tribes who may have aboriginal rights to the Missouri River water in the vicinity of the Monument?*

1500-02 Response The water rights compact between the State of Montana and the United States for the portion of the Missouri River included in the National Wild and Scenic Rivers program recognizes that the water rights described in the compact are junior to any tribal water rights with a priority date before the effective date of this compact, including aboriginal rights, if any, in the affected basins.

1500-03 *Comment* *More and bigger reservoirs should be built in the area.*

1500-03 Response As noted in Chapter 2, Decisions Common to All Alternatives, in the Water Developments and Water Rights section of the Proposed RMP/Final EIS, several shortfalls exist in the physical demand for surface water in the Monument. Suitable reservoir sites are scarce due to high siltation rates, erodibility of fill material, potential for saline seeps and lack of access for heavy equipment. Most suitable locations for reservoirs within the Monument have been developed. Any new water developments would be subject to site-specific planning.

1500-04 *Comment* *The number of water developments in the Monument discussed on page 22 and in Table 3.5 needs to be accurate. Are water rights filed on water developments, and are some water developments going to be phased out? Are only 95 reservoirs going to be maintained?*

1500-04 Response The number of water developments discussed in Chapter 2 under Decisions Common to All Alternatives, Water Developments and Water Rights; and in Chapter 3, Water, Water Rights, Table 3.5 of the Proposed RMP/Final EIS has been updated to more accurately reflect the number of water developments in the Monument. The number is approximate because not all water developments within the Monument are documented. Water rights have been filed on known water developments. Water developments which are necessary to improve resource conditions and protect the objects identified in the Proclamation will be maintained. For additional information, see the discussion concerning maintenance of existing water developments in Chapter 2 of the Proposed RMP/Final EIS under Decisions Common to All Alternatives, Livestock Grazing, Implementation. A discussion

of new water developments is located in Chapter 2 under Range Improvements, Alternative F (Preferred Alternative).

1500-05 *Comment* *There is an inadequate range of alternatives for water developments. There is no alternative for no water developments. With respect to the proposed alternative, it should provide that water developments may be considered as long as they do not impair or harm the objects protected by the Proclamation.*

1500-05 Response An alternative to prohibit any future water developments has been added to the Alternatives Considered but Not Analyzed in Detail section of Chapter 2 in the Proposed RMP/Final EIS. Although none of the analyzed alternatives preclude future water developments, under all alternatives, including the Preferred Alternative, water developments would only be constructed if the development would improve resource values and protect the objects identified in the Proclamation.

1500-06 *Comment* *The timeframe for when the federal reserved water right will be resolved needs to be clarified in the Monument RMP/EIS. Twenty years is an unreasonable amount of time to complete the reservation process.*

1500-06 Response Chapter 3 of the Proposed RMP/Final EIS has been updated in the Water Rights section to clarify that the reservation process will not be completed within the plan development phase of this RMP. The BLM needs to know the magnitude, timing, and frequency of flows necessary to support the outstanding water-dependent biological resources and cottonwood galleries that were the basis for the reserved water rights. Once BLM has an idea what flow criteria are necessary to support the above-mentioned features, the information will be utilized in the negotiation process and will be available to interested parties who are concerned about the quantification. The reserved water rights process generally takes several years to complete.

1500-07 *Comment* *The Monument RMP/EIS does not provide adequate protection for water quality and quantity required by the State of Montana, and against decrease in water quality as a result of increased motorized use of the river. The impacts to groundwater from oil and gas development and the associated increase in vehicular traffic have been inadequately addressed. Water has already been over-appropriated in the area of the Monument, yet BLM is asserting reserved water rights for development. BLM's preferred alternative would create more highly developed visitor facilities which require the availability of more water than is available. Any water that is available should be used for protecting the integrity of the watershed ecosystems as emphasized in the Montana Statewide Fish and Wildlife Conservation Strategy and for maintaining cottonwood galleries.*

1500-07 Response Regardless of the activity, whether it is visitor use, recreation, access and transportation, grazing, or oil and gas leases, land management activities must protect and maintain existing uses of state waters and the level of water quality necessary to protect those uses under the Montana Water Quality Act. Furthermore, it is a violation of the Federal Clean Water Act for land management activities to degrade water quality so that designated and existing beneficial uses are no longer supported. The BLM will comply with state and federal water laws.

The Proclamation does not allow new oil and gas leases in the Monument. The existing federal oil and gas leases in the Monument are considered to have valid existing rights. The difference in impacts to surface and groundwater from the conditions of approval under each alternative would be immeasurable. Existing oil and gas leases have the potential to produce small amounts of groundwater from the Judith River and Eagle formations within the Monument.

Group		Water
		The BLM is not asserting federal reserved water rights for development or visitor facilities. The Proclamation reserves a sufficient quantity of water in Arrow Creek and the Judith River to support the "outstanding objects of biological interest that are dependent on water, such as a fully functioning cottonwood gallery forest ecosystem that is rare in the Northern Plains."
1500-08	*Comment*	*We have particular concerns regarding grazing impacts to listed streams, since grazing is identified as a contributory source of impairment for some of the impaired streams (e.g., Dog Creek, Judith River, Missouri River). The draft RMP/EIS states that (page 24) livestock grazing will be managed through implementation of Standards for Rangeland Health and Guidelines for Livestock Grazing Management (Appendix H). However, it is our understanding that these Rangeland Health Standards are already being implemented. It is not clear why grazing practices on Monument lands are contributing to water quality impairments if BLM Standards for Rangeland Health are being adequately implemented. Are the Rangeland Health Standards adequate to promote restoration of impaired streams? Is there adequate monitoring and oversight of implementation of these grazing Standards, and enforcement of grazing permits when Rangeland Health Standards and State Water Quality Standards are not being met? Riparian degradation and siltation occurring in association with grazing that is contributing to water quality impairments need to be addressed, particularly grazing practices in riparian areas. The final RMP/EIS should explain how use of the Rangeland Health Guidelines for Livestock Grazing will address water quality impaired streams on Montana's 303(d) listed by promoting restoration of water quality to attain full support for beneficial uses.*
1500-08	Response	The Decisions Common to All Alternatives, Water Quality – Implementation section of Chapter 2 in the Proposed RMP/Final EIS has been updated to explain how BLM's watershed planning process will address water quality impaired streams. BLM grazing allotments may not meet Standards for Rangeland Health for reasons beyond BLM's management control. For example, BLM lands within the Monument generally occur at the lowest reach of the watershed. Obviously, riparian function and water quality standards may be impacted by watershed conditions not directly on the reach in question. The BLM's goal is to manage for healthy riparian areas and implement best management practices (BMPs) which limit the amount of pollutants BLM's land management activities are contributing to the impaired water body. The Standards for Rangeland Health may not be adequate to promote restoration of impaired streams if BLM is not the significant land manager within the watershed, which is why BLM agrees to participate in the development, implementation, and monitoring of water quality restoration plans and Total Maximum Daily Loads in watershed planning areas in which BLM is a significant land manager or water user.
1500-09	*Comment*	*With regard to wetlands, the EIS states "Water developments would be considered on a site-specific basis." If and when any alteration of wetlands is scheduled, all plans should be coordinated with the Corps' Helena Regulatory Office.*
1500-09	Response	Under the Decisions Common to All Alternatives, Water Quality section in Chapter 2 of the Proposed RMP/Final EIS, a change has been made to reflect that BLM will comply with state and federal water laws.
1500-10	*Comment*	*The draft RMP and EIS does not include a comprehensive watershed map clearly identifying all waterbody names of surface waters within the Monument and watershed boundaries. This limits the ability to review and evaluate consistency of proposed*

management direction with the Clean Water Act and applicable Federal and State water quality policies and regulations. A watershed map (or maps) more clearly identifying surface waterbodies and their approximate drainage boundaries within the Monument is needed to more fully evaluate potential water quality impacts of proposed management direction and transportation and oil and gas leasing plans.

1500-10 Response A comprehensive watershed map (or maps) identifying all water body names and watershed boundaries is difficult to include in the Proposed RMP/Final EIS because BLM land within the Monument generally comprise a small percentage of the basins in which they are located and occur in the lowest end of the watersheds. Although delineated watershed boundaries will provide useful information during plan implementation, the information would be cumbersome to include in the Proposed RMP/Final EIS when it is readily available via the Montana Natural Resource Information System (NRIS).

1500-11 Comment *The draft RMP/EIS states that each alternative complies with applicable laws and regulations such as the Clean Water Act and MDEQ regulations (page 198), and the general overall water quality goal in the draft RMP (page 22) is to, "maintain and/or improve the existing hydrologic systems in the Monument." The draft RMP/EIS also states (page 22) that surface and ground water quality will be maintained to meet or exceed Federal and State Water Quality Standards, including Standard for Rangeland Health #3 which requires that water quality meets Montana State Water Quality Standards.*

However, currently there are surface waters within the Monument that do not meet Montana Water Quality Standards, since there are water quality impaired waters within the Monument (i.e., 303(d) listed waters in Table 3.6, page 157). We recommend that RMP management direction state that in watersheds with surface waters that do not fully support designated beneficial uses (i.e., 303(d) listed waters) efforts will be made to improve water quality to promote restoration of support of beneficial uses (i.e., attainment of State Water Quality Standards); and where Water Quality Standards are currently met, water quality will continue to be protected and maintained for beneficial use support. We suggest that the RMP management direction for water quality include goals and/or objectives that address these situations. For example,

1) BLM will manage watersheds to protect water quality to maintain support for designated beneficial uses where water quality currently supports such uses (i.e., continue meeting State Water Quality Standards for waters that are not impaired); and

2) BLM will manage watersheds to improve water quality to promote restoration of support of designated beneficial uses where water quality is currently impaired and designated beneficial uses are not fully supported (i.e., improve water quality in 303(d) listed waters).

1500-11 Response Under the Decisions Common to All Alternatives, Water Quality section of Chapter 2 in the Proposed RMP/Final EIS, the following language has been inserted: The BLM is committed to the objectives of the Federal Clean Water Act to restore and maintain the chemical, physical, and biological integrity of the nation's waters. Furthermore, BLM will manage federal lands with reasonable land, soil, and water conservation practices in order to protect water bodies which currently meet State Water Quality Standards and to improve water quality where designated beneficial uses are not fully supported. Through an existing memorandum of understanding with MDEQ, the BLM agrees that it will participate in the development, implementation, and monitoring of water quality restoration plans and Total Maximum Daily Loads (TMDL) in watershed planning areas in which BLM is a significant land manager or water user.

Group		Water
1500-12	*Comment*	*Thank you for identifying and listing water quality impaired streams within the Monument (i.e., Table 3.6, page 157, impaired surface waters listed by the State of Montana under Section 303(d) of the Clean Water Act). This list needs to be updated since the latest Montana 2004 303(d) list shows that two of the listed streams, Bullwhacker Creek and Eagle Creek have been determined to have water quality fully supporting beneficial uses (i.e., streams are not 303(d) listed). We also note that the 2004 303(d) list shows that there is insufficient data to assess beneficial use support for Arrow Creek, Coffee Creek, Fargo Coulee, Sourdough Creek, and Two Calf Creek. BLM should recognize that in accordance with the terms of a Consent Decree for a lawsuit in Missoula Federal District Court, EPA and the Montana Dept. of Environmental Quality (MDEQ) are required to address impaired waters listed on Montana's 1996 303(d) list, unless those waters are adequately assessed and water quality is determined to be fully supporting beneficial uses, and thus, are not listed on the 2006 303(d) list (which will be prepared in December 2006). As a result of this consent decree Arrow Creek, Coffee Creek, Fargo Coulee, Sourdough Creek, and Two Calf Creek may still require preparation of Total Maximum Daily Loads (TMDLs) and Water Quality Restoration Plans (WQRPs) unless these streams are not identified on Montana's 2006 303(d) list (see comment #17 below describing EPA and MDEQ policies regarding TMDLs and WQRPs for 303(d) listed waters).* *The MDEQ's 2004 303(d) water quality assessments (see MDEQ website at http://deq.mt.gov/wqinfo/303_d/303d_information.asp) indicate that:* *- Armells Creek is impaired by metals caused by mining (i.e., 13.4 miles from the headwaters to Deer Creek do not support aquatic life and warm water fishery uses)* *- Dog Creek is impaired by nutrients and siltation caused by agriculture and grazing (i.e., 25.3 miles of Dog Creek, from Cutbank Creek to the mouth do not support aquatic life and warm water fishery uses);* *- Judith River is impaired by bank erosion, habitat alteration and riparian degradation caused by agriculture and grazing (i.e., 72.3 miles from Big Spring Creek to the mouth only partially support aquatic life and cold and warm water fishery uses);* *- Missouri River is impaired by copper, mercury, metals, habitat alteration and riparian degradation caused by agriculture, grazing, mining and unknown sources (i.e., from Marias River downstream only partially supporting aquatic life, primary contact recreation and warm water fishery uses).*
1500-12	Response	Table 3.6, Water Quality Impaired Streams According to MDEQ, has been updated in the Proposed RMP/Final EIS to reflect the information in MDEQ's water quality assessment database. Chapter 3, Water Quality Impaired Streams – 303(d) List of Impaired Streams, has been updated to indicate that Armells Creek, Sourdough Creek, Two Calf Creek, Eagle Creek, and Bullwhacker Creek are fully supporting all assessed uses. The reach of Armells Creek that is impaired by metals (13.4 miles from the headwaters to Deer Creek) is not within the Monument.
1500-13	*Comment*	*The final RMP/EIS should assure that the BLM Lewistown Field Office cooperates with the State and local watershed groups to prioritize restoration needs, and implement TMDLs and WQRPs to restore beneficial use support on impaired waters consistent with court-ordered schedules. The draft RMP/EIS states (page 22) that the BLM will comply with the TMDL process by addressing listed streams in the watershed planning process, however, it is not clear how the BLM watershed planning process will address impaired waters.*

The final RMP/EIS should better explain how the watershed planning process will help restore water quality and support for beneficial uses for impaired waters within the Monument. The final RMP/EIS should demonstrate that goals, management guidance and site-specific plans for managing visitor use, recreation, access and transportation, grazing and natural gas leases in the Monument will avoid further degradation of listed streams and assure that projects and activities are consistent with TMDLs and WQRPs that are being developed to promote water quality improvement and restoration of beneficial use support for waters within the Monument.

1500-13 Response

The Decisions Common to All Alternatives, Water Quality – Implementation section of the Proposed RMP/Final EIS has been updated to explain how BLM's watershed planning process will address water quality impaired streams.

Regardless of the activity, whether it is visitor use, recreation, access and transportation, grazing, or oil/natural gas leases, land management activities must protect and maintain existing uses of state waters and the level of water quality necessary to protect those uses under the Montana Water Quality Act. Furthermore, it is a violation of the Federal Clean Water Act for land management agencies to degrade water quality so that designated and existing beneficial uses are no longer supported. The BLM will comply with state and federal water laws.

1500-14 Comment

Consistency of proposed RMP management direction, transportation plans, grazing management plans, and oil and gas leasing plans should be discussed with the MDEQ and any local watershed groups that are involved in preparing TMDLs and Water Quality Restoration Plans, to help assure consistency with the State's TMDL development. We suggest that you coordinate RMP development with the MDEQ's TMDL staff (contact Mr. Mark Kelley at 406-444-3508, Mr. Robert Ray at 406-444-5319, Mr. Dean Yashan at 406-444-5317), as well as Mr. Ron Steg, EPA's TMDL Coordinator in Helena at 406-457-5024.

It would be appropriate for BLM to re-examine RMP management direction to assure that it is consistent with no further degradation of impaired waters and is supportive of watershed restoration (i.e., address water quality impacts from roads, grazing management, OHV use areas, concentrated recreation zones, oil and gas activity). EPA's suggested language for programmatic federal land and resource management plans for direction in watersheds of 303(d) listed waters is as follows:

"Work cooperatively with the State/EPA and local watershed groups to validate listings of impaired waters and support Total Maximum Daily Load (TMDL) and Water Quality Restoration Plan (WQRP) development and implementation. Manage watersheds consistent with WQRPs and TMDLs, and demonstrate measurable improvements on 303(d) listed streams and water bodies during the life of the Plan (i.e., promote restoration of water quality for impaired waters)."

1500-14 Response

The BLM agrees that it will participate in the development, implementation, and monitoring of water quality restoration plans and Total Maximum Daily Loads (TMDL) in watershed planning areas in which BLM is a significant land manager or water user.

1500-15 Comment

We have particular concerns regarding grazing impacts to listed streams, since grazing is identified as a contributory source of impairment for some of the impaired streams (e.g., Dog Creek, Judith River, Missouri River). The draft RMP/EIS states that (page 24) livestock grazing will be managed through implementation of Standards for Rangeland Health and Guidelines for Livestock Grazing Management (Appendix H). However it is our understanding that these Rangeland Health Standards are already being implemented. It is not clear why grazing practices on Monument lands are contributing

to water quality impairments if BLM Standards for Rangeland Health are being adequately implemented.

Are the Rangeland Health Standards adequate to promote restoration of impaired streams? Is there adequate monitoring and oversight of implementation of these grazing Standards, and enforcement of grazing permits when Rangeland Health Standards and State Water Quality Standards are not being met?

Riparian degradation and siltation occurring in association with grazing that is contributing to water quality impairments need to be addressed, particularly grazing practices in riparian areas. The final RMP/EIS should explain how use of the Rangeland Health Guidelines for Livestock Grazing will address water quality impaired streams on Montana's 303(d) list by promoting restoration of water quality to attain full support for beneficial uses.

1500-15 Response

BLM grazing allotments may not meet Standards for Rangeland Health for reasons beyond BLM's management control. For example, BLM lands within the Monument generally occur at the lowest reach of the watershed. Obviously, riparian function and water quality standards may be impacted by watershed conditions not directly on the reach in question. The BLM's goal is to manage for healthy riparian areas and implement BMPs which limit the amount of pollutants BLM's land management activities are contributing to the impaired water body.

The Standards for Rangeland Health may not be adequate to promote restoration of impaired streams if BLM is not the significant land manager within the watershed. However, BLM agrees to participate in the development, implementation, and monitoring of water quality restoration plans and Total Maximum Daily Loads in watershed planning areas in which BLM is a significant land manager or water user.

The Decisions Common to All Alternatives, Water Quality – Implementation section of Chapter 2 in the Proposed RMP/Final EIS has been updated to explain how BLM's watershed planning process will address water quality impaired streams.

1500-16 Comment

We did not see any discussion of public water supplies or source water protection areas in the draft RMP/EIS. Are there Source Waters for Federally-regulated public water supply systems within the Monument? Source Water is untreated water from streams, rivers, lakes, springs, and aquifers that is used as a supply of drinking water. Source Water Protection Areas are areas delineated around sources of drinking water and mapped by the States for each Federally-regulated public water system. A Federally-regulated public water system provides water for human consumption through pipes or other constructed conveyances to at least 15 service connections or serves an average or at least 25 people for at least 60 days a year.

If there are Source Waters for Federally-regulated public water supply systems within the Monument please contact the Montana DEQ (contact Joe Meek of MDEQ at 406-444-4806) to obtain guidance for incorporating source water protection into the Federal Land Management Planning Process.

1500-16 Response

Two public water supplies exist within the Monument at Coal Banks Landing and the James Kipp Recreation Area. Each has a completed source water protection plan. Concerns in the previously mentioned source water protection plans prompted BLM to install water treatment systems at each site. The water treatment system at Coal Banks was completed in 2006, and the system at Kipp is slated to be completed in 2007.

Group		Water
1500-17	*Comment*	*We did not see much discussion of ground water impacts associated with existing oil and gas leases. Does the BLM or oil and gas operators conduct any ground water monitoring in association with oil and gas leases and/or transport of oil and gas products within the Monument? Have any impacts to ground water quality been identified as a result of oil and gas exploration, development and transport within the Monument?*
1500-17	Response	The BLM does not conduct any ground water monitoring in association with oil and gas leases and/or transport of oil and gas products within the Monument. Impacts to ground water quality have not been identified as a result of oil and gas exploration, development and transport within the Monument.
1500-18	*Comment*	*Information about restoration of water quality impaired waters listed by the State of Montana under Section 303(d) of the Clean Water Act (e.g., Armells Creek, Dog Creek, Judith River, Missouri River) is minimal. The final RMP/EIS should explain how the BLM's watershed planning process will restore water quality and beneficial use support for impaired waters within the Monument, and demonstrate that management direction, goals, and site-specific plans for managing visitor use, recreation, access and transportation, grazing and natural gas leases in the Monument will avoid further degradation of listed streams and assure that future projects/activities are consistent with Total Maximum Daily Loads (TMDLs) and Water Quality Restoration Plans being developed by the State, EPA and local watershed groups to promote water quality improvement and restoration of full support for beneficial uses for waters within the Monument.*
1500-18	Response	The Decisions Common to All Alternatives, Water Quality – Implementation section of Chapter 2 in the Proposed RMP/Final EIS has been updated to explain how BLM's watershed planning process will address water quality impaired streams. Regardless of the activity, whether it is visitor use, recreation, access and transportation, grazing, or natural gas leases, land management activities must protect and maintain existing uses of state waters and the level of water quality necessary to protect those uses under the Montana Water Quality Act. Furthermore, it is a violation of the Federal Clean Water Act for land management agencies to degrade water quality so that designated and existing beneficial uses are no longer supported. The BLM will comply with state and federal water laws. The BLM agrees that it will participate in the development, implementation, and monitoring of water quality restoration plans and Total Maximum Daily Loads (TMDL) in watershed planning areas in which BLM is a significant land manager or water user.
1500-19	*Comment*	*And what is this about cottonwoods needing water rights? On the Judith River the cottonwood trees are increasing with a cattle density much higher than the Missouri and besides the Government has no business reserving water rights for cottonwoods on private property anyway.*
1500-19	Response	Federal reserved water rights may be created when federal lands are withdrawn from the public domain. They are for the minimum amount of water reasonably necessary to satisfy both existing and foreseeable future uses of water for the primary purposes for which the land is withdrawn. Although a majority of the land on which the cottonwood galleries occur on Arrow Creek and the Judith River is private land, it states in the Proclamation that "Lands and interests in lands within the proposed monument not owned by the United States shall be reserved as a part of the monument upon acquisition of title thereto by the United States." The BLM will consider any land acquisition proposal brought forward by a willing seller, but will not pursue the acquisition of private land unless approached by a landowner or their representative.

Group		Water
1500-20	*Comment*	*The flows through upriver dams should be managed in such a way that they are similar to the natural, historic flows of the past. This, combined with the removal of livestock, should foster regeneration of cottonwood groves along the river.*
1500-20	Response	Flows through upstream dams are managed by the Bureau of Reclamation and private companies. However, as stated in Chapter 2, Decisions Common to All Alternatives, in the Vegetation – Riparian section of the Proposed RMP/Final EIS, the BLM will coordinate with the U.S. Army Corps of Engineers, U.S. Bureau of Reclamation, and county/city/private organizations to secure the release of water from dams upstream from the Monument. High water events would help to establish deciduous forest and woody riparian seedlings, create water flows favoring wildlife habitat and native fishes and promote endangered species recovery. Although continuous hot-season grazing (July, August, September) has had a detrimental impact on the recruitment of new cottonwood and the preferred understory species, cottonwood regeneration is currently occurring where appropriate livestock management is in place and followed.
1500-21	*Comment*	*In the Reserved Water Rights section on page 23, BLM states they will pursue the purchase of water rights from willing sellers on the tributaries to Arrow Creek and the Judith River. The MSGA, PLC and MASGD membership generally opposes the sale of water rights away from the land. We have supported the limited use of water leasing as an alternative for water right holders to utilize in cases where the water right is not currently being put to beneficial use. MSGA, PLC and MASGD recommend the BLM consider the water leasing option over outright purchase of water rights.*
1500-21	Response	The Decisions Common to All Alternatives, Reserved Water Rights section in Chapter 2 of the Proposed RMP/Final EIS has been updated. The BLM will not pursue the acquisition of water rights from private landowners unless approached by a landowner or their representative. The acquisition of water rights from willing sellers would be considered to maintain and/or improve the hydrologic conditions and restore instream flows on tributaries to Arrow Creek and the Judith River.
1500-22	*Comment*	*BLM is seeking an additional reserved water right based on protecting an already fully functioning cottonwood gallery forest ecosystem. BLM has not identified the specific purpose or quantity necessary to fulfill such a purpose. Is BLM seeking a reserved right for ground water and surface water? Why is BLM seeking a reserved right on Judith River and Arrow Creek tributaries, when these tributaries only occur on 4% and 7% of BLM land? In this process, BLM would initially deal with the Compact Commission and if no negotiated deal were approved, the MT Water Court would assume the claim of the reserved right. BLM has not adequately analyzed parameters of this proposed reserved right or the impacts it would have on future water right applications. The impact of an assertion of any reserved right depends on the extent of such a claim, its location and other rights in the source. These impacts should be fully detailed and included within the Draft RMP/EIS. One main concern is to ensure there are no adverse impacts to existing or vested water rights. The other concern is any reserved water right by BLM would probably preclude any future appropriations. BLM is currently developing strategies to address the reservation and some indication of what your agency is considering should be included in the RMP/EIS. Ultimately, any such right must be confirmed by the State of Montana in either a compact or by the Water Court. MSGA, PLC and MASGD will follow this issue closely to assure our concerns are addressed.*
1500-22	Response	The BLM is not seeking additional reserved water rights on the mainstem of the Missouri River for cottonwoods. The BLM and the State of Montana have already entered into a

compact for instream flow reservations on the 149-mile stretch of the Missouri River that comprises the Upper Missouri National Wild and Scenic River. The Proclamation reserves a sufficient quantity of water in Arrow Creek and the Judith River to support the "outstanding objects of biological interest that are dependent on water, such as a fully functioning cottonwood gallery forest ecosystem that is rare in the Northern Plains."

The BLM already has a federal reserved water right with a priority date of the date of the Proclamation and a quantity which is sufficient to fulfill the purposes for which the Monument is established. The quantity and timing of water necessary to support the water dependent objects of biological interest is still to be determined. The reserved right may be for surface water and for flows necessary to recharge the hydrologically connected shallow alluvial groundwater necessary to support the cottonwood gallery forests.

Although a majority of the land on which the cottonwood galleries occur on Arrow Creek and the Judith River is private land, it states in the Proclamation that "Lands and interests in lands within the proposed monument not owned by the United States shall be reserved as a part of the monument upon acquisition of title thereto by the United States." Even though BLM has no authority to manage for cottonwoods on the private land, if those lands were to come into ownership of the United States, they would be withdrawn from the public domain. The BLM will consider any land acquisition proposal brought forward by a willing seller, but will not pursue the acquisition of private land unless approached by a landowner or their representative.

If the existing water rights are senior to the date of the Proclamation, no impact will occur as a result of the federal reserved water rights. The State of Montana has never allowed federal reserved rights to impact existing state-based water rights.

Existing water rights junior to the date of the Proclamation may be impacted if it is determined that the water use is harming BLM's water rights. Changes to existing water rights could, and probably would, also be affected. The BLM would likely object to any expansion of the existing water rights or to changes that would alter the flow regimes in ways that would negatively impact the federal reserved water right (i.e. changing an irrigation right from summer diversion to impoundment in a reservoir during spring runoff).

Chapter 4, Livestock Grazing, Impacts to Livestock Grazing Common to All Alternatives, the Water section, has been updated in the Proposed RMP/Final EIS to better explain the potential impacts from the water reservation. The BLM will not know the quantity of water established by the reserved water rights until the necessary data collection is completed and then negotiations begin and are completed with the Reserved Water Right Compact Commission.

1500-23 *Comment*

The BLM's reservation of additional water in the Judith River and Arrow Creek drainages lacks credibility and is an affront to the scientific process. The Proclamation establishing the Monument implies that a federal reservation of water in these two river drainages is needed to "fulfill the purposes for which the monument is established." The BLM interprets this statement to mean a protection of "a flow regime that supports the health and regeneration of cottonwood galleries, which provide a seed source for the downstream cottonwood galleries." DRMP/DEIS at 23.

The BLM's assumption that an additional reservation of water will benefit the cottonwood galleries is faulty for the following reasons:

• *The Proclamation states that the Judith River/Arrow Creek already contain a fully functioning cottonwood gallery forest ecosystem. This statement is true. Cottonwood*

trees have flourished in these two drainages for hundreds of years and there are no documented studies that suggest that an additional reservation of water would be of any current or future benefit to cottonwood trees. The BLM presents no scientific evidence to argue otherwise.

• The vast majority of cottonwood trees growing in the two drainages are located on either private or state land. The BLM has no authority to manage the Monument for cottonwoods growing on private and state land and, in fact, the BLM has stated on numerous occasions that management parameters established for the Monument do not apply to private or state land. Yet, the impact of the proposed water reservation would be primarily on private or state land. Without a valid scientific underpinning showing that the reservation would benefit cottonwoods on the Monument, the BLM has overstepped its authority.

• The BLM has not documented the validity of the perceived need for water, nor has the BLM determined what quantity of water must be reserved. The BLM is just now collecting hydrological data in the two drainages, has no data on stream flow regimes, has not determined whether there is any water remaining for an additional allocation and admits that it "may have a very limited ability to affect or protect stream flows in the Judith River and Arrow Creek." DRMP/DEIS at 23 (emphasis added).

• The water of the Upper Missouri River that flow through the Monument were already reserved as part of the congressional designation of a segment of the river as a component of the National Wild and Scenic River System in 1976; therefore, an additional water reservation is not needed to advance cottonwood protection on the main stem Missouri River. In fact, the BLM has failed to reference or acknowledge a recent river study conducted by the Montana Natural Heritage Program (released in December ,2004) that concluded that the lack of cottonwood regeneration on the Missouri River is due to the highly episodic nature of significant flooding in the river main stem. This is caused by the regulation of water flow by upstream dams that hinder the ability of cottonwoods to be established in areas that escape spring ice flows that routinely destroy cottonwood seedlings.

Clearly, the BLM has failed to demonstrate how this water reservation will benefit cottonwood galleries on public land in either of the two drainages or the main stem Missouri River. Additionally, the BLM has failed to coordinate with the State of Montana to even determine whether water is available in these two drainages or whether these drainages are already over-allocated. The BLM should have first determined if water is even available for it to implement its management plan.

1500-23 Response

The BLM complies with the Data Quality Act by using the best data available and disclosing the source and quality of that data. The BLM's policy addressing the requirements of the Data Quality Act is contained in its Information Quality Guidelines published in accordance with OMB guidance (Handbook 1601-1, part V.B. http://www.blm.gov/nhp/efoia/data_quality/). The BLM believes that the data used to prepare the Draft RMP/EIS, and its underlying inventories, is the best available and of adequate quality and quantity to support the analysis presented in the EIS. Additional reference citations have been added to the Proposed Final RMP/EIS to more readily provide the reader with the information sources used to prepare the RMP.

The statement "These galleries also contribute to the dilution of sediment, arsenic, and nutrient loading in the Missouri River" in Chapter 2, Decisions Common to All Alternatives, the Reserved Water Rights section of the Draft RMP/EIS, has been replaced in the Proposed RMP/Final EIS by the following language: The flow regime in Arrow Creek and the Judith River, which includes spring pulses, must provide adequate water,

lateral channel movement, and sediment yield at the appropriate time to support the water-dependent biological resources and cottonwood gallery forests within the Monument.

The Proclamation states that "Arrow Creek is a critical seed source for cottonwood trees for the flood plain along the Missouri." However, this is only one of many positive attributes of maintaining the fully functioning cottonwood galleries on Arrow Creek and the Judith River.

The BLM is not seeking additional reserved water rights on the mainstem of the Missouri River for cottonwoods. The BLM and the State of Montana have already entered into a compact for instream flow reservations on the 149-mile stretch of the Missouri River that comprises the Upper Missouri National Wild and Scenic River. The Proclamation reserves a sufficient quantity of water in Arrow Creek and the Judith River to support the "outstanding objects of biological interest that are dependent on water, such as a fully functioning cottonwood gallery forest ecosystem that is rare in the Northern Plains." Although maintaining the cottonwood gallery forests on Arrow Creek and the Judith River would have positive effects on cottonwoods on the mainstem of the Missouri, the reserved water right is not an additional reservation of water for cottonwoods on the Missouri.

Arrow Creek and the Judith River currently contain functioning cottonwood gallery forest ecosystems, and the federal reserved water right is not an "additional" reservation of water. The reserved water right is for the quantity of water necessary to sustain these forests on Arrow Creek and the Judith River. Cottonwoods on Arrow Creek and the Judith River are dependent upon flow regimes which support establishment, recruitment, and survival of seedlings to mature trees. Without a doubt, the cottonwood trees on Arrow Creek and the Judith River would benefit.

A vast majority, but not all, of cottonwood trees growing in the two drainages are located on either private or state land, and the BLM has no authority to manage for cottonwoods growing on private or state land. However, it states in the Proclamation that "Lands and interests in lands within the proposed monument not owned by the United States shall be reserved as a part of the monument upon acquisition of title thereto by the United States." If those lands were to come into title of the United States, they would be withdrawn from the public domain. The BLM will consider any land acquisition proposal brought forward by a willing seller, but will not pursue the acquisition of private land unless approached by a landowner or their representative.

As of now, a flow regime still exists in the Judith River and Arrow Creek to support the purposes for which the Monument was created. Spring flood flows provide adequate water, lateral channel movement, and sediment yield to support the biological resources and cottonwood gallery forests. The BLM needs to know the magnitude, timing, and frequency of flows necessary to support the outstanding water dependent biological resources and cottonwood galleries that were the basis for the reserved water rights. Once BLM has an idea what flow criteria are necessary to support the above mentioned features, the information will be utilized in the negotiation process and will be available to interested parties who are concerned about the quantification. The reserved water rights process generally takes several years to complete, and the reservation process will not be completed with the plan development phase of this plan.

The BLM is not seeking an "additional" water reservation to advance cottonwoods on the Missouri even though maintaining flow regimes in Arrow Creek/Judith would have beneficial impacts to them. The BLM is aware of the river study conducted by the Montana Natural Heritage Program since it was prepared for BLM, Lewistown Field Office.

Group		Water
1500-24	*Comment*	*I would venture to ask how intermittent streams could have a probable impaired use when they do not flow year round.*
1500-24	Response	Intermittent streams may have a probable impaired use if they are contributing excess pollutants when they do flow. It must be recognized that BLM does not make beneficial use support determinations or water quality impairment determinations. The responsibility falls with the Montana Department of Environmental Quality. The BLM does investigate whether our land management activities are contributing pollutants to impaired streams.
1500-25	*Comment*	*About the issue of water rights, can I drill a well on my deeded ground right outside the Monument now for livestock?*
1500-25	Response	Yes, according to Montana DNRC, groundwater appropriations of 35 gallons per minute or less and 10 acre feet or less must first be appropriated and put to use before a water right is issued. Stockwater impoundments of less than 15 acre feet may be constructed first and then a form filed upon completion. If the existing water rights are senior to the date of the Proclamation, no impact will occur as a result of the federal reserved water rights. The State of Montana has never allowed federal reserved rights to impact existing state based water rights. Existing water rights junior to the date of the Proclamation may be impacted if it is determined that the water use is harming BLM's water rights. Changes to existing water rights could, and probably would, also be affected. The BLM would likely object to any expansion of the existing water rights or to changes that would alter the flow regimes in ways that would negatively impact the federal reserved water right (i.e. changing an irrigation right from summer diversion to impoundment in a reservoir during spring runoff).
1500-26	*Comment*	*The water right issue is going to pretty much demolish any management practices that are there as far as grass and wildlife go.*
1500-26	Response	Chapter 4, Livestock Grazing, Impacts to Livestock Grazing Common to All Alternatives, the Water section, has been updated in the Proposed RMP/Final EIS to better explain the potential impacts from the water reservation. The BLM will not know the quantity of water established by the reserved water rights until the necessary data collection is completed and then negotiations begin and are completed with the Reserved Water Right Compact Commission.
1500-27	*Comment*	*Discharges of fill material into wetlands and other waters of the United States are regulated by Section 404 of the Clean Water Act, 33 U.S.C. 1344, which is administered jointly by the U.S. Army Corps of Engineers and EPA. It is important for the RMP to ensure consultation with the Corps of Engineers to determine applicability of 404 permit requirements to specific project level construction activities in or near streams or wetlands, (e.g., contact Mr. Allan Steinle of Corps of Engineers Montana Office in Helena at 406-441-1375). The 404(b)(1) Guidelines (found at 40 CFR Part 230) and Corps of Engineers, EPA, and USFWS Wetland Specialists should be consulted to provide specific environmental criteria and guidance when BLM projects need a 404 permit. See Corps of Engineers Montana Regulatory Office website for further information, https://www.nwo.usace.army.mil/html/od-rmt/mthome.htm.*

Group		Water
1500-27	Response	Under the Decisions Common to All Alternatives, Water Quality section in Chapter 2 of the Proposed RMP/Final EIS, a change has been made to reflect that BLM will comply with state and federal water laws.
1500-28	*Comment*	*Water Quality pg. 22. MWF encourages the BLM to follow through with plans to meet or exceed water quality standards and to comply with the TDML process and continue to address listed streams within the watershed planning processes.*
1500-28	Response	The Decisions Common to All Alternatives, Water Quality, Implementation section in Chapter 2 of the Proposed RMP/Final EIS has been updated to explain how BLM's watershed planning process will address water quality impaired streams. Regardless of the activity, whether it is visitor use, recreation, access and transportation, grazing, or natural gas leases, land management activities must not generate pollutants in excess of those that are naturally occurring under the Montana Water Quality Act. Furthermore, it is a violation of the Federal Clean Water Act for land management agencies to degrade water quality so that designated and existing beneficial uses are no longer supported. The BLM will comply with state and federal water laws. The BLM agrees that it will participate in the development, implementation, and monitoring of water quality restoration plans and Total Maximum Daily Loads (TMDL) in watershed planning areas in which BLM is a significant land manager or water user.
1500-29	*Comment*	*A river study conducted by the Montana Natural Heritage Program (Dec 2004) concludes that the lack of cottonwood regeneration on the Missouri River is due to the highly episodic nature of significant flooding in the river main stem. That finding brings into question the utility of an additional reservation of waters in the Judith River/Arrow Creek basins and makes no mention of any benefit such a reservation would have.*
1500-29	Response	The statement "These galleries also contribute to the dilution of sediment, arsenic, and nutrient loading in the Missouri River" in Chapter 2, Decisions Common to All Alternatives, the Reserved Water Rights section of the Draft RMP/EIS, has been replaced in the Proposed RMP/Final EIS by the following language: The flow regime in Arrow Creek and the Judith River, which includes spring pulses, must provide adequate water, lateral channel movement, and sediment yield at the appropriate time to support the water-dependent biological resources and cottonwood gallery forests within the Monument. The Proclamation states that "Arrow Creek is a critical seed source for cottonwood trees for the flood plain along the Missouri." However, this is only one of many positive attributes of maintaining the fully functioning cottonwood galleries on Arrow Creek and the Judith River. The BLM is not seeking additional reserved water rights on the mainstem of the Missouri River for cottonwoods. The BLM and the State of Montana have already entered into a compact for instream flow reservations on the 149-mile stretch of the Missouri River that comprises the Upper Missouri National Wild and Scenic River. The Proclamation reserves a sufficient quantity of water in Arrow Creek and the Judith River to support the "outstanding objects of biological interest that are dependent on water, such as a fully functioning cottonwood gallery forest ecosystem that is rare in the Northern Plains." Although maintaining the cottonwood gallery forests on Arrow Creek and the Judith River would have positive effects on cottonwoods on the mainstem of the Missouri, the reserved water right is not an additional reservation of water for cottonwoods on the Missouri.

Arrow Creek and the Judith River currently contain functioning cottonwood gallery forest ecosystems, and the federal reserved water right is not an "additional" reservation of water. The reserved water right is for the quantity of water necessary to sustain these forests on Arrow Creek and the Judith River. Cottonwoods on Arrow Creek and the Judith River are dependent upon flow regimes which support establishment, recruitment, and survival of seedlings to mature trees. Without a doubt, the cottonwood trees on Arrow Creek and the Judith River would benefit.

A vast majority, but not all, of cottonwood trees growing in the two drainages are located on either private or state land, and the BLM has no authority to manage for cottonwoods growing on private or state land. However, it states in the Proclamation that "Lands and interests in lands within the proposed monument not owned by the United States shall be reserved as a part of the monument upon acquisition of title thereto by the United States." If those lands were to come into title of the United States, they would be withdrawn from the public domain. The BLM will consider any land acquisition proposal brought forward by a willing seller, but will not pursue the acquisition of private land unless approached by a landowner or their representative.

As of now, a flow regime still exists in the Judith River and Arrow Creek to support the purposes for which the Monument was created. Spring flood flows provide adequate water, lateral channel movement, and sediment yield to support the biological resources and cottonwood gallery forests. The BLM needs to know the magnitude, timing, and frequency of flows necessary to support the outstanding water dependent biological resources and cottonwood galleries that were the basis for the reserved water rights. Once BLM has an idea what flow criteria are necessary to support the above mentioned features, the information will be utilized in the negotiation process and will be available to interested parties who are concerned about the quantification. The reserved water rights process generally takes several years to complete, and the reservation process will not be completed with the plan development phase of this plan.

The BLM is not seeking an "additional" water reservation to advance cottonwoods on the Missouri even though maintaining flow regimes in Arrow Creek/Judith would have beneficial impacts to them. The BLM is aware of the river study conducted by the Montana Natural Heritage Program since it was prepared for the BLM Lewistown Field Office.

1500-30 *Comment* *I haven't read the 500-page book or whatever it is, but I've been told that it allows the water rights that exist to be there, but it doesn't allow ranchers to come drill new wells in order to feed their -- let their cattle have some water in some other drainage, and I think we need to allow the ranchers to have more wells.*

1500-30 Response Yes, according to Montana DNRC, groundwater appropriations of 35 gallons per minute or less and 10 acre feet or less must first be appropriated and put to use before a water right is issued. Stockwater impoundments of less than 15 acre feet may be constructed first and then a form filed upon completion.

If the existing water rights are senior to the date of the Proclamation, no impact will occur as a result of the federal reserved water rights. The State of Montana has never allowed federal reserved rights to impact existing state-based water rights.

Existing water rights junior to the date of the Proclamation may be impacted if it is determined that the water use is harming BLM's water rights. Changes to existing water rights could, and probably would, also be affected. The BLM would likely object to any expansion of the existing water rights or to changes that would alter the flow regimes in

ways that would negatively impact the federal reserved water right (i.e. changing an irrigation right from summer diversion to impoundment in a reservoir during spring runoff).

1500-31 *Comment* *The presidential proclamation establishing the Upper Missouri River Breaks National Monument states: "Because waters of the Upper Missouri River through the monument area have already been reserved through the Congress's designation of the area as a component of the National Wild and Scenic River System in 1976, this proclamation makes no additional reservation of water, except in two small tributaries, the Judith River and Arrow Creek."*

It appears that any change in the use of waters of the Missouri River flowing through the Monument is beyond the scope of the Draft Resource Management Plan, as adequate regulations have already been determined by the National Wild and Scenic River designation of the reach of water from Fort Benton to the Robinson Bridge.

1500-31 Response The BLM is not seeking additional reserved water rights on the mainstem of the Missouri River for cottonwoods. The BLM and the State of Montana have already entered into a compact for instream flow reservations on the 149-mile stretch of the Missouri River that comprises the Upper Missouri National Wild and Scenic River. The Proclamation reserves a sufficient quantity of water in Arrow Creek and the Judith River to support the "outstanding objects of biological interest that are dependent on water, such as a fully functioning cottonwood gallery forest ecosystem that is rare in the Northern Plains."

The BLM already has a federal reserved water right with a priority date of the date of the Proclamation and a quantity which is sufficient to fulfill the purposes for which the Monument is established. The quantity and timing of water necessary to support the water dependent objects of biological interest is still to be determined. The reserved right may be for surface water and for flows necessary to recharge the hydrologically connected shallow alluvial groundwater necessary to support the cottonwood gallery forests.

Although a majority of the land on which the cottonwood galleries occur on Arrow Creek and the Judith River is private land, it states in the Proclamation that "Lands and interests in lands within the proposed monument not owned by the United States shall be reserved as a part of the monument upon acquisition of title thereto by the United States." Even though BLM has no authority to manage for cottonwoods on the private land, if those lands were to come into ownership of the United States, they would be withdrawn from the public domain. The BLM will consider any land acquisition proposal brought forward by a willing seller, but will not pursue the acquisition of private land unless approached by a landowner or their representative.

If the existing water rights are senior to the date of the Proclamation, no impact will occur as a result of the federal reserved water rights. The State of Montana has never allowed federal reserved rights to impact existing state-based water rights.

Existing water rights junior to the date of the Proclamation may be impacted if it is determined that the water use is harming BLM's water rights. Changes to existing water rights could, and probably would, also be affected. The BLM would likely object to any expansion of the existing water rights or to changes that would alter the flow regimes in ways that would negatively impact the federal reserved water right (i.e. changing an irrigation right from summer diversion to impoundment in a reservoir during spring runoff).

Group		**Water**
		Chapter 4, Livestock Grazing, Impacts to Livestock Grazing Common to All Alternatives, the Water section, has been updated in the Proposed RMP/Final EIS to better explain the potential impacts from the water reservation. The BLM will not know the quantity of water established by the reserved water rights until the necessary data collection is completed and then negotiations begin and are completed with the Reserved Water Right Compact Commission.
Group		**Forest Products**
2050-01	*Comment*	*We also believe there is a need to assure retention of adequate coarse woody debris on the ground after timber harvest for necessary ecological structure and functioning (including soil productivity and nutrient cycling). The RMP should assure that projects tiered to the RMP analyze and disclose impacts of management on large woody debris, and should include direction for retention of adequate large woody debris on the ground to maintain soil productivity and nutrient cycling.*
2050-01	Response	Retention of coarse woody debris and other site-specific mitigations are not analyzed at the RMP level, but are analyzed during site-specific project development such as watershed planning.
2050-02	*Comment*	*MWF believes that any commercial timber harvest in the Monument shall require an approved permit only after a complete landscape analysis is conducted and it can be proven that the integrity of the Monument will be enhanced by the project.*
2050-02	Response	The BLM's goal is to provide a healthy ecosystem that achieves a sustainable natural variation of vegetation communities. Under the Preferred Alternative in the Proposed RMP/Final EIS, where forest/woodland health is in jeopardy, minimal impact harvesting techniques that are appropriate for soil and topographical conditions may be pursued. All proposed actions in the future must be in conformance with the Monument RMP and Record of Decision when completed (43 CFR 1601.0-5(b)). Proposed actions on or affecting BLM land must also be reviewed for National Environmental Policy Act (NEPA) compliance.
Group		**Public Access**
2101-01	*Comment*	*Obtain road easements or R/Ws across private land or acquire/exchange private land to provide public or equitable access to the BLM land. We need public access to our public lands.*
2101-01	Response	Currently 29% of the BLM road system provides public access to the Monument where landowner permission is not required to access BLM roads. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM would coordinate with state agencies and county governments to improve public access to BLM land. Easements or fee acquisition opportunities would only be considered with willing landowners to enhance the values of the Monument and provide public access to or within the Monument, or additional public access to meet management objectives, including dispersed recreation use.

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

2101-02 *Comment* *Please retain motorized public access to the BLM land as many other areas are being restricted or closed to travel. Further limitations/restrictions might lead to more trespass activity by the public.*

2101-02 Response One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument.

Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded.

If a road is creating excessive soil erosion or causing a disturbance to important wildlife habitat, the BLM may have to either restrict access on the road or close it altogether. This would be necessary to mitigate further impacts to the values for which the Monument was designated.

2101-03 *Comment* *Private landowners should not be allowed to grant access to BLM land for only certain folks/visitors. This results in an exclusive right which is considered discriminatory.*

2101-03 Response Private property owners have the right to determine who can drive across their land whether it provides access to other private property, state land, or to BLM land. The BLM will respect private property rights.

Landowner permission may be required for access to BLM roads. Some landowners are very liberal in granting permission to cross their private property and others range from very conservative to no permission at all in the Monument area. Under the Preferred Alternative, those BLM roads identify as dashed green lines show where the public may need permission from the private landowner to access BLM roads.

Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM would coordinate with state agencies and county governments to improve public access to BLM land. Easements or fee acquisition opportunities would only be considered with willing landowners to enhance the values of the Monument and provide public access to or within the Monument, or additional public access to meet management objectives, including dispersed recreation use. The BLM would also consider building or rerouting roads as necessary for additional public access to large blocks of BLM land.

2101-04 *Comment* *Certain roads will be identified for RS-2477 consideration.*

2101-04 Response The BLM does not have the authority to make binding determinations on the validity of R.S. 2477 right-of-way claims. The BLM may, however, make informal, non-binding

determinations for its own land use planning and management purposes. A non-binding determination that the right-of-way exists is required before completing consultation with states or counties on any proposed improvements to a claimed R.S. 2477 right-of-way, i.e., any work beyond routine maintenance. A non-binding determination may also be appropriate before taking action to close or otherwise restrict the use of a claimed R.S. 2477 right-of-way. Such determinations must be based on the particular laws of each state in which a claimed right-of-way is situated. For additional information, see the Lands and Realty section of Decisions Common to All Alternatives, Chapter 2.

2101-05 *Comment* *BLM roads shown as green on the transportation map yet actually require landowner permission before reaching the government land should not be identified as available for public travel (an open designation). These roads should be closed within the Monument boundaries for three years unless a formal right-of-way easement can be secured. Exceptions to this closure should be made for grazing and gas exploration leases and administrative use.*

2101-05 Response Under the Preferred Alternative, those BLM roads identify as dashed green lines show where the public may need permission from the private landowner to access BLM roads. Some landowners are very liberal in granting permission to cross their private property and others range from very conservative to no permission at all in the Monument area.

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

Under the Preferred Alternative in the Proposed RMP/Final EIS, there would be public motorized access for 124 miles (31% of the BLM road system open); landowner permission is not required for access to these BLM roads.

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

2101-06 *Comment* *There should be improved public access for non-motorized uses only.*

2101-06 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM could provide Level 2 campsites that would be park and explore sites where people could walk from designated parking areas. Also Level 3 sites would be pullout sites immediately adjacent to a road. This would provide increased availability for non-motorized activities such hiking, etc. For additional information see the Uplands Special Recreation Management Area section of Chapter 2.

2101-07 *Comment* *All proposed alternatives effectively reduce, some dramatically, the amount of public land available for hunting by the majority of the general public.*

2101-07 Response Wildlife habitat security for big game animals is one of the criteria used to restrict traffic seasonally on some BLM roads. Under the Preferred Alternative in the Proposed RMP/Final EIS motorized public access during the hunting season would be restricted on about 81 miles of BLM roads. However, motorized travel would be allowed for game retrieval from 10 a.m. to 2 p.m. to improve harvest opportunities. Another mitigation

measure for wildlife habitat security is to close yearlong those short parallel roads down adjacent ridgelines.

2101-08	*Comment*	*The Monument area has remained relatively wild for so long because of limited access. By perpetuating current levels of use and increasing means of access, the proposed plan will destroy the values for which the Monument was created.*
2101-08	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM would close 201 miles of BLM roads and seasonally close another 111 miles. This would reduce the number of roads in the Monument and the road density. During the spring and early summer months, motorized traffic is relatively light on the BLM roads. In late summer and fall, scouting for wildlife and hunting activities increases the traffic volume significantly on BLM's road system in the Monument. Numerous landowners do grant permission to reach BLM land and the Montana Dept of Fish, Wildlife and Parks has several Block Management Area (BMA) agreements in place for public access during the hunting season. Currently 29% of the BLM road system provides public access to the Monument where landowner permission is not required to access BLM roads. However, the presence of these BMAs have provided increased access and therefore increased motorized vehicle use during the big game hunting season.
2101-09	*Comment*	*As we have seen in the Flathead, Bitterroot, Big Hole, Dillon, these ranches are bought up by big money, and closed to the public for all recreation, be it hunting, fishing, hiking, or what have you.*
2101-09	Response	One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM would coordinate with state agencies and county governments to improve public access to BLM land. Easements or fee acquisition opportunities would only be considered with willing landowners to enhance the values of the Monument and provide public access to or within the Monument, or additional public access to meet management objectives, including dispersed recreation use. The BLM would also consider building or rerouting roads as necessary for additional public access to large blocks of BLM land. The BLM could cooperate with Montana Fish, Wildlife and Parks and private landowners to improve recreation access through participation in block management programs or developing access agreements with willing private landowners.
2101-10	*Comment*	*On page 90, Chapter 2, access, how does the BLM propose to acquire public access easements? What is budgeted for such an endeavor?*
2101-10	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM would coordinate with state agencies and county governments to improve public access to BLM land. Easements or fee acquisition opportunities would only be considered with willing landowners to enhance the values of the Monument and provide public access to or within the Monument, or additional public access to meet management objectives, including dispersed recreation use.

The BLM's budget process includes an annual work plan for setting priorities and allocating funding based on final congressional appropriations. Funding levels affect the timing and implementation of management actions and project proposals, but do not affect the decisions made in an RMP. Land and Water Conservation Funds may be used for land acquisitions (either fee or conservation easement).

2101-11 *Comment* *If the BLM cannot negotiate agreements to secure public access, roads leading into the BLM from private land without public access should be closed.*

2101-11 Response Landowner permission may be required for access to BLM roads. Some landowners are very liberal in granting permission to cross their private property and others range from very conservative to no permission at all in the Monument area. Under the Preferred Alternative, those BLM roads identify as dashed green lines on the map show where the public may need permission from the private landowner to access BLM roads.

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

2101-12 *Comment* *In the preferred alternative you have allowed open roads in portions of the monument that are inaccessible to the public. Access must be gained by crossing private land that is blocked to the public. In making this designation you have given the access management of over 100 thousand acres to the individual who controls the road through the private land. This means that individual has exclusive rights to the land. Giving some private individuals rights that are denied to other private individuals is discrimination and is very much frowned on by a government agency.*

2101-12 Response One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument.

Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM would coordinate with state agencies and county governments to improve public access to BLM land. Easements or fee acquisition opportunities would only be considered with willing landowners to enhance the values of the Monument and provide public access to or within the Monument, or additional public access to meet management objectives, including dispersed recreation use.

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

2101-13 *Comment* *I can see no right for the private landowner to close access to public land for his or her private use. Because they lease grazing rights per animal unit does not give them the right of ownership. They should not be able to close roads that are county and/or BLM maintained. If a road is closed it should be destroyed for all use not just a select few.*

2101-13 Response If you can legally reach the BLM land, the grazing permittee cannot keep you from traveling on the BLM road. Of course, the BLM road must be designated open or seasonally open for the public to drive on the road.

Group		Public Access
2101-14	*Comment*	*Lately this area is being greatly privatized due to the road closures of private landowners. They can pretty much control all access to thousands of acres of BLM land. Some of those closures may not even be legal closures. The areas which I'm talking about are 21 Mile Quist Road closure, due to Bill Robinson closing the road and demanding permission only, and the others are on Ervin Ridge and the Lion Coulee access where the road goes through a very small part of the old Ophus Ranch land (now owned by a party from Washington). Even if you were to leave most of the BLM land roads open, you can't get to them because of private land closure. I wonder how legal this actually is. This is privatization of a huge area to an extreme in this locality.*
2101-14	Response	Currently 29% of the BLM road system provides public access to the Monument where landowner permission is not required to access BLM roads. Private property owners have the right to determine who can drive across their land whether it provides access to other private property, state land, or to BLM land. The BLM will respect private property rights. Landowner permission may be required for access to BLM roads. Some landowners are very liberal in granting permission to cross their private property and others range from very conservative to no permission at all in the Monument area. One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM would coordinate with state agencies and county governments to improve public access to BLM land. Easements or fee acquisition opportunities would only be considered with willing landowners to enhance the values of the Monument and provide public access to or within the Monument, or additional public access to meet management objectives, including dispersed recreation use.
2101-15	*Comment*	*Outfitters cause one of my biggest heartaches. I hunt an area that is in the Monument. The preferred alternative will close roads in the Monument that will leave a huge amount of public land inaccessible to me. To reach that public land, it is necessary for me to cross private property. The landowner of that property leases his place to an outfitter and they lock the gates to the rest of us. Now, only that outfitter has access to the public land behind the private. That just isn't fair. Why should an outfitter be allowed to hunt and make money from public land that I am locked out of? I have as much right to use that land as the outfitter. If I am unable to use it because of access, then they should have to operate under the same set of rules and not be able to use it either.*
2101-15	Response	If a BLM road is closed to motorized public access, then that same road is also closed to the outfitter and clients. Even if the landowner leases a ranch to the outfitter or gives them permission to cross the private property, the road is closed to public use. The outfitter has to abide by the BLM stipulations in the authorized special recreation permit (SRP). This concern was voiced in many of the public comments as to "equitable access" for visitors and motorized users who travel on the BLM roads during the hunting season in the Monument. If it involves a commercial activity, the BLM has the authority to require certain stipulations before a SRP is issued. Each SRP authorization would be considered a separate discretionary action by the Monument Manager.
2101-16	*Comment*	*The healthy population of elk, deer and antelope depends on the ability for the FWP to regulate numbers by the use of hunting. As the average age of hunters increases, the need for transportation in this area will become more important. We see no mention as to the affect or effect that the lack of transportation or access will have in regards to the ability to regulate animal populations. We find that the DEIS does not adequately address this issue and find no interaction that the BLM has had with the FWP in regards to this issue.*

Group		Public Access
2101-16	Response	The transportation plan was developed through the RMP process that included five cooperating agencies. The four counties in the area and the State of Montana are cooperating agencies. The transportation plan was developed with input from Montana Fish, Wildlife and Parks. The Preferred Alternative in the Proposed RMP/Final EIS for transportation includes several changes from the Draft RMP/EIS to improve hunting and harvest opportunities. The cooperating agencies have interacted with the RMP team since the project was initiated in 2002.
2101-17	*Comment*	*It would be nice to keep some public land open to all interest groups.*
2101-17	Response	The Preferred Alternative in the Proposed RMP/Final EIS would allow public motorized travel on 293 miles of roads open yearlong and 111 miles open seasonally. Of the 404 miles open yearlong or seasonally, about 124 miles (31% of the BLM road system) would not require landowner permission for access to these BLM roads. About 201 miles would be closed to public motorized travel. Additional information is included in the BLM Road System section of Chapter 2 in the Proposed RMP/Final EIS. County roads and state highways that cross Monument land also provide public access. For additional information see the Transportation section of Chapter 3.
2101-18	*Comment*	*Removal of access without justification is not good government.*
2101-18	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded.
2101-19	*Comment*	*Agencies are encouraged to recognize, in the form of access, groups who expend effort and money in maintaining and improving roads and trails.*
2101-19	Response	Partnerships, volunteerism, cooperative agreements, etc. have been used in the past by the BLM to complete or participate in various projects on BLM land. Recognition of these groups and individuals is very important and encouraged by the BLM as would be the case in the Monument. Although no access for motorized trails is permissible in the Monument as directed in the Proclamation, there are other opportunities for roads, trailheads, parking areas, etc.
2101-20	*Comment*	*Anytime there is a land exchange between private and public entities, a public access easement or right-of-way should be required in order to offset the trend of less public access to public land over the past 35 ± years and the cumulative negative impact of that trend on multiple-use recreationists.*
2101-20	Response	One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument.

Group		Public Access
		Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM would coordinate with state agencies and county governments to improve public access to BLM land. Easements or fee acquisition opportunities would only be considered with willing landowners to enhance the values of the Monument and provide public access to or within the Monument, or additional public access to meet management objectives, including dispersed recreation use. It would not be in the best interest or the intent of the BLM to give up a public access road to a block of BLM land. Land exchanges could be used to consummate improved access or to block up the land.
2101-21	*Comment*	*Access as currently provided is really not adequate.*
2101-21	Response	Currently, 29% of the road mileage on BLM land (171 miles) in the Monument provides public access; landowner permission is not required for access to these BLM roads. One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument.
2101-22	*Comment*	*We oppose the building of new access roads or re-routing (as proposed in Alternative F) to provide road access to Monument lands where access is blocked by adjoining private landowners.* *Road access to every BLM parcel is not necessary, and there is a positive value to visitors in having some parcels that are accessible only from the river.*
2101-22	Response	One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument. It is not BLM's intent nor would it be reasonable to provide legal road access to every parcel of BLM land. We have been given the responsibility to preserve and protect the objects for which the Monument was designated. Unlimited motorized access would not meet that goal.
2101-23	*Comment*	*BLM in this plan will prevent the public from using those lands and public access to those valuable resources and public hunting opportunity.*
2101-23	Response	One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The BLM would implement decisions such as closing or limiting some roads to motorized traffic. These may be different than the existing recreational access roads being traveled by the public.
2101-24	*Comment*	*The minimum standard of legal access to make a road public is the existence of a recorded right of way across the private land.*

2101-24 Response The Preferred Alternative in the Proposed RMP/Final EIS would allow public motorized travel on 293 miles of roads open yearlong and 111 miles open seasonally. Of the 404 miles open yearlong or seasonally, about 124 miles (31% of the BLM road system) would not require landowner permission for access to these BLM roads. This is public access, which includes easements from the state and private landowners. County roads and state highways that cross Monument land also provide public access. For additional information see the Transportation section of Chapter 3.

2101-25 Comment *Acquire federal rights-of-way across state and private land to the Breaks NM boundary (only), not beyond. Do not build, improve, acquire trails, roads, troads, ways, routes, etc. within the Breaks NM. None of this newly acquired public access to the Breaks NM should be for motorized/mechanized vehicles, equipment uses within the Breaks NM at anytime.*

2101-25 Response The BLM's vision is to manage the Monument in a manner that maintains and protects its biological, geological, visual and historic objects and preserves its remote and scenic character. The RMP will incorporate the Proclamation, multiple use and existing laws, while recognizing valid existing rights and authorizations, and providing diverse recreational opportunities. The BLM will manage the Monument to protect and preserve the resources and values present and to provide the opportunity for the people to enjoy these values.

The Proclamation directs the BLM to prepare a transportation plan for a road system within the Monument that addresses the actions, including road closures or travel restrictions, necessary to protect the objects. The Proclamation does not proclaim that the BLM land is only available for non-motorized use.

2101-26 Comment *I object to the fact that private owners can lock up a road leading to/through public land with only a narrow strip of private land. These owners then get private use of miles of public land and roads.*

2101-26 Response Private property owners have the right to determine who can drive across their land whether it provides access to other private property, state land, or to BLM land. The BLM will respect private property rights. Landowner permission may be required for access to BLM roads. Some landowners are very liberal in granting permission to cross their private property and others range from very conservative to no permission at all in the Monument area.

Under the Preferred Alternative in the Proposed RMP/Final EIS, there would be public motorized access for 124 miles (31% of the BLM road system open); landowner permission is not required for access to these BLM roads. The BLM would coordinate with state agencies and county governments to improve public access to BLM land. Easements or fee acquisition opportunities would only be considered with willing landowners to enhance the values of the Monument and provide public access to or within the Monument, or additional public access to meet management objectives, including dispersed recreation use.

2101-27 Comment *With all this difficulty in gaining access, I also object to this plan because it will shut down 200 more miles of roads in the Monument. These are roads that have been used for decades, there is no reason to shut them down. Access is bad enough already.*

2101-27 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting,

geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. About 293 miles would be open yearlong and 111 miles would be open seasonally. There would be public motorized access for 124 miles (31% of the BLM road system open); landowner permission is not required for access to these BLM roads.

The BLM would reduce the number of parallel and spur roads (172 miles) and some roads in areas with important wildlife habitat (1 mile), in areas considered unsuitable due to erosion and slope (13 miles), and in other areas (15 miles). There are 201 miles proposed for closure.

2101-28 *Comment* *I am in favor of the Monument but the public needs access to it on the same roads and trails that adjacent landowners and outfitters have. They are using a public resource (wild game) on public owned property (BLM and CMR) to make a private profit while denying access to the same public property for the general public. If we cannot access our land on an equal and same roads then no special privileges should be given to adjacent landowners, grazing leases or outfitters.*

2101-28 Response Under the Preferred Alternative, those BLM roads identify as dashed green lines show where the public may need permission from the private landowner to access BLM land. Some landowners are very liberal in granting permission to cross their private property and others range from very conservative to no permission at all in the Monument area.

Private property owners have the right to determine who can drive across their land whether it provides access to other private property, state land, or to BLM land. The BLM will respect private property rights. Landowner permission may be required for access to BLM roads. Some landowners are very liberal in granting permission to cross their private property and others range from very conservative to no permission at all in the Monument area.

Currently 29% of the BLM road system provides public access to the Monument where landowner permission is not required to access BLM roads. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM would coordinate with state agencies and county governments to improve public access to BLM land. Easements or fee acquisition opportunities would only be considered with willing landowners to enhance the values of the Monument and provide public access to or within the Monument, or additional public access to meet management objectives, including dispersed recreation use.

2101-31 *Comment* *On page xxii in the Access and Transportation, gaining additional access is discussed. It is MSGA, PLC and MASGD's view that most landowners will not be "willing and will be reluctant to provide additional public access easements. It is our hope your agency will not use or abuse your authority that force landowners or grazing permittees into being "willing landowners." These landowners did not choose be within the boundary designation and therefore should not penalized or obligated to provide additional services.*

2101-31 Response Private property owners have the right to determine who can drive across their land whether it provides access to other private property, state land, or to BLM land. The BLM will respect private property rights. Landowner permission may be required for access to BLM roads. Some landowners are very liberal in granting permission to cross their private property and others range from very conservative to no permission at all in the Monument area.

Currently 29% of the BLM road system provides public access to the Monument where landowner permission is not required to access BLM roads. One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM would coordinate with state agencies and county governments to improve public access to BLM land. Easements or fee acquisition opportunities would only be considered with willing landowners to enhance the values of the Monument and provide public access to or within the Monument, or additional public access to meet management objectives, including dispersed recreation use.

2101-32 *Comment* *The Monument needs an absolute minimum of motorized access with all the noise . . . weeds . . . and other impacts that come with motors. This means land air, and water.*

2101-32 Response Under Preferred Alternative in the Proposed RMP/Final EIS, there would be four fewer backcountry airstrips available for public access in the Monument. Compared to the current situation, there would be an 40% decrease in the number of backcountry airstrips available for public aircraft access.

Under the Preferred Alternative in the Proposed RMP/Final EIS, there would be 201 miles of roads closed to motorized public access yearlong. In addition, there would be 111 miles of restricted motorized vehicle public access with a seasonal travel restriction. Overall, the Preferred Alternative would limit in some manner motorized public access on 312 miles of BLM roads (51%) compared to 81 miles (13%) today.

2101-33 *Comment* *Let's face it, the Monument status does nothing to help the hunters or fishermen maintain or increase access. Number of game in at an all time high, the number of people hunting is decreasing.*

2101-33 Response For the transportation plan under the Preferred Alternative in the Proposed RMP/Final EIS, there would be 404 miles of BLM roads open for motorized public travel at least part of the year. Of the 404 miles open yearlong or seasonally, about 124 miles (31% of the BLM road system) would not require landowner permission for access to these BLM roads.

One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument.

2101-34 *Comment* *Will the implementation of the Monument in any way increase access or usability to already available resources?*

2101-34 Response One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument. The Preferred Alternative in the Proposed RMP/Final EIS would allow public motorized travel on 293 miles of roads open yearlong and 111 miles open seasonally. Of the 404 miles open yearlong or seasonally, about 124 miles (31% of the BLM road system) would not require landowner permission for access to these BLM roads.

2101-35 *Comment* *I urge you to reconsider the amount of roads and airports in the draft management plan. Certainly ranchers and hunters need access, but this access should not spoil the value of solitude that makes the region so special. There are many other places where hunters can drive to the hunt. The Breaks is different. The management plan should respect this.*

2101-35 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, there would be 81 miles of road closed to motorized travel during the hunting season (September 1 through November 30) except to retrieve game from 10 a.m. to 2 p.m. daily. In addition, there would be 201 miles closed yearlong to motorized access. This amounts to 282 miles of road access that would be restricted during the hunting season compared to 81 under the current situation in the Monument (Alternative A).

2101-36 Comment *Make sure there is at least one reliable road into all areas. Only close redundant access roads.*

Do not let special interest anti-access groups from outside the affected area dictate to the traditional and historical users of the local public lands.

If access for hunters and other recreationalists is denied across public lands, is there alternative and free access that can be guaranteed across private lands? If the answer is no, then do not close the public lands access.

2101-36 Response Unless BLM has an access easement across the private or state land, there is no guarantee a road on private or state land would be open to motorized travel. There are areas under Montana Fish, Wildlife and Parks Block Management Area (BMA) program that can provide public access during the hunting season but normally there are certain conditions tied to each agreement.

Under the Preferred Alternative in the Proposed RMP/Final EIS, there would 47 miles of public access closed to motorized travel, leaving 124 miles open at least part of the year; landowner permission is not required for access to these BLM roads. The reason some of these roads are closed includes erosion and slope conditions have made the road impassable, redundant roads or roads that provide motorized access to same spot, and short spur roads.

2101-37 Comment *I would like to voice my concern and ask what steps have been taken and which public groups are collaborating with the BLM to ensure access to these public and private lands.*

2101-37 Response The BLM has 16 easements that provide public access to BLM land. Ten of these are with private landowners and six are with the State of Montana. For additional information see the Transportation section of Chapter 3 of the Proposed RMP/Final EIS.

One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM would coordinate with state agencies and county governments to improve public access to BLM land. Easements or fee acquisition opportunities would only be considered with willing landowners to enhance the values of the Monument and provide public access to or within the Monument, or additional public access to meet management objectives, including dispersed recreation use.

The BLM could cooperate with Montana Fish, Wildlife and Parks and private landowners to improve recreation access through participation in block management programs or developing access agreements with willing private landowners.

2101-38 Comment *It seems that the goal of the BLM and the national preserves goal is to limit access to all persons whether it be hunter, fisherman or just off-road users. Why?*

2101-38 Response The Proclamation directs the BLM to prepare a transportation plan for a road system within the Monument that addresses the actions, including road closures or travel restrictions, necessary to protect the objects.

One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument. The BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded.

In the case of hunting, habitat security for wildlife is an issue. Under the Preferred Alternative in the Proposed RMP/Final EIS, some access roads would be closed from September 1 through November 30, but game retrieval with a motorized vehicle would be allowed from 10 a.m. to 2 p.m. daily.

2101-39 Comment *What about emergency access?*

2101-39 Response The Proclamation states that "For the purpose of protecting the objects identified above, the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." Travel off road and on closed roads would be allowed for any military, fire, search and rescue, or law enforcement vehicle used for emergency purposes.

2101-40 Comment *Private Lands. Although the Resource Management Plan admits that the BLM has no authority over the privately owned lands that exist within the exterior boundaries of the Monument, the Plan also acknowledges that the authorized road closures will have an impact on access to and use of these private lands. The Plan states that private land owners will continue to have the right to use any road that is necessary to provide personal access to his or her privately owned land. However, it is unclear whether that private land owner will have the ability to authorize others to use otherwise closed roads to gain access to the same privately owned lands. If the roads leading to those lands are now closed to anyone but the actual owner of the private land, hunters who previously hunted private lands with the permission of the owner may no longer have the ability to access those private lands. Consequently, the Plan should be modified or clarified to indicate that an individual may be allowed to use a motorized vehicle on an otherwise closed road that provides access to privately owned land, if that individual has obtained permission from the private land owner to use that private property. We also recommend that the BLM manage these hunting opportunities on private land in such a way that they do not result in discrimination as to access opportunities for members of the general public who want to continue to enjoy hunting opportunities on public land.*

2101-40 Response The BLM recognizes this is an important issue raised during the public comment period. BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use).

2101-41 Comment *Easements considered only with willing sellers and easements where no legal access exists or where additional access is needed as long as such access does not impair the objects of the Monument. Pursuant to the RAC's finding years ago, there should be no*

additional road access to the river for put-in or take-out. Roads should be kept out of the Wild and Scenic corridor.

2101-41 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, there would be less road access in the Upper Missouri National Wild and Scenic River (UMNWSR) than currently exists under Alternative A (Current Management). Under the Preferred Alternative, 34 miles of BLM roads in the UMNWSR would be closed to public motorized travel. Twelve additional miles would be seasonally closed to public motorized use and 33 miles would be open yearlong. The majority of the closed roads are located downriver or east of the PN Bridge (for additional information, see Map 5, East Half Transportation Map).

2101-42 Comment *The farmers, ranchers and people living close to the Monument day after day - year after year, deserve to have access to the Monument.*

2101-42 Response Under the Preferred Alternative in the Proposed RMP/Final RMP, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use).

The Preferred Alternative in the Proposed RMP/Final EIS would allow public motorized travel on 293 miles of roads open yearlong and 111 miles open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30).

For administrative purposes travel would be authorized off road and on closed roads for BLM, other federal agencies, state and county agencies, lessees and permittees. Administrative purposes would be limited to those activities necessary to administer the permit or lease. If a segment of a closed road provides access to a facility and becomes impassable, maintenance could be authorized on a case-by-case basis.

2101-43 Comment *Please do not lock all this up with no access!*

2101-43 Response For the transportation plan under the Preferred Alternative in the Proposed RMP/Final EIS, there would be 404 miles of roads open for motorized public travel at least part of the year. Of the 404 miles open yearlong or seasonally, about 124 miles (31% of the BLM road system) would not require landowner permission for access to these BLM roads.

One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM would coordinate with state agencies and county governments to improve public access to BLM land. Easements or fee acquisition opportunities would only be considered with willing landowners to enhance the values of the Monument and provide public access to or within the Monument, or additional public access to meet management objectives, including dispersed recreation use.

2101-44 Comment *There is way too much land access being closed in Montana. Leave the land open to everyone not just a few.*

2101-44 Response Currently 29% of the BLM road system provides public access to the Monument where landowner permission is not required to access BLM roads. One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the

features of the Monument. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM would coordinate with state agencies and county governments to improve public access to BLM land. Easements or fee acquisition opportunities would only be considered with willing landowners to enhance the values of the Monument and provide public access to or within the Monument, or additional public access to meet management objectives, including dispersed recreation use.

2101-45 *Comment* *Reasonable access "must" be maintained for everyone.*

2101-45 Response Currently 29% of the BLM road system provides public access to the Monument where landowner permission is not required to access BLM roads. One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument.

2101-46 *Comment* *Why should the land be locked so only some people can appreciate it and others have suffer.*

2101-46 Response Currently 29% of the BLM road system provides public access to the Monument where landowner permission is not required to access BLM roads. Private property owners have the right to determine who can drive across their land whether it provides access to other private property, state land, or to BLM land. The BLM will respect private property rights. Landowner permission may be required for access to BLM roads. Some landowners are very liberal in granting permission to cross their private property and others range from very conservative to no permission at all in the Monument area.

One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument.

2101-47 *Comment* *For National Security reasons, access to any and all Natural Resources that the USA strategically needs should not be impaired.*

2101-47 Response For administrative purposes travel would be authorized off road and on closed roads for BLM, other federal agencies, state and county agencies, lessees and permittees. Administrative purposes would be limited to those activities necessary to administer the permit or lease. If a segment of a closed road provides access to a facility and becomes impassable, maintenance could be authorized on a case-by-case basis.

2101-48 *Comment* *Keep the breaks present for the future use with no more closures to the public access.*

2101-48 Response One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. About 293 miles would be open yearlong and 111 miles would be open seasonally. There would be public motorized access for 124 miles (31% of the BLM road system open); landowner permission is not required for access to these BLM roads. The BLM would reduce the number of parallel and spur roads (172 miles) and some roads in areas with important wildlife habitat (1 mile), in areas considered unsuitable due to erosion and slope (13 miles), and in other areas (15 miles). There are 201 miles proposed for closure.

Group		Public Access
2101-49	*Comment*	*If you want to change anything do it for our benefit to gain more access.*
2101-49	Response	One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM would coordinate with state agencies and county governments to improve public access to BLM land. Easements or fee acquisition opportunities would only be considered with willing landowners to enhance the values of the Monument and provide public access to or within the Monument, or additional public access to meet management objectives, including dispersed recreation use.
2101-50	*Comment*	*Given the new guidance [R.S. 2477], the BLM must now revisit the entire transportation plan and provide opportunity for the counties to assert claim to roads in the monument.*
2101-50	Response	Current guidance is contained in Washington Office Instruction Memorandum 2006-159: Non-Binding Determinations of R.S. 2477 Right-of-Way Claims. Briefly, this guidance states that the BLM does not have the authority to make binding determinations on the validity of R.S. 2477 right-of-way claims. The BLM may, however, make informal, non-binding determinations for its own land use planning and management purposes. A non-binding determination that the right-of-way exists is required before completing consultation with states or counties on any proposed improvements to a claimed R.S. 2477 right-of-way, i.e., any work beyond routine maintenance. A non-binding determination may also be appropriate before taking action to close or otherwise restrict the use of a claimed R.S. 2477 right-of-way. Such determinations must be based on the particular laws of each state in which a claimed right-of-way is situated. For additional information see the Lands and Realty section of Decisions Common to All Alternatives in Chapter 2.
2101-51	*Comment*	*Closing roads will deny recreational users access to many important and historic parts of the affected areas. Has the BLM made plans to notify recreational users and learn of their concerns and the impact upon them? Has the BLM considered alternative means or routes of access to those impacted by such closings?*
2101-51	Response	The range of alternatives in the Draft RMP/EIS includes six alternatives for the transportation system in the Monument. This range includes Alternative A (Current Management), which is the current designated road system. The range of alternatives varies from Alternative A, which would leave most roads open yearlong or seasonally, to Alternative E, which would close most of the roads in the Monument. The public was provided opportunities to participate in the process during scoping, alternative development, and comments on the 2005 Draft RMP/EIS. For additional information on the public involvement process see Chapter 5 of the Proposed RMP/Final EIS. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. About 293 miles would be open yearlong and 111 miles would be open seasonally. There would be public motorized access for 124 miles (31% of the BLM road system open); landowner permission is not required for access to these BLM roads. The BLM would reduce the number of parallel and spur roads (172 miles) and some roads in areas with important wildlife habitat (1 mile), in areas considered unsuitable due to erosion and slope (13 miles), and in other areas (15 miles). There are 201 miles proposed for closure. The BLM would also consider building or rerouting roads as necessary for additional public access to large blocks of BLM land.

Through implementation existing traffic control and directional signs would be maintained. New signs would be added where monitoring indicates a need to enhance safety or prevent resource damage or visitor confusion. Roads open to motorized and mechanized travel would be signed (small road number signs). Closed roads would not be signed unless necessary to prevent resource damage. Education, enforcement, and travel plan maps would also be part of the implementation of the transportation plan.

2101-52 *Comment* *What plans are made to allow access to private lands who heretofore have required access through BLM roads now contemplated for closing?*

2101-52 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). There are 65 miles of BLM roads providing access to private land that would be designated open yearlong and 2 miles (two roads) that would be designated closed.

2101-53 *Comment* *The BLM – we feel should work to attain conservation easements where there is no access for the public to public land.*

2101-53 Response One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument.

Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM would coordinate with state agencies and county governments to improve public access to BLM land. Easements or fee acquisition opportunities would only be considered with willing landowners to enhance the values of the Monument and provide public access to or within the Monument, or additional public access to meet management objectives, including dispersed recreation use.

2101-54 *Comment* *When I look at this map over here and I see these roads that go from private lands and then onto public lands and then back onto private lands, and they're closed, but yet private landowners have exclusive access, that can be really abused by the wrong people. Now, most folks don't want to be a jerk. You know, if you're a landowner next to public land, and you let everybody, all your friends and all your buddies go onto public land, but nobody else can get there, you know, that doesn't go very well.*

2101-54 Response Private property owners have the right to determine who can drive across their land whether it provides access to other private property, state land, or to BLM land. The BLM will respect private property rights. Landowner permission may be required for access to BLM roads. Some landowners are very liberal in granting permission to cross their private property and others range from very conservative to no permission at all in the Monument area.

The Preferred Alternative in the Proposed RMP/Final EIS would allow public motorized travel on 293 miles of roads open yearlong and 111 miles open seasonally. Of the 404 miles open yearlong or seasonally, about 124 miles (31% of the BLM road system) would not require landowner permission for access to these BLM roads.

One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument. Under the Preferred Alternative in the

Group		**Public Access**
		Proposed RMP/Final EIS, the BLM would coordinate with state agencies and county governments to improve public access to BLM land. Easements or fee acquisition opportunities would only be considered with willing landowners to enhance the values of the Monument and provide public access to or within the Monument, or additional public access to meet management objectives, including dispersed recreation use. The BLM would also consider building or rerouting roads as necessary for additional public access to large blocks of BLM land. The BLM could cooperate with Montana Fish, Wildlife and Parks and private landowners to improve recreation access through participation in block management programs or developing access agreements with willing private landowners.
2101-55	*Comment*	*The deeded and State land acres within the Monument boundary comprise nearly 30% of the total acres of the Monument. By imposing restrictions on the access and use of land within the Monument, the plan will place hardships upon those who make a living from their land within the Monument.*
2101-55	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). There are 65 miles of BLM roads providing access to private land that would be designated open yearlong and 2 miles (two roads) that would be designated closed. For administrative purposes travel would be authorized off road and on closed roads for BLM, other federal agencies, state and county agencies, lessees and permittees. Administrative purposes would be limited to those activities necessary to administer the permit or lease. If a segment of a closed road provides access to a facility and becomes impassable, maintenance could be authorized on a case-by-case basis.
2101-56	*Comment*	*Landowners access should be guaranteed and the first priority.*
2101-56	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). There are 65 miles of BLM roads providing access to private land that would be designated open yearlong and 2 miles (two roads) that would be designated closed. For administrative purposes travel would be authorized off road and on closed roads for BLM, other federal agencies, state and county agencies, lessees and permittees. Administrative purposes would be limited to those activities necessary to administer the permit or lease. If a segment of a closed road provides access to a facility and becomes impassable, maintenance could be authorized on a case-by-case basis.
Group		**Land Ownership Adjustment**
2100-01	*Comment*	*Land exchanges that would allow consolidation of State Lands to provide for more efficient management could benefit the Monument and the State; it could consolidate BLM land ownership and make management applications more consistent. BLM should also work on obtaining conservation easements that will add to the protection of surrounding resources.*

Group		Land Ownership Adjustment
2100-01	Response	The BLM is willing to work with the State of Montana to accomplish an exchange of lands in the Monument that will be a win-win situation for both the BLM and the State. Conservation easements or fee acquisition opportunities that are brought forward by private landowners will be considered if they enhance the values of the Monument and are within the BLM's staff and budgetary constraints.
2100-02	*Comment*	*There is no analysis in the Draft that this land exchange would "further the protection purposes of the Monument." The exchange would decrease the total size of the Monument by 9 acres. These two plots are inside the wild and scenic rivers designation and under the Wild & Scenic Act, all private land can be condemned and purchased by the Federal government. If these two plots are that good, why shouldn't they be purchased by the BLM? There has been no archaeological study to determine in fact if there are any objects of the Monument on this property. Why is a single land exchange initiated by a single land owner being proposed in the RMP/EIS? Based on the Proclamation this proposed land exchange cannot go forward.*
2100-02	Response	Under the Proclamation, all federal lands and interests in lands are "hereby appropriated and withdrawn from all forms of entry, location, selection, sale, or leasing or other disposition under the public land laws, . . . and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of the monument." The proposed land exchange would further protect the purposes for which the Monument was designated. The 80 acres of public land identified for disposal in this exchange comprise an edge of the Monument and contain less than 5 acres of breaks topography. Due to its mostly flat terrain and the fencing pattern, the acreage was often mistaken as private land and used in trespass for haying or crops; it is currently leased for grazing. The 80 acres of public land are divided by a county road. Resources found on the public land consist of native grasses, sagebrush and domestic (alfalfa) vegetation. The two privately owned lots in the proposed exchange contain 30 to 40 acres of breaks topography. Resources consist of native grasses and riparian vegetation, wildlife and fisheries habitat, potential campsites for river recreationists, and 1/2 mile of Missouri River frontage. Information regarding the proposed exchange can be found in the Proposed RMP/Final EIS in Chapter 2, Land Ownership Adjustment, and in Chapter 4, Impacts to Lands and Realty from Health of the Land and Fire, Land Ownership Adjustment.
2100-03	*Comment*	*How will the Monument benefit from an exchange of land? What land has been identified for exchange? How will an exchange affect transportation and access? There should be no land exchanges unless the goal is to benefit the Monument.*
2100-03	Response	The 80 acres of public land identified for disposal in this exchange are located on the edge of the Monument and contain less than 5 acres of breaks topography. Due to its mostly flat terrain and the fencing pattern, the acreage was often mistaken as private land and used for haying; it is currently leased for grazing. The two privately owned lots contain 30 to 40 acres of breaks topography, Missouri River frontage and riparian vegetation, and would provide an additional camping area for floaters on the river. For additional information, see Chapter 2, Land Ownership Adjustment, in the Proposed RMP/Final EIS for a legal description of the public and private lands proposed for exchange. There would be no impact to transportation; river access to an additional camping area would be an impact of this exchange.

Group		Land Ownership Adjustment
2100-04	*Comment*	*The BLM said not to be concerned about the inclusion of private land within the Monument because the BLM cannot manage private land. The BLM also said the lands were included because the lands are targeted for government purchase from willing sellers. My definition of a willing seller is someone forced to sell because of economic and peer pressure imposed by BLM.*
2100-04	Response	The BLM will not pursue the acquisition of private land unless approached by a landowner or their representative. Conservation easements or fee acquisition opportunities that are brought forward by private landowners will be considered if they enhance the values of the Monument and are within the BLM's staff and budgetary constraints. Land and Water Conservation Funds may be used for land acquisitions (either fee or conservation easement). For additional information, see Chapter 2 under Decisions Common to All Alternatives, Lands and Realty, Land Ownership Adjustment.
2100-05	*Comment*	*The Proclamation anticipates important land will be acquired. Land acquisition has accomplished much in favor of public enjoyment and conservation of the Monument. The issue is sensitive but we encourage fee and scenic easements purchased from willing sellers using LWCF or land exchange. Also use public land outside the Monument for exchange lands. Highest acquisition priority should be bottomlands with historic and cultural sites as well as riparian or riparian potential. We encourage additional lands staff to accomplish this. Establish an effective real estate team within BLM and contract with local and regional private commercial real estate agencies. Elimination of private land ownership now by legal, fair, open, and honest real estate actions will preclude the tremendous inevitable conflicts with the management and conservation of the Monument in perpetuity.*
2100-05	Response	The BLM will not pursue the acquisition of private land unless approached by a landowner or their representative. Conservation easements or fee acquisition opportunities that are brought forward by private landowners will be considered if they enhance the values of the Monument and are within the BLM's staff and budgetary constraints. Land and Water Conservation Funds may be used for land acquisitions (either fee or conservation easement). For additional information, see Chapter 2 under Decisions Common to All Alternatives, Lands and Realty, Land Ownership Adjustment.
2100-06	*Comment*	*We recommend BLM remove the statement on land acquisition throughout the document and replace it with providing technical assistance with resource management if requested by a landowner. If these private lands don't stay private and they get swooped into this big area, it becomes eminent domain and the government can do whatever the government wants to do to your private land. Do not block up any more lands.*
2100-06	Response	The BLM will not pursue the acquisition of private land unless approached by a landowner or their representative. Conservation easements or fee acquisition opportunities that are brought forward by private landowners will be considered if they enhance the values of the Monument and are within the BLM's staff and budgetary constraints. Land and Water Conservation Funds may be used for land acquisitions (either fee or conservation easement). For additional information, see Chapter 2 under Decisions Common to All Alternatives, Lands and Realty, Land Ownership Adjustment.
2100-07	*Comment*	*The RMP should state that the BLM 'will not initiate purchase of private land.'*
2100-07	Response	The BLM will not pursue the acquisition of private land unless approached by a landowner or their representative. Conservation easements or fee acquisition opportunities that are brought forward by private landowners will be considered if they enhance the values of the Monument and are within the BLM's staff and budgetary

constraints. Land and Water Conservation Funds may be used for land acquisitions (either fee or conservation easement). For additional information, see Chapter 2 under Decisions Common to All Alternatives, Lands and Realty, Land Ownership Adjustment.

2100-08 *Comment* *The Antiquities Act conveys no land management authority to the President. Only the Secretary of Interior can withdraw land from mining and mineral entry and prescribe how the land will be managed. The proclamation withdraws land from mining and mineral entry effective January 17, 2001 and states that acquired lands within the monument will be reserved as part of the monument but fails to explain how these acquired lands are automatically withdrawn .... In my view, land acquired after January 17, 2001, would require a withdrawal action that can only be effected by Dept. of Interior or Congress.*

2100-08 Response Section 204 of FLPMA (43 U.S.C. 1714) states that "On and after the effective date of this Act, the Secretary is authorized to make, modify, extend, or revoke withdrawals . . . . The Secretary may delegate this withdrawal authority only to individuals in the Office of the Secretary who have been appointed by the President . . . ." Note that it does not say "Only the Secretary." As the head of the Executive Branch, the branch with authority over withdrawals, the President retains authority to take certain actions, including withdrawal actions. The Proclamation is recognized by the BLM as a valid withdrawal. The Proclamation also provided for the reservation of future acquisitions by the United States within the Monument area.

2100-09 *Comment* *The implication is that the Proclamation does apply to private and state land and connotes federal management on private land. Use of the term 'interests in lands' is curious because if it means private or state lands, then the Proclamation does apply to lands other than federal land.*

2100-09 Response The term 'interests in lands' can refer to less than fee acquisition of land by the Federal government, such as a conservation easement as opposed to outright ownership of that land by the federal government. It can also refer to water rights held by, or mineral or timber rights reserved by the Federal government. It does not connote BLM interest in acquiring specific private land, nor does it connote BLM jurisdiction over private land.

The BLM will not pursue the acquisition of private land unless approached by a landowner or their representative. Conservation easements or fee acquisition opportunities that are brought forward by private landowners will be considered if they enhance the values of the Monument and are within the BLM's staff and budgetary constraints. Land and Water Conservation Funds may be used for land acquisitions (either fee or conservation easement). For additional information, see Chapter 2 under Decisions Common to All Alternatives, Lands and Realty, Land Ownership Adjustment.

2100-10 *Comment* *We considered exchanging some of our private property within the Monument for something outside the Monument and were told there would be no land trades or exchanges within the Monument.*

2100-10 Response Once the Monument RMP is approved by a signed Record of Decision, land exchange opportunities would be considered on a case-by-case basis within the constraints outlined in Chapter 2 of the Proposed RMP/Final EIS under Decisions Common to All Alternatives, Lands and Realty, Implementation, Land Ownership Adjustment.

2100-11 *Comment* *The US Constitution restricts the Federal Government with regard to property it is allowed to possess. Article 1, Section 8, Subsection 17 clearly states this fact. It reads, and I quote: This is the powers delegated to Congress. Section 8. "The Congress shall have power to exercise exclusive legislation in all cases whatsoever over such district not*

Group		Land Ownership Adjustment
		exceeding ten miles square, as may, by cession of particular States and the acceptance of Congress, become the seat of the Government of the United States." The Federal government can only own land which it has purchased from a state only after that state's legislature consents and this land is only to be used for the erection of forts, magazines, arsenals, dockyards, and other needful buildings.
2100-11	Response	The referenced text appears to refer to land set aside for Washington, D.C.

Group		Access, Rights-of-Way/Easements
2102-01	*Comment*	*The plan states 'The BLM's goal is to provide reasonable access for the administrative needs and authorized uses of private landowners, industry and government agencies.' This implies that landowners will only be allowed to access their land for 'reasonable' and 'authorized' uses, both of which are currently undefined. The access and land use limitation this creates for landowners is unacceptable.*
2102-01	Response	Reasonable access would refer to access where the impacts can be mitigated; authorized use in this context refers to grazing leases or permits and other land use permits held by the private landowner.
2102-02	*Comment*	*The draft RMP does not clearly outline what steps the BLM will take to ensure that private property owners within the Monument will be allowed to continue mineral development without being subject to unfair transportation requirements. The draft RMP states that "roads providing motorized access to the boundary of private or state land would be open for private landowner and administrative travel" and "modifications to the road system would be based on the management guidance." Additionally, construction of pipelines would be limited. There is a possibility that future gas lines from Rocky Boy south would be prohibited resulting in economic loss and pressure to seek foreign gas exploration. These changes would effectively negate any private property owner's right and ability to economically develop minerals. Right-of-way mitigation requirements also may make mineral development economically prohibitive. Mineral development on private property is a historic use that should be continued in accordance with the Proclamation. Please provide an explanation of the BLM's plan to allow and enable this historic use to continue.*
2102-02	Response	Chapter 2 of the Proposed RMP/Final EIS, under Decisions Common to all Alternatives, Lands and Realty, Implementation, Rights-of-Way states in part: applications for rights-of-way will be considered pursuant to existing policies and practices, identified transportation and utility corridors, identified avoidance and exclusion areas, valid existing rights, and as necessary for adequate and reasonable access to state or private land as well as access for utility or transportation services. Applications for rights-of-way will also be considered for necessary and adequate access across BLM land to private and state minerals for exploration, development, and production (e.g., access roads and pipelines). Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). There are 65 miles of BLM roads providing access to private land that would be designated open yearlong and 2 miles (two roads) that would be designated closed.

Group		Access, Rights-of-Way/Easements
2102-03	*Comment*	*Claims filed pursuant to Revised Statute 2477 can pose a severe threat to public land resources. Both recent guidance from the DOI and court decisions confirm that BLM cannot make final determinations on the status of these claims and that only a court can issue such a decision. The RMP will not affect valid existing rights. However, BLM must not attempt to make determinations regarding assertions of RS 2477 rights-of-way over public lands when addressing how those land should be managed for vehicles or any other uses, unless a US court has issued a decision recognizing such right-of-way...BLM should not use this planning process to try to make determinations that must be made by a court based on sufficient evidence and will not be legally foreclosed by the RMP.*
2102-03	Response	The text in Chapter 2 under Decisions Common to All Alternatives, Lands and Realty, Implementation, Revised Statute 2477, has been revised to reflect the most recent guidance concerning Revised Statute 2477 roads.
2102-04	*Comment*	*Work with willing landowners to acquire appropriate and reciprocal access.*
2102-04	Response	Chapter 2 of the Proposed RMP/Final EIS under Access and Transportation, Access, Alternative F (Preferred Alternative) states: The BLM would coordinate with state agencies and county governments to improve public access to BLM land. Easements or fee acquisition opportunities would only be considered with willing landowners to enhance the values of the Monument and provide public access to or within the Monument, or additional public access to meet management objectives, including dispersed recreation use.
2102-05	*Comment*	*The primary tool for counties to assert claim under the RS 2477 provision was repealed by FLPMA in 1976. Roads established prior to 1976 are not affected by this repeal and most roads in the monument were established prior to 1976. Until March 22, 2006, the BLM had suspended processing of RS 2477 claims except under emergency conditions. Based on the 10th Circuit Court ruling on SUWA vs. BLM, former Secretary Norton has rescinded previous DOI interim policy on RS 2477 and issued new guidance on all RS 2477 matters.*
2102-05	Response	The text in Chapter 2 under Decisions Common to All Alternatives, Lands and Realty, Implementation, Revised Statute 2477, has been revised to reflect the most recent guidance concerning Revised Statute 2477 roads.
2102-06	*Comment*	*Make access to private property permanent.*
2102-06	Response	As necessary, applications for rights-of-way will be considered for adequate and reasonable access to private land. The BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use).
2102-07	*Comment*	*The Proclamation withdraws the Monument lands "from all forms of entry, location, selection, sale, or leasing or other disposition under the public land laws..." What sorts of activities would fall under the category of leasing, and specifically does this affect the issuance of new rights-of-way which are not subject to the "valid existing rights" provisions? In other words, is issuance of a right-of-way a form of leasing?*
2102-07	Response	The issuance of a right-of-way is a grant and not a form of leasing.
2102-08	*Comment*	*Shame on BLM for a plan that doesn't encourage development of clean, renewable wind energy.*

Group		**Access, Rights-of-Way/Easements**
2102-08	Response	Wind farms, while producers of clean and renewable energy can be a visual intrusion. The Monument is valued for its scenic qualities, and much of the Monument would be classified for Visual Resource Management I or II which calls for keeping visual intrusion to a minimum. The Proposed RMP/Final EIS states in Chapter 2 under Decisions Common to All Alternatives, Lands and Realty, Implementation, Rights-of-Way, that applications for commercial wind energy systems, solar energy systems and communication sites will not be considered.
2102-09	*Comment*	*The Plan does not resolve whether there are roads within the Monument that qualify as R.S. 2477 roads. While the Plan was being drafted, Interior was operating under a moratorium regarding recognition of R.S. 2477 rights-of-way. On March 22, 2006, Secretary Norton revoked this policy and issued a new policy which allows the Bureau to again consider R.S. 2477 claims in the Monument. The new policy also provides guidance to the Bureau on processing R.S. 2477 claims consistent with an opinion from the Court of Appeals for the 10th Circuit. Therefore, the Bureau should review all roads set for closure to determine if any of them may be recognized as R.S. 2477 roads. The existence of an R.S. 2477 right-of-way could preclude the closing of that road under the Plan. The Bureau should work with local and state agencies to resolve any and all such claims prior to finalization of the Plan.*
2102-09	Response	The Monument Resource Management Plan is not intended as a vehicle to resolve the issue of which roads qualify as R.S. 2477 roads. The new policy referred to does not allow the BLM to determine the validity of R.S. 2477 roads. Briefly, this guidance states that the BLM does not have the authority to make binding determinations on the validity of R.S. 2477 right-of-way claims. The BLM may, however, make informal, non-binding determinations for its own land use planning and management purposes. A non-binding determination that the right-of-way exists is required before completing consultation with states or counties on any proposed improvements to a claimed R.S. 2477 right-of-way, i.e., any work beyond routine maintenance.
2102-10	*Comment*	*The BLM must negotiate [easements] with the state and private landowners and define the permitted use. At that point, roads to state and private land may be open for administrative and private land access, as well as public travel unless closed to meet Monument objectives.*
2102-10	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). There are 65 miles of BLM roads providing access to private land that would be designated open yearlong and 2 miles (two roads) that would be designated closed.
Group		**Utility and Communication Corridors**
2103-01	*Comment*	*How did BLM determine that one mile was the appropriate width for utility corridors? Future utilities should be installed adjacent to the roads in the Stafford Ferry and DY/Trail Power Plant corridors to minimize further intrusions and disturbances.*
2103-01	Response	The one-mile width is based on the width of existing transportation and utility corridors that cross the Missouri River as established in the West HiLine Resource Management Plan (1992). Without a defined corridor, utility lines and pipelines could be dispersed widely throughout the Monument, converging only where they cross the river.

Group **Utility and Communication Corridors**

The following language has been added to Chapter 2 of the Proposed RMP/Final EIS under Right-of-Way Corridors, Avoidance Areas, and Exclusion Areas, Alternative F (Preferred Alternative): If feasible, future utilities would be located adjacent to existing roads within the designated corridor or restricted to the least intrusive disturbance.

2103-02 *Comment* *No one-mile width for corridors.*

2103-02 Response The one-mile width is based on the width of existing transportation and utility corridors that cross the Missouri River as established in the West HiLine Resource Management Plan (1992). Without a defined corridor, utility lines and pipelines could be dispersed widely throughout the Monument, converging only where they cross the river.

2103-03 *Comment* *With regard to an exception clause that is necessary due to potential installation of a pipeline impacting State and private land within the Stafford WSA, why is there an exception clause in a right-of-way exclusion area?*

2103-03 Response The potential pipeline analyzed in the Draft RMP/EIS is no longer a reasonably foreseeable action, and the exception language has been deleted in the Proposed RMP/Final EIS.

2103-06 *Comment* *Why is an eighth corridor needed--especially immediately adjacent to the Lloyd/Stafford Ferry corridor and with a portion of it in a 'wild' section? The DRMP does not adequately address why a new corridor is needed and how it will impact the values for which this Monument and the Wild and Scenic River were created. The vision statement addresses managing the Monument for remote and scenic values. BLM cannot be true to that vision and allow new surface disturbing activities in this wild section of the river.*

2103-06 Response The eighth corridor would be established on the south side of the river from Stafford Ferry to the southern boundary of the Monument and the existing Klabzuba pipeline would serve as the centerline for this corridor. Establishing this corridor would provide BLM the ability to greatly reduce the potential Monument acreage that could be impacted by future corridor needs. This corridor would enhance the BLM's ability to protect the values for which this Monument was designated.

Group **Livestock Grazing**

2150-01 *Comment* *The sources, methods and data that were used to delineate the sage-grouse crucial winter habitat depicted on Map J. The winter habitat of sage-grouse spans far greater areas than is depicted on Map J and confirms the notion that the sage-grouse habitat analysis is grossly incomplete and such limited documentation contributes very little, if anything, to the DRMP/DEIS management goals. Because the majority of crucial winter habitat is depicted on private or state lands, the BLM has limited ability to apply any meaningful sage-grouse habitat management on Monument land. One can only conclude that it is the BLM's intention to apply sage-grouse habitat management on federal lands adjacent to private land where most of the crucial sage-grouse habitat has been documented. Because in many cases federal allotments are not separately fenced from the private lands, there will be instances where private and federal allotments are grazed at the same time. When that occurs, there is great potential for grazing management of federal lands to affect grazing on private land. This is another example of federal management impacting private or state lands.*

Group		Livestock Grazing
2150-01	Response	Sage-grouse winter habitat information has been updated by Montana Fish, Wildlife and Parks and is incorporated in the Proposed RMP/Final EIS and displayed on Map L. Monitoring and coordination with MFWP will continue to determine trends in sage-grouse populations and habitat. Habitat for wildlife, including sage-grouse, is a component of the Standards for Rangeland Health established in 1997 and addressed in the appropriate watershed or landscape plan if necessary (Table 2.2 in the Proposed RMP/Final EIS). Sage-grouse management in the Monument would utilize the 2005 Management Plan and Conservation Strategies for Sage-Grouse in Montana for overall guidance and direction. Where appropriate, the BLM would apply sage-grouse habitat management guidelines on BLM land. However, the BLM does not control or manage private or state land. Mixed ownership allotments and pastures do exist in the Monument. In many of these cases, grazing management of the combined lands has been cooperative, compatible and worked well for public, state and private lands in meeting public and private goals and objectives.
2150-02	*Comment*	*Livestock grazing on the river does not reflect well on livestock grazing in general and is degrading the quality of recreation activities on the river. Exclude livestock from recreation sites to minimize conflicts with the recreating public and improve the perception of grazing in the monument.*
2150-02	Response	Specific management actions are addressed and implemented through watershed and/or landscape plans to address livestock grazing on the Missouri River. Excluding livestock grazing from developed recreation sites to avoid conflicts of use is an alternative that could be considered in future watershed or landscape plans. These actions or adjustments can include exclosures, change in season of use, refined grazing prescriptions, riparian pastures or reductions of continuous hot season grazing.
2150-03	*Comment*	*Grazing management in the monument should be flexible taking into account vegetation, vegetation recovery, water, wildlife, other resources and opportunities for responsible use and stewardship of the land.*
2150-03	Response	Grazing management within the Monument was recently updated with the renewal of grazing permits/leases that incorporate Standards for Rangeland Health and implement Guidelines for Livestock Grazing Management (Table 2.2 in the Proposed RMP/Final EIS). These updated permits/leases have terms and conditions that allow for flexibility in management to meet multiple goals and objectives.
2150-04	*Comment*	*BLM did not mention any specifics of how the livestock will be managed on the public land. Rest – Rotation grazing following the principles and concepts of August L. Hormay is the most acceptable method. Not mentioned by BLM, does BLM have the literature?*
2150-04	Response	Livestock grazing will continue to be managed through the Lewistown District (Lewistown and Malta Field Offices) Standards for Rangeland Health and Guidelines for Livestock Grazing Management (BLM 1997) which apply to all public land administered by the BLM. Grazing applications will continue to be processed consistent with existing regulations (43 CFR 4100). The BLM will continue to implement the completed watershed and landscape plans (Table 2.2 in the Proposed RMP/Final EIS) including the associated range improvement projects to meet Standards for Rangeland Health. These watershed plans or other grazing activity plans will be updated as necessary during the renewal of 10-year grazing permits.

Group		Livestock Grazing
		The BLM does not endorse a specific grazing system in recognition that there is no "one size fits all" strategy in grazing management to meet varied goals and objectives. Livestock grazing will continue to be managed through development and monitoring of grazing activity plans and supervision of grazing use. Plans and grazing prescriptions will be developed with multiple use objectives to enhance vegetation production and diversity; maintain and enhance wildlife habitat; protect watersheds; reduce bare ground; and minimize livestock/recreation conflicts. Rest rotation grazing systems have been successful in many instances. If improved grazing management alone does not meet management objectives, vegetation treatments will be considered.
2150-05	*Comment*	*Livestock grazing has been a historic use of the monument and should remain. There needs to be assurances in the RMP that grazing permits/leases will be renewed and not reduced / eliminated or "sunsetted" as a result of the monument designation or the RMP. Past stewardship of the land has been effective in managing and protecting the resources and no changes are necessary.*
2150-05	Response	Under the Proclamation, the "[l]aws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument." Livestock grazing will continue to be governed by a number of laws and regulations that apply to grazing on all public land administered by the BLM. In addition, the BLM developed Standards for Rangeland Health and Guidelines for Livestock Grazing Management for Montana, North Dakota, and South Dakota which was approved by the Secretary of the Interior in August 1997. To protect the objects for which the Monument was designated livestock grazing will continue to be managed under the Lewistown District (Lewistown and Malta Field Offices) Standards for Rangeland Health and Guidelines for Livestock Grazing Management (BLM 1997). Livestock grazing on allotments in the Monument will continue to be allocated about 38,000 animal unit months (AUMs) of forage on an annual basis (Appendix N in the Proposed RMP/Final EIS). Grazing applications will continue to be processed consistent with existing regulations (43 CFR 4100). Continued livestock grazing is common to all alternatives considered (for additional information, see Chapter 2 of the Proposed RMP/Final EIS, Decisions Common to All Alternatives). There is no authority that allows BLM to "guarantee" grazing beyond what is established in laws (including the Taylor Grazing Act) and regulations; therefore, any alternative that would offer to guarantee grazing will stay the same is beyond the scope of an RMP. Past management of much of the BLM land in the Monument has been effective in protecting resource values. Factors which could influence livestock grazing include not meeting Standards for Rangeland Health (43 CFR 4180) that apply to all public land. If Standards are not being met and livestock is the cause of not meeting Standards, then adjustments in grazing authorizations may be necessary consistent with the grazing regulations.
2150-06	*Comment*	*Cattle grazing along the river has created extensive damage and is an issue needs to be addressed with management actions to keep cattle from the river banks to protect water and cottonwoods.*
2150-06	Response	Livestock grazing and the health of the riparian communities are components of recent watershed plans and implementation of Guidelines for Livestock Grazing Management to meet Standards for Rangeland Health (Table 2.2 in the Proposed RMP/Final EIS). In

those areas where livestock grazing is an issue for riparian community health, actions are being implemented through the watershed planning process consistent with the grazing regulations. These actions or adjustments can include exclosures, change in season of use, refined grazing prescriptions, riparian pastures or reductions of continuous hot season grazing. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Decisions Common to All Alternatives, Vegetation – Riparian, Implementation.

2150-07 *Comment* *BLM has been remiss in not analyzing the impacts of livestock grazing on the monument and the reasons for having established the monument.*

2150-07 Response The Proclamation did not identify a need to single out livestock grazing within the Monument for review, analysis or change. The Proclamation states: "Laws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument." Livestock grazing will continue to be managed through the Lewistown District (Lewistown and Malta Field Offices) Standards for Rangeland Health and Guidelines for Livestock Grazing Management (BLM 1997). The BLM will continue to implement the completed watershed plans (Table 2.2 in the Proposed RMP/Final EIS) including the associated range improvement projects to meet Standards for Rangeland Health. This is addressed under the section Decisions Common to All Alternatives in Chapter 2 of the RMP/EIS.

The impacts from decisions common to all alternatives are addressed in the appropriate sections of the environmental consequences section (Chapter 4) of the RMP/EIS. Implementing standards and guidelines would enhance riparian habitat, reduce erosion/sedimentation, slow runoff, increase sedimentation on banks and floodplains, and increase bank storage in riparian areas.

2150-08 *Comment* *There is no assurance that improvement or development of the range will continue as is required of the BLM in the Taylor Grazing Act.*

2150-08 Response Several acts, including the Taylor Grazing Act, Federal Land Policy and Management Act, Public Rangeland Improvement Act, and others, establish how the BLM will manage public land. The preamble to the Taylor Grazing Act states: "To stop injury to the public grazing lands by preventing overgrazing and soil deterioration; to provide for their orderly use, improvement, and development; to stabilize the livestock industry dependent upon the public range; and for other purposes."

The Taylor Grazing Act outlined the original process of authorizing grazing of the public land. Many provisions of the Act remain intact and were not substantially altered by subsequent laws or updating of regulations. The Monument RMP cannot invalidate any provisions of the Act.

Improvement and development of the public land covers a wide range of activities including developments for livestock grazing. Livestock grazing will continue to be managed through the Lewistown District (Lewistown and Malta Field Offices) Standards for Rangeland Health and Guidelines for Livestock Grazing Management (BLM 1997) which apply to all public land administered by the BLM. Grazing applications will continue to be processed consistent with existing regulations (43 CFR 4100). The BLM will continue to implement the completed watershed plans (Table 2.2 in the Proposed RMP/Final EIS) including installation and maintenance of range improvements.

2150-09 *Comment* *We recommend that the Monument develop a decision matrix similar to that recently adopted by the BLM Prineville District in Oregon for the Upper Deschutes Resource Area*

to provide for the retirement of public land grazing allotments in areas of high ecological value and low demand for grazing. Please see the attached information on the Upper Deschutes resource Area grazing decision matrix.

2150-09 Response Under the Proclamation, the "[l]aws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument." The Proclamation did not mandate a need for an adjustment of forage allocated to livestock.

There has not been an overwhelming need to develop a decision process to consider retirement of grazing on BLM land in the Monument. Standards for Rangeland Health will continue to guide management decisions. Livestock grazing is subject to Standards for Rangeland Health and Guidelines for Livestock Management as established in 1997. When Standards are not met and livestock grazing is determined to be the cause, adjustments in grazing will be implemented to meet Standards. These actions or adjustments can include exclosures, change in season of use, refined grazing prescriptions, riparian pastures or reductions of continuous hot season grazing. As grazing permits/leases are renewed Standards for Rangeland Health are considered and revised terms and conditions may be incorporated into the permit or lease.

2150-10 Comment *There is a contradiction in that the Proclamation (7398) states: "laws, regulations and policies followed by the BLM in issuing grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument" and page 17 of the DRMP says expansion of big game populations "may involve adjusting livestock grazing."*

2150-10 Response Laws, regulations and existing policy concerning grazing will continue to apply as stated in the Proclamation. The BLM will work with MFWP, landowners and grazing permittees to determine the most appropriate management practices if monitoring indicates a deterioration of rangeland health in herd expansion areas. The existing regulations provide for making adjustments to livestock grazing as resource conditions change, whether the public land is inside or outside of the Monument (43 CFR 4110.3, 4130.3-3).

2150-11 Comment *Manage grazing to support wildlife habitat must be the first priority in management of the monument rangelands.*

2150-11 Response The Monument was established for a spectacular array of biological, geological, and historical objects of interest. The Monument is managed by the BLM pursuant to applicable legal authorities such as FLPMA and in recognition of multiple use. A specific priority for one use over another was not established, provided the resource values for establishing the Monument are not jeopardized. Laws, regulations and existing policy concerning grazing will continue to apply, as stated in the Proclamation. The existing regulations provide for making adjustments to livestock grazing as resource conditions change whether the public land is inside or outside of the Monument (43 CFR 4110.3, 4130.3-3).

2150-12 Comment *Definition of surface disturbance is not adequate. Surface disturbances should not include grazing by livestock, cleaning out of reservoirs, maintaining of improvements or construction of fences. Recommended definition "an activity where heavy equipment breaks the surface of the ground in a centralized location of more than five acres and does not pertain to the maintenance of water facilities or reservoir."*

Group		Livestock Grazing
2150-12	Response	The terms "surface-disturbing activities" and "disruptive activities" have been clarified and included in the Glossary and in Chapter 2 of the Proposed RMP/Final EIS under Fish and Wildlife – Mitigation, as follows: Surface-Disturbing Activities: Those activities that alter the structure and composition of vegetation and topsoil/subsoil. This includes any action created through mechanized or mechanical means that would cause soil mixing or result in alteration or removal of soil or vegetation and expose the soil to erosive processes. Some examples of surface-disturbing activities include construction of roads, well pads, trenching for pipelines, construction or reconstruction of reservoirs and pits, and facility construction. Vegetation renovation treatments that involve soil penetration and/or substantial mechanical damage to plants (plowing, chiseling, chopping, etc.) are also surface-disturbing activities. Disruptive Activities: Those activities that disrupt or alter wildlife actions at key times, during important activities, or in important areas (feeding, breeding, nesting, herd movement, winter habitat). Disruptive activities are those that can result in reductions of energy reserves, health, reproductive success, or population. Some examples of disruptive activities include geophysical (seismic), well plugging or work-over operations that last 24 to 48 hours or longer, and road reclamation. Emergency activities, rangeland monitoring, recreational activities, livestock grazing and management, and other field activities are not considered surface-disturbing or disruptive activities.
2150-13	*Comment*	*Grazing within the monument should be treated the same as outside the monument including renewal of grazing permits/leases.*
2150-13	Response	As established in the Proclamation, the laws and regulations addressing livestock grazing are the same whether inside or outside of the Monument. Livestock grazing will continue to be managed through the Lewistown District (Lewistown and Malta Field Offices) Standards for Rangeland Health and Guidelines for Livestock Grazing Management (BLM 1997) which apply to all public land administered by the BLM. Grazing applications will continue to be processed consistent with existing regulations (43 CFR 4100).
2150-14	*Comment*	*There needs to be a commitment to monitoring Standards for Rangeland Health and enforcement of Guidelines for Livestock Grazing and authorization stipulations in grazing permits/leases, including non renewal of permits, when Standards are not being met and/or terms of the grazing permit/lease are not followed.*
2150-14	Response	The BLM will continue to implement the completed watershed plans as shown in Table 2.2 of the Proposed RMP/Final EIS, including the associated range improvement projects to meet Standards for Rangeland Health. For additional information, see the discussion in Chapter 2 of the Proposed RMP/Final EIS under Decisions Common to All Alternatives, Livestock Grazing. Livestock forage allocation and rangeland health will be monitored on a continuing basis for actual use, utilization and trends, and to ensure compliance with the terms and conditions of grazing permits and leases. The monitoring data will be analyzed to determine if grazing management is achieving land use or activity plan objectives; to allow temporary increases or decreases in AUMs; and to revise grazing activity plans. Monitoring intensity will be based on meeting Standards for Rangeland Health. Violations of permits will be pursued in accordance with the grazing regulations. The grazing regulations (43 CFR 4100) provide the mechanism for BLM to take action when

Group		Livestock Grazing
		Standards for Rangeland Health are not being met and when terms and conditions of a permit/lease are not followed.
2150-15	*Comment*	*Operators have done a commendable job of stewardship for the public land and BLM needs to give high(est) priority to agriculture and make sure people that have grazing leases can continue to lease the land to graze their livestock.*
2150-15	Response	Many operators have demonstrated good stewardship of the public land and the RMP would continue to authorize responsible grazing in the Monument under all alternatives. For additional information, see the discussion in Chapter 2 of the Proposed RMP/Final EIS under Decisions Common to All Alternatives, Livestock Grazing.
2150-16	*Comment*	*A more detailed analysis indicates many instances where the BLM may negatively impact grazing under this DRMP and DEIS. These instances include statements such as: "Therefore, concentrations of livestock on leks or other key sage-grouse habitats would be avoided by using conservative stocking levels, locating salt or other supplements away from leks or crucial winter habitat, adjusting grazing seasons and locating water facilities where they would not jeopardize habitat." and "The change of 73% of the monument to be classified as VRM Class I or II instead of VRM III or VI. This classification would seem to inhibit any range improvements that are necessary for livestock grazing." This negative impact on grazing is in direct violation of the BLM's duty to adequately safeguard grazing under the Taylor Grazing Act.*
2150-16	Response	All grazing allotments within the Monument have been reviewed and analyzed through the watershed planning process (described in Appendix M of the Proposed RMP/Final EIS), and conservative stocking rates, limitations on seasons of use and other livestock practices are currently being implemented as needed based on Standards for Rangeland Health and Guidelines for Livestock Grazing Management (Appendix J). However, livestock operators do apply to adjust grazing when a property is sold and the grazing permit is transferred and a new application is made. Also, it is not uncommon for operators to adjust their grazing from year to year for various reasons. When adjustments are considered, management stipulations may come into play, including Standard #5: Habitats are provided to maintain healthy, productive and diverse populations of native plant and animal species, including special status species (federally threatened, endangered, candidate or Montana species of special concern as defined in BLM Manual 6850, Special Status Species Management). As stated in Chapter 2, Decisions Common to All Alternatives, Livestock Grazing, continued monitoring as it relates to Standards for Rangeland Health will be the basis of making adjustments to livestock grazing. Visual Resource Management (VRM) classification is in accordance with BLM Handbook H 8400-1, Section V.A.1., Visual Resource Inventory Handbook. The WSAs would be classified as VRM Class I and managed according to VRM Class I management objectives until such time as Congress decides to designate the area as wilderness or release it for other uses (WO IM No. 2000-096). Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS in the Visual Resources section, in VRM Class I areas the BLM may, if necessary, prohibit new surface-disturbing activities if such activities are not designed to meet the intent of the visual quality objectives. Maintenance of existing range improvements and other structures in VRM Class I areas would be allowed. In the WSAs, the VRM Class I designation would not prevent the construction of structures or maintenance of existing structures that would be allowed in the WSAs under the Interim Management Policy and Guidelines for Lands Under Wilderness Review.

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

2150-17 *Comment* *If the BLM really means to protect current levels of livestock grazing, the BLM should state, "that grazing numbers will not be reduced or eliminated as a result of the Monument designation and the resulting management plan" in the RMP/EIS.*

2150-17 Response Under the Proclamation, the "[l]aws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument." Livestock grazing will continue to be governed by a number of laws and regulations that apply to grazing on all public land administered by the BLM. In addition, the BLM developed Standards for Rangeland Health and Guidelines for Livestock Grazing Management for Montana, North Dakota, and South Dakota which was approved by the Secretary of the Interior in August 1997. To protect the objects for which the Monument was designated livestock grazing will continue to be managed under the Lewistown District (Lewistown and Malta Field Offices) Standards for Rangeland Health and Guidelines for Livestock Grazing Management (BLM 1997). Livestock grazing on allotments in the Monument will continue to be allocated about 38,000 animal unit months (AUMs) of forage on an annual basis (Appendix N in the Proposed RMP/Final EIS). Grazing applications will continue to be processed consistent with existing regulations (43 CFR 4100).

There is no authority that allows BLM to "guarantee" grazing beyond what is established in laws (including the Taylor Grazing Act) and regulations; therefore, any alternative that would offer to "guarantee grazing will stay the same" is beyond the scope of an RMP. Past management of much of the BLM land in the Monument has been effective in protecting resource values. Factors which could influence livestock grazing include not meeting Standards for Rangeland Health (43 CFR 4180) and apply to all public land. If Standards are not being met and livestock is the cause of not meeting Standards, then adjustments in grazing authorizations may be necessary.

2150-18 *Comment* *Wildlife and recreation should be higher priority and livestock grazing should not be the dominant use. Livestock grazing should be managed to enhance wildlife habitat.*

2150-18 Response The Monument was established for a spectacular array of biological, geological, and historical objects of interest. The Monument is managed by the BLM pursuant to applicable legal authorities such as FLPMA and in recognition of multiple use. A specific priority for one use over another was not established, provided the resource values for establishing the Monument are not jeopardized. Laws, regulations and existing policy concerning grazing will continue to apply, as stated in the Proclamation. The existing regulations provide for making adjustments to livestock grazing as resource conditions change whether the public land is inside or outside of the Monument (43 CFR 4110.3, 4130.3-3).

2150-19 *Comment* *BLM should propose to phase out grazing, including possibly buy outs of the permits to eventually leave the area to wildlife.*

2150-19 Response An alternative that would reduce and/or phase out livestock grazing over time, including a buyout of grazing privileges, was considered but eliminated from detailed study since there is no documented need to reduce or phase out livestock grazing based on the

Proclamation and Standards for Rangeland Health. The Proclamation states: "Laws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument." There is no authority that provides for buying out BLM grazing privileges. Standards for Rangeland Health and resource management plans are the primary controlling factors in authorizing livestock grazing on the BLM land. Recent Standards for Rangeland Health assessments and implementation of Guidelines for Livestock Grazing Management have reviewed and addressed livestock grazing in the Monument.

2150-20 *Comment* *Why do we need grazing allotments in there?*

2150-20 Response Grazing allotments are the defined areas of use for authorized livestock grazing on public land. Under the terms of 43 CFR 4100, limits on livestock grazing for each allotment are established, including where (allotment(s)), when (season(s) of use), how much (amount of forage livestock can use), and other terms and conditions in order to properly administer grazing on public land.

2150-21 *Comment* *BLM should ban grazing in the monument and the government should not be obligated fence the public lands and ranchers need to be responsible for keeping their livestock off the public land.*

2150-21 Response Laws, regulations and existing policy concerning grazing will continue to apply, as stated in the Proclamation. For additional information, see the discussion in Chapter 2 of the Proposed RMP/Final EIS under Decisions Common to All Alternatives, Livestock Grazing; and in Chapter 4 under Impacts to Fish and Wildlife from Health of the Land and Fire, Range Improvements, Alternative F (Preferred Alternative).

Livestock operators must have an authorization to graze livestock on public land. This can result in an operator needing to fence accordingly to keep livestock off the public land where grazing is not authorized. Chapter 4, Range Improvements, Preferred Alternative (Alternative F), states that where necessary to reduce impacts to wildlife, existing fences would be adjusted and unnecessary or abandoned fences would be removed. This could benefit wildlife where fences are a barrier to wildlife. Using three versus four-wire fences would lessen barriers to wildlife movement.

An alternative to identify lands as not available for livestock grazing was considered but eliminated from detailed study since livestock grazing was considered in the Standards for Rangeland Health assessment and implementation of Guidelines for Livestock Grazing Management in completed watershed plans and the grazing permit renewal process. The Proclamation does not require nor suggest that lands need to be identified as unavailable for grazing and affirms "[l]aws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument." There was not a resource need to identify lands unavailable for livestock grazing. In those limited areas where a conflict may occur, Guidelines for Livestock Grazing Management practices will continue to be followed to protect rangeland resources and, where necessary, to mitigate conflicts with other Monument uses and values. Administrative actions will be implemented under existing regulations to ensure compliance with existing permit/lease requirements. These actions include monitoring and supervision of grazing use and enforcement in response to unauthorized use.

2150-22 *Comment* *Grazing on the public land is a privilege as established in the Taylor Grazing Act and not a right.*

Group		Livestock Grazing
2150-22	Response	The Taylor Grazing Act established the process for authorizing grazing on the public land. The regulations have been revised and updated through other Acts and judicial review. It has been affirmed that grazing on public land is a privilege and that issuance of a grazing permit shall not create any right, title, interest or estate in or to the public land.
2150-23	*Comment*	*Taking away permits/leases will make operations unprofitable, affect peoples' livelihood and force sales of ranches that have been in families for generations.*
2150-23	Response	Under the Proclamation, the "[l]aws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument." Livestock grazing will continue to be governed by a number of laws and regulations that apply to grazing on all public land administered by the BLM. In addition, the BLM developed Standards for Rangeland Health and Guidelines for Livestock Grazing Management for Montana, North Dakota, and South Dakota which was approved by the Secretary of the Interior in August 1997. To protect the objects for which the Monument was designated livestock grazing will continue to be managed under the Lewistown District (Lewistown and Malta Field Offices) Standards for Rangeland Health and Guidelines for Livestock Grazing Management (BLM 1997). Livestock grazing on allotments in the Monument will continue to be allocated about 38,000 animal unit months (AUMs) of forage on an annual basis (Appendix N in the Proposed RMP/Final EIS). Grazing applications will continue to be processed consistent with existing regulations (43 CFR 4100). Continued livestock grazing is common to all alternatives considered (for additional information, see Chapter 2 of the Proposed RMP/Final EIS, Decisions Common to All Alternatives).
2150-24	*Comment*	*BLM should consider authorizing Bison grazing in the monument.*
2150-24	Response	If a holder of a grazing permit/lease applies to change the class of livestock to bison, it would be considered and analyzed in an environmental assessment before it was approved. None of the alternatives in the Draft RMP/EIS or Proposed RMP/Final EIS preclude consideration of bison as a class of livestock. Standards for Rangeland Health and Guidelines for Livestock Grazing Management would still apply.
2150-25	*Comment*	*In many cases prairie ponds have been denuded totally eliminating habitat for nesting waterfowl. Cattle grazing have impacted the existence of the very important Sage Grouse.*
2150-25	Response	Vegetation around reservoirs, pits and ponds that provides nesting habitat for waterfowl and other birds, including sage-grouse, can be impacted by livestock grazing. Wildlife habitat is a component of Standards for Rangeland Health (Appendix J in the Proposed RMP/Final EIS, Standard #5). Specific management actions are addressed and implemented through watershed and/or landscape plans that address Standards for Rangeland Health and Guidelines for Livestock Grazing Management. Grazing seasons can be adjusted to avoid nesting periods and/or the grazing planned so not all ponds are impacted on any given year. This would provide alternative nesting sites for birds each year, though not necessarily at the same pond.
2150-26	*Comment*	*The future of livestock grazing in the monument is doubtful given the experience of other monuments and CMR where livestock was reduced and/or eliminated and this should not be allowed to happen.*

2150-26 Response The Proclamation does not eliminate or mandate a reduction in livestock grazing in the Monument. It specifically states that "The Secretary of the Interior shall manage the monument through the Bureau of Land Management," and "Laws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument." Livestock grazing will continue to be managed through the Lewistown District (Lewistown and Malta Field Offices) Standards for Rangeland Health and Guidelines for Livestock Grazing Management (BLM 1997) which apply to all public land administered by the BLM. Grazing applications will continue to be processed consistent with existing regulations (43 CFR 4100).

The Charles M. Russell National Wildlife Refuge was established as a wildlife refuge. The refuge is managed by the U.S. Fish and Wildlife Service and gives priority to wildlife. A multiple use mandate does not apply to a refuge and livestock grazing on refuges is administered under different rules and regulations than BLM land.

2150-27 Comment *Leave management to the local farmers and ranchers.*

2150-27 Response Farmers and ranchers have every right to manage their private property. However, several laws and regulations charge the BLM with the responsibility of managing public land, which includes authorizing livestock grazing. The BLM issues grazing permits/leases to farmers and ranchers to graze and manage their livestock in accordance with terms and conditions that establish orderly and responsible stewardship of the public land.

2150-28 Comment *The way BLM has handled livestock grazing in the RMP is "reverse tiering" and "piece mealing" which is a violation of NEPA. Reasons provided for incorporating watershed plans do not excuse a full analysis of livestock grazing as it relates to the Proclamation and objects for which the monument was established. There is no analysis of how livestock grazing will affect biologic objects of interest including grassland nesting birds, amphibians and fishes. The DEIS failed to integrate the watershed plans into a coherent statement of the impacts of livestock grazing on the Monument objects of interest.*

2150-28 Response Tiering between NEPA documents is a means of eliminating repetitive discussions of the issues and maintaining focus on actual issues for which the EIS or EA is being developed. Agencies are encouraged to tier between documents. The most common application of tiering is to have an EA for a specific implementation action tier to a previously established EIS covering a broader scope of issues and larger area which established policy and/or guidance.

The completed watershed and landscape plans listed in Table 2.2 of the RMP/EIS addressed the Standards for Rangeland Health and Guidelines for Livestock Grazing Management and were prepared consistent with the appropriate resource management plan and EIS (West HiLine or Judith-Valley-Phillips), State Director's Interim Guidance for Managing the Upper Missouri River Breaks National Monument (2001), and the 1997 Montana/Dakotas Standards for Rangeland Health and Guidelines for Livestock Grazing Management EIS. The BLM will continue to implement the completed watershed plans including the associated range improvement projects to meet Standards for Rangeland Health. The watershed planning process is described in Appendix M in the Proposed RMP/Final EIS. These watershed plans or other grazing activity plans will be updated as necessary during the renewal of 10-year grazing permits. All proposed actions in the future must be in conformance with the Monument RMP and Record of Decision when completed (43 CFR 1601.0-5(b)).

Standards for Rangeland Health was an issue in the Rangeland Reform 94 EIS which was developed at the national level. Following this national EIS, the Montana/Dakotas region

developed the Standards for Rangeland Health and Guidelines for Livestock Grazing Management EIS (BLM 1997) which analyzed Standards and Guidelines that were proposed in four regions of BLM Montana/Dakotas. This EIS established the policy and guidance concerning Standards for Rangeland Health and Guidelines for Livestock Grazing Management.

Standards for Rangeland Health are applicable to all public land including the Monument. The Monument RMP does not alter the decisions made to meet Standards for Rangeland Health. Implementation decisions in watershed plans or grazing permit renewal environmental assessments are not decisions of the RMP for the Monument.

"Piece-mealing" is understood to mean splitting up of actions that are components of a larger (or higher order) action or policy formation and handling them as discrete actions rather than the sum of several actions. This does not apply to the eight watershed and landscape plans which implement Guidelines toward meeting Standards for Rangeland Health.

Discussion of the impacts of livestock grazing on wildlife has been added to the Proposed RMP/Final EIS in Chapter 4 under Impacts to Fish and Wildlife.

2150-29 *Comment* *Having just read Appendix H, I question just how closely these guidelines have been followed in the past. My personal observation suggests many areas of the Monument suffer degradation caused by overgrazing and abuses of the guidelines set down in Appendix H.*

2150-29 Response Standards for Rangeland Health and Guidelines for Livestock Grazing Management became part of the grazing regulations in 1995, and guidelines are being implemented through watershed plans and grazing permit renewals. Monitoring of resources and adjustment of management is an ongoing process.

2150-30 *Comment* *BLM should honor grazing at current levels and cooperate on range improvements.*

2150-30 Response Livestock grazing is authorized in accordance with regulations that apply to all public land that the BLM is responsible for, including Standards for Rangeland Health and Guidelines for Livestock Grazing Management (43 CFR 4180). Under the Proclamation, the "[l]aws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument." Livestock grazing will continue to be governed by a number of laws and regulations that apply to grazing on all public land administered by the BLM. In addition, the BLM developed Standards for Rangeland Health and Guidelines for Livestock Grazing Management for Montana, North Dakota, and South Dakota which was approved by the Secretary of the Interior in August 1997. To protect the objects for which the Monument was designated livestock grazing will continue to be managed under the Lewistown District (Lewistown and Malta Field Offices) Standards for Rangeland Health and Guidelines for Livestock Grazing Management (BLM 1997). Livestock grazing on allotments in the Monument will continue to be allocated about 38,000 animal unit months (AUMs) of forage on an annual basis (Appendix N in the Proposed RMP/Final EIS). Grazing applications will continue to be processed consistent with existing regulations (43 CFR 4100).

"Honoring current levels" of livestock grazing assumes no changes in several factors (including meeting Standards for Rangeland Health, livestock operation, weather, management goals for public land and operators, etc). Since changes occur, guaranteeing absolutes in levels of grazing are not practical. Cooperation on range improvements

continues as a means of meeting the Monument RMP goal for livestock grazing: to permit livestock grazing consistent with maintaining healthy vegetation communities. For additional information, see the discussion of range improvements in Chapter 2 of the Proposed RMP/Final EIS, Decisions Common to All Alternatives, Livestock Grazing.

2150-31 *Comment* *Ranchers should be able to build and maintain improvements as they have in the past.*

2150-31 Response Installation and maintenance of range improvements will continue in accordance with established regulations, approved grazing authorizations, and terms and conditions that apply. Maintenance of existing range improvement projects (fences, reservoirs, and other water developments) will occur in the same general manner and degree as in the past. Maintenance of water facilities may include routine maintenance or involve reconstruction. Routine maintenance is normally carried out under an existing cooperative agreement or permit and does not result in a change in the design or capacity of the facility. Reconstruction normally involves a new design with a change in capacity and new surface disturbance outside the original footprint of the facility. Table 2.3 in the Proposed RMP/Final EIS provides a general description of maintenance and reconstruction activities. For additional information see the discussion of range improvements in Chapter 2 of the Proposed RMP/Final EIS.

2150-32 *Comment* *The RMP creates uncertainty for agriculture taking land management in the wrong direction. Management should be trying to lessen uncertainly for users of Federal lands.*

2150-32 Response Under the Proclamation, the "[l]aws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument." Livestock grazing will continue to be governed by a number of laws and regulations that apply to grazing on all public land administered by the BLM. In addition, the BLM developed Standards for Rangeland Health and Guidelines for Livestock Grazing Management for Montana, North Dakota, and South Dakota which was approved by the Secretary of the Interior in August 1997. To protect the objects for which the Monument was designated livestock grazing will continue to be managed under the Lewistown District (Lewistown and Malta Field Offices) Standards for Rangeland Health and Guidelines for Livestock Grazing Management (BLM 1997). Livestock grazing on allotments in the Monument will continue to be allocated about 38,000 animal unit months (AUMs) of forage on an annual basis (Appendix N in the Proposed RMP/Final EIS). Grazing applications will continue to be processed consistent with existing regulations (43 CFR 4100).

2150-33 *Comment* *VRM classifications encumber necessary livestock and range management activities. Restrictions on repair and maintenance of improvements need to be removed.*

2150-33 Response The VRM class objectives and management guidelines are discussed in Chapter 2 of the Proposed RMP/Final EIS under Decisions Common to All Alternatives, Visual Resources. The classes do not preclude management activities, and mitigating Best Management Practices (BMPs) are provided in Appendix K.

Under the Preferred Alternative in the Proposed RMP/Final EIS, in VRM Class I areas the BLM may, if necessary, prohibit new surface-disturbing activities if such activities are not designed to meet the intent of the visual quality objectives. Maintenance of existing range improvements and other structures in VRM Class I areas would be allowed. In the WSAs, the VRM Class I designation would not prevent the construction of structures or maintenance of existing structures that would be allowed in the WSAs under the Interim

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

Administrative access to maintain necessary range improvements is provided for in the Preferred Alternative for the Monument. The following language is included in Chapter 2 of the Proposed RMP/Final EIS under Decisions Common to All Alternatives, Livestock Grazing: Maintenance of existing range improvement projects (fences, reservoirs, and other water developments) will occur in the same general manner and degree as in the past. Maintenance of water facilities may include routine maintenance or involve reconstruction. Routine maintenance is normally carried out under an existing cooperative agreement or range improvement and does not result in a change in the design or capacity of the facility. Reconstruction normally involves a new design with a change in capacity and new surface disturbance outside the original footprint of the facility. An accompanying sidebar defines routine maintenance/ updating and reconstruction of water facilities.

2150-34 *Comment* *"Minor adjustments" (in livestock grazing) is not adequately defined.*

2150-34 Response Minor adjustments in livestock grazing occur regularly in response to weather conditions, available water, breeding programs, marketing, etc. Minor adjustments can be adjustments in seasons of use either ahead or back 14 days or less, adjustments in stocking of less than 10% for a pasture, relocation of salt (or other attractants), or available water and other grazing management practices (43 CFR 4130.4). The means of responding to minor adjustments vary depending on the flexibility of the operations. Adjustments include meeting multiple use goals and objectives such as Standards for Rangeland Health, wildlife habitat/forage, recreation opportunities and other natural resource related goals.

2150-35 *Comment* *Allotments which become vacant by relinquishment or cancellation should be first offered to a qualifying operator before it is considered for a Reserve Common Allotment (RCA) or a Resource Reserve Allotment.*

2150-35 Response Creating resource reserve allotments is an alternative that could be considered if the opportunity comes available to offset the impacts of drought or to implement a project such as a prescribed fire.

2150-36 *Comment* *Clinton said that "[t]he establishment of this monument is subject to valid existing rights," and that "the law, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument." Id. According to the BLM, this language is sufficient to protect current levels of livestock grazing. However, this is not what has happened on other monuments. If the BLM really means to protect current levels of livestock grazing, the BLM should state that "grazing numbers will not be reduced or eliminated as a result of the Monument designation and the resulting management plan" in the Resource Management Plan ("RMP") and Environmental Impact statement ("EIS"). Anything short of that straightforward affirmation places permittees at the mercy of future BLM employees, who may not remember the BLM's spoken promises of not wanting to impact permittees with the Monument designation and RMP.*

Group		Livestock Grazing
		The BLM Has Not Adequately Protected Livestock Grazing. *In 1934, Congress enacted the Taylor Grazing Act ("TGA"), "to provide for the orderly use, improvement, and development of the range." 43 U.S.C. § 315(a). "One of the key issues the Act was intended to address was the need to stabilize the livestock industry by preserving ranchers' access to the federal lands in a manner that would guard the land against destruction." Public Lands Council v. Babbitt, 167 F.3d 1287 (10th Cir. 1999). Additionally, the TGA requires that the BLM adequately protect grazing privileges. 43 U.S.C. §§ 315a, 315b.* *The DRMP/DEIS does state that the under the Proclamation, the "[l]aws, regulations, and polices followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to lands in the monument." DRMP/DEIS at 103. However, in other places the DRMP/DEIS states that the BLM may have to use conservative stocking levels for sage-grouse and that some grazing allotments might suffer "minor adjustments." Id. at xii; 340.* *Even though at first glance, the BLM indicates that grazing will continue at the current levels, a more detailed analysis indicates many instances where the BLM may negatively impact grazing under this DRMP/DEIS. These instances include statements such as:* *• "Therefore, concentrations of livestock on leks or other key sage-grouse habitats would be avoided by using conservative stocking levels, locating salt or other supplements away from leks or crucial winter habitat, adjusting grazing seasons and locating water facilities where they would not jeopardize habitat." DRMP/DEIS at xii.* *• The change of 73% of the Monument to be classified as VRM Class I or II instead of VRM III or IV. Id. at 264. This classification would seem to inhibit any range improvements that are necessary for livestock grazing. Id. at 154.* *This negative impact on grazing is in direct violation of the BLM's duty to adequately safeguard grazing under the TGA. The BLM specifically ignored the recommendation of the Central Montana Resource Advisory Council that grazing should occur as it had in the past. Additionally, the BLM cannot decrease stocking rates, adjust seasons of use or take other negative actions against the permit without adequate monitoring data and without consulting with the grazing permittee.*
2150-36	Response	Continued livestock grazing (as updated in watershed plans and grazing permit renewals that implement guidelines for livestock grazing to meet Standards for Rangeland Health) is common to all alternatives. Under the Proclamation, the "[l]aws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument." Livestock grazing will continue to be governed by a number of laws and regulations that apply to grazing on all public land administered by the BLM. In addition, the BLM developed Standards for Rangeland Health and Guidelines for Livestock Grazing Management for Montana, North Dakota, and South Dakota which was approved by the Secretary of the Interior in August 1997. To protect the objects for which the Monument was designated livestock grazing will continue to be managed under the Lewistown District (Lewistown and Malta Field Offices) Standards for Rangeland Health and Guidelines for Livestock Grazing Management (BLM 1997). Livestock grazing on allotments in the Monument will continue to be allocated about 38,000 animal unit months (AUMs) of forage on an annual basis (Appendix N in the Proposed RMP/Final EIS). Grazing applications will continue to be processed consistent

with existing regulations (43 CFR 4100). This is clarified in the Proposed RMP/Final EIS under the livestock grazing section of Chapter 2.

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

Minor adjustments in livestock grazing occur regularly in response to weather conditions, available water, breeding programs, marketing, etc. Minor adjustments can be adjustments in seasons of use either ahead or back 14 days or less, adjustments in stocking of less than 10% for a pasture, relocation of salt (or other attractants), or available water and other grazing management practices (43 CFR 4130.4). The means of responding to minor adjustments vary depending on the flexibility of the operation. Adjustments include meeting multiple use goals and objectives such as Standards for Rangeland Health, wildlife habitat/forage, recreation opportunities and other natural resource related goals.

Under the Preferred Alternative in the Proposed RMP/Final EIS, in VRM Class I areas the BLM may, if necessary, prohibit new surface-disturbing activities if such activities are not designed to meet the intent of the visual quality objectives. Maintenance of existing range improvements and other structures in VRM Class I areas would be allowed. In the WSAs, the VRM Class I designation would not prevent the construction of structures or maintenance of existing structures that would be allowed in the WSAs under the Interim Management Policy and Guidelines for Lands Under Wilderness Review. For new projects in VRM Class II, Class III and Class IV areas, the BLM would reduce the visual contrast on BLM land in the existing landscape by utilizing proper site selection; reducing soil and vegetative disturbance; choice of color; and over time, returning the disturbed area to a seamless, natural landscape. Maintenance of existing range improvements and other structures would be allowed.

2150-37 *Comment* *It is crazy to think that cattle grazing is bad for the land if properly managed. In fact, I am quite sure that there have been studies to prove that cattle grazing is actually good for the new growth of grasses and the land. Please do not do a disservice to us all and impose a minimum stubble height in an area that probably wouldn't produce 7 inches of grass growth in a normal year without any grazing whatsoever.*

2150-37 Response Livestock grazing can be a positive influence on the land depending on how grazing is managed. Managing the various aspects of grazing, including season of grazing (or resting), duration of grazing (or resting), class of livestock, stocking density, amount of forage grazed (and left standing), and other practices all work together to influence how grazing affects rangeland.

The requirement of a 7-inch stubble height has been removed from the Proposed RMP/Final EIS in recognition that it is not a universally applicable criteria/indicator for management objectives. Stubble heights are easily articulated and observable but are not always applicable as absolute values. A 7-inch stubble height is one of several indicators in assessing habitat suitability for sage-grouse. Not all indicators can be used as absolutes and must take into consideration factors such as site and weather. However, nesting habitat for sage-grouse is still an important consideration in management.

2150-38 *Comment* *Range improvements and maintenance of existing projects must conform to Monument standards, that of protecting the objects of the Monument including wildlife. As*

		thoroughly discussed in Donahue, "The Western Range Revisited," range improvements are seldom designed to, and seldom do, benefit anything other than livestock. "Improvements" come at the expense of native species, water quality, etc.
2150-38	Response	Standards for range improvements have been established in BLM manuals and handbooks. These standards would apply within the Monument as well as provisions that protect the objects for which the Monument was designated.
2150-39	*Comment*	*Where staff or funding limitations prevent the accomplishment of monitoring or field evaluations needed to avoid resource damage or to determine whether rangeland health standards and guidelines are being met, grazing allotments should be placed in 100% non-use until such time as the necessary monitoring can be done.*
2150-39	Response	Placing a grazing allotment in non-use status without information (monitoring or otherwise) documenting a resource problem is contrary to the grazing regulations (43 CFR 4110.3, 4130.3, 4160 and 4180).
2150-40	*Comment*	*Water projects and other improvements should not just be constructed for the convenience of grazing lease-holders, but need to consider the natural landscape and welfare of wildlife.*
2150-40	Response	Decisions to approve range improvements are based on multiple use goals and objectives for BLM land including protection of the objects for which the Monument was designated. Any new water developments would be considered on a site-specific basis and would consider the benefits/detriment to all resources. Decisions about installing water developments would be based on grazing practices and wildlife habitat needs (big game, migratory birds, sage-grouse, amphibians, etc.) within a specific use area.
2150-41	*Comment*	*I know firsthand that ranchers do not always do the best by their land. They are afraid they'll lose their rights and simply don't want any change. With heads in sand, they can't see the monument in a very natural state as an opportunity, not a burden, but only if the BLM can assure them their rights are intact.*
2150-41	Response	Grazing privileges remain intact in the Monument, as stated in the Proclamation, and are authorized under the same regulations as grazing privileges outside the Monument, including the need to meet Standards for Rangeland Health. Under the Proclamation, the "[l]aws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument." Livestock grazing will continue to be governed by a number of laws and regulations that apply to grazing on all public land administered by the BLM. In addition, the BLM developed Standards for Rangeland Health and Guidelines for Livestock Grazing Management for Montana, North Dakota, and South Dakota which was approved by the Secretary of the Interior in August 1997. To protect the objects for which the Monument was designated livestock grazing will continue to be managed under the Lewistown District (Lewistown and Malta Field Offices) Standards for Rangeland Health and Guidelines for Livestock Grazing Management (BLM 1997). Livestock grazing on allotments in the Monument will continue to be allocated about 38,000 animal unit months (AUMs) of forage on an annual basis (Appendix N in the Proposed RMP/Final EIS). Grazing applications will continue to be processed consistent with existing regulations (43 CFR 4100).
2150-42	*Comment*	*The Federal Land Policy and Management Act requires that grazing be done in a sustainable manner. We support the concept that if livestock grazing if not managed in a sustainable manner, then it must be modified or eliminated. We do not believe that these goals can be accomplished at the BLM staffing levels that currently exist.*

Group		Livestock Grazing
2150-42	Response	Current grazing authorizations have been issued with terms and conditions to meet Standards for Rangeland Health and management goals and objectives for BLM land. The management goals and objectives are not predicated on a specific staffing level. Decisions from an RMP would be implemented over a period of years depending on budget and staff availability. Funding levels affect the timing and implementation of management actions and project proposals, but do not affect the decisions made in an RMP.
2150-43	*Comment*	*I support some agricultural grazing use of monument lands provided that the neighboring farmers/ranchers are required to be good stewards of the monument and that they allow the public to have free hiking/ hunting/ fishing trespass rights on their private lands that are largely surrounded by monument lands.*
2150-43	Response	Terms and conditions on grazing permits/leases establish how grazing will occur for responsible stewardship of BLM land including the need to meet Standards for Rangeland Health. Conditional use of the BLM land "in exchange" for access across or use of private land is not within the grazing regulations or BLM's authority.
2150-44	*Comment*	*The Monument plan says livestock grazing will continue. For how long? Until they build up their herds of wildlife? Do we want their plan? Look at Yellowstone Park and the poor shape the herds are in. Well fed cows make money – starving buffalo/elk leave the park and spread brucellosis.*
2150-44	Response	The Proclamation specifically states that existing regulations for grazing will apply. The grazing regulations provide for renewal of grazing permits. Livestock grazing that meets Standards for Rangeland Health is a decision common to all alternatives in the Draft RMP/EIS and Proposed RMP/Final EIS.
2150-45	*Comment*	*The BLM has stated that the Monument is subject to valid existing rights, such as grazing rights. However, in other places in the DRMP and DEIS, the BLM states that grazing may have to be at conservative stocking levels and a permittee's ability to maintain or build improvements may be curtailed.*
2150-45	Response	The Proclamation states that the establishment of the Monument is subject to valid existing rights. Grazing on the public land is a privilege and the Proclamation further states that existing grazing regulations shall continue to apply. In many instances current levels of allocation to livestock are already at conservative levels. Where monitoring information and determinations are made that Standards for Rangeland Health and/or management goals are not being met and livestock is the cause then adjustments in grazing may be necessary. In some instances this may be an adjustment in stocking, but it could also be an adjustment in season or duration of use without adjustments in stocking. A conservative stocking level is a stocking rate that would result in a moderate utilization level (or less) by livestock at the end of the grazing period for the year. A conservative stocking level would be established based on resource management goals including maintaining healthy vegetation; acceptable livestock performance; expected normal weather; and annual plant production. Under Decisions Common to All Alternatives in Chapter 2 of the Proposed RMP/Final EIS, the maintenance of existing range improvement projects (fences, reservoirs, and other water developments) will occur in the same general manner and degree as in the past. Maintenance of water facilities may include routine maintenance or involve reconstruction. Routine maintenance is normally carried out under an existing cooperative agreement or permit and does not result in a change in the design or capacity

of the facility. Reconstruction normally involves a new design with a change in capacity and new surface disturbance outside the original footprint of the facility.

2150-46 *Comment* *Ranchers and farmers are losing their rights and are being pushed to their limits. We need to protect their rights because our food is now being produced overseas just like our oil. Ranching should be given special status and wilderness should not be made and forced. There isn't wilderness if there is ranching because there are roads and waters and people have been ranching there for hundreds of years.*

2150-46 Response Under the Proclamation, the "[l]aws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument." Livestock grazing will continue to be governed by a number of laws and regulations that apply to grazing on all public land administered by the BLM. In addition, the BLM developed Standards for Rangeland Health and Guidelines for Livestock Grazing Management for Montana, North Dakota, and South Dakota which was approved by the Secretary of the Interior in August 1997. To protect the objects for which the Monument was designated livestock grazing will continue to be managed under the Lewistown District (Lewistown and Malta Field Offices) Standards for Rangeland Health and Guidelines for Livestock Grazing Management (BLM 1997). Livestock grazing on allotments in the Monument will continue to be allocated about 38,000 animal unit months (AUMs) of forage on an annual basis (Appendix N in the Proposed RMP/Final EIS). Grazing applications will continue to be processed consistent with existing regulations (43 CFR 4100).

The alternatives considered in the RMP/EIS do not propose any change to the WSAs from what was recommended in the 1987 Missouri Breaks Wilderness Suitability Study/EIS (as discussed in Chapter 3 of the Proposed RMP/Final EIS).

The settlement and establishment of ranching operations and grazing of domestic livestock began in the Monument area in the late 1800s and has evolved through the 1900s. The current status of grazing allotments, allocated livestock forage and grazing permits/leases was mostly established from approximately 1945 to 1965.

2150-47 *Comment* *Continued ranching operations provide another significant benefit, as threat of catastrophic fires is greatly reduced on allotments systematically grazed by area ranchers -- that alone, can be a major consideration in recent dry years.*

2150-47 Response Livestock grazing could be considered as a vegetation management tool to reduce hazardous fuel loads. This has been clarified under Decisions Common to All Alternatives, Prescribed Fire and other Fuels Management section in Chapter 2 of the Proposed RMP/Final EIS.

2150-48 *Comment* *To exclude agricultural use of the land would exclude the human stewardship component of the land.*

2150-48 Response Excluding livestock grazing is not being considered. Protection and stewardship of land can include responsible grazing and other uses.

2150-49 *Comment* *It seems timely for the BLM, in keeping with its mission statement, to recognize the vital stewardship role that partnership with agricultural practices and access play in maintaining the Upper Missouri Breaks and the local and state economy. If grazing were forbidden, one effect would be the accumulating grass and brush as fuel for inevitable devastating fires, as has been witnessed too often as a result of the legacy of fire*

suppression in the national parks. The BLM would be remiss to discount the validity of the current agricultural system and to remove it from the management plans for the monument. The Upper Missouri Breaks have long benefited from human agricultural stewardship and this use and access should be accommodated in the proposed plan.

2150-49 Response Current agricultural activities in the area remain and livestock grazing in the Monument will continue, as stated in Chapter 2 of the Proposed RMP/Final EIS, Decisions Common to All Alternatives, Livestock Grazing.

2150-50 Comment *At the Wall Creek Wildlife Management Area, elk habitat has been improved by cattle grazing. The draft RMP/EIS allows the use of "goats and/or sheep to control weeds in special circumstances" (Chapter 2, page 25). A provision could also be included to allow cattle grazing as a means of sustaining and improving big game habitat. What research and consideration has been given to this?*

2150-50 Response Chapter 2 of the Proposed RMP/Final EIS, Decisions Common to All Alternatives, Livestock Grazing, allows flexibility to use livestock as a management tool in weed control and other vegetation management.

2150-51 Comment *How long are we going to graze cattle?*

2150-51 Response The Proclamation did not mandate a need for an adjustment of forage allocated to livestock. As discussed in decisions common to all the alternatives (Chapter 2 of the Draft RMP/EIS, pages 24 to 26), livestock grazing will continue under applicable regulations for grazing on BLM land.

2150-52 Comment *Range management and direction for grazing activities within the Monument should ensure that water quality and fisheries wildlife habitat is protected and restored. BLM Standards and Guidelines for grazing leases should be monitored and enforced. The draft RMP/EIS states that riparian areas generally are not meeting BLM's goals of proper functioning condition, since they are impacted by flow regulation from upstream dams, continuous hot season grazing, and irrigation withdrawals (page 152). The RMP should provide for reducing "continuous hot season" grazing in riparian areas and for protecting wildlife in the uplands.*

2150-52 Response Protection of riparian areas and wildlife habitat is a component of Standards for Rangeland Health and implemented through watershed and/or activity plans. Riparian-wetland objectives will continue to be developed and implemented through the watershed planning process or as a result of monitoring data. Exclosures, change in season of use, refined grazing prescriptions, riparian pastures, etc. could be used to achieve proper functioning condition (PFC). Reduction of continuous hot season grazing is one of the management practices that can be used to protect riparian communities. The BLM will maintain current grazing systems for riparian areas in PFC.

2150-53 Comment *The BLM's goal for Livestock Grazing is to permit livestock grazing consistent with maintaining healthy vegetation communities (page 24). We believe the goal for livestock grazing should be amended to incorporate the concept that riparian functions, water quality and aquatic habitat should also be protected and/or restored along with maintenance of healthy vegetation communities. For example, we suggest that the grazing goal be modified as follows:*

"The BLM's goal for Livestock Grazing is to permit livestock grazing consistent with maintaining healthy vegetation communities, and protecting and/or restoring riparian functions, water quality and aquatic habitat."

Group		Livestock Grazing
2150-53	Response	Standards for Rangeland Health and Guidelines for Livestock Grazing Management as implemented in 1997 for all BLM land in the region address ecosystem health including vegetation (riparian and upland), water, air and habitat. All the alternatives for the Monument incorporate Standards for Rangeland Health. The BLM's goal is to achieve, or make significant progress toward, proper functioning condition in riparian and wetland areas and to sustain a diverse age-class and composition of riparian-wetland vegetation for maintenance and recovery of riparian-wetland areas.
2150-55	*Comment*	*How many 'grazing privileges' do they [Ted Turner, APF, WWF, TNC] have for the "Monument"? What does BLM know about all this? Does Ted Turner, APF, TNC and WWF have 'grazing privileges' for bison on the Monument?*
2150-55	Response	There are currently no conservation organizations holding grazing permits/leases in the Monument. However, when a party buys a property that has a BLM grazing permit or lease attached to it, makes appropriate applications and is qualified (in accordance with 43 CFR 4100) to hold a grazing permit or lease, they would be issued a permit or lease like any other party. There are currently no approved permits for bison in the Monument. However, if an operator made application to run bison it would be considered and analyzed before a decision was made to authorize a change in the class of livestock. Bison grazing would be subject to the same regulations that require meeting Standards for Rangeland Health.
2150-56	*Comment*	*The problem is that BLM in the draft text says its "goal is to permit livestock grazing consistent with maintaining healthy vegetation communities." That's routine for other BLM lands but not the Monument. The text should specify that grazing would be permitted consistent with preservation of objects cited in the Proclamation. The draft RMP completely fails to describe how the grazing program will be managed in relationship to preservation of objects.*
2150-56	Response	Grazing management issues have been addressed in accordance with the Standards for Rangeland Health and Guidelines for Livestock Grazing Management EIS of 1997. The eight completed watershed plans (Table 2.2 in the Proposed RMP/Final EIS) contain management actions and livestock grazing guidelines for meeting Standards. As these actions are implemented, conditions are expected to improve. Changes in livestock management will continue through the watershed planning process. The Proclamation did not mandate a need for an adjustment of forage allocated to livestock. Current livestock grazing has not been identified as a cause of damage or abuse of the objects for which the Monument was established. Livestock grazing will continue to be managed through the Lewistown District (Lewistown and Malta Field Offices) Standards for Rangeland Health and Guidelines for Livestock Grazing Management (BLM 1997). The grazing regulations (43 CFR 4100) provide the authority and process for BLM to take action if livestock grazing is jeopardizing public resources.
2150-57	*Comment*	*It has been well documented decades ago with federal finances administered by BLM, Lewistown staff, and clearly understood by professional BLM staff decades ago that domestic livestock have systematically destroyed the annual cottonwood regeneration along much of the Missouri River corridor. There is no rational prospect of regeneration and maintenance of cottonwood forests in the corridor until all livestock are removed permanently. Permanent livestock removal immediately is the only biologically feasible cottonwood forest and riparian vegetation restoration solution available at any cost to the American public, owners of this environment. The avowed benefits derived from allowing livestock in the corridor to the American public is a terrible farce and a blatant welfare payment process. The net economic loss to the American public generated by this*

political and for profit farming-ranching process is massive. It must end immediately. It is about 50 years delinquent.

2150-57 Response

Health of riparian communities is one of the Standards for Rangeland Health which has been incorporated in watershed plans and grazing permit renewal environmental assessments (EA) as implementation of guidelines for livestock grazing management to meet Standards for Rangeland Health. Elimination of livestock grazing was analyzed in the Missouri Breaks EIS (1979) and Prairie Potholes EIS (1982).

In the Draft RMP/EIS and Proposed RMP/Final EIS an alternative to identify lands as not available for livestock grazing was considered but eliminated from detailed study since livestock grazing was considered in the Standards for Rangeland Health assessment and implementation of Guidelines for Livestock Grazing Management in completed watershed plans and the grazing permit renewal process.

The Proclamation does not require nor suggest that lands need to be identified as unavailable for grazing and affirms "[l]aws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument." There was not a resource need to identify lands unavailable for livestock grazing. In those limited areas where a conflict may occur, Guidelines for Livestock Grazing Management practices will continue to be followed to protect rangeland resources and, where necessary, to mitigate conflicts with other Monument uses and values. Administrative actions will be implemented under existing regulations to ensure compliance with existing permit/lease requirements. These actions include monitoring and supervision of grazing use and enforcement in response to unauthorized use.

2150-58 *Comment*

There is the biological potential for livestock introduction and transfer of brucellosis and possibly other devastating diseases to our public wildlife species and populations. This has been the case in many states as well as here in Montana. Example: Brucellosis transmitted from cattle to elk and buffalo. Brucellosis is not native to the American continent, and was introduced to the North American continent by domestic livestock. The existing brucellosis scope and spread in Montana wildlife is at best unprofessionally and unscientifically researched and documented by the Montana Fish, Wildlife and Parks. The problem is much larger than the politics state. The potential widespread brucellosis contamination of our elk, deer, bighorn sheep, antelope, and other ungulates such as reintroduced, free-roaming, genetically pure, wild, uncontaminated buffalo would devastate the world-renowned Breaks elk population and would correspondingly devastate the rich ecological and economic benefits we now have. The solution is not hypothetical. It is factual, immediately attainable, and required. Eliminate any-all domestic livestock from our Breaks NM and specifically include that objective in the Breaks NM RMP now.

2150-58 Response

The BLM has limited authority in dealing with animal health issues on BLM land and no authority over animal health issues on private land in and around the Monument. In the Draft RMP/EIS and Proposed RMP/Final EIS an alternative to identify lands as not available for livestock grazing was considered but eliminated from detailed study since livestock grazing was considered in the Standards for Rangeland Health assessment and implementation of Guidelines for Livestock Grazing Management in completed watershed plans and the grazing permit renewal process. The Proclamation does not require nor suggest that lands need to be identified as unavailable for grazing and affirms "[l]aws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument." There was not a resource need to

identify lands unavailable for livestock grazing. In those limited areas where a conflict may occur, Guidelines for Livestock Grazing Management practices will continue to be followed to protect rangeland resources and, where necessary, to mitigate conflicts with other Monument uses and values. Administrative actions will be implemented under existing regulations to ensure compliance with existing permit/lease requirements. These actions include monitoring and supervision of grazing use and enforcement in response to unauthorized use.

2150-59 *Comment* *Drastically reduce, or ultimately eliminate all livestock from Breaks NM to improve wildlife habitats, wildlands environments. Specifically preclude all new livestock welfare subsidies such as fencing, roads, trails, wells, pipelines, water tanks, destruction of native wildlands and conversation to livestock feed, etc. This is de facto privatization of our federal land and resources.*

2150-59 Response In the Draft RMP/EIS and Proposed RMP/Final EIS an alternative to identify lands as not available for livestock grazing was considered but eliminated from detailed study since livestock grazing was considered in the Standards for Rangeland Health assessment and implementation of Guidelines for Livestock Grazing Management in completed watershed plans and the grazing permit renewal process. The Proclamation does not require nor suggest that lands need to be identified as unavailable for grazing and affirms "[l]aws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument." There was not a resource need to identify lands unavailable for livestock grazing. In those limited areas where a conflict may occur, Guidelines for Livestock Grazing Management practices will continue to be followed to protect rangeland resources and, where necessary, to mitigate conflicts with other Monument uses and values. Administrative actions will be implemented under existing regulations to ensure compliance with existing permit/lease requirements. These actions include monitoring and supervision of grazing use and enforcement in response to unauthorized use. Wildlife habitat is a component of Standards for Rangeland. Range improvements are installed to manage the lands to meet Standards for Rangeland Health and other multiple resource values.

2150-60 *Comment* *How does the BLM determine the appropriate levels of AUMs to allow in the Monument?*

2150-60 Response Following the Taylor Grazing Act (1934) and through the 1960s grazing privileges were adjudicated for livestock grazing on the public land. The adjudication process involved considering applications from those livestock operators using the public land as well as resource considerations including rangeland inventories. The Missouri River Basin rangeland inventory was completed for the area in the 1950s. This inventory included mapping of soils and vegetation and developed recommended stocking by livestock in accordance with commonly recognized proper use. Proper use included plant health, soil erosion control, providing for wildlife (and in some cases feral horses using the area) and responsible livestock grazing. There were also some suitability for livestock grazing criteria applied based on slope, distance to water and class of livestock. By the mid-1960s the forage allocated to livestock was generally established. Further adjustments in forage allocated to livestock were made as new resource information was assembled and/or as management goals and objectives were updated. During the 1970s the BLM prepared Environmental Impact Statements for grazing on public land. The Missouri Breaks EIS (1979) covers most of the BLM land that is now in the Monument. Implementation actions resulting from the EIS lead to some adjustments in forage allocated to livestock, mostly to account for suitability for livestock grazing, but also to recognize forage allocated to wildlife and to correct administrative errors. The most recent update to livestock grazing was the Standards for Rangeland Health and Guidelines for Livestock

Grazing Management (1997). In the process of determining if Standards for Rangeland Health are being met and should a reason for not meeting standards be livestock grazing, then adjustments to the grazing are made. These adjustments are analyzed in the watershed plans or grazing permit renewal environmental assessments. In monitoring resource conditions, adjustments to livestock grazing may be necessary to meet Standards for Rangeland Health and resource management goals and objectives.

2150-61 *Comment* *We recommend that, where livestock grazing is permitted on public rangelands, grazing should not exceed 25-30% utilization of herbaceous forage each year. Grazing should not be allowed until after 20 June and all livestock should be removed by 1 August with a goal of leaving at least 70% of the herbaceous production each year to form residual cover to benefit sage-grouse nesting the following spring. Twice-over grazing systems, where livestock pass through an area twice in a grazing season, should be avoided, and full rotation of each subdivision of an allotment or at least on a pasture basis should occur once every 4 years. Winter grazing is generally less negative for herbaceous vegetation and sage-grouse than grazing during the growing season. Care should be used in calculating stocking rates to ensure that no more than 25-30% forage utilization is achieved. Winter grazing should not be initiated until plant growth has ceased for the year and should generally occur in the 15 November to 1 march interval. Larger pastures with fewer fences are better than smaller pastures. Water and salt should be placed near fences or fence corners, as these areas (fences and fence corners) tend to 'naturally' attract livestock. The goal should be to reduce livestock impacts in the center of pastures on allotments. Because fences are generally negative for sage-Grouse (Connelly et al. 2004), placement of water and salt near fences can be used to concentrate livestock impacts in areas away from more valuable habitats for sage-grouse.*

2150-61 Response Guidelines for Livestock Management (as established in 1997 and through subsequent watershed and activity plans) outline practices to meet Standards for Rangeland Health. Specific guidelines to meet not only Standards, but other goals and objectives for management may be implemented on a watershed or allotment basis. These could include forage consumed or left standing, seasons of use, and duration of grazing among other practices.

Specific guidelines established at the RMP level are not universally applicable and may limit management options and flexibility during watershed or landscape level planning. Also, specific narrow guidelines at the RMP level tend to emphasis actions verses management goals and objectives.

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

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

Any new water developments would be considered on a site-specific basis and would consider the benefits/detriment to all resources. Decisions about installing water

developments would be based on grazing practices and wildlife habitat needs (big game, migratory birds, sage-grouse, amphibians, etc.) within a specific use area.

2150-62 *Comment* *It is MSGA, PLC and MASGD's recommendation that any allotment that fits the criteria BLM has set for RCA's, first be offered to other grazing permittees within the area. Although there may be benefits to RCA's, placing these available allotments in to an active management rotation would also be a benefit. The BLM preferred alternative states in some cases fences would be relocated to better fit the topography and management needs. If the preferred alternative is chosen and there are cases where fences will be relocated, will livestock permittees be asked to provide input and who will provide the labor and materials?*

2150-62 Response The Draft RMP/EIS does not propose to establish Reserve Common Allotments (RCAs); however, several of the alternatives considered allow for the establishment of resource reserve allotments if the opportunity develops and it would be useful for management of the BLM land. Creating resource reserve allotments is an alternative that could be considered if the opportunity comes available to offset the impacts of drought or to implement a project such as a prescribed fire. A resource reserve allotment would be available to provide management flexibility for operators in the area.

Relocation of fences to better fit the topography and management needs, including who would participate in the project, are considered on a case-by-case basis. Fences which are poorly located generally have been recurrent problems for permittees handling their livestock and therefore have benefits to be realized from the relocation of fences. In general, BLM will provide materials for fences on BLM land and the permittee would be responsible for annual maintenance. Removal of the old fence and initial installation of fences is determined on a project-specific basis and can vary dependent on the circumstances.

2150-63 *Comment* *Landowners and grazing permittees should not have to make adjustments to their grazing management every time wildlife expand their habitat. Just because livestock are the easiest to control, they should not be the first option when making management decisions as a result of deterioration of rangeland health due to increasing wildlife populations. The BLM also states livestock grazing adjustments will be used to improve quality and quantity of wildlife forage. Most of these adjustments equate to reductions in livestock AUMs. Livestock producers are willing to improve their grazing management, but should not be penalized in the process.*

2150-63 Response Livestock grazing will continue to be managed through the Lewistown District (Lewistown and Malta Field Offices) Standards for Rangeland Health and Guidelines for Livestock Grazing Management (BLM 1997) which apply to all public land administered by the BLM. When it is determined that Standards for Rangeland Health or resource management goals are not being met, then the cause of not meeting Standards would be identified. When wildlife is identified as a cause of not meeting standards, BLM will work with Montana Fish, Wildlife and Parks (or other agencies) and landowners to resolve the cause. However, since control of wildlife populations is not within BLM's authority, other adjustments maybe needed to maintain Rangeland Health. Not all adjustments are necessarily reductions in livestock AUMs. Changing a season of use or how the livestock use the rangeland can accommodate wildlife needs. If available, an adjustment could be mitigated with an authorization to use a resource reserve allotment. Improving grazing management practices in most instances will improve resource conditions and wildlife habitat as well as available livestock forage.

Group		Livestock Grazing
2150-64	*Comment*	*In the Health of the Land and Fire section, page 37, the preferred alternative once again discusses the potential to develop a RCA. Once again, MSGA, PLC and MASGD recommends these grazing allotments be offered to existing grazing lessees first before be classified as a RCA. One of fears in this discussion stems from the possibility of removing active grazing allotments and reclassifying them as a RCA. BLM needs to insert language that assures this practice will not occur.*
2150-64	Response	Reserve Common Allotments were considered at one time for all BLM land but this was not incorporated in the regulations. The Draft RMP/EIS does not propose to establish Reserve Common Allotments (RCAs); however, several of the alternatives considered allow for the establishment of resource reserve allotments if the opportunity develops and it would be useful for management of the public land. Creating resource reserve allotments is an alternative that could be considered if the opportunity comes available to offset the impacts of drought or to implement a project such as a prescribed fire. A resource reserve allotment could be established "if the opportunity is available" and "if there is a need" but they would not necessarily be a "common" allotment. Establishing a resource reserve allotment is an option but it would not be a requirement. Having resource reserve allotments available in an area allows for increased management flexibility for several operators.
2150-65	*Comment*	*Cattle grazing should be held to a bare minimum. Leases should be phased out on public lands and ranchers should be paid to keep cattle out of the river corridor. While this is done to some degree, it is not enough, and people still wind up having to camp between cow pies and listening to mooing all night.*
2150-65	Response	An alternative that would phase out livestock grazing over time was considered but eliminated from detailed study since there is no documented need to phase out livestock grazing based on the Proclamation and Standards for Rangeland Health. The Proclamation states: "Laws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument." Standards for Rangeland Health and resource management plans are the primary controlling factors in authorizing livestock grazing on the BLM land. Recent Standards for Rangeland Health assessments and implementation of Guidelines for Livestock Grazing Management have reviewed and addressed livestock grazing in the Monument. Phasing out or eliminating grazing from the Monument was considered but not analyzed in detail as is discussed in Chapter 2 of the Proposed RMP/Final EIS.
2150-66	*Comment*	*The BLM has erred in refusing to include the effects of grazing in its analysis, in particular the effects of over grazing, stock ponds, access roads, and the destruction of riparian areas and cottonwoods as part of the cumulative impacts of its proposal. (In fact, there was very little in the way of any cumulative impact analysis in the DEIS.)*
2150-66	Response	Livestock grazing was a component of Missouri Breaks EIS, Prairie Potholes EIS, West HiLine RMP/EIS, Judith-Valley-Phillips RMP/EIS, watershed plans and EAs for grazing permit renewal. Livestock grazing is a decision common to all alternatives considered in the Draft RMP/EIS and Proposed RMP/Final EIS for the Monument. The analysis assumptions and guidelines for the environmental consequences, Chapter 4 of the Draft RMP/EIS and Proposed RMP/Final EIS, provide the basis for the cumulative impacts analysis, which is addressed in the each resource section and summarized at the end of each section. The discussion of the impacts common to all alternatives has been expanded in the Proposed RMP/Final EIS.

Group		Livestock Grazing
2150-67	*Comment*	*Grazing must be managed in subordination to the protection of "the objects of the Monument." The planning process must not ignore the ecological and biological resources of the land because the domestic use is presumed to be most economically valuable to a certain human enterprise. How is this grazing going to be managed in relationship to preservation of the objects? The Cascade-Siskiyou National Monument Proclamation mandated a study of "the impacts of livestock grazing on the objects of biological interest in the Monument with specific attention to sustaining the natural ecosystem dynamics." That Monument also had little idea about the impacts of livestock but has drawn up a study plan strategy. This strategy, with modifications, could be used in this Monument in an ongoing study.*
2150-67	Response	The Proclamation did not mandate a need for an adjustment of forage allocated to livestock. The Proclamation allowed for continuation of many uses including grazing in accordance with existing regulations. Existing grazing regulations include meeting Standards for Rangeland Health. The foundation of Standards for Rangeland Health is in ecological and biological processes functioning. In recent watershed plans and environmental assessments for renewal of grazing permits and leases the Standards for Rangeland Health were assessed and specific guidelines for livestock grazing management were implemented. This process analyzed livestock grazing impacts on ecological and biological resources. Monitoring of natural resources and uses of the public land is a continuing process to identify what is happening on the public land and to recognize when adjustments in management are needed to meet management goals and objectives.
2150-68	*Comment*	*There should be a BLM plan that allows current grazing according to NEPA laws.*
2150-68	Response	Development of the Environmental Impact Statement for the Monument RMP, as well as recent environmental assessments for renewal of grazing permits/leases, are in compliance with the National Environmental Policy Act.
2150-69	*Comment*	*While the federal land is certainly owned by the public, it is wrong to ignore the fact that these leases have been purchased by the ranchers and are integral to the viability of their operations.*
2150-69	Response	Grazing permits and leases are a privilege attached to private land. To varying degrees these permits are important to the agricultural operation depending on how much public land (forage) is involved verse the amount of private and leased land and the nature of the agricultural enterprises.
2150-70	*Comment*	*Big Game pg. 17. "Expansions of big game populations into existing but previously unoccupied habitat may occur. The BLM will work with FWP, landowners and grazing permittees to determine the most appropriate management practices if monitoring indicates a deterioration of rangeland health in herd expansion areas. These practices may involve adjusting livestock grazing, reducing wildlife populations (emphasis added) or other management options." MWF is particularly alarmed at proposing undefined options of reducing wildlife populations on the same level with the reduction of domestic grazing to improve rangeland health. We strongly suggest that domestic grazing reduction is the only appropriate first step towards improving rangeland health, after all, wildlife belong on the land as an integral part of the landscape whereas livestock are allowed as a permitted privilege. Montana FWP is charged with managing Montana's big game. If numbers become so high as to pose an undue impact on rangeland health then indeed increased harvest would be sought to rectify the imbalance but not to benefit domestic livestock opportunities.*

2150-70 Response

Part of the process of meeting the Standards for Rangeland Health is to identify the reason when a standard is not met. Livestock grazing may or may not be the reason for not meeting Standards. When wildlife is identified as a cause of not meeting standards, the BLM will work with Montana Fish, Wildlife and Parks (or other agencies) and landowners to resolve the cause. Not all adjustments need to be reductions in livestock AUMs. Changing a season of use or how the livestock use the rangeland can accommodate wildlife needs and meet Standards for Rangeland Health in some instances. If available, an adjustment could be mitigated with an authorization to use a resource reserve allotment.

2150-71 Comment

Alternative F states that allowances will be used for certain classes of livestock. The DEIS does not analyze different livestock classes and, therefore, there is no plan for range improvements which has been studied in the DEIS. Insofar as the Monument as a whole is concerned, the BLM fencing manual should be the standard; however, 4 wire fences should be restricted to allotment boundaries in order to help wildlife movement. Relocate fences that do not fit with the landscape.

2150-71 Response

Other than allowing domestic sheep grazing in special weed management situations, sheep grazing would not be authorized in the Monument. The Draft RMP/EIS does not analyze other classes of livestock since such a decision is made in response to an application by a holder of a grazing permit or lease and would be analyzed in a subsequent environmental assessment.

Existing design standards and specifications in BLM manuals for fences include measures to minimize hazards for wildlife while still controlling the livestock. The BLM fence specifications would be followed with allowances for certain classes or types of livestock (BLM Handbook H-1741-1). Four-wire fences could be authorized if the class or kind of livestock necessitate the need for a more substantial fence. For additional wildlife mitigation, the bottom wire on four wire fences would be 12 1/2 gauge barbless wire placed at least 16 inches above the ground or 18 inches from the ground if barbed. New fences would not have a top wire over 40 inches from the ground and wire stays would not be allowed.

2150-75 Comment

All activities, including grazing, should be managed to protect the resources of the Monument.

While The Wilderness Society supports livestock grazing in the UMRBNM, it must be consistent with protecting the objects cited in the Proclamation. The draft RMP seems to go to lengths to avoid saying this, and we believe just the opposite must be stated emphatically. Grazing management must also be an integral part of the overall Monument management plan rather than relegated to obscure and dated watershed plans.

The BLM must provide an assessment of the current health of the land relative to livestock grazing and provide meaningful assurance that monitoring and enforcement are being carried out in effective, measurable ways.

2150-75 Response

Under the Proclamation, the "[l]aws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument." Livestock grazing will continue to be governed by a number of laws and regulations that apply to grazing on all public land administered by the BLM. In addition, the BLM developed Standards for Rangeland Health and Guidelines for Livestock Grazing Management for Montana, North Dakota, and South Dakota which was approved by the Secretary of the Interior in August 1997. To protect the objects for which the Monument

was designated livestock grazing will continue to be managed under the Lewistown District (Lewistown and Malta Field Offices) Standards for Rangeland Health and Guidelines for Livestock Grazing Management (BLM 1997). Livestock grazing on allotments in the Monument will continue to be allocated about 38,000 animal unit months (AUMs) of forage on an annual basis (Appendix N in the Proposed RMP/Final EIS). Grazing applications will continue to be processed consistent with existing regulations (43 CFR 4100).

Standards for Rangeland Health are a component of the existing regulations. Rangeland health assessments were prepared as part of the watershed planning and grazing permit renewal process and are included in allotment records and environmental assessments for permit renewals. Since rangeland health assessments are not an inventory per se but a determination of functioning of ecological processes, continued monitoring is necessary to recognize if Standards for Rangeland Health are being met. Guidelines for livestock grazing are incorporated in grazing permits and leases to ensure Standards for Rangeland Health are being met. Monitoring of resources and compliance with authorizations to use the public land are continuing activities of the BLM. Adjustments in authorization would be made when needed to meet management goals and objectives. The authority for the enforcement of terms and conditions of authorizations is in the existing regulations.

2150-76 *Comment* *Livestock grazing needs to be a recognized asset in rangeland health, and used accordingly.*

2150-76 Response Livestock grazing is a use of rangelands. Livestock grazing can be a useful and beneficial tool in management when specifically designed and managed to benefit the rangeland. Guidelines for livestock grazing management have been established as recommended practices for the benefit of rangeland health and other resource values.

2150-77 *Comment* *The historical use of this area of farming and ranching must have priority. The other landowners are in the same business as a private citizen. I expect my government to protect me and my rights.*

2150-77 Response Public land for which BLM is responsible are managed in the interest of all the American people in accordance with several laws including FLPMA. Under the Proclamation, the "[l]aws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument."

The Proclamation did not mandate a need for an adjustment of forage allocated to livestock.

2150-78 *Comment* *BLM grazing allotments are still governed by the Taylor Grazing Act. This act calls for the orderly use of the range lands. The Missouri Breaks range has been split into individual allotments for many years. Grazing agreements have been hammered out that benefit not only the allotment holder, but the wildlife as well. The range condition over the past thirty years has steadily improved in a measurable, quantifiable way. We insist that the following language be included in the plan: "Cattle numbers will not be reduced or eliminated as a result of the monument designation and the resulting management plan."*

2150-78 Response Under the Proclamation, the "[l]aws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument."

Group		Livestock Grazing
		Livestock grazing will continue to be governed by a number of laws and regulations that apply to grazing on all public land administered by the BLM. In addition, the BLM developed Standards for Rangeland Health and Guidelines for Livestock Grazing Management for Montana, North Dakota, and South Dakota which was approved by the Secretary of the Interior in August 1997. To protect the objects for which the Monument was designated livestock grazing will continue to be managed under the Lewistown District (Lewistown and Malta Field Offices) Standards for Rangeland Health and Guidelines for Livestock Grazing Management (BLM 1997). Livestock grazing on allotments in the Monument will continue to be allocated about 38,000 animal unit months (AUMs) of forage on an annual basis (Appendix N in the Proposed RMP/Final EIS). Grazing applications will continue to be processed consistent with existing regulations (43 CFR 4100). Continued livestock grazing is a decision common to all alternatives for the Draft RMP/EIS and Proposed RMP/Final EIS. Provided Standards for Rangeland Health and management goals and objectives are being met, grazing permits would continue in accordance with the regulations and applicable resource management plan as for all public land.
2150-79	*Comment*	*Grazing should be allowed as it provides healthy environments for the wildlife and adds water sources.*
2150-79	Response	Continued livestock grazing is a decision common to all alternatives and water developments will be accessible for wildlife.
2150-80	*Comment*	*The closing of roads. If the wildlife is controlled by walk-in hunting it will result in over grazing of the land. You will counter with cutting down on the number of AUMs*
2150-80	Response	Limiting or closing roads is proposed for a number of resource reasons including wildlife habitat security during the fall hunting season. It is not anticipated that closing roads would lead to over grazing by wildlife and or a need to reduce forage allocated to livestock. Managing wildlife populations is not within the authority of BLM.
2150-81	*Comment*	*What is the difference between an AUM now and in 1943 when the Taylor Grazing Act was enacted.*
2150-81	Response	The Taylor Grazing Act (1934) did not specifically define AUM (animal unit month), however an AUM has had a standard meaning in rangeland management since the time grazing allocations were established (see the glossary on page 365 of the Draft RMP/EIS). It is problematic to establish with precision actual AUMs coming from the public land at the time of enactment of TGA in the late 1930s through the early 1940s for a variety of reasons. Prior to the TGA it is even more problematic in recognition of settlement sequences; sheep, cattle, and horse grazing operations, etc. Anecdotal information suggests that from the time of the TGA (1934) to approximately the late 1950s the amount of authorized use went down approximately 15% and a further reduction likely occurred in the amount of unauthorized use. Since the late 1950 allocations to livestock went down a small percentage in recognition that early allocations were not being used by livestock because it was not practical to use them and would have been abusive of the rangeland.
2150-82	*Comment*	*The Taylor Grazing Act needs to stay as it is. If there are big restrictions the cattle as we no it around here is gone.*

Group		Livestock Grazing
2150-82	Response	The Draft RMP/EIS does not change provisions of the Taylor Grazing Act. Continued livestock grazing is a decision common to all alternatives considered in the Proposed RMP/Final EIS for the Monument.
2150-83	*Comment*	*The lessees out there must keep rights to be able to access water on the river. We have our cattle out there and cannot move them around and move through the different leases.*
2150-83	Response	Several current grazing authorizations incorporate rotations and using water off of the river.
2150-84	*Comment*	*The problem with the BLM management proposal for the monument is that it threatens to obstruct the ability of ranchers like me and others to continue our present management practices.*
2150-84	Response	Under the Proclamation, the "[l]aws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument." Livestock grazing will continue to be governed by a number of laws and regulations that apply to grazing on all public land administered by the BLM. In addition, the BLM developed Standards for Rangeland Health and Guidelines for Livestock Grazing Management for Montana, North Dakota, and South Dakota which was approved by the Secretary of the Interior in August 1997. To protect the objects for which the Monument was designated livestock grazing will continue to be managed under the Lewistown District (Lewistown and Malta Field Offices) Standards for Rangeland Health and Guidelines for Livestock Grazing Management (BLM 1997). Livestock grazing on allotments in the Monument will continue to be allocated about 38,000 animal unit months (AUMs) of forage on an annual basis (Appendix N in the Proposed RMP/Final EIS). Grazing applications will continue to be processed consistent with existing regulations (43 CFR 4100).
2150-85	*Comment*	*I think it is imperative that the BLM go through the same stewardship certification process under undaunted stewardship that I have completed.*
2150-85	Response	The BLM is one of the partners establishing and continuing the Undaunted Stewardship Program. The program is specifically designed for private land and some criteria would not be applicable for BLM land. One criteria of stewardship certification is willing participation and commitment to management, which not all BLM land grazing operators are willing to do.
2150-86	*Comment*	*This is supposed to be a Monument, not a wilderness area. We need stronger language to protect livestock grazing.*
2150-86	Response	The Draft RMP/EIS does not change what was previously recommended concerning suitability of the Wilderness Study Areas. Under the Proclamation, the "[l]aws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument." Livestock grazing will continue to be governed by a number of laws and regulations that apply to grazing on all public land administered by the BLM. In addition, the BLM developed Standards for Rangeland Health and Guidelines for Livestock Grazing Management for Montana, North Dakota, and South Dakota which was approved by the Secretary of the Interior in August 1997. To protect the objects for which the Monument

was designated livestock grazing will continue to be managed under the Lewistown District (Lewistown and Malta Field Offices) Standards for Rangeland Health and Guidelines for Livestock Grazing Management (BLM 1997). Livestock grazing on allotments in the Monument will continue to be allocated about 38,000 animal unit months (AUMs) of forage on an annual basis (Appendix N in the Proposed RMP/Final EIS). Grazing applications will continue to be processed consistent with existing regulations (43 CFR 4100).

Continued livestock grazing is a decision common to all alternatives in the Draft RMP/EIS and Proposed RMP/Final EIS.

2150-87 *Comment* *And some of the rules in this here where they want to keep our grass heights at a certain level after grazing. I visited with the BLM about this and said, if you could keep your camp grounds the same way, I would be really, really favorable to that. But if you go to the campgrounds after the camping season, it looks like this floor here. They don't have to comply, but I have to comply.*

2150-87 Response Monitoring residual vegetation is a commonly used indicator for management of rangelands. Height of remaining vegetation is one means of measuring residual vegetation, which maybe used in some instances. Residual vegetation in terms of forage consumed by livestock is generally viewed over more than just a single site which would be more applicable in the case of campgrounds. River riparian health is indicator 3 of the standards and indictors for addressing camping on the river (Appendix Q in the Proposed RMP/Final EIS). If camping is leading to a deterioration of riparian community health it would be adjusted.

2150-89 *Comment* *Currently, BLM is looking at making some revisions to their grazing regulations. And looking through the document in the EIS, I'd like to see the BLM adopt or make some reference within the document that as these regulations are adopted by the agency, they will be referenced and implemented within this document.*

2150-89 Response Since the Proclamation is clear that "[l]aws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases under its jurisdiction shall continue to apply with regard to the lands in the monument" the regulations in effect apply to the Monument.

2150-90 *Comment* *It's important for them to document within this effort is, currently, they've made a real big effort of going toward a cooperative monitoring effort with grazing permittees.*

I think with a cooperative effort with the livestock producers, the grazing permittees, if we could see this effort implemented to a greater degree, it not only will prove to anybody that has a question about what kind of job is getting done out there, it just ensures that good stewardship practices are taking place on the land.

2150-90 Response Cooperative monitoring activities are encouraged throughout BLM. Objective monitoring requires continuing effort, commitment and discipline to document causes (influences) as well as effects on the land. Several permittees already participate in monitoring by providing actual grazing use information.

2150-91 *Comment* *If you are a rancher that's within the boundaries of the Monument when you sign, based on the conditions of the permits is the rancher forfeiting away any of the range rights, water rights, or rights-of-way?*

2150-91	Response	A grazing permit or lease contains terms and conditions for grazing on BLM land which includes compliance with the grazing regulations and specific stipulations for the allotment. When an operator signs a permit or lease it means they are accepting the terms and conditions that apply. A grazing permit documents the operator's privilege to graze BLM land and with payment of annual fees is the authorization to graze. An operator is not forfeiting water rights or rights-of-way unless there is a specific stipulation clearly articulated as such and would be extremely rare. If an operator does not have a current permit or lease approved by the BLM authorized officer or does not pay required fees then the operator does not have an authorization to graze on BLM land. These criteria apply whether inside or outside of the Monument.
2150-92	*Comment*	*It says right in there that the BLM will not reissue permits without--if they are canceled or retired. This land should--has been stated as suitable for grazing by the Taylor Grazing Act and that's the way it should stay.*
2150-92	Response	Grazing permits and leases must be periodically reviewed to ensure they are meeting Standards for Rangeland Health, compliance with the applicable RMP and the terms and conditions of the permit or lease. This review must be documented and is commonly a component of an environmental assessment or other document that meets the requirements of the National Environmental Policy Act. Most of the time this review will occur when the permit or lease is due for renewal. This is the same for BLM land inside or outside the Monument. Provisions of the Taylor Grazing Act remain for grazing permits within the Monument.
2150-93	*Comment*	*Why is it also stipulated that there is grazing permits that some may be issued for less than ten years?*
2150-93	Response	Grazing permits and leases are offered for less than 10 years when control of the base property is leased and the lease of the base property expires in less than 10 years. Shorter term permits and leases are also offered when there are resource considerations, management and/or administrative issues where it would not be in the interest of orderly administration of grazing on BLM land to issue a grazing permit/lease for 10 years (43 CFR 4130.2(d)).
2150-95	*Comment*	*Cattle-grazing practices must be protected and leasing of BLM land must continue with adjoining private property owners able to use this land to make their operations financially feasible. The leases must be passed to future generations and new land owners of this property.*
2150-95	Response	Under the Proclamation, the "[l]aws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument." Livestock grazing will continue to be governed by a number of laws and regulations that apply to grazing on all public land administered by the BLM. In addition, the BLM developed Standards for Rangeland Health and Guidelines for Livestock Grazing Management for Montana, North Dakota, and South Dakota which was approved by the Secretary of the Interior in August 1997. To protect the objects for which the Monument was designated livestock grazing will continue to be managed under the Lewistown District (Lewistown and Malta Field Offices) Standards for Rangeland Health and Guidelines for Livestock Grazing Management (BLM 1997). Livestock grazing on allotments in the Monument will continue to be allocated about 38,000 animal unit months (AUMs) of forage on an annual basis (Appendix N in the Proposed RMP/Final EIS). Grazing applications will continue to be processed consistent with existing

regulations (43 CFR 4100). Livestock grazing is a decision common to all alternatives in the Draft RMP/EIS and Proposed RMP/Final EIS. Livestock grazing will continue in accordance with the grazing regulations that apply to all BLM land.

2150-96	*Comment*	*I want to see the final plan include language where this ranch and other like it can be assured that grazing leases will be honored at their current level with continued cooperation with the BLM on water use and maintenance provisions.*
2150-96	Response	Under the Proclamation, the "[l]aws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument." Livestock grazing will continue to be governed by a number of laws and regulations that apply to grazing on all public land administered by the BLM. In addition, the BLM developed Standards for Rangeland Health and Guidelines for Livestock Grazing Management for Montana, North Dakota, and South Dakota which was approved by the Secretary of the Interior in August 1997. To protect the objects for which the Monument was designated livestock grazing will continue to be managed under the Lewistown District (Lewistown and Malta Field Offices) Standards for Rangeland Health and Guidelines for Livestock Grazing Management (BLM 1997). Livestock grazing on allotments in the Monument will continue to be allocated about 38,000 animal unit months (AUMs) of forage on an annual basis (Appendix N in the Proposed RMP/Final EIS). Grazing applications will continue to be processed consistent with existing regulations (43 CFR 4100). Livestock grazing is common to all alternatives (Chapter 2 of the RMP) and will continue in accordance with regulations that apply outside and inside the Monument. Maintenance of existing range improvement projects (fences, reservoirs, and other water developments) will occur in the same general manner and degree as in the past. Maintenance of water facilities may include routine maintenance or involve reconstruction. Routine maintenance is normally carried out under an existing cooperative agreement or permit and does not result in a change in the design or capacity of the facility. Reconstruction normally involves a new design with a change in capacity and new surface disturbance outside the original footprint of the facility. Range improvements in cooperation with operators in accordance with applicable regulations and stipulations will continue as needed to meet Standards for Rangeland Health and resource management goals and objectives.
2150-97	*Comment*	*Furthermore, there needs to be language in the Plan that ensures ranchers the right to maintain reservoirs and other range improvements. The water supply is particularly beneficial to the wildlife as without reservoirs their only source of water during drought, which we have been experiencing in these later years, is the river. Wildlife can overuse the river riparian areas just as badly as livestock if not dispersed.*
2150-97	Response	Maintenance of existing range improvement projects (fences, reservoirs, and other water developments) will occur in the same general manner and degree as in the past. Maintenance of water facilities may include routine maintenance or involve reconstruction. Routine maintenance is normally carried out under an existing cooperative agreement or permit and does not result in a change in the design or capacity of the facility. Reconstruction normally involves a new design with a change in capacity and new surface disturbance outside the original footprint of the facility. Each species of grazing animal has different demands for water and forage. They also have different behaviors in how they use land and water. It can happen that wildlife will over use areas; however wildlife (deer, antelope, elk, bighorn sheep, beavers, prairie-dogs) currently use the area yearlong where livestock (mostly cow/calf pairs late spring through fall) are

different. Many livestock grazing management strategies lead to heavy use around water in normal years and even heavier use in dry years. In general, wildlife behavior has them dispersed for a variety of reasons, one of which is water. Wildlife generally travel further distances from water and need less water to meet their daily needs. With the exception of beavers and prairie dogs, wildlife use on the river has not been identified as a resource concern.

2150-98 *Comment* *Better grazing management and wildlife friendly fences are needed. No fences should impede wildlife movement.*

2150-98 Response Livestock grazing practices would be consistent with meeting Standards for Rangeland Health. Specifications for fences are designed to minimize hazards to wildlife while still controlling livestock as necessary to meet management goals and objectives. The BLM fence specifications would be followed with allowances for certain classes or types of livestock BLM Handbook H-1741-1). Four-wire fences could be authorized if the class or kind of livestock necessitate the need for a more substantial fence. For additional wildlife mitigation, the bottom wire on four wire fences would be 12 1/2 gauge barbless wire placed at least 16 inches above the ground or 18 inches from the ground if barbed. New fences would not have a top wire over 40 inches from the ground and wire stays would not be allowed.

2150-100 *Comment* *We also know that some cattle allotments are not properly managed and are being subjected to destructive non-sustainable grazing.*

2150-100 Response Livestock grazing is subject to Standards for Rangeland Health and Guidelines for Livestock Management as established in 1997. When Standards are not met and livestock grazing is determined to be the cause, adjustments in grazing will be implemented to meet Standards. As grazing permits/leases are renewed Standards for Rangeland Health are considered and revised terms and conditions may be incorporated into the permit or lease.

2150-101 *Comment* *There should be no additional establishment of "reserve allotments" as allowed by Alt. F because the DEIS provides no analysis of what areas are under consideration for reserve allotments, whether those areas contain historic or prehistoric sites, whether the areas are better suited for recruitment of sage grouse and other species of concern and whether the impacts from additional reserve allotments affect the protection of other objects in the Monument.*

2150-101 Response Resource reserve allotments could be established when the opportunity is available to offset the impacts of drought or to implement a project such as a prescribed fire that could create a temporary loss of AUMs. A resource reserve allotment could provide an opportunity to build management flexibility into over all management of the BLM land in the area and benefit resource values in other allotments. A resource reserve allotment would be available for grazing. To classify an allotment unavailable for grazing is a separate action and is not being considered in the Proposed RMP/Final EIS.

2150-102 *Comment* *The new rules will also hinder local ranch management and eventually cause the ranchers in the Monument to become "willing sellers" to the BLM.*

2150-102 Response Livestock grazing will continue to be managed through the Lewistown District (Lewistown and Malta Field Offices) Standards for Rangeland Health and Guidelines for Livestock Grazing Management (BLM 1997) which apply to all public land administered by the BLM. Grazing applications will continue to be processed consistent with existing regulations (43 CFR 4100).

Group		**Livestock Grazing**
		The BLM will not pursue the acquisition of private land unless approached by a landowner or their representative. Conservation easements or fee acquisition (i.e., campsite) opportunities that are brought forward by private landowners will be considered if they enhance the values of the Monument and are within the BLM's staff and budgetary constraints.
2150-103	*Comment*	*How can you manage BLM that is combined in to private land and not fenced totally separate I think it is totally unreasonable that you should be able to force any rules on that land I think a lot of the land should be sold to the land owners and find somewhere you can get BLM that does not have ANY private land.*
2150-103	Response	Mixed ownership allotments and pastures do exist. In many of these cases, grazing management of the combined lands has been cooperative, compatible and worked well for public, state and private lands in meeting public and private goals and objectives. The BLM has no jurisdiction over private or state land and minerals, and these lands and minerals are not part of the Monument. The Proclamation limits the opportunity to sell BLM land in the Monument. BLM land will not be disposed of other than by exchange, and only when necessary to further the protective purposes of the Monument, block up BLM land within the Monument and enhance the values for which the Monument was designated.
2150-104	*Comment*	*In Chapter 4 page 327, Impacts to Wilderness Study Areas from Health of the Land and Fire, BLM is proposing changes to range improvements within the WSA's. Under the current management it states "Existing water developments would be a critical component within the WSA's due to a lack of natural water sources other than the river in the summer and fall months." If there is such a shortage of water in many of these areas and riparian areas need improvement, why would BLM propose a limitation on water development?*
2150-104	Response	Range improvements within a Wilderness Study Area (WSA) are guided by the Interim Management Policy (IMP) for lands under wilderness review (BLM Handbook H-8550-1). New, permanent livestock developments may be approved if they truly enhance wilderness values, and the developments are substantially unnoticeable. Permanent water developments will be allowed for the purpose of enhancing wilderness values. In most instances, water developments will be limited to springs where the water trough blends into the surrounding landscape and plant cover is restored. Standards for Rangeland Health also apply to the WSAs. If Standards are not being met adjustments in management would be considered in a WSA as well and could include water facilities within the IMP guidelines.
Group		**Minerals**
2200-01	*Comment*	*1) We should explore every lease that we think there is a chance for gas and reduce our dependence on foreign oil; the state can use the revenue generated; 2) we need to continue with our gas and oil exploration. This should include the existing valid permits and possibly future permits and rights because I think we can all agree that we as a nation are very dependent on foreign oil and I think we should continue our exploration of domestic gas and oil; 3) we are short of oil and gas and development of the current leases should be allowed; 4) oil and gas should continue; 5) Keep the area open for drilling natural gas; 6) there is natural gas in the area. Someday we will need to use that resource. Access to it will be vital; 7) in this time of rising energy prices and uncertainty*

about the safety of our sources of energy, it is ridiculous not to utilize our own resources. All of the exploration, drilling and delivery of petroleum products are now done in a responsible manner without damage to the landscape; and 8) opposed to any new oil and gas restrictions which may be considered for the Missouri Breaks National Monument region and request that oil and gas restrictions remain at current levels.

2200-01 Response

The Proclamation does not allow new oil and gas leases in the Monument. However, the 43 federal oil and gas leases in the Monument are considered to have valid existing rights based on the Proclamation that states, "The establishment of this monument is subject to valid existing rights. The Secretary of Interior shall manage development on existing oil and gas leases within the monument, subject to valid existing rights, so as not to create any new impacts that would interfere with the proper care and management of the objects protected by this proclamation."

Under the Preferred Alternative, the existing lease stipulations would be strengthened by implementing reasonable conditions of approval under BLM's authority to protect the objects in the Monument based on the Proclamation. The conditions of approval would apply to all the oil and gas lease acreage (42,805 acres) in the Monument. The conditions of approval would be applied to the application for permit to drill (APD) after an onsite evaluation indicates the presence of the specific resource to protect the objects in the Monument and after considering the waivers, exceptions and modifications listed in Appendix O.1 of the Proposed RMP/Final EIS. The conditions of approval are consistent with the terms of the leases and based on the analysis in this document.

Based on the reasonable foreseeable development and applying the conditions of approval, there could be the potential for 34 natural gas wells drilled on federal minerals in the Monument under the Preferred Alternative. There could also be the potential for 21 wells within 1/2 mile of the Monument on federal minerals. Under Alternative A (Current Management) there could be the potential for 35 natural gas wells.

2200-02 *Comment*

1) Energy development should be kept out of the Monument; 2) keep out commercial ventures and oil and gas development that take unfair advantage of the river and uplands; 3) No new wells, as they will incur unnecessary road access also; 4) I see no need for gas wells in this pristine area; 5) I believe the Missouri Breaks Monument should be free from oil and gas development; and 6) I would urge that oil and gas exploration and development be minimized as required by the proclamation if not banned in the future and BLM should analyze a buyout or exchange alternative.

2200-02 Response

The Proclamation does not allow new oil and gas leases in the Monument. However, the 43 federal oil and gas leases in the Monument are considered to have valid existing rights based on the Proclamation that states, "The establishment of this monument is subject to valid existing rights. The Secretary of Interior shall manage development on existing oil and gas leases within the monument, subject to valid existing rights, so as not to create any new impacts that would interfere with the proper care and management of the objects protected by this proclamation."

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Group		Minerals
2200-03	*Comment*	*There are no producing wells in the Monument.*
2200-03	Response	Currently, there are four producing natural gas wells in the Monument, four that are shut-in with a pipeline, and two that are shut-in without a pipeline. The six shut-in wells are capable of production. For additional information see the Minerals section of Chapter 3 in the Proposed RMP/Final EIS.
2200-04	*Comment*	*Lessees should not drill in the Monument as the potential for habitat disturbance is great, the success rate is dismal at best, and there is basically no gas in the Monument. Most well sites have been unproductive. Development of the leases does not benefit the local citizens and benefit the state as a whole very little.*
2200-04	Response	A total of 82% of the 224 wells drilled in the Monument were drilled as dry holes and the other 18% were considered commercially productive; however, 1 productive well out of every 6 wells drilled is a better average than the national average of 1 out of every 10. The success rate average within the Monument study area continues to improve as more well and seismic information is collected. Using only the previous 20 years of drilling history, the overall success rate improves from 18% to 35%. See Appendix O.3 in the Proposed RMP/Final EIS, Reasonable Foreseeable Development, Past, Present and Future Oil and Gas Exploration and Development Activity, Exploratory/Development Drilling. Wells within the Monument have produced 5.6 BCF of gas, and wells within 1/2 mile of the Monument and Monument leases outside of the Monument have produced 5.9 BCF of gas for a total of 11.4 BCF gas since the date of first production in December 1980. Geologic trends and current exploration techniques indicate that the potential for future discovery of natural gas in the Monument is high. Based on historical evidence, future wells could produce an average volume of 390,000 MCF over the lifetime of the well.
2200-05	*Comment*	*Reclaim and undo damage from past oil and gas drilling activities and motorized use including access roads. Under the preferred alternative reclamation of roads may or may not happen when wells go dry.*
2200-05	Response	Under the Preferred Alternative, reclamation efforts would follow Best Management Practices (BMPs) and standard operating procedures (Appendix K in the Proposed RMP/Final EIS). The intent of the reclamation standards would be to minimize erosion and establish native vegetation. In some areas, disturbed surfaces (i.e., current wells with final abandonment notices with less than 100% reclamation) would be allowed to reclaim naturally. It could require more surface disturbance to go back and reclaim those sites than it would be to leave the locations in their current state. Some of the plugged wells that were not fully reclaimed predate the Monument by 20 to 30 years and reclamation at that time was considered adequate. Some roads were left open (unreclaimed) because management discretion allowed keeping the roads open for emergency or administrative use (i.e., fire and quick response to render aide). Many of the unreclaimed roads in the Monument were formed 20 to 30 years prior to the formation of the Monument. Some of these roads could be closed to the public based on the transportation plan in Chapter 2 of the Proposed RMP/Final EIS.
2200-06	*Comment*	*Change the Goal on Page 68 to read: "The BLM's goal is to provide reasonable oil and gas exploration and development on existing leased lands while conserving sensitive resource values and without diminishing the objects of the Monument." This would bring it into agreement with the National Energy Policy.*
2200-06	Response	The phrase, "without diminishing the objects of the Monument," which is part of the Oil and Gas goal, refers to all sensitive resource values (Monument objects) which are the subject areas discussed in the Proposed RMP/Final EIS (e.g., cultural resources, wildlife, water, etc.).

Group		Minerals
2200-07	*Comment*	*Judging from some of the maps we have there are some extensive coal reserves in the Monument, that would lead one to believe that coal bed methane, since it is easier and cheaper to obtain would be a factor.*
2200-07	Response	The following language has been added to Chapter 3 of the Proposed RMP/Final EIS under Solid Leaseable Minerals (Bentonite, Expandable Clay, Coal): While it is known that coal occurs in the sedimentary rocks of the Upper Cretaceous Eagle and Judith River Formations in the Monument, it is highly unlikely that coal bed methane would result as a resource that would experience commercial extraction due to the geologic setting of the coal, the quality, the volumes of the coal and the non-continuous beds of coal.
2200-08	*Comment*	*The disposal of salt or contaminated water is a matter of concern.*
2200-08	Response	According to 43 CFR 3164.1, Onshore Oil and Gas Order No. 7, an operator must submit a request for approval to dispose of produced water. Many factors are considered prior to approval: how the water is to be disposed of, whether in a disposal well, on lease or off lease, or in a lined or unlined pit; the source of the produced water; a water sample analysis of total dissolved solids in the water; a reclamation plan detailing the procedures to be followed for closure of the pit; and an estimate of how much water the well will produce.
2200-09	*Comment*	*As far as undoing damage from past oil and gas drilling activities and motorized use I believe Mother Nature will take care of such things in due time.*
2200-09	Response	Under the Preferred Alternative, reclamation efforts would follow BMPs (Appendix K in the Proposed RMP/Final EIS) and standard operating procedures. The intent of the reclamation standards would be to minimize erosion and establish native vegetation. In some areas, disturbed surfaces (i.e., current wells with final abandonment notices with less than 100% reclamation) would be allowed to reclaim naturally. It could require more surface disturbance to go back and reclaim those sites than it would be to leave the locations in their current state.
2200-10	*Comment*	*The DEIS states that seismic operations may be allowed off-lease and off road. There is no reason to allow new impacts from seismic operations, either off-lease or off existing roads. The miles of existing roads are already an issue and allowing further road development would be directly contrary to the purposes of the Monument. Therefore, this language and management option should be changed to reflect that.*
2200-10	Response	The Preferred Alternative is specific that vehicle activity would be restricted to designated roads. Exceptions would be authorized on a case-by-case basis dependent upon the degree of data needed to identify the resource and the operator's ability to mitigate surface disturbance. This gives the seismic operators flexibility to conduct their surveys if new technology eliminates significant impacts. The intent of this language would be an exception rather than the rule and would not be used lightly. Seismic operations can always use existing roads as support to get their equipment close to the survey or use helicopter support and ground support (via foot) to carry geophone lines into surveyed position in sensitive areas. Exceptions could be authorized provided the activity would not interfere with the proper care and management of the objects protected by the Proclamation. Exceptions are granted only in situations when the operator can reduce impacts (minimal impacts). It would also be recommended that if vibroseis type vehicles are to be used in the operation that they stay on existing approved roads. If the existing road system is not adequate to

Group		**Minerals**
		conduct the survey, shallow drill holes would be allowed, to conduct the remaining part of the survey using heli-supported equipment or equipment that is hand carried to the surveyed locations.
2200-11	*Comment*	*Reclamation bonds should be required on all oil and gas exploration and development.*
2200-11	Response	Bonding is one of many requirements for oil and gas operators. See Appendix O in the Proposed RMP/Final EIS for a discussion of oil and gas lease stipulations and lease operations in the Monument.
2200-12	*Comment*	*What seismic in the past was used to determine the deposits in the Monument? This information was not disclosed in the Draft RMP.*
2200-12	Response	This information was briefly covered in Appendix K.3 in the Draft RMP/EIS under Past, Present and Future Oil and Gas Exploration and Development Activity, Geophysical and Chemical Surveys. The following language has been added to this section in the Proposed RMP/Final EIS: 2-D Seismic surveys were conducted in 1983 and 1987 to better understand the area under the Sherard Unit which includes T. 25 N., R. 19 E. Other than those two surveys, only one other was conducted in or near the Monument which was in the Sawtooth Gas Field near the Chimney Butte area in T. 26 N., R. 20 E. Sections 1-12. Other than these surveys, subsurface geology is based on regional geologic trends, surface geology and well point information. Further improvements in seismic technology and data collection processes continue to enhance the understanding of the area's subsurface geology. This would include 3-D seismic surveys that are beginning to occur on lands near the Monument. Results of these types of surveys could potentially stem further development because the nature of the survey better defines the prospects and has yielded much higher success rates. A 3-D seismic survey is considered as a set of numerous closely-spaced seismic lines that provide a high spatially sampled measure of subsurface reflectivity. Typical receiver line spacing can range from 300 m [1,000 ft] to over 600 m [2,000 ft], and typical distances between shot and receiver groups is 25 m [82 ft] (offshore and internationally) and 110 ft or 220 ft [34 to 67 m] (onshore USA, using values that are even factors of the 5,280 feet in a mile).
Group		**Oil and Gas Activity**
2210-01	*Comment*	*No gas compressors facilities should be allowed on Monument lands and no compressors should be located in the Bullwhacker area to preserve the unlit night skies. The preferred alternative would locate large compressor facilities outside the Monument if possible, but it builds in the flexibility to locate them inside. Locating such an industrial facility within the boundary would be totally inconsistent with the intent of the Monument.*
2210-01	Response	An industrial type facility could be identified as greater than 500 horsepower and generally occupying more than a half acre of land (150 ft x 150 ft). If a proposed facility could be placed on an existing well or new well location without impeding the operation of the well and meet requirements for visual resources, slope requirements and noise thresholds, the facility would likely be approved. Generally, to meet those conditions, the facility would be required to occupy less than a quarter of the existing well pad (< 25 ft x 25 ft) and the height of the uppermost part of the facility would be less than 10 feet. Furthermore, a compressor facility would likely not be approved if additional surface disturbance beyond the existing 100 ft x 100 ft well site was necessary to install the facility.

Group		Oil and Gas Activity
2210-02	*Comment*	*BLM could consider, for example, developing a coordinated transportation plan to minimize impacts so that the agency could allow greater access than would otherwise be the case.*
2210-02	Response	Under the reasonable foreseeable development scenario, the BLM considered an oil and gas transportation system. Under the Preferred Alternative, it is estimated that the Monument could potentially see 34 new wells drilled on federal minerals. This would include roughly 11 miles of new road and 3.9 miles of pipeline. As addressed in the Access and Transportation section of the Preferred Alternative in Chapter 2, new resource roads to natural gas operations would be closed for public access, unless shown to meet management objectives through a site-specific environmental assessment.
2210-03	*Comment*	*The Draft document must be rewritten to explain how the proposed exploration and development will comply with the Proclamation; so as not to create any new impacts that would interfere with the proper care and management of the objects protected by this proclamation.*
2210-03	Response	The BLM identified Alternative F as the Preferred Alternative because it would allow development on the existing oil and gas leases while protecting the objects of the Monument. The conditions of approval under the Preferred Alternative were designed to protect the objects of the Monument through wildlife timing restrictions, requiring no surface disturbing or disruptive activities within distance limits from sensitive species; controlling surface use under certain criteria for lands with sensitive soils and slopes and visual resources while reasonably allowing the lessees to enjoy the rights of the leases by exploring for oil and gas.
2210-04	*Comment*	*All oil and gas sites should be monitored for weeds, and air and water quality issues during and after use.*
2210-04	Response	The BLM performs routine scheduled inspections of the wells, roads and facilities based on a National Strategy for conducting inspections of Oil and Gas Leases, communitization agreements (CA) and Units. Monument leases, CAs and Units would be considered a high environmental priority. Environmental inspections for weeds and reclamation would be conducted yearly as part of the oil and gas inspection and enforcement strategy.
2210-05	*Comment*	*Oil and gas exploration and development on existing leases should be planned and staged to minimize environmental effects, with maximum use made of direction drilling and cluster development, wider spacing of well pads, and restrictions on new roads. We should encourage minimizing the number of disturbed sites by drilling multiple wells from one location whenever possible.*
2210-05	Response	Under the Preferred Alternative for Drilling Operations, only the minimal amount of surface disturbance would be permitted for drilling and production phases. The disturbed area would be confined to an acceptable (safe) area/space based on the type of operation. The objectives would be to achieve a desired effect on the land with minimum disturbance by using low impact drilling technology, developing multiple wells from one location or staying away from trouble or problem areas. This would include the access to a drilling site. The objectives would be to reduce impacts, avoiding areas that could be subject to high impacts, and locating the operation away from sensitive areas. While BLM cannot force an operator to drill using some of these conditions under existing oil and gas lease rights, in order to protect known resources by utilizing

controlled surface use or no surface-disturbing or disruptive activities, operators may be required to drill with one or all of the three techniques to protect the resource in the Monument.

2210-06 *Comment* *The gas companies were told they would be able to service and maintain the wells as assured by the BLM representative at the meeting.*

2210-06 Response Under the Preferred Alternative for Natural Gas Exploration and Development, Administrative Access on Existing and New Resource Roads, travel on identified designated roads would be restricted to the minimal vehicle size and type needed for the job. In many cases to conduct a well check a quad runner may be appropriate, where as in other cases the vehicle needs would change to a light truck or a larger vehicle. Timing restrictions may apply, but in critical situations, the operator would be allowed to get a waiver, exception or modification to the timing restriction. On new wells, operators would be required to follow best management practices to perform well monitoring.

2210-07 *Comment* *The final RMP/EIS should identify any site-specific BMPs that have been negotiated with operators of existing leases. If site-specific BMPs have not been developed, we ask if there may be a need to develop site-specific BMPs to protect objects and resources within the Monument (i.e., is there a need for BMPs that are above and beyond the standard BMPs?).*

Reliance on BMPs does not meet our concerns about steep slopes, fragile soils and depositing overburden in coulees.

2210-07 Response Under the Preferred Alternative section of Chapter 2, Natural Gas Operations, operators would be required to follow standard operating procedures and BMPs (Appendix K in the Proposed RMP/Final EIS). Other BMPs could be considered and implemented if new techniques or new technology is developed over time.

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

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

2210-08 *Comment* *The practice and process for removing environmentally protective restrictions on oil and gas development and demonstrating "acceptable" levels of impacts or "adequate" mitigation should be more fully described in the final RMP/EIS and should specify BLM's plans to provide for public review of any proposed exceptions, modifications, or waivers that would remove or weaken environmentally protective stipulations for oil and gas development within the Monument.*

Group		Oil and Gas Activity
2210-08	Response	Under each alternative in Appendix O.1 of the Proposed RMP/Final EIS, Oil and Gas Lease Stipulations and Conditions of Approval, the waiver, exception and modification (WEM) is described under each condition of approval. In some instances such as Alternative E, no WEMs are allowed. Under the Preferred Alternative, in most instances a WEM can be considered. A condition of approval is subject to waiver, exception, or modification if the authorized officer determines that the factors leading to its inclusion have changed sufficiently to make the protection provided by the condition no longer justified or if the proposed operations would not cause unacceptable impacts. For example, if an oil and gas operator requested a WEM within big game winter range in the middle of February and the weather and ground was clear (free of cold weather and snow) and the long-term forecast called for unseasonably high temperatures, the wildlife biologist could allow for the WEM. When the waiver, exception, or modification is substantial the proposed WEM is subject to public review for 30 days. This public review can be accomplished by posting the WEM request with the regulatory requirement to post the application for permit to drill (APD) for 30 days; posted on the agency website; posted in a local paper as a legal notice or incorporated into a newspaper article; or, the notice may be included as part of the NEPA document's public review.
2210-09	*Comment*	*RMP management direction should provide for periodic on-the-ground inspections of facilities that have potential for petroleum product leakages using hydrocarbon monitoring equipment. The CEQ regulations require disclosure of the adverse environmental impacts that cannot by avoided should the proposal be implemented and the appropriate mitigation measures be included (40 CFR 1502.16 and 1502.14). What procedures are being used to ensure that leases on producing or non-producing sites are properly monitored? How can the public and other agencies review monitoring information for leases within the Monument?*
2210-09	Response	The BLM performs routine scheduled inspections of the wells, roads and facilities based on a National Strategy for conducting inspections of Oil and Gas Leases, communitization agreements (CA) and Units. Monument leases, CAs and Units would be considered a high environmental priority. Production type inspections for general production operations would be conducted yearly as part of this strategy to assure facilities are operating in an environmentally safe and secure manner. The chance of encountering a petroleum product leakage is minimal because no liquid petroleum products are currently produced from wells within the Monument. Per the reasonable foreseeable development scenario (RFD), natural gas is the only product to be produced from the wells in the Monument. This information is covered in Appendix O.3 in the Proposed RMP/Final EIS, Reasonable Foreseeable Development, Past, Present and Future Oil and Gas Exploration and Development.
2210-10	*Comment*	*Are there spill prevention, control and countermeasure (SPCC) plans with information on spill response procedures and containment and other countermeasures to prevent and mitigate oil spills within the Monument? The final RMP/EIS should clarify that adequate SPCC Plans will be prepared for oil and gas activities within the Monument.* *The DEIS states that oil and gas activities would be allowed within 500 feet of a stream as long as the ground surface of the site is "20 feet higher than the channel (out of the floodplain)." Apparently, this exception to the prohibition on disturbance within 500 feet of water is being justified based upon the assumed protection from flooding. However,*

the DEIS provides no discussion of the likely impact from spill and leaks that will occur from oil and gas operations.

In light of the certainty of spills and the release of potentially toxic pollutants into the soil and any nearby water, the exception to the 500 foot prohibition should be removed. The BLM should discus the impacts to water from such contamination, the impact from the clean-ups that will be necessary – truck traffic, noise, etc., and to where the contaminated soils will be hauled, i.e., the closest landfill or landfarm.

2210-10 Response

The BLM does not foresee oil production in the Monument. It is reasonable foreseeable that natural gas exploration and development would occur as described in Appendix K of the Draft RMP/EIS. There is always the slim possibility of encountering a high pressure kick that could lead to a blow out, which in the case of the Monument could discharge either natural gas or formation water. No oil has been discovered within the Monument and it is foreseen that no oil will be encountered within the Monument.

The BLM has specific requirements to prevent a blow out from occurring and abate the possible discharge of either natural gas or formation water: The possibility of complete loss of well control is remote. The drilling plan and Onshore Oil and Gas Order No. 2 requires specific equipment and materials (blowout preventers (BOPs), rotating heads, blooie lines, choke manifolds, water on location, bentonite and mud weighting materials) to mitigate any undesired event. The normal proposed BOP and blowout prevention equipment (BOPE) is reviewed for conformance to applicable regulations and prudent engineering practices. It is customary that a 2000 psi annular BOP system is used to control all anticipated subsurface pressures based on known information about the subsurface. The contamination of fresh water or formation fluids is prevented through the use of a mud circulation program system and a casing and cementing program. It is required of operators that no hazardous substances in the mud be used during the drilling operation. Typically following the drilling of the 9 7/8" surface hole (surface hole size can vary), a 7"x 23#/ft casing (steel pipe) is placed in the hole and cement is circulated behind the pipe (between the pipe and rock) to the surface. This process secures the surface casing in place and allows for further drilling operation to continue safely to total depth (TD) without disturbing or jeopardizing the fresh or usable water zones. Once the cement is cured, the operator is required to install and test Blowout Prevention Control Equipment to the satisfaction of Onshore Oil and Gas Order No. 2. The BOP safety equipment serves as a mechanism to allow the drilling contractor or operator to gain control of a well by pumping weighted mud down the well to equalize hydrostatic pressures (i.e., killing the well).

Depending on the area where a well is drilled, any or all phases of the drilling program can be inspected by BLM. Those phases include running of surface casing and the cementing process, testing BOP and BOPE, and normal drilling operations. The inspection ensures that the casing is placed into the hole cemented as approved, it assures that the safety equipment (BOP and BOPE) is properly installed, properly function tested and it assures that other mitigation requirements according to the APD and conditions of approval are met.

Spill prevention, control and countermeasure plans also apply to production operations. Other than natural gas, some formation water can also be produced from wells within the Monument. Operators are required to construct water disposal pits to a size that would adequately handle the volume being produced. Typically, the disposal pits are built not to exceed 40' in length x 40'in width x 10'in depth. If the well produces more volume than a pit could handle, the operator would have the option to haul up to two loads per month per well, curtail the production from the well to lower the volume of water being produced, or perform a work-over on the well to potentially shut off the water production.

It is a standard requirement that the operator receive approval prior to disposing of water (under 43 CFR 3164.1 Onshore Oil and Gas Order No. 7, industry must submit a request for approval to dispose of produced water). There are many factors to be determined regarding this approval: how the water is to be disposed of, whether it's in a disposal well, on lease or off lease, or in a lined or unlined pit; the source of the produced water; a water sample analysis of the total dissolved solids in the water; a reclamation plan detailing the procedures expected to be followed for closure of the pit; and an estimate of how much water the well will produce.

Of the ten active Monument wells, each well produces an average of less than the three barrels of water per day per well. Currently, only four wells produce in the Monument.

2210-11 *Comment* *Although the plan purports to acknowledge existing rights in resource development, the BLM attempts to impose new regulations that conflict with the drilling, access and standard operating procedures already in place. BLM in Appendix K of the plan has identified numerous new conditions of approval (COAs) that would be automatically imposed on specific leases. Despite the claim that the agency would work with applicants, the process outlined appears to be limited to obtaining a waiver, exception or modification (WEM) of the COA. No process for negotiation with the lessee is provided. The new regulations may affect the existing rights that the plan says it protects. The plan must be changed to protect and not place new restrictions on resource development that could invalidate these existing rights.*

2210-11 Response The BLM, through its mitigation procedures, would use conditions of approval (COA) to protect resources in specific areas. In this case, COAs are being used up front to give lessees notice of BLM's expectations of a company with leases in the Monument. Rather than using the 60 day/200 meter rule from 43 CFR 3101.11-2, the BLM is being more selective of appropriate areas allowed for future exploration and development. The COAs include waivers, exceptions and modifications because in many instances the resource that is being protected is dynamic and may not be present at the time of exploration or development. The BLM is not imposing new regulations. The conditions of approval under the Preferred Alternative are consistent with the original terms of the leases and are based on the analysis in this document.

2210-12 *Comment* *Appendix K specifies by alternative how and when a "Condition of Approval" (COA) would be subject to WEM based upon certain criteria. This is confusing since BLM points out on the first page of Appendix K, "During the permitting process for application for permits to drill (APDs), conditions of approval may also be applied to surface-disturbing activities consistent with the lease rights (Table 2.21, Chapter 2). These conditions would be considered on a case-by-case basis during the well onsite visit and review of the APD." This whole process is backwards and does not follow the established BLM policy and procedures for imposing COAs. Clearly there is no need for a WEM of a Condition of Approval because it would only be applied where it is needed, based upon site-specific examination of the area through the on-site inspection.*

2210-12 Response The BLM, through its mitigation procedures, would use conditions of approval (COA) to protect resources in specific areas. In this case, COAs are being used up front to give lessees notice of BLM's expectations of a company with leases in the Monument. Rather than using the 60 day/200 meter rule from 43 CFR 3101.11-2, the BLM is being more selective of appropriate areas allowed for future exploration and development. The COAs include waivers, exceptions and modifications because in many instances the resource that is being protected is dynamic and may not be present at the time of exploration or development.

Group		Oil and Gas Activity
2210-13	*Comment*	*The BLM has expanded its gas development in the Monument and considers reducing the well spacing, lifting restrictions on seismic activity and including numerous exceptions to oil and gas lease stipulations. (a) These lands must be protected for posterity not maximized for temporary and minimal supplies of gas. (b) The US government has perpetuated the idea the US does not need gas and oil from other countries if we maximize our own reserves. All experts agree this is not feasible. The gas leases in the Bullwhacker must be managed to protect the objects of the Monument, not to benefit one certain human enterprise.*
2210-13	Response	The Proclamation does not allow new oil and gas leases in the Monument. However, the 43 federal oil and gas leases in the Monument are considered to have valid existing rights based on the Proclamation that states, "The establishment of this monument is subject to valid existing rights. The Secretary of Interior shall manage development on existing oil and gas leases within the monument, subject to valid existing rights, so as not to create any new impacts that would interfere with the proper care and management of the objects protected by this proclamation." The BLM's goal is to provide reasonable oil and gas exploration and development on existing leased land without diminishing the objects of the Monument. The BLM identified Alternative F as the Preferred Alternative because it would allow development on the existing oil and gas leases while protecting the objects of the Monument. Under the Preferred Alternative, the existing lease stipulations would be strengthened by implementing reasonable conditions of approval under BLM's authority to protect the objects in the Monument based on the Proclamation. The conditions of approval would apply to all the oil and gas lease acreage (42,805 acres) in the Monument.
2210-14	*Comment*	*The gas and oil drilling criteria further limit landowner and other mineral rights holder and thus infringe on their private property rights once again.*
2210-14	Response	The Proclamation does not allow new oil and gas leases in the Monument. However, the 43 federal oil and gas leases in the Monument are considered to have valid existing rights based on the Proclamation that states, "The establishment of this monument is subject to valid existing rights. The Secretary of Interior shall manage development on existing oil and gas leases within the monument, subject to valid existing rights, so as not to create any new impacts that would interfere with the proper care and management of the objects protected by this proclamation." The BLM's goal is to provide reasonable oil and gas exploration and development on existing leased land without diminishing the objects of the Monument. The BLM identified Alternative F as the Preferred Alternative because it would allow development on the existing oil and gas leases while protecting the objects of the Monument. Under the Preferred Alternative, the existing lease stipulations would be strengthened by implementing reasonable conditions of approval under BLM's authority to protect the objects in the Monument based on the Proclamation. The conditions of approval would apply to all the oil and gas lease acreage (42,805 acres) in the Monument.
2210-15	*Comment*	*The DEIS states that the BLM will require operators to utilize wildlife mitigation and BMPs "on all compressors for noise control", and then references the BMP appendix. That appendix lists "noise reduction mufflers to comply with noise standards" as the BMP for noise. (page 406) What type of muffler will be required and what dBa noise standard will be required to be met? How will compliance be measured? Will there be time of day/night differences in the standard. This DEIS simply does not address the very real impacts these compressors will cause.*

Group		Oil and Gas Activity
2210-15	Response	Hospital grade mufflers would be used to meet the requirements of the Table R.1.1 in Appendix R of the Proposed RMP/Final EIS, Wildlife Mitigation Noise Levels. No industrial-type compressors would be used within the Monument.
2210-16	*Comment*	*The DEIS, Appendix K, states that "geophysical operation may be conducted regardless of whether the land is leased or not." While that may be true, generally, it is legally incorrect with regard to this Monument. The explicit language of the Proclamation prohibits any further leasing within the Monument. Therefore, there can be no legally permissible purpose for undertaking geophysical operation off-lease. As a consequence, this language should either be removed or corrected.* *None of the alternatives provides a no seismic activity choice. The preferred alternative should restrict seismic activity to existing leases and roads. Surface blasting and helicopter use should only be allowed outside of big game calving areas.*
2210-16	Response	The Proclamation does not allow new oil and gas leases in the Monument. However, off-lease seismic operations, or seismic operations on BLM land with unleased federal minerals, would only be permitted for the purpose of defining the limits of the federal lessee's interests. Seismic operations may also be permitted for the purposes of exploring state and fee oil and gas minerals. Under the Preferred Alternative in the Proposed RMP/Final EIS, all seismic activities would be subject to the wildlife, soils, and visual resource mitigation measures discussed earlier in this chapter along with the BMPs discussed in Appendix K. Other BMPs could be considered and implemented if new techniques or new technology develop over time. Gravity-type surveys would be allowed on road and only by foot off-road. Vibroseis-type vehicles would be required to stay on existing approved roads. If the existing road system is not adequate to conduct a survey, shallow drill holes (5 to 15 foot shot holes) would be allowed for the remaining part of the survey using helicopter and ground support (via foot).
2210-17	*Comment*	*The DEIS states that "low impact drilling technology" would be used to minimize disturbance from drilling operation. What specific technologies does this refer to: closed loop mud systems, pitless flaring, the use of nontoxic drilling fluids, etc.? How would the BLM require the use of these technologies?*
2210-17	Response	Under the Preferred Alternative for Drilling Operations, only the minimal amount of surface disturbance would be permitted for drilling and production phases. The disturbed area would be confined to an acceptable (safe) area/space based on the type of operation. The objectives would be to achieve a desired effect on the land with minimum disturbance by using low impact drilling technology, developing multiple wells from one location or staying away from trouble or problem areas. This would include the access to a drilling site. The objectives would be to reduce impacts, avoiding areas that could be subject to high impacts, and locating the operation away from sensitive areas. The discussion of the term low impact drilling technology as used in five of the six alternatives including the Preferred Alternative would require operators to utilize varying degrees of the technology in the Monument as allowed by the landscape (topography). Under the Preferred Alternative, the conditions of approval require that drill locations would be allowed on slopes up to 30% and greater or on slopes 20% with severely erodable and/or slumping soils, an engineering and reclamation plan must be approved by the authorized officer. No surface disturbing activities would be allowed on slopes 40% and greater. This applies to well locations, facilities and roads. Exceptions would apply to pipelines for short distances (less than 300 feet). The physical limitations of drill rigs

limit the operator's ability to set up and use low impact drilling technology on drill sites greater than 5% slopes. The technology would be preferred to be used in the Monument but it is recognized that it will not always be able to be used due to safety and topography.

Low impact drilling technology originated in Canada and this technique is also used in northern Blaine County. The primary reason for using low impact drilling technology was to establish faster and more efficient methods of reclamation by not disturbing the soils other than driving and setting up the drill rig facilities. The circulating system was mostly closed with the exception of a small pit (10' x 10') for collection of spilled fluid. The well sites in these situations were conducive to this type of activity because of the relatively flat nature of northern Blaine County.

2210-18 *Comment* *The DEIS provides no discussion of contamination issues in any of its sections on soil, wildlife, or water. For example, nearly all natural gas well will require hydraulic fracturing to enhance production. This requires the transport of toxic chemicals to the well site, the injection of those chemicals down into the well bore, and with pressure, their placement in the gas-bearing formation. Around 30% of these chemicals will be left 'down-hole.' The remaining 70% of the chemicals will be brought back to the surface and, in the usual course of oilfield practice, will be placed in open pits on the surface. The DEIS states that netting and fencing will be used; however, industry practice is to not place netting, in particular, during operations. Therefore, this toxic 'cocktail' will not be netted for some time, leaving waterfowl, in particular, at risk of contamination. This DEIS does not discuss any of the very foreseeable and significant impacts of that process.*

2210-18 Response Well fracture stimulation is a common procedure used to enhance natural gas production from the well. This activity typically occurs at the time of completion after the well is perforated across the productive zone. The majority of all productive wells are stimulated with a blend of nitrogen and frac sand which are used to create an artificial fracture and inject propant sand to keep the facture open after the fracture has been established. The substance used to stimulate the well after the well is perforated is a blend of 70% nitrogen gas, 30% frac fluid (a water-based mix of components to suspend the sand within the nitrogen) and frac sand, which is considered a benign substance. In most, but not all cases, the operator would use 10-15 gallons of HCl acid to clean up the perforated interval. Upon testing the well for production, the nitrogen gas is vented to the atmosphere; the frac fluid is allowed to flow back into the frac tanks set up on location and is then hauled away to a disposal site. The majority of the frac sand remains in the treated formation.

2210-19 *Comment* *There is no discussion in the DEIS or the appendices, of requiring double liners for any pits, the use of non-toxic fracturing and drilling fluids, closed loop drilling systems and so on. All of these are technically viable and available procedures that could be required by the BLM in this instance. There is some discussion requiring directional drilling, after the first set of wells is allowed to be drilled. Yet, given the fairly shallow nature of the gas deposits (less than 2000 vertical feet), it is technically feasible to require any new well to be directionally drilled from an existing well pad. This would avoid the need for new roads, pipeline corridors, etc. However, the RMP/DEIS does not propose even this limitation on oil and gas development.*

2210-19 Response Under the Preferred Alternative for Drilling Operations, only the minimal amount of surface disturbance would be permitted for drilling and production phases. The disturbed area would be confined to an acceptable (safe) area/space based on the type of operation. The objectives would be to achieve a desired effect on the land with minimum disturbance by using low impact drilling technology, developing multiple wells from one location or staying away from trouble or problem areas. This would include the access to a drilling

site. The objectives would be to reduce impacts, avoiding areas that could be subject to high impacts, and locating the operation away from sensitive areas.

Typically, pit liners are not required unless the operator is planning to use some form of invert drilling mud or diesel based system. If the operator was to propose an invert drilling mud system, it would be required of the operator to contain the fluids within a closed system. The likelihood of operators using invert drilling muds within the Monument is relatively low since invert mud systems are primarily used in the drilling of oil wells. There have been no known operations using an invert drilling mud in or near the Monument. Operators within the Monument would typically drill with fresh water based mud systems, which contain water and a gel bentonite mix. The mix of water and mud are enough to seal the pit unless the BLM Soil Specialist requires further mitigation on a site-by-site basis to line the pit based on the nature of the soils at a given location.

2210-20 *Comment* *The DEIS states that water disposal pits will be sized "according to water production." However, we could find no data indicating the volume of water produced per well nor the time period over which that water would be produced. The BLM proposes to limit the number of water transport trips to two per month, which implies that water production will be of small volume. However, nearly all natural gas production involves the production of some volume of water and that should be discussed in this document.*

2210-20 Response It is a standard requirement that the operator receive approval prior to disposing of water (under 43 CFR 3164.1 Onshore Oil and Gas Order No. 7, industry must submit a request for approval to dispose of produced water). There are many factors to be determined regarding this approval: how the water is to be disposed of, whether it's in a disposal well, on lease or off lease, or in a lined or unlined pit; the source of the produced water; a water sample analysis of the total dissolved solids in the water; a reclamation plan detailing the procedures expected to be followed for closure of the pit; and an estimate of how much water the well would produce.

On average, of the ten active wells in the Monument, each well produces less than three barrels of water per day. Under the Preferred Alternative, water disposal pits would be sized according to water production with berms into the pit. The pits would be sized depending on the volume of water produced at the operation and could range from 20'x 20' x 8' to 40' x 40' x 10'.

All containment systems would require wildlife escape ramps and/or netting where necessary. For wells in the Monument, only two trips per month would be authorized to transport water off site. Exceptions would be considered on a case-by-case basis. The operator would have the option to dispose of the water via pipeline to an approved facility, disposal pits including tanks, or in an approved water disposal well if these other options are not viable.

2210-21 *Comment* *The DEIS does not discuss the location of water injection wells, nor does it discuss the volume of water that would need to be trucked into the well sites as part of the drilling process. What volume of water is likely to be needed, will vehicle trips be similarly limited and what will be the source of that water?*

2210-21 Response During drilling operations, operators would typically use 250-300 barrels (BBL) of water to drill a well to 1700-1800 ft. Assuming the operator utilizes a water hauler with a 100 BBL truck; this would require two to three truck loads of water. During drilling operations the number of trips servicing the well would not be limited for the sake of safety and security of the well. Per Onshore Oil and Gas Order No. 2 (Regulation), the operator is required to have on hand enough materials to kill a well. This would include having enough water on hand to sufficiently control the well.

Group		Oil and Gas Activity
2210-22	*Comment*	*The DEIS states that surface blasting will be allowed. By definition, this would be a new impact and therefore, should be prevented, not allowed. In addition, experience elsewhere with seismic blasting show that a significant number of the blast charges do not detonate and remain in location. Nowhere could we find in this document discussion of what percent of the blast charges might denote and how such misfires would be addressed.*
2210-22	Response	Seismic technology has significantly improved over the past 5 to 10 years to where surface blasting is rarely used. The technology has improved to where misfires rarely happen; but should they occur, the seismic company performing the survey would be required to neutralize the charge prior to leaving the survey area.
2210-23	*Comment*	*The DEIS states that surface construction of oil and gas facilities will involve the minimum acreage necessary for safe operation "to mitigate impacts." Once again the BLM has failed to appreciate the difference between the standard multiple use management and management where oil and gas is not the dominant reservation. The BLM cannot, under this Proclamation, simply mitigate impacts. In this Monument, the BLM has an affirmative duty to manage to prevent impacts; that is, to not create them in the first place. The language here needs to be revised to reflect the change in management approach.*
2210-23	Response	The 43 federal oil and gas leases in the Monument are considered to have valid existing rights based on the Proclamation that states, "The establishment of this monument is subject to valid existing rights. The Secretary of Interior shall manage development on existing oil and gas leases within the monument, subject to valid existing rights, so as not to create any new impacts that would interfere with the proper care and management of the objects protected by this proclamation." The BLM's goal is to provide reasonable oil and gas exploration and development on existing leased land without diminishing the objects of the Monument. The BLM identified Alternative F as the Preferred Alternative because it would allow development on the existing oil and gas leases while protecting the objects of the Monument. Under the Preferred Alternative, the existing lease stipulations would be strengthened by implementing reasonable conditions of approval under BLM's authority to protect the objects in the Monument based on the Proclamation. The conditions of approval would apply to all the oil and gas lease acreage (42,805 acres) in the Monument.
2210-24	*Comment*	*The DEIS states that vehicles may be allowed off designated roads for seismic activity "dependent" on data needs and operator ability to mitigate disturbance. (This is also stated on p. 218). Once again the BLM has elevated the oil and gas leases over the stated purposes of this Monument. The Proclamation does not allow exceptions to the 'no new impact' rule that it articulates. Therefore, the BLM cannot allow for exceptions that create new impacts simply by mitigating them. If the activity would create a new impact, and especially a vehicle related impact, then the BLM simply cannot allow that activity.*
2210-24	Response	The 43 federal oil and gas leases in the Monument are considered to have valid existing rights based on the Proclamation that states, "The establishment of this monument is subject to valid existing rights. The Secretary of Interior shall manage development on existing oil and gas leases within the monument, subject to valid existing rights, so as not to create any new impacts that would interfere with the proper care and management of the objects protected by this proclamation." The BLM's goal is to provide reasonable oil and gas exploration and development on existing leased land without diminishing the objects of the Monument. The BLM

identified Alternative F as the Preferred Alternative because it would allow development on the existing oil and gas leases while protecting the objects of the Monument.

Under the Proclamation, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." For administrative purposes travel and emergency use would be authorized off road and on closed roads for BLM, other federal agencies, state and county agencies, lessees and permittees. Administrative purposes would be limited to those activities necessary to administer the permit or lease. This includes natural gas activities associated with exploration, development, production, and reclamation.

2210-25 *Comment* *The well spacing analysis should include an NSO analysis. Spacing should be consistent with the protective mandate of the Proclamation meaning that efforts by the MBOG to change spacing shall not be inconsistent with protecting the objects of interest. The BLM's range of alternatives for oil and gas development is insufficient and the agency should develop and analyze an alternative that includes NSO for non-West HiLine leases.*

If BLM does not rescind the leases, then BLM should impose NSO restrictions on the existing leases in the Monument.

2210-25 Response In the range of alternatives addressed in the Draft RMP/EIS, Alternative E would reduce spacing in specific areas where necessary from two wells per section to one well per section.

Under Alternative E, surface disturbance would not be allowed on any of the 12 West HiLine oil and gas leases. For the non-West HiLine leases, surface-disturbing or disruptive activities would not be allowed in order to protect sage-grouse leks, nesting areas and winter habitat, black-tailed prairie dogs, designated sensitive species, bald eagle nest sites and nesting habitat, big game winter range, bighorn sheep distribution, bighorn sheep lambing areas, streams and riparian/wetland areas, soils on slopes 20% and greater, visual resources and developed recreation sites. This would preclude surface-disturbing or disruptive activities on all the non-West HiLine leases.

2210-26 *Comment* *The BLM failed to develop an alternative that analyzed the validity of the leases which have passed their primary term without production.*

2210-26 Response The Proclamation does not allow new oil and gas leases in the Monument. However, the 43 federal oil and gas leases in the Monument are considered to have valid existing rights based on the Proclamation that states, "The establishment of this monument is subject to valid existing rights. The Secretary of Interior shall manage development on existing oil and gas leases within the monument, subject to valid existing rights, so as not to create any new impacts that would interfere with the proper care and management of the objects protected by this proclamation."

Under the Preferred Alternative, the existing lease stipulations would be strengthened by implementing reasonable conditions of approval under BLM's authority to protect the objects in the Monument based on the Proclamation. The conditions of approval would apply to all the oil and gas lease acreage (42,805 acres) in the Monument. The conditions of approval would be applied to the application for permit to drill (APD) after an onsite evaluation indicates the presence of the specific resource to protect the objects in the Monument and after considering the waivers, exceptions and modifications listed in Appendix O.1 of the Proposed RMP/Final EIS. The conditions of approval are consistent with the terms of the leases and based on the analysis in this document.

The 43 federal leases were issued under ten-year lease terms. Of the 43 leases in the Monument, 13 are within their primary ten-year term and the other 30 are held in their extended term by either allocated or actual production. For additional information see the Minerals – Oil and Gas section of Chapter 3 in the Proposed RMP/Final EIS and the table included with the Oil and Gas Map (Map 3 – Side A).

2210-27 *Comment* *All roads constructed for gas development should be restricted to administrative use and maintained to prevent erosion. When the gas wells go dry, the road must be reclaimed and the area put back to the original contours.*

2210-27 Response Under the Preferred Alternative, new resource roads to natural gas operations would be closed for public access, unless shown to meet management objectives through a site-specific environmental assessment.

2210-28 *Comment* *There is no alternative restricting pipelines to existing roads. Pipelines must be restricted to existing roads.*

2210-28 Response Alternative E would restrict future pipelines to access roads or existing disturbance. The Preferred Alternative restricts pipelines to existing disturbance or the least intrusive disturbance. In most cases the existing disturbance would be the access route into the well; however, the BLM also included the language of allowing the pipeline to follow the lease intrusive disturbance in case it would be less intrusive to follow a more direct route with minimal disturbance.

2210-29 *Comment* *Water pits should be restricted in size, fenced and provide for wildlife escape routes and prohibit transport of water off site.*

2210-29 Response In the range of alternatives addressed in the Draft RMP/EIS, under Alternative E water disposal pits would be sized according to water production with no berms into the pit (vertical sides). All containment systems would require wildlife escape ramps. For each well there would be a limit of no more than five barrels of water per day. For wells in the Monument, no water would be transported via tanker. The operator would have the option to dispose of the water via pipeline, disposal pits including tanks, or in a water disposal well if these other options are not viable.

2210-30 *Comment* *The Draft RMP does not provide sufficient protection from oil and gas development activities.*

2210-30 Response The BLM's goal is to provide reasonable oil and gas exploration and development on existing leased land without diminishing the objects of the Monument. The BLM identified Alternative F as the Preferred Alternative because it would allow development on the existing oil and gas leases while protecting the objects of the Monument. Under the Preferred Alternative, the existing lease stipulations would be strengthened by implementing reasonable conditions of approval under BLM's authority to protect the objects in the Monument based on the Proclamation. The conditions of approval would apply to all the oil and gas lease acreage (42,805 acres) in the Monument.

2210-31 *Comment* *Existing leases should be subject to protective conditions of approval.*

2210-31 Response Under the Preferred Alternative, the existing lease stipulations would be strengthened by implementing reasonable conditions of approval under BLM's authority to protect the objects in the Monument based on the Proclamation. The conditions of approval would apply to all the oil and gas lease acreage (42,805 acres) in the Monument.

Group		Oil and Gas Activity
2210-32	*Comment*	*The other existing leases in the Monument should also be subject to NSO restrictions.*
2210-32	Response	In the range of alternatives addressed in the Draft RMP/EIS, under Alternative E surface disturbance would not be allowed on all any of the 12 West HiLine oil and gas leases (applications for permits to drill would not be processed). Conditions of approval would be applied to surface-disturbing or disruptive activities for the 31 non-West HiLine oil and gas leases in the Monument. These conditions of approval would result in no surface-disturbing or disruptive activities on the non-West HiLine leases.
2210-33	*Comment*	*BLM should impose the BMPs advocated by conservation groups as part of conditions of approval for existing leases on the Monument. The conditions of approval provided in the Draft RMP should not be subject to exception, modification or waiver.*
2210-33	Response	Under the Preferred Alternative section of Chapter 2, Natural Gas Operations, operators would be required to follow standard operating procedures and BMPs (Appendix K in the Proposed RMP/Final EIS). In the range of alternatives addressed in the Draft RMP/EIS, under Alternative E surface disturbance would not be allowed on all any of the 12 West HiLine oil and gas leases (applications for permits to drill would not be processed). Conditions of approval would be applied to surface-disturbing or disruptive activities for the 31 non-West HiLine oil and gas leases in the Monument. Under this alternative the conditions of approval would not be subject to waivers, exceptions, and modifications.
2210-34	*Comment*	*BLM should require that all APDs be open to public comment.*
2210-34	Response	The current application for permit to drill (APD) review process will be utilized. That process includes a 30-day posting period for public review of the proposal. Following the 30-day posting period, the application can be approved in accordance with lease conditions of approval; Onshore Oil and Gas Orders; and Onshore Oil and Gas regulations (43 CFR 3160) if the application is administratively and technically complete. For additional information, see Appendix O in the Proposed RMP/Final EIS, Reasonable Foreseeable Development scenario regarding discussion under the section Possible Oil and Gas Operations to Occur in the Monument.
2210-35	*Comment*	*BLM should commit in the RMP to completing an EA and providing and opportunity for the public to review and comment on such EAs for at least 30 days prior to approving APDs in the Monument.*
2210-35	Response	The current application for permit to drill (APD) review process will be utilized. That process includes a 30-day posting period for public review of the proposal. Following the 30-day posting period, the application can be approved in accordance with lease conditions of approval; Onshore Oil and Gas Orders; and Onshore Oil and Gas regulations (43 CFR 3160) if the application is administratively and technically complete. For additional information, see Appendix O in the Proposed RMP/Final EIS, Reasonable Foreseeable Development scenario regarding discussion under the section Possible Oil and Gas Operations to Occur in the Monument.
2210-36	*Comment*	*Geophysical exploration should also be subject to best management practices and other restrictions.*
2210-36	Response	Under the Preferred Alternative, all seismic activities would be subject to the wildlife, soils, and visual resource mitigation measures discussed in Chapter 2 for the Preferred Alternative along with the Best Management Practices discussed in Appendix K of the

Proposed RMP/Final EIS. Gravity-type surveys would be allowed on road and only by foot off-road.

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

Vehicle activity would be restricted to designated roads. Exceptions could be authorized on a case-by-case basis dependent upon the degree of data needed to identify the resource, the operator's ability to mitigate surface disturbance, and if the activity would not interfere with the proper care and management of the objects protected by the Proclamation.

2210-37 *Comment* *In light of the risk of damage from seismic exploration and the sensitivity of Monument objects, seismic exploration should be severely limited on the Monument. Vibroseis exploration should not be permitted on the Monument. Where necessary, heliportable or shothole exploration may be permissible.*

2210-37 Response In the range of alternatives addressed in the Draft RMP/EIS, under Alternative E only helicopter-supported seismic activities would be allowed in specific areas. All seismic activities would be subject to the wildlife mitigation measures discussed earlier in Chapter 2 for Alternative E. Gravity-type surveys would be allowed on road and only via foot off-road.

Under the Preferred Alternative, all seismic activities would be subject to the wildlife, soils, and visual resource mitigation measures discussed in Chapter 2 for the Preferred Alternative along with the Best Management Practices discussed in Appendix K of the Proposed RMP/Final EIS. Gravity-type surveys would be allowed on road and only by foot off-road. Vibroseis-type vehicles would be required to stay on existing approved roads. If the existing road system is not adequate to conduct a survey, shallow drill holes (5 to 15 foot shot holes) would be allowed for the remaining part of the survey using helicopter and ground support (via foot). Vehicle activity would be restricted to designated roads. Exceptions could be authorized on a case-by-case basis dependent upon the degree of data needed to identify the resource, the operator's ability to mitigate surface disturbance, and if the activity would not interfere with the proper care and management of the objects protected by the Proclamation.

2210-38 *Comment* *The (Montana) Constitution requires reclamation of lands disturbed by extraction.*

2210-38 Response The Montana Constitution requires reclamation of lands disturbed by the extraction of minerals from state and fee lands. Federal regulations require reclamation of land disturbed by extraction of federal minerals.

Under the Preferred Alternative, reclamation efforts would follow Best Management Practices (BMPs) and standard operating procedures (Appendix K in the Proposed RMP/Final EIS). The intent of the reclamation standards would be to minimize erosion and establish native vegetation. In some areas, disturbed surfaces (i.e., current wells with final abandonment notices with less than 100% reclamation) would be allowed to reclaim naturally. It could require more surface disturbance to go back and reclaim those sites than it would be to leave the locations in their current state. Some roads were left open (unreclaimed) because of management discretion allowed to keep the roads open for emergency and administrative use (i.e., fire and quick response to render aide). Some of

these roads could be closed to the public based on the Transportation. Regarding current and future oil and gas drilling activities, full reclamation would be required.

2210-39 *Comment* *We are asking for current management regarding gas exploration, drilling and pipeline construction. The proclamation calls for protection of exiting leases. The BLM plan violates existing rights of drilling operation by state and federal agencies.*

2210-39 Response The 43 federal oil and gas leases in the Monument are considered to have valid existing rights based on the Proclamation that states, "The establishment of this monument is subject to valid existing rights. The Secretary of Interior shall manage development on existing oil and gas leases within the monument, subject to valid existing rights, so as not to create any new impacts that would interfere with the proper care and management of the objects protected by this proclamation."

The BLM's goal is to provide reasonable oil and gas exploration and development on existing leased land without diminishing the objects of the Monument. Under the Preferred Alternative, the existing lease stipulations would be strengthened by implementing reasonable conditions of approval under BLM's authority to protect the objects in the Monument based on the Proclamation. The conditions of approval would apply to all the oil and gas lease acreage (42,805 acres) in the Monument. The conditions of approval would be applied to the application for permit to drill (APD) after an onsite evaluation indicates the presence of the specific resource to protect the objects in the Monument and after considering the waivers, exceptions and modifications listed in Appendix O.1 of the Proposed RMP/Final EIS. The conditions of approval are consistent with the terms of the leases and based on the analysis in this document.

2210-40 *Comment* *We own private property inside the Monument designation area. All of the sub-surface rights owned in the Monument area are by the federal government according to the Proclamation. We have great concerns with the BLM and their permissive process in informing private property owners what their intentions are prior to permitting these gas companies to do anything they want on our private property without any agreements or prior knowledge.*

2210-40 Response The Monument includes about 375,000 acres of BLM and 396,500 acres of federal minerals. There are about 21,500 acres of split estate minerals (private surface/federal minerals).

The current application for permit to drill (APD) review process will be utilized. That process includes a 30-day posting period for public review of the proposal. Oil and gas operators are required by regulation to make a good faith effort to form a mutual surface use agreement with the fee landowner in split estate cases which could include reasonable damages to be paid the surface owner. If an agreement cannot be negotiated, then the operator is required to place sufficient bond with the BLM to cover the surface operations of the proposed disturbance and the BLM could authorize the work to be conducted without reaching a surface use agreement with the fee landowner.

2210-41 *Comment* *We have continuous problem with the gas companies coming in and doing whatever they want on our private property. No control over our private property rights when there is federal mineral rights and no monitoring to make sure they comply. We have been forced to deal with all of the problems they create and get no support when there is a problem. This is a major issue pertaining to private property rights and sub-surface mineral rights that needs to be remedied immediately. There is no requirement that the developer reclaim steep slopes to original contours.*

2210-41	Response	The Monument includes about 375,000 acres of BLM and 396,500 acres of federal minerals. There are about 21,500 acres of split estate minerals (private surface/federal minerals). The current application for permit to drill (APD) review process will be utilized. That process includes a 30-day posting period for public review of the proposal. Oil and gas operators are required by regulation to make a good faith effort to form a mutual surface use agreement with the fee landowner in split estate cases which could include reasonable damages to be paid the surface owner. If an agreement cannot be negotiated, then the operator is required to place sufficient bond with the BLM to cover the surface operations of the proposed disturbance and the BLM could authorize the work to be conducted without reaching a surface use agreement with the fee landowner.
2210-42	*Comment*	*In order for them to drill into these formations they have to create this pad first. They build the pad up 8 to10 feet above the ground level, to make it level enough. They basically cut off any of the tops of the little hills in this area that is a 300 x 300 foot area, leveling it off and pulling dirt in from the side hills which was against the fence line. So you have an 8 to 10 foot high dirt bank all the way around. The drilling pad is on top or above that. The BLM told us that would all be put back to its natural condition. There's no way to restore the area when you're cutting of the tops of these hills and side hill. Some of these locations are also in between steep hill and mountains and major rock formations. It can't revert back to its normal condition, because the gas company has cut the side of that hill out, pulled all that dirt back to make a level pad, so we have one big huge level pad there, which was about 300 by 300 feet square. What is the federal regulation for that drilling pad and site?*
2210-42	Response	Under the Preferred Alternative for Drilling Operations, only the minimal amount of surface disturbance would be permitted for drilling and production phases. The disturbed area would be confined to an acceptable (safe) area/space based on the type of operation. The objectives would be to achieve a desired effect on the land with minimum disturbance by using low impact drilling technology, developing multiple wells from one location or staying away from trouble or problem areas. This would include the access to a drilling site. The objectives would be to reduce impacts, avoiding areas that could be subject to high impacts, and locating the operation away from sensitive areas. Reclamation efforts would follow Best Management Practices (BMPs) and standard operating procedures (Appendix K in the Proposed RMP/Final EIS). The intent of the reclamation standards would be to minimize erosion and establish native vegetation.
2210-43	*Comment*	*On the gas well issues there needs to be some written laws and there needs to be regulation on the gas-well entry on private property owners that have surface rights and the federal government owns the subsurface rights. We have had several problems with these gas companies and there is no laws in place stating what they can or cannot do, and that needs to be regulated, it needs to be addressed, and that is a major issue because it does affect the natural resources.*
2210-43	Response	Oil and gas operators are required by regulation to make a good faith effort to form a mutual surface use agreement with the fee landowner in split estate cases which could include reasonable damages to be paid the surface owner. If an agreement cannot be negotiated, then the operator is required to place sufficient bond with the BLM to cover the surface operations of the proposed disturbance and the BLM could authorize the work to be conducted without reaching a surface use agreement with the fee landowner.

Group		Oil and Gas Activity
2210-44	*Comment*	*Seismic activity: We do not believe that blasting should be allowed on a case-by-case basis. We have already had problems with the current gas drilling companies. They are not responsible nor do they restrict themselves to designated roads.*
2210-44	Response	Seismic technology has significantly improved over the past 5 to 10 years to where surface blasting is rarely used. The technology has improved to where misfires rarely happen; but should they occur, the seismic company performing the survey would be required to neutralize the charge prior to leaving the survey area.
2210-45	*Comment*	*With reference to production facilities and equipment, water disposal pits would be sized according to the water production, with berms into the pit. We have seen several of these on federal land and on our private property, and to us, it's already an eyesore. We do not understand why we want to allow them to build a pit according to water production. The gas industry is now asking to build bigger pits to hold contaminated water. We don't want bigger pits to hold more contaminated water. What is the existing size limit for a pit? We don't see any reason for that, because they are already authorized to haul it out. There should be no more disturbance for destruction to the terrain than is already there. This type of water storage is going to be more detrimental to the Monument area causing more destruction. We think the existing size for these disposal pits should remain in place.*
2210-45	Response	It is a standard requirement that the operator receive approval prior to disposing of water (under 43 CFR 3164.1 Onshore Oil and Gas Order No. 7, industry must submit a request for approval to dispose of produced water). There are many factors to be determined regarding this approval: how the water is to be disposed of, whether it's in a disposal well, on lease or off lease, or in a lined or unlined pit; the source of the produced water; a water sample analysis of the total dissolved solids in the water; a reclamation plan detailing the procedures expected to be followed for closure of the pit; and an estimate of how much water the well will produce. Of the ten active Monument wells, each well produces an average of less than the three barrels of water per day per well. Currently, only four wells produce in the Monument.
2210-46	*Comment*	*Only two trips per month would be authorized to transport water off site. How will this be enforced, and the excess water is going to run over the tops of the pits and create runoff, running down the drainages into other existing water sources or reservoirs, which could be contaminated. There needs to be mandated rules set in place that requires water tests be done every 2 weeks because that is how fast the toxic level can change. This contaminate water also kill off surrounding vegetation for good which means it will never grow back.*
2210-46	Response	The BLM through its Inspection and Enforcement program allows for yearly inspections of all the active leases within the Monument because of environmental concerns. Through this program, the BLM can audit operators on their operations and if water disposal becomes an issue, the BLM can use Onshore Oil and Gas Order No. 7 as an enforcement tool to gain compliance on water disposal issues as required under the Proposed RMP/Final EIS.
2210-48	*Comment*	*The DEIS fails to provide a map to the public showing erosive and slumping soils within the lease areas. The conditions of approval, Appendix K, regarding 20 and 30% slopes appears to be inconsistent with statements made by the BLM to Judge Molloy where the testimony was that the BLM would not permit development on steep slopes including 30% slopes. Moreover, the conditions for approval contain discretionary waivers that vitiate the requirements.*

Group		Oil and Gas Activity
2210-48	Response	Statements made by the BLM to Judge Molloy were addressing the current West HiLine Oil and Gas Lease Controlled Surface Use (CSU) stipulation for surface use and occupancy on slopes over 30%, or 20% on extremely erodable or slumping soil. This CSU stipulation does not prohibit surface use or occupancy on slopes over 30%, or 20% on extremely erodable or slumping soil. The stipulation gives notice to the lessee/operator that the lands within this lease may include special areas and that such areas may contain special values, may be needed for special purposes, or may require special attention to prevent damage to surface and/or other resources. Any surface use or occupancy within such special areas will be strictly controlled, or if absolutely necessary, excluded. Use or occupancy will be restricted only when the Bureau of Land Management and/or the surface management agency demonstrates the restriction necessary for the protection of such special areas and existing or planned uses. The conditions of approval (COA) for the Preferred Alternative would only allow surface use or occupancy on slopes 30% and greater or severely erosive and/or slumping soils on 20% and greater slopes if several resource protective and performance measures are demonstrated and implemented. If such measures cannot be satisfied, including demonstration of success under similar conditions, surface use or occupancy would not be permitted. The only way the COAs would be waived is if it is determined that the affected area does not include slopes 30% and greater or severely erosive and/or slumping soils on 20% and greater slopes. The only reason the BLM would waive these COAs on a lease is if upon further review in the field it was determined that the entire lease does not contain slopes 30% and greater or severely erosive and/or slumping soils on 20% and greater slopes.
Group		**Oil and Gas Leasing within the Monument**
2212-01	*Comment*	*Oil and gas leases should not be included in a national monument. I am against any BLM land being leased for oil and/or gas. The BLM should consider rescinding the leases issued under the West HiLine RMP. The biological, geological, and historical areas have to be protected. Existing oil and gas leases should be allowed to expire and no new leasing should be permitted.*
2212-01	Response	This Monument and its boundary were established by Proclamation 7398. It has never been within the BLM's scope of authority to revise the Proclamation. The Proclamation also recognized the existing oil and gas leases as existing rights. The Proclamation does not allow new oil and gas leases in the Monument. However, the 43 federal oil and gas leases in the Monument are considered to have valid existing rights based on the Proclamation that states, "The establishment of this monument is subject to valid existing rights. The Secretary of Interior shall manage development on existing oil and gas leases within the monument, subject to valid existing rights, so as not to create any new impacts that would interfere with the proper care and management of the objects protected by this proclamation."
2212-02	*Comment*	*It appears that the Proclamation prohibits any further mineral leasing even in the situation of drainage of federal minerals. It would be reasonable for the BLM to lease oil and gas in the situation where adjacent private mineral are being leased thus causing drainage of federal minerals. If this were possible, no surface occupancy should be stipulated. The effect of not providing for drainage may tend to rule out the sale of the adjacent private minerals.*

Group		Oil and Gas Leasing within the Monument
2212-02	Response	The Proclamation withdraws from future leasing all of the unleased federal mineral estate within the Monument, including unleased federal minerals that could be drained by adjacent non-federal wells.
2212-04	*Comment*	*All oil and gas leases should be purchased back and put to rest. There is no possibility that the oil and gas industry will become extinct if not allowed to develop these lands. This is not the case of prairie dog ecosystems.*
2212-04	Response	The BLM does not have a mechanism to purchase back leases. Congress does have that authority and some interest groups have shown interest in purchasing and then retiring leases.

Group		Oil and Gas Lease Validity
2213-01	*Comment*	*On pages 26 and 27 of the Draft EIS for the new Monument you have a conflict. Oil and gas leases have legal prior existing right yet on page 27 the goal in the upper left hand corner presents problems. It is immoral, unethical, and illegal to manage oil and gas leases by frustration. In other words, employing stalling tactics and unnecessary red tape and restrictions. Our founding fathers designed the federal government to protect rights, not destroy them. The holders of oil and gas leases have valid property rights that should not be trampled on.*
2213-01	Response	The Proclamation does not allow new oil and gas leases in the Monument. However, the 43 federal oil and gas leases in the Monument are considered to have valid existing rights based on the Proclamation that states, "The establishment of this monument is subject to valid existing rights. The Secretary of Interior shall manage development on existing oil and gas leases within the monument, subject to valid existing rights, so as not to create any new impacts that would interfere with the proper care and management of the objects protected by this proclamation." Under the Preferred Alternative, the existing lease stipulations would be strengthened by implementing reasonable conditions of approval under BLM's authority to protect the objects in the Monument based on the Proclamation. The conditions of approval would apply to all the oil and gas lease acreage (42,805 acres) in the Monument. The conditions of approval would be applied to the application for permit to drill (APD) after an onsite evaluation indicates the presence of the specific resource to protect the objects in the Monument and after considering the waivers, exceptions and modifications listed in Appendix O.1 of the Proposed RMP/Final EIS. The conditions of approval are consistent with the terms of the leases and based on the analysis in this document. Based on the reasonable foreseeable development and applying the conditions of approval, there could be the potential for 34 natural gas wells drilled on federal minerals in the Monument under the Preferred Alternative. There could also be the potential for 21 wells within 1/2 mile of the Monument on federal minerals. Under Alternative A (Current Management) there could be the potential for 35 natural gas wells.
2213-02	*Comment*	*Most of the leases in the Monument are pre-NEPA leases and were issued in the late 60s or early 70s. These leases were issued for 10 years and would be extended beyond its term as long as there is a well "producing in paying quantities." They are no longer valid, but there is no alternative analyzing that.*

I have done an analysis of 44 leases and have found 29 have no production. I have done a paying quantity analysis and there is no production. The well known and industry accepted paying quantity formula such a Richard Koljack's, Determination of Paying Quantities: An Accounting Perspective, 18 Tulsa LJ 475 (1983), (I can fax you a copy if you can't find this document) does not apply. My analysis indicated there are 17,804 acres and 73 sections in the Monument that were issued pre-NEPA leases issued over 35 to 40 years ago that have no valid existing rights. These, leases must be canceled immediately and because the proclamation states "All Federal lands and interest in lands within the boundaries of this monument are hereby appropriated and withdrawn from all forms of entry, locations, selection, sale, or leasing or other disposition under the public land laws, including but not limited to withdrawal from location, entry, and patent under the mining laws, and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of the monument. Attachment D is the analysis of Draft RMP/EIS Table 2.20, Oil and Gas leases in the Monument and the individual well production. The following leases have no production and therefore have no valid existing rights:

Ref No. Lease #	*Ref No. Lease #*	*Ref No. Lease#*	*Ref No. Lease #*
1 MTM 1565	*3 MTM 1578*	*9 MTM 1914*	*10 MTM 2060*
11 MTM 2061	*12 MTM 13816*	*13 MTM 13818*	*14 MTM 13821A*
15 MTM 13827	*17 MTM 16102*	*18 MTM 16103*	*20 MTM 16458*
21 MTM 16461	*26 MTM 18274*	*29 MTM 18283*	

2213-02 Response

The Proclamation does not allow new oil and gas leases in the Monument. However, the 43 federal oil and gas leases in the Monument are considered to have valid existing rights based on the Proclamation that states, "The establishment of this monument is subject to valid existing rights. The Secretary of Interior shall manage development on existing oil and gas leases within the monument, subject to valid existing rights, so as not to create any new impacts that would interfere with the proper care and management of the objects protected by this proclamation."

Under the Preferred Alternative, the existing lease stipulations would be strengthened by implementing reasonable conditions of approval under BLM's authority to protect the objects in the Monument based on the Proclamation. The conditions of approval would apply to all the oil and gas lease acreage (42,805 acres) in the Monument. The conditions of approval would be applied to the application for permit to drill (APD) after an onsite evaluation indicates the presence of the specific resource to protect the objects in the Monument and after considering the waivers, exceptions and modifications listed in Appendix O.1 of the Proposed RMP/Final EIS. The conditions of approval are consistent with the terms of the leases and based on the analysis in this document.

The 43 federal leases were issued under ten-year lease terms. Of the 43 leases in the Monument, 13 are within their primary ten-year term and the other 30 are held in their extended term by either allocated or actual production. For additional information see the Minerals – Oil and Gas section of Chapter 3 in the Proposed RMP/Final EIS and the table included with the Oil and Gas Map (Map 3 – Side A).

2213-03 Comment

BLM may not modify leases beyond the effective limitations of existing lease terms and condition (such as imposing new stipulations and/or conditions of approval). Valid existing rights may be developed to the "extent authorized by the issuance of the approval document" and may not be regulated to the point where it unreasonably interferes with enjoyment of the benefit of the right. BLM, therefore, must address the abrupt policy change in valid existing rights management and specifically define the parameters for modifying existing leases. BLM should remove those conditions in the final EIS that would interfere with a lessee's ability to exercise its valid existing rights. Furthermore,

BLM should reflect in the Record of Decision the limitations on BLM to change or modify lease stipulations beyond that which are established in the lease contract. Additionally, BLM must make it clear that any changes proposed are subject to voluntary agreement by the lessee. Otherwise, BLM must establish that the action without the new proposed mitigation would cause unnecessary and undue degradation of the resource as defined by the Federal Land Policy Management Act (FLPMA). In order to ensure proper recognition of valid existing lease rights, it is recommended that BLM adopt the management of oil and gas resources as depicted in Alternative A for incorporation into the proposed plan. The oil and gas section under the current preferred alternative F would abrogate lease rights and would leave the agency vulnerable to needless legal challenges. Oil and gas leasing on private and state inholdings is impacted by not being able to lease adjacent federal minerals in the Monument. The statement in the Draft RMP/EIS on page 161 "The management of the federal surface or minerals largely has no bearing on activity on state or private minerals, other than the authorization of future right-of-ways." is not correct.

2213-03 Response

Under the Proclamation, the BLM is required to address future activities within the Monument so that valid and existing rights are protected while not creating any new impacts that would interfere with the proper care and management of the objects of the Monument. The BLM, through its mitigation procedures, would use conditions of approval to protect resources in specific areas of the Monument. Under the Preferred Alternative, the conditions of approval provide the lessee's information on what the expectations would be if a company submits an application to drill a well on one of the leases in the Monument. The conditions of approval include waivers, exceptions and modifications (WEM) since in many instances the resource that is being protected is dynamic and may not be present at the time of development. The conditions of approval under the Preferred Alternative were designed to protect the objects of the Monument through wildlife timing restrictions, requiring no surface disturbing or disruptive activities within distance limits from sensitive species and controlling surface use under certain criteria for lands with sensitive soils with slope and visual resources while reasonably allowing the lessees to enjoy the rights of the leases by exploring for oil and gas within the limits of the Monument. The conditions of approval are consistent with the terms of the leases and based on the analysis in this document.

2213-04 Comment

BLM's policy change encourages interference with the reasonable exercise of valid existing rights in violation of BLM regulations and established precedent.

2213-04 Response

The Proclamation does not allow new oil and gas leases in the Monument. However, the 43 federal oil and gas leases in the Monument are considered to have valid existing rights based on the Proclamation that states, "The establishment of this monument is subject to valid existing rights. The Secretary of Interior shall manage development on existing oil and gas leases within the monument, subject to valid existing rights, so as not to create any new impacts that would interfere with the proper care and management of the objects protected by this proclamation."

Under the Preferred Alternative, the existing lease stipulations would be strengthened by implementing reasonable conditions of approval under BLM's authority to protect the objects in the Monument based on the Proclamation. The conditions of approval would apply to all the oil and gas lease acreage (42,805 acres) in the Monument. The conditions of approval would be applied to the application for permit to drill (APD) after an onsite evaluation indicates the presence of the specific resource to protect the objects in the Monument and after considering the waivers, exceptions and modifications listed in Appendix O.1 of the Proposed RMP/Final EIS. The conditions of approval are consistent with the terms of the leases and based on the analysis in this document.

Group		Oil and Gas Lease Validity
		Based on the reasonable foreseeable development and applying the conditions of approval, there could be the potential for 34 natural gas wells drilled on federal minerals in the Monument under the Preferred Alternative. There could also be the potential for 21 wells within 1/2 mile of the Monument on federal minerals. Under Alternative A (Current Management) there could be the potential for 35 natural gas wells.
2213-06	*Comment*	*It is stated in Chapter 2, page 14, that "Existing lease stipulations would be strengthened by implementing conditions of approval to protect the objects for which the Monument was designated." Clearly, Valid Existing Lease Rights will be severely compromised by the Preferred Alternative.*
2213-06	Response	The Proclamation does not allow new oil and gas leases in the Monument. However, the 43 federal oil and gas leases in the Monument are considered to have valid existing rights based on the Proclamation that states, "The establishment of this monument is subject to valid existing rights. The Secretary of Interior shall manage development on existing oil and gas leases within the monument, subject to valid existing rights, so as not to create any new impacts that would interfere with the proper care and management of the objects protected by this proclamation." Under the Preferred Alternative, the existing lease stipulations would be strengthened by implementing reasonable conditions of approval under BLM's authority to protect the objects in the Monument based on the Proclamation. The conditions of approval would apply to all the oil and gas lease acreage (42,805 acres) in the Monument. The conditions of approval would be applied to the application for permit to drill (APD) after an onsite evaluation indicates the presence of the specific resource to protect the objects in the Monument and after considering the waivers, exceptions and modifications listed in Appendix O.1 of the Proposed RMP/Final EIS. The conditions of approval are consistent with the terms of the leases and based on the analysis in this document. Based on the reasonable foreseeable development and applying the conditions of approval, there could be the potential for 34 natural gas wells drilled on federal minerals in the Monument under the Preferred Alternative. There could also be the potential for 21 wells within 1/2 mile of the Monument on federal minerals. Under Alternative A (Current Management) there could be the potential for 35 natural gas wells.
2213-07	*Comment*	*Unnecessarily restricting natural gas development on the 43 federal leases in the Monument and hindering access to Montana State Lands and private minerals in the Monument deeply concerns the Montana Petroleum Association.*
2213-07	Response	The Proclamation does not allow new oil and gas leases in the Monument. However, the 43 federal oil and gas leases in the Monument are considered to have valid existing rights based on the Proclamation that states, "The establishment of this monument is subject to valid existing rights. The Secretary of Interior shall manage development on existing oil and gas leases within the monument, subject to valid existing rights, so as not to create any new impacts that would interfere with the proper care and management of the objects protected by this proclamation." Under the Preferred Alternative, the existing lease stipulations would be strengthened by implementing reasonable conditions of approval under BLM's authority to protect the objects in the Monument based on the Proclamation. The conditions of approval would apply to all the oil and gas lease acreage (42,805 acres) in the Monument. The conditions of approval would be applied to the application for permit to drill (APD) after an onsite evaluation indicates the presence of the specific resource to protect the objects in the Monument and after considering the waivers, exceptions and modifications listed in

Appendix O.1 of the Proposed RMP/Final EIS. The conditions of approval are consistent with the terms of the leases and based on the analysis in this document.

Based on the reasonable foreseeable development and applying the conditions of approval, there could be the potential for 34 natural gas wells drilled on federal minerals in the Monument under the Preferred Alternative. There could also be the potential for 21 wells within 1/2 mile of the Monument on federal minerals. Under Alternative A (Current Management) there could be the potential for 35 natural gas wells.

Applications for rights-of-way will be considered pursuant to existing policies and practices, identified transportation and utility corridors, identified avoidance and exclusion areas, valid existing rights, and as necessary for adequate and reasonable access to state or private land s well as access for utility or transportation services. Applications for rights-of-way will also be considered for necessary and adequate access across BLM land to private and state minerals for exploration, development, and production (e.g., access roads and pipelines).

2213-08 *Comment* *I feel the management plan is very harsh in regards to oil and gas. These rights were supposed to be grandfathered in, in the Proclamation.*

2213-08 Response The Proclamation does not allow new oil and gas leases in the Monument. However, the 43 federal oil and gas leases in the Monument are considered to have valid existing rights based on the Proclamation that states, "The establishment of this monument is subject to valid existing rights. The Secretary of Interior shall manage development on existing oil and gas leases within the monument, subject to valid existing rights, so as not to create any new impacts that would interfere with the proper care and management of the objects protected by this proclamation."

Under the Preferred Alternative, the existing lease stipulations would be strengthened by implementing reasonable conditions of approval under BLM's authority to protect the objects in the Monument based on the Proclamation. The conditions of approval would apply to all the oil and gas lease acreage (42,805 acres) in the Monument. The conditions of approval would be applied to the application for permit to drill (APD) after an onsite evaluation indicates the presence of the specific resource to protect the objects in the Monument and after considering the waivers, exceptions and modifications listed in Appendix O.1 of the Proposed RMP/Final EIS. The conditions of approval are consistent with the terms of the leases and based on the analysis in this document.

Based on the reasonable foreseeable development and applying the conditions of approval, there could be the potential for 34 natural gas wells drilled on federal minerals in the Monument under the Preferred Alternative. There could also be the potential for 21 wells within 1/2 mile of the Monument on federal minerals. Under Alternative A (Current Management) there could be the potential for 35 natural gas wells.

2213-09 *Comment* *Implementation of the Preferred Alternative would breach the existing oil and gas leases and exceed the authority of the BLM. Implementation of all the alternatives, except perhaps Alternative A, would have the same result because they all lessen the rights currently owned by the lessees. Imposing new "stipulations" and/or "conditions of approval" on existing leases would violate the existing terms and conditions of those leases and, thus, constitute a material breach for which the United States would be liable for damages. The BLM lacks the authority to impose new "stipulations" and/or "conditions of approval" on existing leases.*

Group		Oil and Gas Lease Validity
2213-09	Response	The 43 federal oil and gas leases in the Monument are considered to have valid existing rights based on the Proclamation that states, "The establishment of this monument is subject to valid existing rights. The Secretary of Interior shall manage development on existing oil and gas leases within the monument, subject to valid existing rights, so as not to create any new impacts that would interfere with the proper care and management of the objects protected by this proclamation." Under the Preferred Alternative, the existing lease stipulations would be strengthened by implementing reasonable conditions of approval under BLM's authority to protect the objects in the Monument based on the Proclamation. The conditions of approval would be applied to the application for permit to drill (APD) after an onsite evaluation indicates the presence of the specific resource to protect the objects in the Monument and after considering the waivers, exceptions and modifications listed in Appendix O.1 of the Proposed RMP/Final EIS. The conditions of approval are consistent with the terms of the leases and based on the analysis in this document. Implementation of the Preferred Alternative does restrict some development on the oil and gas leases from a foreseeable development scenario of 44 wells on federal minerals in the Monument under Alternative B to a foreseeable development scenario of 34 wells on federal minerals in the Monument under Alternative F. This is a reduction of 20% of the wells that could potentially be drilled on federal minerals in the Monument under Alternative B. In each of those cases the BLM was required to consider the surface resources in the Monument based on the Proclamation. In all instances the wells were reduced because of slope and soils, visual resources, and stream issues. The BLM would likely not allow exploration of these areas based on current stipulations and best management practices. This is reflected under Alternative A (Current Management) where it is reasonable foreseeable 35 wells could potentially be drilled on federal minerals in the Monument.
2213-12	*Comment*	*The "subject to" condition in the Proclamation prohibits the BLM from lessening the original rights granted to lessees under existing leases.*
2213-12	Response	The Proclamation does not allow new oil and gas leases in the Monument. However, the 43 federal oil and gas leases in the Monument are considered to have valid existing rights based on the Proclamation that states, "The establishment of this monument is subject to valid existing rights. The Secretary of Interior shall manage development on existing oil and gas leases within the monument, subject to valid existing rights, so as not to create any new impacts that would interfere with the proper care and management of the objects protected by this proclamation." Under the Preferred Alternative, the existing lease stipulations would be strengthened by implementing reasonable conditions of approval under BLM's authority to protect the objects in the Monument based on the Proclamation.
2213-13	*Comment*	*BLM acknowledges the courts have found that the West HiLine Resource Management Plan is not a valid leasing document. The DEIS contains no analysis of the validity of the distinction between West HiLine leases and Non-West HiLine leases - the implication being that the Non-West HiLine leases were based on valid NEPA analysis. In truth, none of the leases in the Monument were issued in compliance with NEPA (i.e. no EIS was done before the leases were issued). A more accurate distinction would be between the pre-NEPA (prior to January 1, 1970) and post-NEPA leases. Only 11 of the 43 leases on the Monument were issued before NEPA was passed. The remaining 32 were issued in violation of the laws established by Congress for the protection of public resources. The DEIS should provide an analysis of the validity of these leases. The DEIS uses odd*

language to suggest that the 43 federal oil and gas leases in the Monument "are considered to have valid existing rights." However, nowhere in this document is there an analysis of the validity of those leases. Given the subservient nature of the leases, the BLM should look very carefully at each of these leases to determine whether or not they are valid, rather than assuming they are valid, as this language seems to suggest. (A similar assumption regarding the validity of the existing leases is made on p. 161.)

2213-13 Response Under the Proclamation, the existing leases are recognized to have valid and existing rights. Of the 43 oil and gas leases: 29 leases were issued prior to when CEQ issued its final regulations for implementing the procedural provisions of NEPA on November 29, 1978; 2 leases were issued following the Final Draft of the Oil and Gas Assessment of the BLM Leasing Program – Lewistown District in September of 1981; and 12 leases were issued following the Final West HiLine RMP that was signed in 1988. Some of the leases are held by actual production, allocated production, or primary lease term (Appendix O in the Proposed RMP/Final EIS).

2213-14 Comment *Gas and oil drilling rights should be protected.*

2213-14 Response The Proclamation does not allow new oil and gas leases in the Monument. However, the 43 federal oil and gas leases in the Monument are considered to have valid existing rights based on the Proclamation that states, "The establishment of this monument is subject to valid existing rights. The Secretary of Interior shall manage development on existing oil and gas leases within the monument, subject to valid existing rights, so as not to create any new impacts that would interfere with the proper care and management of the objects protected by this proclamation."

Under the Preferred Alternative, the existing lease stipulations would be strengthened by implementing reasonable conditions of approval under BLM's authority to protect the objects in the Monument based on the Proclamation. The conditions of approval would be applied to the application for permit to drill (APD) after an onsite evaluation indicates the presence of the specific resource to protect the objects in the Monument and after considering the waivers, exceptions and modifications listed in Appendix O.1 of the Proposed RMP/Final EIS. The conditions of approval are consistent with the terms of the leases and based on the analysis in this document.

2213-15 Comment *The DEIS at page 2-14, Alternative E, states, "Management of oil and gas operations would be most restrictive under this alternative, allowing no activity to occur on the existing leases within the Monument. Surface disturbance would not be allowed on the 12 West HiLine oil and gas leases (the entire leasehold) or the other 31 existing oil and gas leases. Under this alternative, it is foreseeable that no natural gas wells would be drilled on these leases in the Monument." We question BLM's rationale for analyzing this alternative in detail. As written it could never be legally adopted and implemented because it would constitute a "taking" of previously granted rights. While NEPA requires that all "reasonable" alternatives be examined, Alternative E is not reasonable because there is no provision for buying back the leases and paying lessees the lost values associated with a lease.*

The Fifth Amendment's Takings Clause reads: "nor shall private property be taken for public use without just compensation." Specifically, the government may not legally impose a regulation for other than health or safety reasons or attach unreasonable permit conditions on use. Lease issuance constitutes a private property right which would require the Federal government to compensate the lessee if the rights granted were taken away, as outlined in Alternative E. Clearly, once a lessee has been granted the right to access a particular use of land, the government may not revoke that right.

Group		Oil and Gas Lease Validity
2213-15	Response	In March 2000, the Montana Wilderness Association (MWA) filed suit challenging BLM's issuance of three leases that are now included in the Monument, alleging the BLM did not fully comply with the National Environmental Policy Act (NEPA), Endangered Species Act (ESA) and National Historic Preservation Act (NHPA). The leases involved in the suit, as well as nine others in the Monument were based on the BLM's 1988 West HiLine RMP. In March 2004, the United States District Court for the District of Montana, Great Falls Division, ruled in favor of the Plaintiffs and ordered the BLM to: • Prepare an EIS for the oil and gas leasing program that covers the three leases. • Prepare a valid biological assessment of the oil and gas leasing program in conjunction with the EIS. • Consult with all required entities. Under the order, all surface-disturbing activity on the three leases is prohibited pending completion of the appropriate environmental reviews. In January 2006 the District Court enjoined activity on the three leases until BLM could demonstrate compliance with the directives set forth in the March 2004 order. In light of the court's ruling, the BLM believes all 12 Monument leases based on the West HiLine RMP should be analyzed in this Monument RMP. To fully comply with the January 2006 court order this RMP also addresses a no lease alternative for the 12 West HiLine leases. The no lease alternative is addressed as a subalternative in the Proposed RMP/Final EIS, Alternative E_{NL} which would not allow surface disturbance or the processing of APDs. The Draft RMP/EIS and Proposed RMP/Final EIS provide a reasonable range of alternatives to compare the environmental consequences. The BLM, through its mitigation procedures would use reasonable conditions of approval to protect other resources in specific areas of the Monument such as bighorn sheep habitat and bighorn sheep lambing areas, but also allows for further exploration and development to occur. The BLM identified Alternative F as the Preferred Alternative because it would allow development on the existing oil and gas leases while protecting the objects of the Monument based on the Proclamation.
2213-16	*Comment*	*At the time of the Proclamation, 43 federal oil and gas leases had already been issued, many earlier than 30 years before the Monument was designated. Clearly it was not anticipated that a National Monument would be established in an area containing valuable reserves of oil and gas. Therefore, only 17 of the federal leases were issued with special stipulations designed to afford added protection to other resource values, beyond the standard lease terms. Nevertheless, according to the DEIS, BLM has found that all 43 leases are in compliance with their terms and conditions.* *Therefore, we are concerned by the following statement on page 14 of Chapter Two, "Existing lease stipulations would be strengthened by implementing conditions of approval to protect the objects for which the Monument was designated." While the DEIS States on page 2-26 that, "If the analysis and documentation indicate that a proposal may have impacts that are not in conformance with the Proclamation, regulation, BMPs or existing resource management plans, the BLM will work with the applicant to find alternatives or modifications to the proposal that will minimize such impacts through special permit conditions, consistent with the applicant's rights under applicable laws, regulations and stipulations. " This approach seems reasonable except that BLM has identified numerous new conditions of approval (COAs) that would be automatically imposed on specific leases as depicted in Appendix K of the DEIS. Despite the claim that the agency would work with applicants, the process outlined appears to be limited to obtaining a waiver, exception or modification (WEM) of the COA. No process for negotiation with the lessee is provided.*

Under the Preferred Alternative, BLM anticipates only 34 natural gas wells could be drilled on existing leases in the Monument. Given the fact that 73 wells were projected in the RFD, it is readily apparent that BLM does intend to abrogate valid existing lease rights. To compound this concern, BLM has indicated it will consider waivers, exceptions or modification of "conditions of approval" (COAs) imposed on permits to drill. First, COAs are not to be imposed broadly; rather they must be considered on a case-by-case basis during the onsite inspection performed for each APD. While BLM has acknowledged that COAs are applied on a site specific basis, it is unclear why a waiver, modification or exception would be necessary since COAs will only be applied when needed.

We remind the agency that lease rights may only be exceeded if the proposed action would result in "unnecessary and undue degradation" of the resource. As pointed out in the comments of Montana Petroleum Association, unnecessary and undue degradation would result only if surface disturbance is greater than that which would normally result on other resources and land, uses when a similar activity is undertaken by a "prudent" operator in the usual manner. The fact that 43 CFR 3802.0-5(l) defines "Undue and unnecessary degradation to mean "impacts greater than those that would normally be expected from an activity being accomplished in compliance with current standards and regulations and based on sound practices, including use of the best reasonably available technology," it is highly unlikely that typical oil and gas operations conducted in compliance with existing laws and regulations will not meet the standard established for unnecessary and undue degradation, regardless of measures that must be taken to retrieve the resources. As such, we remind BLM of the legal limitations placed upon its authority to modify leases, even through the use of COAs.

2213-16 Response

Under the Proclamation, the existing leases are recognized to have valid and existing rights. Of the 43 oil and gas leases: 29 leases were issued prior to when CEQ issued its final regulations for implementing the procedural provisions of NEPA on November 29, 1978; 2 leases were issued following the Final Draft of the Oil and Gas Assessment of the BLM Leasing Program – Lewistown District in September of 1981; and 12 leases were issued following the Final West HiLine RMP that was signed in 1988. Some of the leases are held by actual production, allocated production, or primary lease term (Appendix O in the Proposed RMP/Final EIS).

In March 2000, the Montana Wilderness Association (MWA) filed suit challenging BLM's issuance of three leases that are now included in the Monument, alleging the BLM did not fully comply with the National Environmental Policy Act (NEPA), Endangered Species Act (ESA) and National Historic Preservation Act (NHPA). The leases involved in the suit, as well as nine others in the Monument were based on the BLM's 1988 West HiLine RMP. In March 2004, the United States District Court for the District of Montana, Great Falls Division, ruled in favor of the Plaintiffs and ordered the BLM to:

- Prepare an EIS for the oil and gas leasing program that covers the three leases.
- Prepare a valid biological assessment of the oil and gas leasing program in conjunction with the EIS.
- Consult with all required entities.

Under the order, all surface-disturbing activity on the three leases is prohibited pending completion of the appropriate environmental reviews. In January 2006 the District Court enjoined activity on the three leases until BLM could demonstrate compliance with the directives set forth in the March 2004 order. In light of the court's ruling, the BLM believes all 12 Monument leases based on the West HiLine RMP should be analyzed in this Monument RMP. To fully comply with the January 2006 court order this RMP also addresses a no lease alternative for the 12 West HiLine leases. The no lease alternative is

addressed as a subalternative in the Proposed RMP/Final EIS, Alternative E_{NL} which would not allow surface disturbance or the processing of APDs.

The Draft RMP/EIS and Proposed RMP/Final EIS provide a reasonable range of alternatives to compare the environmental consequences. The BLM, through its mitigation procedures would use reasonable conditions of approval to protect other resources in specific areas of the Monument such as bighorn sheep habitat and bighorn sheep lambing areas, but also allows for further exploration and development to occur. The BLM identified Alternative F as the Preferred Alternative because it would allow development on the existing oil and gas leases while protecting the objects of the Monument based on the Proclamation.

2213-18 *Comment* *The DEIS states that oil and gas operations within the Monument "will be made a high priority for surface inspections." Nowhere in this document could we find information regarding current BLM staffing and budget that would allow such a prioritization to actually be implemented. How many inspections and how often would they take place? What kind of staffing would that require, to be effective in meeting the Monument's goal of preventing new impacts, not just mitigating them? Furthermore, does the BLM have the staff with the biological expertise to be able to tell if the proposed stipulations and surface activity conditions are preventing new impacts?*

2213-18 Response All wells drilled and or plugged in the Monument are high priority and would be inspected once a year. The BLM performs routine scheduled inspections of the wells, roads and facilities based on a National Strategy for conducting inspections of Oil and Gas Leases, communitization agreement (CA) and Units. Monument leases, CAs and Units would be considered a high environmental priority. Production type inspections for general production operations would be conducted yearly as part of this strategy to assure facilities are operating in a environmentally safe and secure manner.

Decisions from an RMP would be implemented over a period of years depending on budget and staff availability. Funding levels affect the timing and implementation of management actions and project proposals, but do not affect the decisions made in an RMP.

2213-19 *Comment* *The MWA v. Fry decision reiterated the court's authority to rescind leases and characterized the leases as an action that could "be undone." Voiding the leases is therefore a viable option: one that the BLM should have analyzed in the RMP/EIS. The court will not release the leases until the BLM proves that it can complete a sufficient analysis. The court also recognized that the designation of the Monument changed the context for managing these lands, stating that the new EIS must incorporate the designation and "should therefore increase the emphasis on non-resource extraction concerns."*

Taken together, this means that the court will not release the leases unless the BLM can prove it is capable of completing a sufficient economic analysis of non-resource extractive values that address the concerns and incorporate the recommendations that I have provided below. I would extend and interpret the court's charge to include a sufficient analysis of the risks to the objects included in the proclamation from proposed drilling. A risk assessment is needed, in part because the court recognized the risks to the Monument objects and non-resource extraction values from gas drilling, characterizing the "harms of gas leasing" as "undeniable." My comments set forth the agency's obligations for conducting an appropriate economic analysis and describe how to fulfill those obligations. If BLM fails to complete an economic analysis that accurately portrays the values of the Monument objects, considers the impacts of management decisions on those

objects, and leads to a management alternative based on this information, then BLM will have violated its responsibilities and will ultimately need to develop an analysis of economic considerations that form a sufficient basis for managing this National Monument.

I will focus my comments and recommendations on six areas: 1) the BLM must analyze the impacts of proposed drilling on Proclamation objects in the RMP, and not wait until the permitting stage; 2) the BLM must establish a new range of alternatives that emphasize conservation of non-resource extractive values; 3) the BLM must complete an analysis costs and budgets; 4) the BLM must complete an economic analysis of the total economic benefits associated with each alternative; 5) the BLM must complete an economic impact analysis that accounts for the role of the Monument amenities in community develop that moves beyond recreation impacts; and 6) the BLM must re-examine how energy potential and revenue was estimated in the reasonable foreseeable development scenario.

Given the MWA v. Fry decision that characterized the leases in the Bullwhacker area as an action that could "be undone", the BLM has the option to void the leases and the BLM should have analyzed that option in the RMP/EIS. In addition, given the court's ruling, the BLM should also have analyzed the benefits to non-resource extraction concerns from requiring NSO stipulations on the leases in question.

2213-19 Response

Under the Proclamation, the existing leases are recognized to have valid and existing rights. Of the 43 oil and gas leases: 29 leases were issued prior to when CEQ issued its final regulations for implementing the procedural provisions of NEPA on November 29, 1978; 2 leases were issued following the Final Draft of the Oil and Gas Assessment of the BLM Leasing Program – Lewistown District in September of 1981; and 12 leases were issued following the Final West HiLine RMP that was signed in 1988. Some of the leases are held by actual production, allocated production, or primary lease term (Appendix O in the Proposed RMP/Final EIS).

In March 2000, the Montana Wilderness Association (MWA) filed suit challenging BLM's issuance of three leases that are now included in the Monument, alleging the BLM did not fully comply with the National Environmental Policy Act (NEPA), Endangered Species Act (ESA) and National Historic Preservation Act (NHPA). The leases involved in the suit, as well as nine others in the Monument were based on the BLM's 1988 West HiLine RMP. In March 2004, the United States District Court for the District of Montana, Great Falls Division, ruled in favor of the Plaintiffs and ordered the BLM to:

- Prepare an EIS for the oil and gas leasing program that covers the three leases.
- Prepare a valid biological assessment of the oil and gas leasing program in conjunction with the EIS.
- Consult with all required entities.

Under the order, all surface-disturbing activity on the three leases is prohibited pending completion of the appropriate environmental reviews. In January 2006 the District Court enjoined activity on the three leases until BLM could demonstrate compliance with the directives set forth in the March 2004 order. In light of the court's ruling, the BLM believes all 12 Monument leases based on the West HiLine RMP should be analyzed in this Monument RMP. To fully comply with the January 2006 court order this RMP also addresses a no lease alternative for the 12 West HiLine leases. The no lease alternative is addressed as a subalternative in the Proposed RMP/Final EIS, Alternative E_{NL} which would not allow surface disturbance or the processing of APDs.

In the Proposed RMP/Final EIS, Alternative E would also consider the environmental effects of not leasing the 12 West HiLine leases or the No Lease Alternative; a sub-alternative identified as Alternative E_{NL}. The BLM performed an interdisciplinary team analysis including an economic analysis of a no lease alternative as compared the current Alternative E. Based on the team's findings, the impacts are similar to the impacts of the no surface disturbance (no APDs) alternative, Alternative E, for the West HiLine leases. The only difference between Alternative E and Alternative E_{NL} is that under the no lease alternative, revenues from leasing would not occur and the potential exists for lost royalties from drainage.

The BLM, through its mitigation procedures would use reasonable conditions of approval to protect other resources in specific areas of the Monument such as bighorn sheep habitat and bighorn sheep lambing areas, but also allows for further exploration and development to occur. The BLM identified Alternative F as the Preferred Alternative because it would allow development on the existing oil and gas leases while protecting the objects of the Monument based on the Proclamation.

The environmental consequences section (Chapter 4) addresses the impacts to the resources in the Monument based on the reasonable foreseeable development for natural gas exploration and development. For example, under the Preferred Alternative there would be the potential for 34 new natural gas wells drilled on federal minerals in the Monument. The analysis for all resources addressed in the environmental consequences for the Preferred Alternative is based on this level of exploration and development.

The six alternatives in the Draft RMP/EIS and Proposed RMP/Final EIS provide a reasonable range of management options to resolve the issues identified for the Monument. The alternatives provide a range of more-intensive to less-intensive management. Alternative E would emphasize the natural condition and place the most limitations on visitors and other activities. Management of oil and gas operations would be most restrictive under this alternative, allowing no activity to occur on the existing leases within the Monument. Surface disturbance would not be allowed on the 12 West HiLine oil and gas leases or the other 31 existing oil and gas leases. Under this alternative, it is foreseeable that no natural gas wells would be drilled on these leases in the Monument.

The economic sections of the affected environment and environmental consequences sections (Chapters 3 and 4) provide the information and analysis of the economic impacts under each alternative. This section was revised and updated for the Proposed RMP/Final EIS.

2213-20 *Comment* *Recommend to honor the existing rights for gas and oil development.*

2213-20 Response The Proclamation does not allow new oil and gas leases in the Monument. However, the 43 federal oil and gas leases in the Monument are considered to have valid existing rights based on the Proclamation that states, "The establishment of this monument is subject to valid existing rights. The Secretary of Interior shall manage development on existing oil and gas leases within the monument, subject to valid existing rights, so as not to create any new impacts that would interfere with the proper care and management of the objects protected by this proclamation."

Under the Preferred Alternative, the existing lease stipulations would be strengthened by implementing reasonable conditions of approval under BLM's authority to protect the objects in the Monument based on the Proclamation. The conditions of approval would be applied to the application for permit to drill (APD) after an onsite evaluation indicates

the presence of the specific resource to protect the objects in the Monument and after considering the waivers, exceptions and modifications listed in Appendix O.1 of the Proposed RMP/Final EIS. The conditions of approval are consistent with the terms of the leases and based on the analysis in this document.

2213-21 *Comment* *The proclamation states that resource development will be subject to valid existing rights. The RMP violates existing rights by imposing new criteria on drilling operations, access and usurps standard operating procedures established by state and other federal agencies. The creation of more restrictive VRM criteria and the no-surface disturbance rules provide the BLM with opportunities to further infringe on valid existing rights that are mandated for protection by the proclamation. The BLM must revise the DRMP and align gas development with procedures that ensure valid existing rights are preserved.*

2213-21 Response The Proclamation does not allow new oil and gas leases in the Monument. However, the 43 federal oil and gas leases in the Monument are considered to have valid existing rights based on the Proclamation that states, "The establishment of this monument is subject to valid existing rights. The Secretary of Interior shall manage development on existing oil and gas leases within the monument, subject to valid existing rights, so as not to create any new impacts that would interfere with the proper care and management of the objects protected by this proclamation."

Under the Preferred Alternative, the existing lease stipulations would be strengthened by implementing reasonable conditions of approval under BLM's authority to protect the objects in the Monument based on the Proclamation. The conditions of approval would apply to all the oil and gas lease acreage (42,805 acres) in the Monument. The conditions of approval would be applied to the application for permit to drill (APD) after an onsite evaluation indicates the presence of the specific resource to protect the objects in the Monument and after considering the waivers, exceptions and modifications listed in Appendix O.1 of the Proposed RMP/Final EIS. The conditions of approval are consistent with the terms of the leases and based on the analysis in this document.

Based on the reasonable foreseeable development and applying the conditions of approval, there could be the potential for 34 natural gas wells drilled on federal minerals in the Monument under the Preferred Alternative. There could also be the potential for 21 wells within 1/2 mile of the Monument on federal minerals. Under Alternative A (Current Management) there could be the potential for 35 natural gas wells.

2213-22 *Comment* *At the present time there are 18 leases, 73 sections, 17,804 acres that are extended for 35 or so years past the term with no production. The state/counties get 50% of the revenue from leases/production off federal lands. Then why does the county want to keep leases that for 35 years with any production revenue. The Monument has 4 wells producing about 13,000 Mcf per month selling between $7.10 and $8.30 per Mcf. Average $7.70 x 13,000 McF = $100,100.00 per month x 12.5%. $12,512 x 50% = $6256.00 x 12 + $75,075.00. My question is why would the county want leases that for 35 years, the lease holder has not produced any gas, just to collect $1.00 per acres.*

2213-22 Response The 43 federal leases were issued under ten-year lease terms. Of the 43 leases in the Monument, 13 are within their primary ten-year term and the other 30 are held in their extended term by either allocated or actual production. For additional information see the Minerals – Oil and Gas section of Chapter 3 in the Proposed RMP/Final EIS.

2213-23 *Comment* *Extensive gas development leases have now been illegally proposed in the wild Bullwhacker areas, an "object of the Monument." This administration has refused to perform an analysis of valid existing rights from the 1960's and 1970's.*

Group		Oil and Gas Lease Validity
2213-23	Response	The Proclamation does not allow new oil and gas leases in the Monument. However, the 43 federal oil and gas leases in the Monument are considered to have valid existing rights based on the Proclamation that states, "The establishment of this monument is subject to valid existing rights. The Secretary of Interior shall manage development on existing oil and gas leases within the monument, subject to valid existing rights, so as not to create any new impacts that would interfere with the proper care and management of the objects protected by this proclamation." Under the Preferred Alternative, the existing lease stipulations would be strengthened by implementing reasonable conditions of approval under BLM's authority to protect the objects in the Monument based on the Proclamation. The conditions of approval would apply to all the oil and gas lease acreage (42,805 acres) in the Monument. The conditions of approval would be applied to the application for permit to drill (APD) after an onsite evaluation indicates the presence of the specific resource to protect the objects in the Monument and after considering the waivers, exceptions and modifications listed in Appendix O.1 of the Proposed RMP/Final EIS. The conditions of approval are consistent with the terms of the leases and based on the analysis in this document. The 43 federal leases were issued under ten-year lease terms. Of the 43 leases in the Monument, 13 are within their primary ten-year term and the other 30 are held in their extended term by either allocated or actual production. For additional information see the Minerals – Oil and Gas section of Chapter 3 in the Proposed RMP/Final EIS and the table included with the Oil and Gas Map (Map 3 – Side A).

Group		Oil and Gas Impacts within the Monument
2215-01	*Comment*	*Mineral and gas development should not be allowed to have adverse impact on the land surface and on wildlife. Any existing gas development must not create detrimental impacts to Monument lands in any way, and there must never be any new gas or oil development within Monument borders.*
2215-01	Response	The Proclamation does not allow new oil and gas leases in the Monument. However, the 43 federal oil and gas leases in the Monument are considered to have valid existing rights based on the Proclamation that states, "The establishment of this monument is subject to valid existing rights. The Secretary of Interior shall manage development on existing oil and gas leases within the monument, subject to valid existing rights, so as not to create any new impacts that would interfere with the proper care and management of the objects protected by this proclamation." The BLM identified Alternative F as the Preferred Alternative because it would allow development on the existing oil and gas leases while protecting the objects of the Monument. Under the Preferred Alternative, the existing lease stipulations would be strengthened by implementing reasonable conditions of approval under BLM's authority to protect the objects in the Monument based on the Proclamation. The conditions of approval would apply to all the oil and gas lease acreage (42,805 acres) in the Monument. The conditions of approval would be applied to the application for permit to drill (APD) after an onsite evaluation indicates the presence of the specific resource to protect the objects in the Monument and after considering the waivers, exceptions and modifications listed in Appendix O.1 of the Proposed RMP/Final EIS. The conditions of approval are consistent with the terms of the leases and based on the analysis in this document.

Group		Oil and Gas Impacts within the Monument
		The impacts of the Preferred Alternative and the other five alternatives for natural gas exploration and development are addressed in the Environmental Consequences, Chapter 4, of the Draft RMP/EIS and Proposed RMP/Final EIS.
2215-02	*Comment*	*Perhaps our biggest concern is with oil and gas drilling and pipelines which would substantially impact the solitude and wild nature of the breaks. Pollution, noise, roads, and increased human activity would compromise the solitude for humans and wildlife, cause erosion, noxious weeds, disruption to the courtship rituals of sage grouse and sharptail grouse, disrupt elk calving, etc. Old scars from oil and gas activity should be rehabilitated.*
2215-02	Response	The Proclamation does not allow new oil and gas leases in the Monument. However, the 43 federal oil and gas leases in the Monument are considered to have valid existing rights based on the Proclamation that states, "The establishment of this monument is subject to valid existing rights. The Secretary of Interior shall manage development on existing oil and gas leases within the monument, subject to valid existing rights, so as not to create any new impacts that would interfere with the proper care and management of the objects protected by this proclamation." The BLM identified Alternative F as the Preferred Alternative because it would allow development on the existing oil and gas leases while protecting the objects of the Monument. Under the Preferred Alternative, the existing lease stipulations would be strengthened by implementing reasonable conditions of approval under BLM's authority to protect the objects in the Monument based on the Proclamation. The conditions of approval would apply to all the oil and gas lease acreage (42,805 acres) in the Monument. The conditions of approval would be applied to the application for permit to drill (APD) after an onsite evaluation indicates the presence of the specific resource to protect the objects in the Monument and after considering the waivers, exceptions and modifications listed in Appendix O.1 of the Proposed RMP/Final EIS. The conditions of approval are consistent with the terms of the leases and based on the analysis in this document. The impacts of the Preferred Alternative and the other five alternatives for natural gas exploration and development are addressed in the Environmental Consequences, Chapter 4, of the Draft RMP/EIS and Proposed RMP/Final EIS. Under the Preferred Alternative, reclamation efforts would follow Best Management Practices (BMPs) and standard operating procedures (Appendix K in the Proposed RMP/Final EIS). The intent of the reclamation standards would be to minimize erosion and establish native vegetation. In some areas, disturbed surfaces (i.e., current wells with final abandonment notices with less than 100% reclamation) would be allowed to reclaim naturally. It could require more surface disturbance to go back and reclaim those sites than it would be to leave the locations in their current state.
2215-03	*Comment*	*The DEIS, in its discussion of impacts to air quality, fails to discuss the use of flareless completions, as an alternative to the 24 to 48 hours of flaring of gas that is assumed to be necessary. In addition, the DEIS fails to discuss the high ground-level concentrations of pollutants that can result from flaring. Carbon monoxide, nitrogen oxides, sulfur dioxide, benzene, toluene, ethylbenzene and xylene, and polycyclic aromatic hydrocarbons may all be released during flaring. The impacts of releasing such pollutants should be evaluated.*
2215-03	Response	Operators are allowed under NTL-4A (Notice to Lessees) to vent or flare gas during initial well tests. They are allowed to flare for 30 days or 50 million cubic feet (MMCF) of gas whichever comes first. If it was required that the operator not flare the produced gas, this may (depending on air currents and weather regimes) cause more of a hazard

than flaring the gas at the well site itself because of the potential of self-combustion through static electricity or some other form of ignition (cigarette butt, match, etc).

2215-04 *Comment* *The DEIS states that the BLM will "work with the applicant" to "minimize" impacts. Again, this management approach is contrary to the Proclamation's explicit direction. The primary and dominant purpose in the Monument is care and management of the biological, geological and historical objects; it is not multiple use management where competing uses are allowed through mitigation to minimize, but not prevent, impacts. This minimization approach is inappropriate in this Monument and the DEIS language should be modified to reflect that difference.*

2215-04 Response The Proclamation does not allow new oil and gas leases in the Monument. However, the 43 federal oil and gas leases in the Monument are considered to have valid existing rights based on the Proclamation that states, "The establishment of this monument is subject to valid existing rights. The Secretary of Interior shall manage development on existing oil and gas leases within the monument, subject to valid existing rights, so as not to create any new impacts that would interfere with the proper care and management of the objects protected by this proclamation."

The BLM identified Alternative F as the Preferred Alternative because it would allow development on the existing oil and gas leases while protecting the objects of the Monument. Under the Preferred Alternative, the existing lease stipulations would be strengthened by implementing reasonable conditions of approval under BLM's authority to protect the objects in the Monument based on the Proclamation. The conditions of approval would apply to all the oil and gas lease acreage (42,805 acres) in the Monument. The conditions of approval would be applied to the application for permit to drill (APD) after an onsite evaluation indicates the presence of the specific resource to protect the objects in the Monument and after considering the waivers, exceptions and modifications listed in Appendix O.1 of the Proposed RMP/Final EIS. The conditions of approval are consistent with the terms of the leases and based on the analysis in this document.

2215-05 *Comment* *The DEIS states that "existing well operations and maintenance will continue" without change from the current pattern of operations. This also is contrary to the purpose of the Monument and language of the Proclamation. Existing leases may not be allowed to create new impacts. The BLM does not have the discretion to allow existing operations to continue in a manner that will expand their impact beyond what currently exists. Therefore, this language and the management options should be changed to reflect that.*

2215-05 Response The Proclamation does not allow new oil and gas leases in the Monument. However, the 43 federal oil and gas leases in the Monument are considered to have valid existing rights based on the Proclamation that states, "The establishment of this monument is subject to valid existing rights. The Secretary of Interior shall manage development on existing oil and gas leases within the monument, subject to valid existing rights, so as not to create any new impacts that would interfere with the proper care and management of the objects protected by this proclamation."

Under the Preferred Alternative, the existing lease stipulations would be strengthened by implementing reasonable conditions of approval under BLM's authority to protect the objects in the Monument based on the Proclamation. The conditions of approval would apply to all the oil and gas lease acreage (42,805 acres) in the Monument. The conditions of approval would be applied to the application for permit to drill (APD) after an onsite evaluation indicates the presence of the specific resource to protect the objects in the Monument and after considering the waivers, exceptions and modifications listed in

Appendix O.1 of the Proposed RMP/Final EIS. The conditions of approval are consistent with the terms of the leases and based on the analysis in this document.

The impacts of the Preferred Alternative and the other five alternatives for natural gas exploration and development are addressed in the Environmental Consequences, Chapter 4, of the Draft RMP/EIS and Proposed RMP/Final EIS.

2215-06 *Comment* *The DEIS misstates what should be the goal for oil and gas. According to the Proclamation, the goal is not to prevent diminishment of the objects of the Monument, but rather, to prevent the creation of any new impacts to those objects that would interfere with their proper care and management. Therefore, the goal should be the proper care and management of the biological, geological and historical resources, and only to the extent that the existing valid oil and gas leases can fit within that framework, can oil and gas development take place.*

2215-06 Response The 43 federal oil and gas leases in the Monument are considered to have valid existing rights based on the Proclamation that states, "The establishment of this monument is subject to valid existing rights. The Secretary of Interior shall manage development on existing oil and gas leases within the monument, subject to valid existing rights, so as not to create any new impacts that would interfere with the proper care and management of the objects protected by this proclamation."

The BLM identified Alternative F as the Preferred Alternative because it would allow development on the existing oil and gas leases while protecting the objects of the Monument.

2215-07 *Comment* *Most of the existing leases are in the Bullwhacker area, the largest block of public land in the Monument and an area described in the Monument proclamation as containing some of the "wildest country on all the Great Plains, as well as important wildlife habitat." The DRMP doesn't address how gas drilling and roads will impact the Bullwhacker.*

2215-07 Response Under all alternatives impacts are addressed in Chapter 4 of the Draft RMP/EIS. Based on the reasonable foreseeable development (RFD) about 7 wells could potentially be drilled in the Bullwhacker area under the Preferred Alternative.

2215-08 *Comment* *Cumulative impacts include new, fragmenting roads, heavy equipment, drill pads, off-road vehicles, and others.*

2215-08 Response The impacts of the Preferred Alternative and the other five alternatives for natural gas exploration and development are addressed in the Environmental Consequences, Chapter 4, of the Draft RMP/EIS and Proposed RMP/Final EIS. To address cumulative impacts the analysis for natural gas exploration and development is based on the reasonable foreseeable development (RFD) for the Monument as discussed in Appendix O and the Analysis Assumptions and Guidelines section in Chapter 4 of the Proposed RMP/Final EIS.

2215-09 *Comment* *The BLM is not managing resource uses and protecting the biological, historical, cultural and visual values of the Monument when they are not enforcing existing regulations and there is very limited monitoring of the area. Specifically, there is a concern that some resources are not being sufficiently protected and that there are some specific private land issues brought up by this comment.*

2215-09 Response The BLM is required to perform resource surveys of affected areas prior to the authorization of a proposed action. This would include conducting the following surveys

but not be limited to: cultural, biologic, riparian or visual resources. If conflicts with a certain resource become apparent, the conditions of approval under this RMP could be applied, specific conditions of approval could be applied, or the location of the proposed action could be moved to avoid an impact to the resource. The BLM utilizes a review process to allow the BLM resource specialists a chance to inspect the proposed action, determine the effects of a proposed action, and potentially create conditions of approval if necessary. In the case of cultural resources, the BLM requires that the location of the proposed action be inventoried and the findings are submitted through a cultural inventory report. The BLM is obligated to perform this task, but in most cases the report is submitted to the BLM by a third party contractor hired by the operator because of timing issues. In the case of third party contractors, the BLM will also monitor the work to assure the contractors conducting the surveys abide by BLM standards.

2215-10 *Comment* *A statement defining ground disturbing activities pertaining to each section (i.e. grazing, oil and gas exploration, water development and recreation) should be included in each section of the Plan.*

2215-10 Response The Proposed RMP/Final EIS includes additional information on surface-disturbing activities (Fish and Wildlife – Mitigation section of Chapter 2 and the Glossary).

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

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

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

2215-11 *Comment* *The DEIS lists, in Table 4-1, that 15 miles of soil disturbance from roads and pipelines, and at least 68 acres of disturbance from wells (34 wells times about 2 acres per wellpad, based upon experience throughout the western U.S.), will result from the preferred alternative.*

2215-11 Response Under the reasonable foreseeable development scenario, the BLM did consider an oil and gas transportation system. Under the Preferred Alternative, it is estimated that the Monument could conceivably see 34 new wells drilled on federal minerals. This would include roughly 11 miles of new road and 3.9 miles of pipeline.

2215-12 *Comment* *To maintain esthetic values, the stipulation should be changed to state that all well sites and other surface disturbing activities, semi permanent and permanent facilities SHALL require special design including location, painting and camouflage to blend with the natural surroundings and to preserve the area's scenic values.*

Group		Oil and Gas Impacts within the Monument
2215-12	Response	Under the Preferred Alternative and Drilling Operations, General Production Facilities and Equipment, BLM plans to follow and require operators to follow existing applicable best management practices (BMPs) included under Appendix K in the Proposed RMP/Final EIS. With the current BMPs and conditions of approval under the Preferred Alternative, no new BMPs would be necessary to mitigate visual resources.
2215-13	*Comment*	*The DEIS fails to provide an alternative that eliminates potential future noise and light pollution from gas development and other sources. The acoustic environment is an important feature of the Monument, yet the DEIS does not take into consideration impacts on the acoustic environment from personal and commercial overflights and other sources.*
2215-13	Response	Under Alternative E, the BLM provides an alternative that prohibits future oil and gas development from occurring within the Monument (for additional information see pages 85 and 86 of the Draft RMP/EIS). Under Alternative E, the BLM also provides an alternative that closes the ten backcountry airstrips and most roads within the Monument. Under this alternative, the BLM did provide an option for a more absolute acoustic environment.

Group		Recreation
2250-01	*Comment*	*BLM considered, but never addressed, how private lands within the Monument boundaries will be protected from the impacts of increased numbers of campers and recreationists. The management plan states this issue was never addressed because 'The BLM has no jurisdiction over private land.'*
2250-01	Response	The Proclamation designating the Monument applies to "all lands and interests in lands owned or controlled by the United States within the boundaries described on the map. . . ." The BLM has no jurisdiction over private land. The BLM has taken and will continue taking extensive efforts in all pertinent communications tools (brochures, floater guides, web site, etc.) to educate the public of the importance of private property and the difference between private property and the Monument.
2250-02	*Comment*	*The greatest threat to the Breaks are motorized recreation by ORV's in the uplands, motorized watercraft in the Wild and Scenic River, and backcountry airstrips. I am disappointed at the emphasis on providing opportunities for motorized recreation.*
2250-02	Response	The BLM has multiple goals for recreation and transportation. They include providing public access to state and federal land and reasonable access for private landowners, while protecting the features of the Monument as a means of providing opportunities for diverse recreation activities (motorized and non-motorized) in mostly primitive and natural landscapes.
2250-03	*Comment*	*The cumulative effect of added machines, access, drilling, digging, collecting and overuse can cause long lasting damage, altering the opportunity for a primitive backcountry experience. The plan should detail how these cumulative impacts will be addressed.*
2250-03	Response	The Environmental Consequences portion of Chapter 4 in this Proposed RMP/Final EIS deals extensively with the impacts of each alternative and the cumulative impacts.
2250-04	*Comment*	*The Monument is adjacent to a stretch of the Missouri River designated under the Wild and Scenic Rivers Act (WSRA). All actions affecting the bed or bank of the river in this*

area should be coordinated with the National Park Service who has jurisdiction over wild, scenic and recreational rivers designated under WSRA.

2250-04 Response Public Law 94-486, Title II – Missouri, Montana, section 203 (g) (1) states the Secretary of the Interior, acting through the Bureau of Land Management, shall exercise management responsibilities in the river area.

2250-05 Comment *The monument was established primarily for the use of all citizens to appreciate the wild and scenic values there. The agency should protect open public access as its primary goal in recreation management.*

2250-05 Response The BLM has multiple goals for recreation and transportation. They include providing public access to state and federal land and reasonable access for private landowners, while protecting the features of the Monument as a means of providing opportunities for diverse recreation activities (motorized and non-motorized) in mostly primitive and natural landscapes.

For more information, see the goals stated in Chapter 2 of the Proposed RMP/Final EIS under the Transportation, Recreation, Upper Missouri River Special Recreation Management Area, and Uplands Special Recreation Management Area headings.

2250-06 Comment *The proposed reduction, elimination, or limitation of motorized watercraft, snowmobiles, aircraft appear to be tied in with protecting the "soundshed" and "viewshed." If you are going to try and implement things like viewsheds and soundsheds then it must be defined with their scope and limitations clearly spelled out.*

As to soundsheds, the scientific data as to what decibel limitations should be imposed needs to be presented and justified. What kinds or quantities of sound should be limited?

As to viewsheds, would you propose to define certain motorized vehicles or crafts or activities more objectionable to look at than others? For example, I personally (and many others) don't care for the loud engine noise found in diesel powered pickups (it affects the "soundshed"), nor do I like to see the heavy smoke they put out when accelerating (that affects the "viewshed"). Will you eventually limit or exclude the use of diesel pickups in the Monument area because of their interference with the soundshed and viewshed?

I feel that things like "soundshed" and "viewshed" limitations greatly expand the possible reach of concepts and regulations that can be imposed on the Monument and adjoining area and consequently adversely affect access and economic activity. I support Alternative B.

2250-06 Response The concept of a view shed was used to establish the Wild and Scenic River rim-to-rim corridor in 1978. Solitude (which could include sound issues) was used in the 1987 Missouri Wilderness EIS, which addressed the six Wilderness Study Areas (WSAs). Regulations associated with Wild and Scenic Rivers and Interim Management Policy and Guidelines for Lands Under Wilderness Review are incorporated in the Proposed RMP/Final EIS. The Draft RMP/EIS was developed using planning criteria as established in 43 CFR 1610.4-2. See Chapter 1, Planning Criteria, for a list of criteria that were developed based on applicable laws and regulations, agency guidance, and public comment.

2250-07 Comment *Eliminating or restricting motorized access will result in creating a special privilege reserved solely for those who are physically fit enough to walk in or use a paddle.*

Group		Recreation
2250-07	Response	The Preferred Alternative provides motorized watercraft travel based upon the Wild and Scenic River designation and does not eliminate motorized watercraft opportunities. Following is a summary of motorized watercraft opportunities by river mile: • River miles 0 to 52 would be open yearlong to motorized travel upstream and downstream; • River miles 52 to 84.5 would be subject to a seasonal restriction (motorized watercraft travel downstream at a no-wake speed) from June 15 to September 15; • River miles 84.5 to 92.5 would be open yearlong to motorized travel upstream and downstream; • River miles 92.5 to 149 would be subject to seasonal restrictions (motorized watercraft travel downstream at a no-wake speed would be allowed on Thursdays through Saturdays from June 15 to September 15, motorized watercraft travel would not be allowed Sunday through Wednesday from June 15 to September 15) but would be open to motorized watercraft travel upstream and downstream from September 16 to June 14. For more information, see Chapter 2 in the Proposed RMP/Final EIS, Table 2.22, for a description of how the Preferred Alternative approaches motorized use on the Upper Missouri River.
2250-08	*Comment*	*Monitoring of recreation use is important. The concept of "Limits of Acceptable Change" (LAC) and "sustainability" should be implemented. The goal of management should be restoration in some areas, and prevention of damage to others. Monitoring should be focused on assessing change and arresting use that is site-impacting, and not sustainable.*
2250-08	Response	The BLM's management goals for both the Upper Missouri River Special Recreation Management Area and the Uplands Special Recreation Management Area include managing these lands for a variety of sustainable visitor experiences in mostly primitive and natural landscapes. For more information please refer to Chapter 2 in the Proposed RMP/Final EIS under the headings Upper Missouri River Special Recreation Management Area and Uplands Special Recreation Management Area and Appendix Q, Visitor Use Standards and Indicators.
2250-09	*Comment*	*The Upper Reach of the Monument (Coal Banks Landing to the Judith River) is characterized by outstanding and pleasant scenery including the white rocks. This is generally the Recreation section of the Wild and Scenic River. There is much private land along this stretch of the river. We believe it is appropriate for the management of this reach of river to provide for a higher capacity of visitor use than in the Lower Reach. Road densities, because of private land in the area, will necessarily be higher. Visitor use experience on the Recreation Opportunity Spectrum (ROS) can be less than primitive. Seasonal motorized use can be appropriate until use capacities are reached.*
2250-09	Response	The BLM considers the upper reach of the river to be generally Fort Benton to Coal Banks Landing (specifically river mile 0 to 52). This portion is a Recreation classified section of the river. The portion you are referring to is the White Cliff section, river mile 52 to 84.5. That portion is a Wild classified section of the river. The Proposed RMP/Final EIS, Chapter 2, Upper Missouri River Special Recreation Management Area, addresses specific segment management for the Upper Missouri National Wild and Scenic River. Also see Chapter 4, Upper Missouri River Special Recreation Management Area, Motorized Watercraft, for a description of recreational opportunity by river segment.
2250-10	*Comment*	*We recommend motors be prohibited on the Lower Reach except for emergencies.* *The Lower Reach of the Monument (Judith River to Kipp) is characterized by rugged landscapes and more consolidated public land. This is generally the Wild section of the*

		designated Wild and Scenic River. The management of the Lower Reach should be characterized as providing a visitor experience on the primitive side of the ROS. All development, motorized uses and signing should be significantly constrained in order to provide for wild land experiences reminiscent of those of Lewis and Clark. The Lower Reach is unique in that it offers a place for historic inspiration in a primitive setting. We suggest that this section be managed to protect and enhance that outdoor uncrowded recreational opportunity not found anywhere else along the Lewis and Clark Trail.
2250-10	Response	Between river miles 92.5 to 149 motorized watercraft travel would not be allowed Sunday through Wednesday from June 15 to September 15. The Proposed RMP/Final EIS, Chapter 2, Upper Missouri River Special Recreation Management Area, addresses specific segment management for the Upper Missouri National Wild and Scenic River. Also see Chapter 4, Upper Missouri River Special Recreation Management Area, Motorized Watercraft, for a description of recreational opportunity by river segment.
2250-11	*Comment*	*We recommend that the principles of the Recreation Opportunity Spectrum (ROS) be considered for the entire Monument, keeping in mind that the Lower Reach should be at the most primitive end of the scale when considering all aspects of management and development. We believe that recreational facilities should be confined to road heads, with the possible exception of the primitive toilets that now exist. Signing, other than at road heads, should be kept to an absolute minimum. Interpretation and necessary information should be done with written material that the visitor brings with them. Access to the public land in the Monument is assured, but road access through the Monument is the most minimal, favoring walking trails. More primitive walk-in hunting is encouraged and river access is to be without motors.*
2250-11	Response	For specific management guidance, see the Proposed RMP/Final EIS, Chapter 2, Transportation, and Chapter 2, Upper Missouri River Special Recreation Management Area, and Uplands Special Recreation Management Area for specific management guidance.
2250-12	*Comment*	*There is no discussion about fisheries management. I assume it is handled, at least in the Missouri River, by the MT Fish, Wildlife & Parks and/or the Fish & Wildlife Service. But, are there opportunities for management in small reservoirs and streams on land within the Monument?*
2250-12	Response	Recreational fisheries stocking by Montana Fish, Wildlife and Parks (MFWP) would continue in reservoirs. Fisheries populations, notably game fish populations are managed by MFWP. The BLM would coordinate with MFWP concerning fisheries management based on protecting critical populations or to protect habitat.
2250-13	*Comment*	*Opportunities to manage OHV use by developing OHV trail systems, marking roads and trails, providing usable maps, identifying OHV trails and systems and entering into cooperative management agreements with OHV user groups have, by and large, been ignored by most federal land managers. Although more pro-active management is clearly permissible within the existing management plans, a quick search on the BLM's and National Forest's websites indicates that land managers more often choose to implement parts of their OHV policy associated with limitations and closures.* *Suggestions:* *a) The agency cannot legitimately address increasing demand for OHV recreation opportunity by refusing to accommodate such demand. Alternatives must prudently provide for increased OHV recreation opportunities to meet current and anticipated demand.*

Group		Recreation
		b) The planning team should look to individuals and user groups for assistance in identifying opportunities for OHV recreation. *c) The planning team should develop management alternatives that allow for proactive OHV management. All alternatives should include specific provisions to mark, map and maintain existing OHV opportunities. All alternatives should include instructions to engage in cooperative management with OHV groups and individuals.* *d) Alternatives should include areas where OHV trails can be constructed and maintained when demand increases.*
2250-13	Response	The Proclamation states, "The Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." The transportation plan in the Proposed RMP/Final EIS provides motorized access to thousands of acres of public land and the recreation goal for those lands is to manage for a variety of sustainable visitor use experiences in mostly primitive and natural landscapes. However, the BLM does not have the discretion to manage any portion of the Monument for off-road motorized activities. See the Proposed RMP/Final EIS, Chapter 1, Purpose and Need for a description of BLM's management direction under FLPMA and the Proclamation.
2250-14	*Comment*	*Inadequate attention and passive support of OHV recreation by agencies in a position to support and manage OHV recreation has contributed to the issues impacting OHV recreationists. Again, motorized access and motorized recreation including OHV recreation are the most popular, fastest growing and most fundable forms of recreation and should be given a much higher priority. We request that the cumulative negative impact on OHV recreation resulting from less than adequate and enthusiastic support from managing agencies be adequately evaluated in the document and adequately considered during the decision-making. Additionally, we request that an adequate mitigation plan be included as part of this action to compensate for past cumulative negative impacts.*
2250-14	Response	The Proclamation states, "The Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." The transportation plan in the Proposed RMP/Final EIS provides motorized access to thousands of acres of public land and the recreation goal for those lands is to manage for a variety of sustainable visitor use experiences in mostly primitive and natural landscapes. However, the BLM does not have the discretion to manage any portion of the Monument for off-road motorized activities.
2250-15	*Comment*	*The environmental document should consider the following visitor profiles in addition to OHV enthusiasts as motorized visitors who use roads and trails within public lands. People out for weekend drives, sightseers, picnickers, campers, hunters, hiking, rock climbing, target shooters, fisherman, snowmobile enthusiasts, woodcutters, wildlife viewing, berry and mushroom pickers, equestrians, mountain bikers, and physically challenged visitors who must use wheeled vehicles to visit public lands. All of these multiple-use visitors use roads and motorized trails for their recreational purposes and the decision must take into account motorized designations serve many recreation activities, not just recreational trail riding. We request that the significant impact from all cumulative statewide motorized closures on all of these visitors be included in the environmental document. A statewide analysis is required because cumulative negative effects are forcing all motorized visitors to travel farther and farther to fewer and fewer places to find motorized access and recreation opportunities.*

Group		Recreation
2250-15	Response	A statewide analysis of public land travel management in Montana is beyond the scope of this project and does not meet the purpose and need for this planning effort.
2250-16	*Comment*	*The planning team should formulate an Alternative that maximizes all existing recreational opportunities, as well as anticipates and plans for an increase in recreational use in the future. None of the Draft Alternatives maximize recreational alternatives and most of them fail to provide adequate recreational opportunity to meet the current need.*
2250-16	Response	Alternative B in Chapter 2 of the Proposed RMP/Final EIS provides the widest range of recreation opportunities. Planning criteria, as listed in Chapter 1 of the Proposed RMP/Final EIS, provide constraints and ground rules that guide and direct preparation of the plan. Recreation planning goals and public comment guide the development of alternatives. The Preferred Alternative for recreation and transportation provides a wide range of recreational opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument.
2250-17	*Comment*	*All planning projects should disclose the added benefit to non-motorized recreational resources resulting from the closure of roads by adding the miles of closed roads to the miles of existing non-motorized trails. We request that this procedure be used by this project and all future agency projects. Additionally, we request that the cumulative negative impact on motorized recreationists resulting from this lack of adequate accounting be evaluated and adequately mitigated.*
2250-17	Response	At this time there are no designated non-motorized trails in the Monument.
2250-18	*Comment*	*We are very concerned that a built-in bias exists with visitor use monitoring data based on the fact that all wilderness visitors must sign-in in order to visit a wilderness area and at the same time there are no self-reporting opportunities for multiple-use visitors. Therefore, multiple-use visitor data does not exist or is understated.* *All river floaters, as well as over-night campers at road heads, should be required to register at convenient locations. It is important to obtain accurate information on the amount of use that the Monument is getting. It will be necessary, at some future time, to restrict the number of floaters on the river. Having accurate recreation use information will be essential.*
2250-18	Response	The Monument contains six Wilderness Study Areas (WSAs) but no designated wilderness areas; that is a Congressional action. The BLM has no mechanism to require WSA visitors sign in. Visitor use data is collected from boater registration on the Upper Missouri National Wild and Scenic River. The river is managed under the principles of multiple use. Visitor use data contained in Chapter 3 of the Proposed RMP/Final EIS is based on multiple use activities occurring within the Monument.
2250-19	*Comment*	*With the agency's commitment in the current management plan to the application of "Limits of Acceptable Change" (LAC) for determining management strategies there is an inherent obligation on the agency's part to provide specific direction that certain measures, such as visitor education and the provision of new facilities, would be implemented before limiting use. A common thread in LAC application nation-wide is that these regulations apply to all visitors, not to specific groups. Why are motorized recreationists being disenfranchised from this directive? There has not been an adequate attempt by the agency to educate the public that areas and trails in the project area or anywhere else must be shared by all users and that new facilities are needed to address the needs of motorized recreationists. The decision for this project must correct this deficiency.*

Group		Recreation
2250-19	Response	The Limits of Acceptable Change (LAC) process is not applied to road and trail management. The LAC process in this plan is directed specifically to the Wild and Scenic River and its resources and use opportunities for boaters. Where construction of facilities is discussed, it includes facilities that would be utilized by all boaters, motorized and non-motorized.
2250-20	*Comment*	*There is nothing radically wrong with the existing condition except that it does not meet all of the needs of motorized recreationists and does not adequately address the growing needs of motorized recreationists.*
2250-20	Response	The Preferred Alternative in the Proposed RMP/Final EIS would keep 293 miles of roads open yearlong and 111 miles open seasonally to allow the motorized recreationist access in the Monument. Motorized watercraft enthusiasts would also have multiple opportunities to use the Upper Missouri River.
2250-21	*Comment*	*The decision must consider that non-motorized recreationists have the opportunity to go not only to designated wilderness areas but anywhere while the opportunities for motorized recreationists are limited to designated routes in a small portion of multiple-use areas.*
2250-21	Response	The Preferred Alternative in the Proposed RMP/Final EIS would keep 293 miles of roads open yearlong and 111 miles open seasonally to allow the motorized recreationist access in the Monument. Motorized watercraft enthusiasts would also have multiple opportunities to use the Upper Missouri River.
2250-22	*Comment*	*We request a motorized recreation alternative with a recreation opportunity spectrum (ROS) comparable to the surrounding ROS available for non-motorized recreationists be adopted as the "proposed action."*
2250-22	Response	The Proclamation states the Secretary "shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects." One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument. The range of alternatives in the Draft RMP/EIS includes six alternatives for the transportation system in the Monument that address the Proclamation and BLM's goal. This range includes Alternative A (Current Management), which is the current designated road system. The range of alternatives varies from Alternative A, which would leave most roads open yearlong or seasonally, to Alternative E, which would close most of the roads in the Monument.
2250-23	*Comment*	*The evaluation and decision-making must also take into account that millions of acres of public land near the project area are designated national parks, monuments, wilderness and non-motorized areas where motorized access and recreation is not allowed or severely restricted. Therefore, the project area includes a significant number of non-motorized recreational opportunities that can be quantified in many ways including acres, miles of trails, an infinite number of miles of cross-country travel opportunities, and acres per visitor. At the same time motorized access and recreation is limited to a relatively small corridor and network of roads and trails. We request that the difference in visitor use between designated wilderness/non-motorized/exclusive-use lands and multiple-use lands be acknowledged and adequately addressed in the evaluation.*
2250-23	Response	The Proclamation states, "The Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." The

transportation plan in the Proposed RMP/Final EIS provides motorized access to thousands of acres of public land and the recreation goal for those lands is to manage for a variety of sustainable visitor use experiences in mostly primitive and natural landscapes. However, the BLM does not have the discretion to manage any portion of the Monument for off-road motorized activities.

2250-24	*Comment*	*Specific NVUM data for the Upper Missouri River Breaks area which are represented by the Region 1 of the Forest Service shows that there were 14,872,000 total site visits to the forest and only 463,900 wilderness visits (http://www.fs.fed.us/recreation/programs/nvum/revised_vis_est.pdf). Therefore, wilderness visits in Montana are only about 3.12% of the total visits. The proposed Upper Missouri River Breaks Resource Management Plan must provide a proportionately large and an increased number of recreation opportunities for multiple-use and motorized visitors and a lesser number for non-motorized users.*
2250-24	Response	Data compiled by the U.S. Forest Service does not necessarily lend itself to lands managed by the BLM. The transportation plan in the Proposed RMP/Final EIS provides motorized access to thousands of acres of public land and the recreation goal for those lands is to manage for a variety of sustainable visitor use experiences in mostly primitive and natural landscapes. However, the BLM does not have the discretion to manage any portion of the Monument for off-road motorized activities.
2250-25	*Comment*	*There are visitor use statistics available for the national forest but similar statistics are not available for BLM managed lands. First, we maintain that the surrounding forest use statistics are also representative of BLM lands in the region. Secondly, this information strongly supports motorized access and motorized recreation and we request that the BLM develop similar recreation use statistics so that motorized recreationists are fairly represented.*
2250-25	Response	Data compiled by the U.S. Forest Service does not necessarily lend itself to lands managed by the BLM. Visitor use data for the Upper Missouri National Wild and Scenic River has been collected for 30 years. This data was incorporated into and supports the development of management alternatives. See Chapter 3 of the Proposed RMP/Final EIS under Recreation, Characteristics of Visitor Use, for specific visitor use data and statistics. Montana Fish, Wildlife and Parks (MFWP) has data on hunter use of the uplands; however, the BLM does not currently have corresponding visitor use data for the uplands.
2250-26	*Comment*	*The current allotment of recreation resources on all Forest Service lands is way out of balance with 44,919,000 acres out of 192,300,000 acres or 24% in wilderness designation while no more than 2.55% of the visitors are wilderness visitors. The same comparison for BLM managed lands should be disclosed and adequately considered in the Upper Missouri River Breaks Resource Management Plan.*
2250-26	Response	Data compiled by the U.S. Forest Service does not necessarily lend itself to lands managed by the BLM. The BLM does not currently have visitor use data for the uplands and or the wilderness study areas. For more information, see the Proposed RMP/Final EIS, Chapter 3, Recreation.
2250-27	*Comment*	*A change in management of the Monument should only arise after studies have shown a change in use that requires some management change. Since the Monument designation took effect, what data has been gathered and what changes in use have been noted. Visitor use data presented at the public meetings is not clear, there has been one year of increased use and one year of decreased use, and this does not seem to be enough to justify a change in management.*

Group		Recreation
2250-27	Response	Visitor use data is not always a stand-alone catalyst for change. During an RMP process the BLM considers legal requirements, public comment, goals and objectives for the planning area, and the range of visitor use opportunities that can be provided in an environmentally responsible manner to formulate a change in management. In many cases visitor use data is used in combination with other factors to develop an alternative.
2250-28	*Comment*	*Agencies are encouraged to provide good statistics on the level of use by the various public land visitors and use these statistics in the decision processes.*
2250-28	Response	Visitor use data for the Upper Missouri National Wild and Scenic River has been collected for 30 years. This data was incorporated into and supports development of management alternatives. See Chapter 3 of the Proposed RMP/Final EIS under Recreation, Characteristics of Visitor Use, for specific visitor use data and statistics.
2250-29	*Comment*	*We are unaware of any documented or justifiable reports of user conflict in the project area. We request copies of any documentation of user conflicts in the area and request that it be categorized and weighed against the overall number of visitor-days to the area. Additionally, a difference in opinion about whether certain recreationists should be able to visit multiple-use public lands should not be considered a user-conflict.*
2250-29	Response	The BLM recognizes that conflicts of use do occur, in part from the diversity of the comments and wants expressed during this planning effort. However, those conflicts are not the focus of alternative development. The BLM is considering legal requirements, public comments, goals and objectives for the Monument, and the range of visitor use opportunities that can be provided while protecting the objects of the Monument.
2250-30	*Comment*	*I am in favor of keeping the Monument open to the public's use, whether by auto, aircraft on the ground or on the water, by motor boat, or by foot if that is the individual citizen's preferred mode of enjoying or national heritage.*
2250-30	Response	The BLM's planning goal for recreation and transportation includes providing diverse recreation opportunities while protecting the objects of the Monument. The BLM's goal and management emphasis is to provide those diverse opportunities in mostly primitive and natural landscapes.
2250-31	*Comment*	*The comment on p. 7 Col. 2 para. 7 that "The Monument RMP/EIS will emphasize the protection and enhancement of the Monument's natural resources and emphasize the BLM's mission to serve the diverse outdoor recreation demands of visitors while helping them to maintain the sustainable conditions needed to conserve their lands and their recreation choices" is inappropriate. Despite the accompanying citation of the 2003 BLM UMRBNM management situation analysis, I am not aware of anything in federal environmental law or regulations that justifies emphasizing one set of resources over another in the analysis. I would think the agency would want to communicate an even-handed analysis in this document, not offend people and organizations concerned about the Monument's cultural heritage resources.*
2250-31	Response	As stated in Chapter 1 of the Proposed RMP/Final EIS, Vision and Management Goals, the BLM's vision is to manage the Monument in a manner that maintains and protects its biological, geological, visual and historic objects and preserves its remote and scenic character. The RMP will incorporate the Proclamation, multiple use and existing laws, while recognizing valid existing rights and authorizations, and providing diverse recreational opportunities.

Group		Recreation
2250-32	*Comment*	*Personal collections of plants, fossils, petrified wood, Native American artifacts and other historical, geological or paleontological objects should not be allowed.*
2250-32	Response	Surface collection of common invertebrate fossils and petrified wood for personal use would be authorized as limited by the regulations (43 CFR 3620 and 8365) except in the Cow Creek ACEC, and the Cow Creek and Dog Creek WSAs. These regulations state the maximum amount of petrified wood one person is allowed to remove is 25 pounds plus one piece (provided the total removed by one person does not exceed 250 pounds in one calendar year). See the Proposed RMP/Final EIS, Chapter 2, Recreation, Alternative F (Preferred Alternative), Research, Collection and special events for a description of allowable collections.
2250-33	*Comment*	*The BLM is misinterpreting its obligations and responsibilities under the WSRA to protect and enhance the UMNWSR's ORVs. As a result, the BLM is illegally allowing, and proposing to continue to allow, various destructive uses to occur within and/or adjacent to the river corridor.* *The BLM must analyze how its authorization of motorized watercraft, oil and gas drilling, cars and ATVs, airstrips, and livestock grazing in the Monument affects the River's ORVs. In addition, the BLM must, but has failed, to assess how its action(s) impact the various WSRA classifications for the River.*
2250-33	Response	The Upper Missouri National Wild and Scenic River (UMNWSR) designation and classification as recreational, scenic, and wild would not change under any of the alternatives. While the alternatives may affect some resources within the UMNWSR, which are discussed under the pertinent resource section in this chapter, the designation and classification would not be affected. Management under any of the alternatives would protect the resources within the UMNWSR. Under the Preferred Alternative in the Proposed RMP/Final EIS about 76% of the UMNWSR would be within VRM Class I and 22% within VRM Class II; 2% would be within VRM Class III and IV. In the UMNWSR 33 miles of BLM roads would be open yearlong, 12 miles would be open seasonally, and 34 miles would be closed. For additional information see the Proposed RMP/Final EIS, Chapter 4 under the headings Recreation River, Minerals-Oil and Gas, Livestock Grazing, and Transportation for a description of impacts.
2250-34	*Comment*	*This will have a huge effect on the quality of recreational experience for river users, and yet it is given only passing mention in the DEIS! How can the BLM possibly believe that the loss of choice cottonwood campsites and the failed regeneration of replacement groves would not be one of the most significant factors affecting the recreational resource of the Monument?*
2250-34	Response	Under all alternatives, BLM's goal is to manage for healthy riparian and wetland areas. If the proper sequence of events occurs (moisture, sediment deposition, seed sources, temperatures, etc.), cottonwood regeneration will occur. At 14 select locations scattered along 22 miles of the Upper Missouri River, the BLM is maintaining livestock exclosures and planting trees.
2250-35	*Comment*	*Historically, the BLM has used a "limits of acceptable change" policy when making management decisions. The policy required that any change in management be supported by a documented change in conditions that necessitated the change. The policy allowed for effective and appropriate management of the Upper Missouri National Wild and*

Scenic River and the BLM should continue this policy when making management decisions regarding the Monument.

2250-35 Response The BLM plans to continue using Limits of Acceptable Change as outlined in the Proposed RMP/Final EIS, Appendix Q. They are designed to provide recreation managers, utilizing monitoring data, a toolbox to recognize and address concerns as they develop. For more information, see the Proposed RMP/Final EIS, Chapter 4, Recreation for an analysis of impacts.

2250-36 Comment *Visitor use of the Monument has not dramatically increased enough to warrant any change in management.*

2250-36 Response Visitor use has increased by 60% since 1975. Motorized use of the river has increased 77% since 1980. See the discussion in Chapter 3 of the Proposed RMP/Final EIS under Recreation, Characteristics of Visitor Use.

2250-37 Comment *Though individual objects are not listed in the Proclamation, geologic monuments hold fossil remains of prehistoric reptilian life, as well as limestone caves, petrified plants and trees, and other volcanic phenomena. This Monument was designated for its biological, geological, and historical objects of interest. When the additional words, "all unauthorized persons not to appropriate, injure, destroy, or remove any "feature" of the Monument are included, the designation of this area as a national Monument gives it area greater protection than existing Federal laws and regulations.*

2250-37 Response The surface collection of common invertebrate fossils and petrified wood for personal use would be authorized and allowed as limited by the regulations (43 CFR 3620 and 8365) except in the Cow Creek ACEC, Cow Creek WSA, and Dog Creek WSA. These regulations state the maximum amount of petrified wood one person is allowed to remove is 25 pounds plus one piece (provided the total removed by one person does not exceed 250 pounds). For more information, see the discussion in Chapter 2 of the Proposed RMP/Final EIS under Recreation, Research, collection and special events.

2250-38 Comment *There should be a season on shed antler hunting for noncommercial use only. Shed hunting should be allowed to begin on April 1 of each year to protect wildlife from harassment. Most big-game animals have cast their antlers by April 1.*

2250-38 Response Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, Recreation in sensitive wildlife habitat, the BLM would allow the personal collection of shed antlers (horn hunting). The Preferred Alternative does not specify dates.

2250-39 Comment *I don't believe any restrictions or management plan should be formulated for the river based on data gathered over the past 2 or 3 years. These figures would be aberrant by unusual usage precipitated by the Lewis and Clark Bicentennial. In a few years the usage will return to a more historical norm, and in the interim an unnecessary river plan and bureaucracy could evolve that would be both costly and burdensome to river users.*

2250-39 Response Visitor use data on the Upper Missouri River has been collected since 1975. Visitor use was lower during the Bicentennial (2003-2006) than during previous years. See Chapter 3 of the Proposed RMP/Final EIS under Recreation, Characteristics of Visitor Use.

2250-40 Comment *The predicted increase in users raises potential threats of overuse of the Upper Missouri National Wild and Scenic River, is of considerable concern to the State of Montana, and is a concern that is not adequately addressed in the DEIS/RMP.*

Group		Recreation
2250-40	Response	The foreseeable visitor use is an assumption based on 10 years of historical use from 1996 to 2006. During this time period visitor use on the Upper Missouri River increased 47.8 percent, or an average of 4.78 percent per year. Limits of Acceptable Change as outlined in the Proposed RMP/Final EIS, Appendix Q, are designed to provide recreation managers, utilizing monitoring data, a toolbox to recognize and address concerns as they develop. See Chapter 4, Recreation for an analysis of impacts.
2250-41	*Comment*	*Tourism is the second largest industry in Montana. Research by the Institute for Tourism and Recreation Research indicate that forty percent of the economic benefit of tourism in Montana is based on recreation activities occurring on wildlands managed principally by the federal government. Wildlands means wildlands, not roads, not ATV-riddled landscapes, not motorboat corridors, not airstrips, all of which the BLM appears to prefer over remote and undeveloped wild landscapes that bring the rest of the country (and the world) to our state.*
2250-41	Response	One of the BLM's goals for the Monument is to manage for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes while protecting the objects of the Monument.
2250-42	*Comment*	*The Club was appalled by the BLM's decision to allow "personal collection of plant material, common invertebrate fossils, and petrified wood." (Alternative F, pages 112-113). It must be remembered that the Monument has a different designation than other BLM lands. It would be a violation of the spirit of the Proclamation to allow depletion of the Monument's invertebrate fossils and petrified wood through collection. The Sierra Club realizes that the BLM is new to program of managing National Monuments, but the quicker the agency realizes that Monuments are different from the other lands it manages the better. The Monument was designated to protect its biological, geological, and historical objects of interest. The Proclamation prohibits "all unauthorized persons" to "appropriate, injure, destroy, or remove any feature" of the Monument. All fossils, plant material and petrified wood are definitely "objects of interest."*
2250-42	Response	The surface collection of common invertebrate fossils and petrified wood for personal use would be authorized and allowed as limited by the regulations (43 CFR 3620 and 8365) except in the Cow Creek ACEC, Cow Creek WSA, and Dog Creek WSA. These regulations state the maximum amount of petrified wood one person is allowed to remove is 25 pounds plus one piece (provided the total removed by one person does not exceed 250 pounds). For more information see the discussion in Chapter 2 of the Proposed RMP/Final EIS under Recreation, Research, collection and special events.
2250-43	*Comment*	*Personal Collection. The Proclamation protects all objects including "sedimentary" rock and "geological" features - all of which have fossils. It is a violation of the Proclamation to allow unregulated collection of anything from the Monument.*
2250-43	Response	The surface collection of common invertebrate fossils and petrified wood for personal use would be authorized and allowed as limited by the regulations (43 CFR 3620 and 8365) except in the Cow Creek ACEC, Cow Creek WSA, and Dog Creek WSA. These regulations state the maximum amount of petrified wood one person is allowed to remove is 25 pounds plus one piece (provided the total removed by one person does not exceed 250 pounds). For more information see the discussion in Chapter 2 of the Proposed RMP/Final EIS under Recreation, Research, collection and special events.
2250-44	*Comment*	*Recreation Management Areas (RMAs). There is an inadequate range of alternatives for the relabeling and consolidation of the RMA's. The DEIS should prepare an alternative that offers RMA's based not only on river or upland but also on the primitiveness of the*

areas. WSA's and the ACEC may be more primitive and less roaded then other areas of the Monument and, therefore, an alternative should be developed to show how this may be differently managed.

2250-44 Response

Primitiveness is not one of the values weighed to determine recreation management area (RMA) categories. The two types of RMAs, extensive and special, are defined in the Glossary of the Proposed RMP/Final EIS. The designation of either is subject to the commitment of BLM funding and staffing. These are generally broad categories and BLM has other designations such as the Recreation Opportunity Spectrum to address primitive areas.

2250-45 Comment

Unauthorized personal collection of objects is not permitted in the Monument. The DEIS states in its preferred Alternative F, pages 112 and 113, "Personal collection of plant material, common invertebrate fossils, and petrified wood allowed." Also, when the subject of collecting was brought up at the Resource Advisory Council (RAC) meeting in April, the BLM stated, "There is nothing in this Proclamation that talks about paleontology as a feature of the Monument, so an invertebrate is not an "object of interest" and can be collected." This conclusion violates the letter and spirit of the Proclamation. The designation of this area as a national Monument "affords the area greater protection than existing federal laws and regulations...", Mark Squillace, The Monumental Legacy of the Antiquities Act of 1906, 37 GA. L. REV. 473, 488 (2003), and the BLM's attempt to avoid including invertebrate fossils as an object of interest is mystifying.

Many individual and general "objects" are listed in the Proclamation. The Proclamation states that the landscape "contains a spectacular array of biological, geological, and historical objects of interest" (emphasis added). It is undisputed that Monuments in the past have been designated to protect geologic features and that geologic features include fossils. [The] "geologic monuments hold fossil remains of prehistoric reptilian life, as well as limestone caves, petrified plants and trees, and other volcanic phenomena..." National Park Service & U.S. Department of the Interior, Glimpses of Our National Monuments, General Introduction, (U.S. Printing Office 1930).

The Monument was designated for its biological, geological, and historical objects of interest. The Proclamation prohibits "all unauthorized persons" to "appropriate, injure, destroy, or remove any feature" of the Monument. All fossils and petrified wood are objects. It is arbitrary and capricious to allow collection without an authorization by permit. Unregulated collection of fossils and other objects will inevitably lead to impacts on the objects and, yet, the DEIS does not attempt to measure those impacts.

Other collections must also be prohibited except by authorization by permit. Generally, the protection afforded by Monument designation means "wood cutting and most commercial activities are usually curtailed." Carol Hardy Vincent & Pamela Baldwin, National Monuments and the Antiquities Act, CONG. RES. SERV. REP. NO. RL30528, (Apr. 17, 2001).

2250-45 Response

The surface collection of common invertebrate fossils and petrified wood for personal use would be authorized and allowed as limited by the regulations (43 CFR 3620 and 8365) except in the Cow Creek ACEC, Cow Creek WSA, and Dog Creek WSA. These regulations state the maximum amount of petrified wood one person is allowed to remove is 25 pounds plus one piece (provided the total removed by one person does not exceed 250 pounds). For more information, see the discussion in Chapter 2 of the Proposed RMP/Final EIS under Recreation, Research, collection and special events.

Group		Recreation
2250-46	*Comment*	*The DEIS does not analyze what size groups may be allowed or not allowed. The range of alternatives does not talk about the size of groups or the expected impacts for different groups. Alt. F does not state that group activities will be prohibited where such groups will impact the attributes to be protected by the Proclamation including the Monument's primitiveness and remoteness.*
2250-46	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, from June 15 to August 1 at Coal Banks and Judith Landing, groups larger than 20 people could only launch on Wednesday, Thursday or Friday. Groups larger than 30 people would require a special recreation permit, year round, for boating the Missouri River. For additional information, see the discussion of group size in Chapter 2 of the Proposed RMP/Final EIS under Upper Missouri River Special Recreation Management Area, Alternative F (Preferred Alternative), Opportunities for boaters. Also see the Chapter 4 discussion of impacts under Impacts to Recreation from Visitor Use, Services and Infrastructure, Alternative F (Preferred Alternative), Opportunities for Boaters.
2250-47	*Comment*	*Alternative F should be revised to allow personal collection of shed antlers (horn hunting) allowed with the seasonal restriction rather than leaving that restriction discretionary. The DEIS cannot allow discretionary application of restrictions without analyzing in separate alternatives the impacts from applying or not applying the restriction. Alt F should also reiterate that the restrictions on off-road driving apply.*
2250-47	Response	There are currently no documented issues associated with harassment of wildlife that would create a need for a specific season of antler hunting. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM could consider a season, through activity level planning, if monitoring indicates harassment is having a negative effect on wildlife. The Proclamation clearly states that off-road driving is prohibited throughout the Monument.
2250-48	*Comment*	*Alternative E restricts archaeological research, historical investigations and paleontological research. The Proclamation mandates the protection of the objects in the Monument which objects include archaeological, historical and paleontological features. It is a violation of the Proclamation to allow unpermitted, unsupervised investigations.* *Personal collection of plant material should be prohibited without a permit.* *Personal collection of common invertebrate fossils and petrified wood should be prohibited. The Monument designation requires that these features be protected. The DEIS violates the spirit and letter of the Proclamation when it opens up collection without restriction. The DEIS provides no analysis of how many sites will be picked over by collectors and how illegal collecting will harm the Monument. The history of Yellowstone Park shows that unregulated collection and thievery virtually destroyed some features. Even today, illegal collection by tourists in Petrified Tree National Park decreases the amount of petrified wood in the park by 10 tons annually.* *The use of metal detectors should be prohibited. Again, the DEIS fails to examine the impact of persons using metal detectors and, presumably, picks and shovels to collect historical artifacts. The investigation of historical artifacts should be restricted to scholars under strict regulation.*
2250-48	Response	The surface collection of common invertebrate fossils and petrified wood for personal use would be authorized and allowed as limited by the regulations (43 CFR 3620 and 8365) except in the Cow Creek ACEC, Cow Creek WSA, and Dog Creek WSA. These regulations state the maximum amount of petrified wood one person is allowed to remove

is 25 pounds plus one piece (provided the total removed by one person does not exceed 250 pounds).

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

For more information see the discussion in Chapter 2 of the Proposed RMP/Final EIS under Recreation, Research, collection and special events.

2250-49 *Comment* *Plants, fossils, petrified wood, etc. are objects within the Monument, protected by the Proclamation.*

The BLM's preferred alternative would allow anyone to collect plant material, common invertebrate fossils, and petrified wood. Yet the Monument Proclamation mandates "all unauthorized persons not to appropriate, injure, destroy, or remove any feature of this monument." The draft RMP fails to uphold this requirement of the Proclamation.

The BLM must honor the Proclamation's intent. To expect visitors not to take historic artifacts from a homestead or the Cow Island battle site, yet help themselves to "common" fossils is inconsistent and a sure way to create management confusion and challenges. The Wilderness Society believes that the Monument will be better protected, and visitors will ultimately enjoy their Monument experience more, if the BLM cultivates a "take nothing but pictures" ethic.

2250-49 Response The surface collection of common invertebrate fossils and petrified wood for personal use would be authorized and allowed as limited by the regulations (43 CFR 3620 and 8365) except in the Cow Creek ACEC, Cow Creek WSA, and Dog Creek WSA. These regulations state the maximum amount of petrified wood one person is allowed to remove is 25 pounds plus one piece (provided the total removed by one person does not exceed 250 pounds). For more information see the discussion in Chapter 2 of the Proposed RMP/Final EIS under Recreation, Research, collection and special events.

2250-50 *Comment* *The number of floaters and sightseers is way - way exaggerated. I spend four or five days a week fishing, hunting or just being out in the area, I know!*

2250-50 Response During the summer season the BLM has volunteer hosts and seasonal rangers stationed at Fort Benton, Coal Banks Landing and Judith Landing, the main access sites to the river. They strive to register each and every boater between May 1 and September 30. Registration boxes are also available at each site for visitors to self-register if no BLM host or volunteer is present.

2250-51 *Comment* *Whether there is a "user conflict" or not depends primarily on user attitudes. Just because someone says it is a conflict does not mean that it is a "reasonable" or "significant" conflict. We request that a reasonable definition for "significant" conflict be developed and used as part of this action.*

2250-51 Response The term significantly as used in NEPA requires considerations of both context and intensity (see 40 CFR §1508.27). A definition of significant has been added to the glossary in the Proposed RMP/Final EIS, as follows:

Group		**Recreation**
		Significant: An effect that is analyzed in the context of the proposed action to determine the degree or magnitude of importance of the effect, either beneficial or adverse. The degree of significance can be related to other actions with individually insignificant but cumulatively significant impacts.
2250-52	*Comment*	*We believe there is a problem between your table 2.14 and the West Half Recreation Map. Table 2.14 seems to allow floatplanes and personal watercraft to use River Mile 0 to 52 yearlong.*
2250-52	Response	Table 2.14 in the Draft RMP/EIS shows the current motorized watercraft restrictions (Alternative A). Under this alternative floatplanes and personal watercraft would be allowed yearlong. The Recreation Map is for the Preferred Alternative (Alternative F).
Group		**Camping**
2251-01	*Comment*	*I suggest BLM manage, restrict or prohibit open fires, augment the supply of firewood at the most heavily used locations for the 6,000+ users a year, require floaters and dispersed users to bring their own, or require use of camp stoves, BBQ grills or fire pans. You could also do a little educating of the river users that lets them know what the effects campfires and wood gathering are. I suspect that most users of the Monument are conservation-minded and may help conserve the resource. Leave No Trace should be practiced and BLM should prohibit the cutting of live or dead trees for camping use.*
2251-01	Response	The Preferred Alternative in the Proposed RMP/Final EIS recommends the use of camp stoves, fire pans or fire mats for dispersed camping (Level 4 opportunities). The BLM currently takes an aggressive Leave No Trace approach implemented through a website, river ranger contacts and volunteer hosts at all access points. For more information, see Chapter 2 of the Proposed RMP/Final EIS, Upper Missouri River Special Recreation Management Area, Alternative F, Camping facilities, for a description of camping requirements.
2251-02	*Comment*	*Perhaps special areas or containment areas should be established as general camping sites, thus eliminating campsites from being established all over the area. During hunting season people are camped everywhere, often times, right in the middle of my favorite spot. Concentrate camping areas.*
2251-02	Response	The Preferred Alternative recommends considering the development of Level 1 campsites, but they would only be constructed at the beginning of public access roads into the Monument. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Upper Missouri River Special Recreation Management Area, Alternative F, Camping facilities, for campsite restrictions.
2251-03	*Comment*	*I noticed that at Dark Butte there is a composting toilet. Providing one of these at each "Recreation area" along the river where no toilet presently exists would go a long way toward really minimizing human waste impacts along the river. These are lightweight units, easy to maintain with hand tools, and could be floated in on rafts or work boats already used on the river. And then educate the Monument users, and tell them these things are out there at each site, and they are to be used.*

Group		Camping
2251-03	Response	The BLM implemented a human waste carryout regulation in 2004 requiring all overnight river visitors to carry and use portable toilets. All of our current and future brochures and floaters guides contain education messages about these regulations and the importance of Leave No Trace.
2251-04	*Comment*	*Do not develop any more campsites along the river. You have already developed too many for a "Wild River" experience.*
2251-04	Response	The Preferred Alternative recommends no additional Level 1 or 2 facilities developed between river miles 92.5 and 149. However, Level 3 campsites could be constructed if needed to accommodate increased use, disperse visitors and rotate use of existing sites. For more information, see Chapter 2 of the Proposed RMP/Final EIS, Upper Missouri River Special Recreation Management Area, Alternative F, Camping facilities, for a description of facility development.
2251-05	*Comment*	*I have canoed the area several times and have difficulty seeing the hidden "campsite" signs.*
2251-05	Response	The BLM upgraded the dispersed campsite signs along the river during the 2006 boating season.
2251-06	*Comment*	*Additional (primitive) camping sites should be created for management of the human element that wishes to view and experience the area. A carrying capacity should be considered, for the future if not now, and visitation limits should be established when needed, perhaps something akin to management on the Smith River near White Sulphur Springs.*
2251-06	Response	The BLM recognizes four levels of campsite development. See Chapter 2 of the Proposed RMP/Final EIS, Upper Missouri River Special Recreation Management Area, for a description of the four levels. The most primitive level (Level 4) is BLM land that has no development. You are free to camp at this primitive level on any of the 90,000 acres of BLM land adjacent to the river. For additional information, see Chapter 2, Upper Missouri River Special Recreation Management Area, Alternative F, Camping facilities, for a description of facility development. No additional Level 1 or 2 facilities would be developed between river miles 92.5 and 149. The current use figures do not approach the threshold for considering a cap or a permit system to allocate recreational opportunities on the Upper Missouri National Wild and Scenic River.
2251-07	*Comment*	*It is our understanding that dispersed campsites are proposed for closure. These are very desirable camp sites. Closure of these sorts of dispersed campsites would have a very significant impact on the public and we request that they remain open. If water quality concerns are the basis for these closures, then there are reasonable alternatives to mitigate these concerns, such as allowing only self-contained camping units to use them.*
2251-07	Response	No dispersed campsites are proposed for closure at this time.
2251-08	*Comment*	*If dispersed camp sites are to be closed based on water quality concerns, then we request that the decision include a water quality monitoring program to establish the baseline water quality prior to the closure of dispersed camp sites and continue that program after the closure to establish whether any significant water quality improvement was realized.*

		The decision should also include a provision to re-open closed camp sites when no significant improvement in water quality was realized by the closure.
2251-08	Response	There are no dispersed campsites proposed for closure at this time.
2251-09	*Comment*	*In general there is a very high demand for camp sites and especially dispersed camp sites. If a dispersed camp site is closed, then we request that the closure be mitigated by creation of new camp sites on at least a 1:1 basis in order to avoid a significant cumulative effect on the public of too few camp sites.*
2251-09	Response	The BLM recognizes the importance of dispersed camping and the public can continue pursuing dispersed camping opportunities. For additional information, see Chapter 2 in the Proposed RMP/Final EIS, Upper Missouri River Special Recreation Management Area, Alternative F, Camping facilities; and Appendix Q, Visitor Use Standards and Indicators, for a full description of campsite management.
2251-10	*Comment*	*Resolve now. Pack it in, pack it out (in total) must be a strong element within this Breaks RMP. This must include all human waste, waste water, equipment, materials, food, any form of waste or non-useable materials, equipment. No exceptions. Enforcement is grossly inadequate, or largely non-existent.*
2251-10	Response	The BLM incorporates a strong Leave No Trace message in all aspects of customer service and visitor use management. In addition, BLM implemented a human waste carryout regulation in 2004 requiring all overnight river visitors to carry and use portable toilets and will continue enforcing all regulations to the fullest extent of our staffing capability.
2251-11	*Comment*	*I firmly believe that daily traffic should be limited to only what the camp grounds can handle at night.*
2251-11	Response	The Preferred Alternative places no limitation on the number of campground users. The BLM would use visitor use standards and indicators (Appendix Q in the Proposed RMP/Final EIS) to manage visitor use and resource impacts.
2251-12	*Comment*	*I would recommend that on level 3 pullout sites, the vehicles be parked within 25 feet of the road although I would accept even 10 feet if this conflicted with the Proclamation.*
2251-12	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, outside of the WSAs, motorized or mechanized vehicles may park adjacent to a road to provide a reasonable safe distance for the public to pass. However, parking must be within 50 feet of a road. Parking would be encouraged at previously used sites.
2251-13	*Comment*	*NPCA recommends that:* *1. Camping off the river corridor and adjacent to roads be allowed only in specifically designated areas and pullouts. Camping should be prohibited in all other areas when associated with vehicle use.* *2. River campgrounds should be maintained to a primitive standard. River campgrounds should be minimized to a number that sustains a modest level of river traffic and usage, as established by the managing agency and reflecting usage levels that don't compromise impair the resource.*

Group		Camping
2251-13	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, outside of the WSAs, motorized or mechanized vehicles may park adjacent to a road to provide a reasonable safe distance for the public to pass. However, parking must be within 50 feet of a road. Parking would be encouraged at previously used sites. The existing camping facilities would remain at the current campsites along the Missouri River. Additional Level 1 and 2 sites would only be considered from Fort Benton downstream to Judith Landing. Campsite maintenance or new construction would continue in a manner that does not impair resources. The Proposed RMP/Final EIS provides for a range of camping opportunities, as discussed in Chapter 2, Upper Missouri River Special Recreation Management Area and Uplands Special Recreation Management Area, River Recreation Facilities and Upland Recreation Facilities.
2251-14	*Comment*	*All access sites and campsites located along rivers and streams should be designed to be primitive, and they should be managed to maximize the important wildlife habitat along the river. Flooding of these areas should be encouraged—no bank stabilization structures should be allowed in the UMBNM now or in the future.*
2251-14	Response	The RMP provides for a range of camping opportunities along the Upper Missouri River and the primitive setting and wildlife habitat are important values considered with campsite maintenance or new construction. For more information, see Chapter 2, Upper Missouri River Special Recreation Management Area and Uplands Special Recreation Management Area, River Recreation Facilities and Upland Recreation Facilities.
2251-15	*Comment*	*One thing that could be done, which has been discussed through the years, is to allow large party launches (20 or more) only on particular days of the week, and not allow them to camp at the smaller sites such as Little Sandy.*
2251-15	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, from June 15 to August 1 at Coal Banks and Judith Landing groups larger than 20 people could only launch on Wednesday, Thursday or Friday. For additional information, see Chapter 2, Upper Missouri River Special Recreation Management Area, Opportunities for boaters.
2251-16	*Comment*	*Developing campsites and placing interpretive signs should be done with extreme caution. I favor more primitive small sites, and fewer large, developed sites.*
2251-16	Response	The existing camping facilities would remain at the current campsites along the Missouri River. Additional Level 1 and 2 sites would only be constructed from Fort Benton downstream to Judith Landing. No additional Level 2 sites would be constructed below Judith Landing and additional Level 3 sites could be added as necessary to accommodate increased use, to disperse visitor use or to rotate the use of individual sites. All maintenance or new construction would carefully consider the primitive aesthetics of the surround area. For more information, see Chapter 2 in the Proposed RMP/Final EIS, Upper Missouri River Special Recreation Management Area, Camping facilities.
2251-17	*Comment*	*If you're going to put in more outhouses, I would prefer the less-intrusive small portable ones like they have on the Smith, and move them around. Putting in a few porta-pots would go a long ways towards concentrating users in sites more suitable for them.*
2251-17	Response	The BLM implemented a human waste carryout regulation in 2004 requiring all overnight river visitors to carry and use portable toilets. For additional information, see Chapter 2 in the Proposed RMP/Final EIS, Upper Missouri River Special Recreation Management Area, Camping facilities.

Group		Camping
2251-18	*Comment*	*We believe that dispersed camping should be allowed, however we believe it must be managed from spatial and temporal perspectives to avoid damage to the resource. By allowing, as proposed, camping within 300 feet on either side of an open road, we believe you will be in essence creating a "sacrificial zone" or huge commitments to heavy and frequent maintenance and cleanup.* *The proposal provides for driving to campsites as far as 300 feet off the road. We are concerned that this could lead to a number of roads being rutted off the main access road. We suggest that recreationists be allowed to walk to find a camping site off the road, and that they be allowed to make necessary trips (as much as 300 feet) to off-load and pick up their camp. However, parking should be limited to the roadside. The purpose of these restrictions would be to prevent the large number of to-and-fro trips that could be very damaging.*
2251-18	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, outside of the WSAs, motorized or mechanized vehicles may park adjacent to a road to provide a reasonable safe distance for the public to pass. However, parking must be within 50 feet of a road. Parking would be encouraged at previously used sites.
2251-19	*Comment*	*No Alternative fully addresses dispersed camping.*
2251-19	Response	Dispersed camping is addressed as Level 4 opportunities under the camping facility sections for the Upper Missouri River and Uplands. For additional information, see Chapter 2 in the Proposed RMP/Final EIS, Upper Missouri River Special Recreation Management Area and Uplands Special Recreation Management Area, River Recreation Facilities and Upland Recreation Facilities.
2251-20	*Comment*	*Camping facilities pg. xix. MWF suggests that dispersed camping opportunities simply expand under Level 3 sites opportunities. MWF believes it is appropriate to confine dispersed camping to areas specifically suited to this type of recreation including spur roads of up to 300 feet in length or less in properly defined areas as this indicates or limited to 100 feet from roads with parking limited to 50 feet from roads. There exist areas that are not appropriate for dispersed camping and these areas should be designated as closed. MWF also believes that 300 feet on either side of the road is an open invitation to despoil the Monument character.*
2251-20	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, outside of the WSAs, motorized or mechanized vehicles may park adjacent to a road to provide a reasonable safe distance for the public to pass. However, parking must be within 50 feet of a road. Parking would be encouraged at previously used sites.
2251-21	*Comment*	*Recreation pg.27. MWF believes the Monument should be utilized in a "Responsible User" manner. MWF agrees with a "pack-it-in-pack-it-out" requirement. The BLM should encourage 'leave-no-trace' camping prohibiting the cutting of live or dead trees for camping use.*
2251-21	Response	The BLM currently takes an aggressive Leave No Trace approach implemented through a website, river ranger contacts and volunteer hosts at all access points.
2251-22	*Comment*	*It is unclear what is meant by Alternative F, "Level 1 sites at the beginning of public access roads." It is our understanding that Level 1 sites are adjacent to county roads on the border of the Monument.*

Group		Camping
		Level 3 sites at pullouts would meet the requirement in the Proclamation to prohibit off road vehicle use. The DEIS proposal to allow dispersed camping up to 300 feet off either side of designated roads is likely to damage the cultural and natural resources of the Monument and violates the Proclamation. The distance must be significantly reduced in the final EIS. *The plan should prohibit user created fire pits at all sites.*
2251-22	Response	Level 1 facilities would be developed only at the point where a public access road enters the Monument. This is discussed further in Chapter 2 of the Proposed RMP/Final EIS, Uplands Special Recreation Management Area, Alternative F (Preferred Alternative), Camping facilities. Under the Preferred Alternative, outside of the WSAs, motorized or mechanized vehicles may park adjacent to a road to provide a reasonable safe distance for the public to pass. However, parking must be within 50 feet of a road. Parking would be encouraged at previously used sites. The Preferred Alternative recommends the use of camp stoves, fire pans or fire mats for dispersed camping in the uplands.
2251-23	*Comment*	*What analysis in the DEIS demonstrates that a 14-night stay at a campsite will or will not adversely impact objects of the Monument?*
2251-23	Response	The 14-night stay was established based on 43 CFR 8365.1-2. The 14-day limit is also being addressed for all public land in Montana, North Dakota, and South Dakota (Federal Register: April 20, 2007 (Volume 72, Number 76)).
2251-24	*Comment*	*Alt. E states that recreation facilities and campsites remain at the current number and location in the river corridor. How many are there? What analysis was conducted to determine whether the number did or did not impact the objects of the Monument?* *The BLM should seek to purchase short-term easements or leases from willing private landowners for alternative or additional campsites as long as the additional campsites do not adversely impact the objects of the Monument.*
2251-24	Response	The current level of campsites was in place at the time of Monument designation. The BLM will not pursue the acquisition of private land unless approached by a landowner or their representative. Conservation easements or fee acquisition (i.e. campsite) opportunities that are brought forward by private landowners will be considered if they enhance the values of the Monument and are within the BLM's staff and budgetary constraints.
2251-25	*Comment*	*The Friends of the Bear Paw, Big Hole, and Canyon Creek Battlefields recommends no additional camping facilities or increase of camping numbers at Cow Creek at the Cow Island.*
2251-25	Response	No additional Level 1 or 2 sites would be built in that area. For additional information, see Chapter 2 in the Proposed RMP/Final EIS, Upper Missouri River Special Recreation Management Area and Uplands Special Recreation Management Area, River Recreation Facilities and Upland Recreation Facilities.

Group		Camping
2251-26	*Comment*	*Just east of Cow Creek there's an airstrip. I've camped in the area which I would say was probably a staging area right off the runway, and apparently that road is going to be shut down, so what little access we're going to have for travel in the area, are we going to have anyplace that we can also camp?*
2251-26	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, outside of the WSAs, motorized or mechanized vehicles may park adjacent to a road to provide a reasonable safe distance for the public to pass. However, parking must be within 50 feet of a road. Parking would be encouraged at previously used sites.

Group		Floating
2252-01	*Comment*	*I ask that you provide high-quality canoeing opportunities on this Wild and Scenic River, to ensure that it remains much as Lewis and Clark experienced it 200 years ago. That is the purpose of the monument: to retain original, historic value.*
2252-01	Response	One of BLM's goals for recreation in the Monument, as stated in Chapter 2 of the Proposed RMP/Final EIS under Decisions Common to All Alternatives, Recreation, is to manage for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes.
2252-02	*Comment*	*If it ever becomes necessary to limit users on the river, individual permits should be fairly allocated to public users, and not just to existing commercial interests.*
2252-02	Response	There is no limitation on users in the Preferred Alternative in the Proposed RMP/Final EIS. The BLM would use standards and indicators to manage visitor use and resource impacts (Appendix Q). An RMP amendment would be required in the event an allocation system is needed in the future. Development of the system would follow standard NEPA guidelines, including opportunities for public comment.
2252-03	*Comment*	*Over the years, the traffic on the river has increased markedly and will continue to do so. River use needs to be actively managed, including instituting a permit system. We float many other rivers with permits and are glad they are in place on every one of them, even though we may not be able to make the trip as often as we like. Any allocation or use system that gives permits to commercial providers over public users is not acceptable. There are no assurances that would protect the public user of the river from being squeezed out by commercial concerns.*
2252-03	Response	River use has declined slightly each year for the past three years and current use numbers do not approach the threshold for requiring an allocation system. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM would use standards and indicators to manage visitor use and resource impacts (Appendix Q). An RMP amendment would be required in the event an allocation system is needed in the future. Development of the system would follow standard NEPA guidelines, including opportunities for public comment.
2252-04	*Comment*	*I would not limit the use of the area via a lottery for permits at this time, or restrict the number of launches per day right now. It seems like the minute there is a lottery drawing (think Smith River Float Trips) something instantly becomes more popular and more desirable. I would like to see the option left open should the need arise, and then I would cap commercial use and outfitted trips at about 20% or so of the total persons using the river. I would not limit group size at this time, but would keep that option on the table.*

You would hate to see scout troops or school trips excluded because they had too many people.

2252-04 Response Current use numbers do not approach the threshold for requiring an allocation system. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM would use standards and indicators to manage visitor use and resource impacts (Appendix Q). An RMP amendment would be required in the event an allocation system is needed in the future. Development of the system would follow standard NEPA guidelines, including opportunities for public comment.

Under the Preferred Alternative in the Proposed RMP/Final EIS, from June 15 to August 1 at Coal Banks and Judith Landing groups larger than 20 people could only launch on Wednesday, Thursday or Friday. Groups larger than 30 people would require a special recreation permit, year round, for boating the Missouri River. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Upper Missouri River Special Recreation Area, Alternative F (Preferred Alternative), Opportunities for boaters.

2252-05 Comment *Boaters: If we were to copy the permit process as used on the Smith River in Montana which provides a quality float/camp experience without over-burdening the area then I am for it.*

2252-05 Response There is no mandatory permit process included in the Preferred Alternative. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM would use standards and indicators to manage visitor use and resource impacts (Appendix Q). An RMP amendment would be required in the event an allocation system is needed in the future. Development of the system would follow standard NEPA guidelines, including opportunities for public comment.

2252-06 Comment *The BLM states that "management activities and enforcement are designed to protect public lands, property, users, occupants, resources, and activities on or having a clear potential to affect lands adjacent to BLM land or related waters" (Chapter 1, page 7). Please explain how the BLM determined that floating the river has a "clear potential to affect lands adjacent to the BLM land or related waters" and describe specifically what public lands, property, users, occupants, resources, and activities will be protected by charging a fee to float the river.*

2252-06 Response The section quoted regarding management activities and enforcement applies to Special Recreation Permits (SRPs) and BLM regulations for commercial use and individual use of special areas such as congressionally designated Wild and Scenic rivers (WSR), like the Upper Missouri. The language supports BLM's jurisdiction over related waters (rivers), adjacent shorelines and ability to require permits and fees in order to protect public interests in managing values and resources associated with the river and adjacent banks within the Upper Missouri National Wild and Scenic River (UMNWSR). For example, should a commercial operator launch a trip from private lands, navigate the river, periodically stop on public/private lands, and then take out on public/private lands, BLM requires the outfitter/operator to obtain a commercial SRP. Though business may be conducted only on private land, their activities on the river have clear potential to affect other recreation activities, users, occupants and resources within the UMNWSR.

Commercial and private boating clearly has the potential to affect lands adjacent to BLM lands or related waters and a fee to boat the WSR would assist to protect and enhance those lands and resources. Unlike dispersed areas, the UMNWSR requires intensive management and expenditure of significant federal funds. The BLM protects private property, public property, users, activities and experiences on a daily basis. For example,

		BLM volunteer hosts and seasonal river rangers inform each party boating the river and, using a checklist, specifically point out areas where private property trespass issues occur. This effort has significantly reduced the number of complaints from landowners adjacent to the river concerning trespass, littering, damage to private lands and other unauthorized uses. The BLM spends approximately $80,000 each season to fund a seasonal and volunteer workforce. Charging fees to boat the river would help support the cost of this workforce and at the same time, boaters, landowners, resources and public and private land would benefit. Another example is the BLM's enforcement of sanitation regulations. The BLM has implemented a human waste carryout system which protects public and private land from irresponsible disposal of waste, and protects the many users and occupants who regularly access those lands. A fee will support the seasonal and volunteer staff that inform and educate boaters and enforces the regulations. Finally, public land users are protected by county and BLM search and rescue efforts. There is a cost associated with this protection and a fee supports the BLM portion of costs and could potentially support county costs as well. There are numerous other examples, but, in general, BLM's management efforts and associated costs, which range from providing information and interpretation to controlling invasive species/noxious weeds, results in protection of BLM land, property, related waters, users and the outstanding resources of this national designated WSR.
2252-07	*Comment*	*The RMP/DEIS indicates that BLM will monitor standards and indicators to manage boater use and impacts to resources (Appendix Q). Will there be adequate resources for monitoring to detect boater impacts that may occur, and thus, to effectively manage boater use and associated impacts in an adaptive management framework? We have concerns that budgets for monitoring indicators and compliance with standards are limited, and may be inadequate such that many impacts of recreational uses may go undetected.*
2252-07	Response	The BLM is currently monitoring multiple impact indicators (Indicators 1, 2, 3, and 5). Indicator 4 is the only new one and the only additional impact to BLM's staff and fiscal resources. See Appendix Q in the Proposed RMP/Final EIS for a description of the Indicators. Budget and staffing can impact the timing of monitoring work, but not the decision or need to monitor.
2252-08	*Comment*	*The public should always be given priority over commercial interests if there comes a time when use must be limited by permits or equal. These are public lands.*
2252-08	Response	The BLM authorizes commercial outfitting in an effort to provide opportunities for members of the public who do not have the skill and equipment to complete a trip on their own.
2252-09	*Comment*	*The BLM must include some "specific measurable limits on use" of the UMNWSR. As written, there is no evidence of any measurable limits on use in the proposed RMP or other management plans for the river corridor. Instead, the BLM notes that "standards and indicators used to manage visitor use: when reached or exceeded, actions taken to reduce impacts without limiting the number of visitors." In other words, the BLM will not reduce impacts to the Monument by limiting the number of visitors.*
2252-09	Response	The limit referred to is established in Appendix Q in the Proposed RMP/Final EIS, Visitor Use Standard and Indicators, Indicator 1, sight and sound levels that create opportunities for privacy, solitude, and a primitive boating and camping experience. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM would use standards and indicators to manage visitor use and resource impacts. An RMP amendment would be

required in the event an allocation system is needed in the future. Development of the system would follow standard NEPA guidelines, including opportunities for public comment.

2252-10 *Comment* *I think your projections of a five to ten percent increase in floating use every year are high. Flat to two percent would probably be closer. Much of your increase shown in your RMP is due to better reporting and the Lewis and Clark anniversary, I do not think it will be continued at that pace.*

2252-10 Response The foreseeable visitor use projections are assumptions based on 10 years of historical use from 1996 to 2006. During this time period visitor use on the Upper Missouri River increased 47.8 percent, or an average of 4.78 percent per year.

2252-11 *Comment* *I agree with utilizing Limits of Acceptable Change (LAC) for measuring success of management techniques. I feel that crowding needs to be defined and a carrying capacity clearly articulated for certain periods. The size limits in Alternative E appear reasonable, although I think that a maximum group size should be 20, not 30.*

2252-11 Response Crowding is defined in Appendix Q of the Proposed RMP/Final EIS, Visitor Use Standard and Indicators, Indicator 1, Sight and sound levels that create opportunities for privacy, solitude, and a primitive boating and camping experience. The capacity is clearly articulated as the number of people launching per day.

2252-12 *Comment* *Taking a permit system to limit use at some future time, off the table with Alternative F is a mistake. Another option available with an allocation system is shift use to shoulder seasons, by only restricting permits during the peak times. Research should be undertaken to determine the carrying capacity of this type of recreation.*

Alternative F would be greatly improved using the Limits of Acceptable Change approach with a commitment involving all of the stake holders in management decisions.

Monitoring of campsites in Alternative F should be more specific. What method will be employed?

Visitor use surveys should be undertaken periodically to determine visitor satisfaction. Visitors should be contacted later after they've spent time at home after their experience in the monument.

2252-12 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM would use standards and indicators to manage visitor use and resource impacts (Appendix Q). An RMP amendment would be required in the event an allocation system is needed in the future. Development of the system would follow standard NEPA guidelines, including opportunities for public comment.

We are currently using a Frissell Condition Class monitoring system. This system may be modified in the future to incorporate a multiple parameter system approach.

The BLM has used the University of Montana to conduct visitor use surveys. Surveys will continue to be conducted in the future dependent on budgetary constraints.

2252-13 *Comment* *Opportunities for Boaters pg. xvii. MWF commends the BLM for exploring options that would reduce impacts to resources short of imposing an allocation on the number of floating opportunities. However, we believe standards and indicators must be developed in detail to preserve the Missouri River corridor in its current state. If the standards and*

Group		**Floating**
		indicators ever do indicate a high enough use of the river to move to that step of allocating river use, MWF insists that any allocation system or permits be issued to the river user not to the commercial provider/outfitter/guide. Under such a system, successful permit holders would always have the option of hiring a provider of choice.
2252-13	Response	Current use numbers do not approach the threshold for requiring an allocation system. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM would use standards and indicators to manage visitor use and resource impacts (Appendix Q). An RMP amendment would be required in the event an allocation system is needed in the future. Development of the system would follow standard NEPA guidelines, including opportunities for public comment.
2252-14	*Comment*	*The preferred alternative and the DEIS fail to analyze the impacts from boater visitor use. Instead, Alt. F leaves the analysis for the future. This is inadequate. There is no indication of what impacts on the Monument may be allowed or not allowed while, at the same time, the DEIS says that in spite of impacts that may require aggressive management, the numbers of visitors will not be changed.*
2252-14	Response	Impacts from boater visitor use without implementation of standards and indicators are analyzed in Alternative A. See Chapter 4 of the Proposed RMP/Final EIS under Impacts to Visitor Use, Services and Infrastructure, Upper Missouri River Special Recreation Management Area, Alternative A (Current Management). Standards clearly indicate what impacts are allowable under the Preferred Alternative in that same section of the document.
2252-15	*Comment*	*I would further urge the BLM to refrain from any discussion of allocating use until such time as it becomes necessary to manage crowding on the river.*
2252-15	Response	Current use numbers do not approach the threshold for requiring an allocation system. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM would use standards and indicators to manage visitor use and resource impacts (Appendix Q). An RMP amendment would be required in the event an allocation system is needed in the future. Development of the system would follow standard NEPA guidelines, including opportunities for public comment.
Group		**Outfitting**
2254-01	*Comment*	*Some outfitters receive special permits to outfit on public lands that are largely landlocked by adjacent private lands, essentially privatizing public resources. We suggest no Special Resource Permits be issued in areas where the general public has not been provided reasonable or equivalent access to the public lands in question. Exclusive outfitting permits do not allow equitable land access and are inappropriate on public lands unavailable to the general public, especially within a National Monument. Please reveal and address any such conflicts.*
2254-01	Response	Under the Preferred Alternative, the BLM would provide SRPs for commercial outfitting and guiding (hunting) in the Monument consistent with 43 CFR 2932.26 and the goal of managing these lands for a variety of sustainable visitor experiences in mostly primitive and natural landscapes. One of BLM's goals is to provide quality recreational opportunities that serve the public interest via authorized commercial operators for visitors lacking the skill or equipment

necessary to otherwise participate. To meet this goal, a management approach may be developed through activity level planning that is responsive to changing visitor use trends, use patterns, and resource conditions. While the current use levels for the upland SRPs appear to be adequate, visitor demand for commercial hunting and guiding services could increase in the future.

2254-02 *Comment* *Commercial use of the river for guided floats or hunts must at some point be capped. I find particularly disturbing a practice used by some river guides, to use a motor boat to ferry ahead their client's camp supplies to the next stop. Outfitters and others are increasing relying on motorized watercraft to speed ahead of their competition to stake out campgrounds.*

2254-02 Response Under the Preferred Alternative, there would be a limit of 23 SRPs and a one-trip-per-season permit for non-permitted commercial users or organized groups that meet the BLM's definition of commercial use. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Upper Missouri River Special Recreation Management Area.

Based on a decline in commercial use and overall visitor use over the past three seasons, recreation specialists do not consider the motorboat/campsite conflict to be a major concern at the present. However, the issue will be monitored and addressed in the future should boater feedback or social research indicate an escalating pattern of concern.

2254-03 *Comment* *The Monument was established to preserve a place in much the condition observed by Lewis and Clark. Therefore:*

1. *Put a hold on permits at 2006 levels.*
2. *Existing outfitter permits should be non-transferable and owned by the BLM.*
3. *Commercial activities should take place in gateway communities.*
4. *If necessary, individual permits should be fairly allocated to users with no prior commercial interests.*

2254-03 Response Under the Preferred Alternative there would be a limit of 23 SRPs and a one-trip-per-season permit for non-permitted commercial users or organized groups that meet the BLM's definition of commercial use. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Upper Missouri River Special Recreation Management Area.

The BLM's Recreation Permit Administration Handbook and Manual H-2930-1 guides administration of recreation permits and includes provisions to transfer permits from one commercial user to another.

Commercial permits are issued to provide opportunities for those unable to experience public land without assistance. BLM is a national destination and many commercial trips originate from outside the gateway communities.

The Preferred Alternative does not provide for a launch allocation system. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM would use standards and indicators to manage visitor use and resource impacts (Appendix Q). An RMP amendment would be required in the event an allocation system is required in the future. Development of the system would follow standard NEPA guidelines, including opportunities for public comment.

2254-04 *Comment* *Private outfitters should not have any preference in a launch allocation system. The dramatic increase in outfitters in recent years definitely has changed the primitive flavor of the river.*

2254-04	Response	The Preferred Alternative does not provide for a launch allocation system. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM would use standards and indicators to manage visitor use and resource impacts (Appendix Q). An RMP amendment would be required in the event an allocation system is required in the future. Development of the system would follow standard NEPA guidelines, including opportunities for public comment. Under the Preferred Alternative, there would be a limit of 23 SRPs and a one-trip-per-season permit for non-permitted commercial users or organized groups that meet the BLM's definition of commercial use. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Upper Missouri River Special Recreation Management Area. The number of outfitter SRPs has not increased since 1999. The BLM capped the number at 23 following a recommendation from the Central Montana Resource Advisory Council.
2254-05	*Comment*	*There should be a limit on the number of commercial hunting permits to protect the rugged character of the Monument. No permits should be issued for commercial motorized tours.*
2254-05	Response	Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, visitor use data would be collected and analyzed with results incorporated into future management decisions. Should visitor use levels increase or patterns of use change, it may be necessary to issue additional permits, decrease the number of permits, adjust use areas, incorporate conditions limiting net hunter/client use days or include other conditions necessary to best manage upland permits. The BLM currently issues permits for commercial motorized tours. Under the Preferred Alternative tours would be restricted to two vehicles or less per day for each commercial permit.
2254-06	*Comment*	*Endorse Management Alternative C. We base this on the need to limit commercial hunting activities in the Breaks, which poses a significant conflict with Montana sportsmen who have already seen opportunities drastically curtailed by outfitter activities. We feel that modest restrictions on commercial utilization of wildlife are more in keeping with the Monument's mission than granting unlimited numbers of outfitter permits.*
2254-06	Response	The BLM would continue providing special recreation permits to outfitters consistent with regulations and the goal of managing these lands for a variety of sustainable visitor experiences in mostly primitive landscapes. Under the Preferred Alternative in the Proposed RMP/Final EIS visitor use data would be collected and analyzed with results incorporated into future management decisions. Should visitor use levels increase or patterns of use change, it may be necessary to issue additional permits, decrease the number of permits, adjust use areas, incorporate conditions limiting net hunter/client use days or include other conditions necessary to best manage upland SRPs.
2254-07	*Comment*	*Under Alternative E, why are you proposing no limit for hunting and floating Special Recreation Use Permits? Does this mean that only your buddies or commercial interests will get permits? It sounds that way to me! There should be a limit placed on these permits.*
2254-07	Response	This alternative assumes an allocation system would be developed and implemented following completion of the RMP. Within the allocation process, limits on net

hunter/client use days would be imposed on commercial permits. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Alternative E, for the Uplands and River Special Recreation Management Areas.

2254-08 *Comment* *In the Preferred Alternative for the Monument, outfitters may be issued use permits in areas where the public doesn't have equivalent access. There are also no assurances in the Plan that would protect the public user of the river from being squeezed out by commercial concerns in the event that a permit system is found to be necessary to relieve river crowding. If the general public is not allowed access, then outfitters should not be allowed access. Commercial interests will attempt to privatize the Monument via controlled/restricted access. Equitable use and equitable access.*

2254-08 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM would provide SRPs for commercial outfitting and guiding (hunting) in the Monument consistent with 43 CFR 2932.26 and the goal of managing these lands for a variety of sustainable visitor experiences in mostly primitive and natural landscapes.

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

There would be a limit of 23 SRPs and a one-trip-per-season permit for non-permitted commercial users or organized groups on the river that meet the BLM's definition of commercial use. See Chapter Two of the Proposed RMP/Final EIS, Upper Missouri River Special Recreation Management Area.

2254-09 *Comment* *All river permits should be held by the BLM and not transferable among private parties, and the Monument should be managed in ways that are non-commercialized. The Missouri River should be managed for the general public and not commercial outfitters.*

2254-09 Response The BLM's H-2930-1 SRP handbook provides guidelines for transfer of permits when sale of a business occurs.

2254-10 *Comment* *Guiding is an important option for recreation and hunting visitors. The primary need for guided trips is education, interpretation and facilitation of visitors who do not have the skill or equipment to float the river or hunt on their own. We believe that there will be a time in the near future when use restrictions will need to be implemented by BLM. With that in mind, the BLM should be very careful not to create any priority, or use right, to guides or fee for service providers. Your plan tends to do just that. At the time use restrictions become necessary, guides should not have any first right opportunities or priority over citizen for access permits. We believe that access to public resources should not be privatized. Permits issued under a restricted/limited use system should be issued to the public, not guides. The citizens who then have the access permits can choose their own service providers in an open market system.*

A fair system that assists guides in connecting with potential permitted guests is feasible. We have developed a model that describes how such a system can work. The Equal Access/Free Market Model and a description are attached. We encourage you to consider this option in lieu of your proposal for guides and outfitters.

As far as guided hunts are concerned, no guiding should be allowed from private land onto public land that is blocked from public use. Roads on public land that are not open to the general public should not be open for use by guides. We believe it is poor public policy to create incentives for private landowners to close access to the public land, which is what your proposed policies do.

2254-10 Response

The Preferred Alternative does not provide for a launch allocation system. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM would use standards and indicators to manage visitor use and resource impacts (Appendix Q). An RMP amendment would be required in the event an allocation system is required in the future. Development of the system would follow standard NEPA guidelines, including opportunities for public comment.

Under the Preferred Alternative, the BLM would provide SRPs for commercial outfitting and guiding (hunting) in the Monument consistent with 43 CFR 2932.26 and the goal of managing these lands for a variety of sustainable visitor experiences in mostly primitive and natural landscapes.

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

2254-11 Comment

Immediately effect commercial outfitters license limits, specifically eliminate the current privileged reservations process and user limits to outfitters. Everybody throws their application in an annual pot, specifically including outfitters (one person application), and whoever draws a float permit can make their own arrangements. No exceptions. Privatization of our public resources, e.g. profit by outfitters, etc. is not acceptable under any circumstances.

2254-11 Response

The BLM would continue providing special recreation permits to outfitters consistent with regulations and the goal of managing these lands for a variety of sustainable visitor experiences in mostly primitive landscapes.

Under the Preferred Alternative in the Proposed RMP/Final EIS, there would be a limit of 23 SRPs and a one-trip-per-season permit for non-permitted commercial users or organized groups on the river that meet the BLM's definition of commercial use. Under the Preferred Alternative, the BLM would use standards and indicators to manage visitor use and resource impacts (Appendix Q). An RMP amendment would be required in the event an allocation system is required in the future. Development of the system would follow standard NEPA guidelines, including opportunities for public comment.

2254-12 Comment

All existing, all future, private outfitter permits on the Missouri River must be annually reviewed for problems by qualified BLM employees; must be limited to a maximum of three years subject to non-renewal based on annual, scientific evaluation by our BLM employees of the entire ecological impacts, effects of all human activities on the river. There are existing major public use conflicts today caused by domination of private outfitters at selected seasonal periods and throughout most of the river corridor. Private outfitters must be relegated to a secondary user status on the entire river. The general public must become the primary user group.

Group		Outfitting
2254-12	Response	Administration of BLM SRPs is guided by the H-2930-1 handbook. The handbook is based on 43 CFR 2930. The BLM would continue providing special recreation permits to outfitters consistent with regulations and the goal of managing these lands for a variety of sustainable visitor experiences in mostly primitive landscapes.
2254-13	*Comment*	*The Breaks NM management plan must include an aggressive process to begin management of all private for-profit uses with a clean slate, threshold level, without any granddaddy exceptions, or deals. This mandates termination/elimination of all existing permits, arrangements, concessions, for such private interests throughout the Breaks NM. Then, only after a comprehensive, honest and fair evaluation including timely, active public involvement of the Breaks NM public interests, needs, uses today and projected into the next 50 years, should any for-profit interests be issued any form of permit, sanction, anywhere within the Monument.*
2254-13	Response	The BLM would continue providing special recreation permits to outfitters consistent with regulations and the goal of managing these lands for a variety of sustainable visitor experiences in mostly primitive landscapes.
2254-14	*Comment*	*The domination of a few for-profit, at the expense of the American public, outfitters on the river has increased geometrically without any knowledgeable, logical, or aggressive BLM employee management or enforcement over the past 45 years throughout the Missouri River corridor. These persons use increasingly larger pontoon boats, large watercraft of various forms, massive outboard engines to facilitate their business. They dominate the limited camp areas, the few, vanishing cottonwood enclaves, destroy all solitude which the great majority of non-motorized, American river users expect and demand. Their aggressive and universal profiteering at the American public expense is de facto privatization of our Wild-Scenic Missouri River. This can not continue.*
2254-14	Response	The BLM would continue providing special recreation permits to outfitters consistent with regulations and the goal of managing these lands for a variety of sustainable visitor experiences in mostly primitive landscapes.
2254-15	*Comment*	*We see the commercialization of recreation in the Monument and on the Missouri River as a definite threat to public values. Even now, commercial outfitters and guides compete with the general public for campsites and threaten the near-wilderness experience of floaters. Numbers of outfitters and guides should remain at or below current levels.*
2254-15	Response	Under the Preferred Alternative there would be a limit of 23 SRPs and a one-trip-per-season permit for non-permitted commercial users or organized groups on the river that meet the BLM's definition of commercial use. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Upper Missouri River Special Recreation Management Area.
2254-16	*Comment*	*Because money for maintenance, for trails and roads, is low I believe commercial users should pay a user fee. This should be based on people days of use in the Monument. The number of people they can take at one time should also be regulated.*
2254-16	Response	Commercial Special Recreation Permit holders pay 3% of their gross revenue as the cost of conducting business on public land.
2254-18	*Comment*	*People that own property adjacent to public lands have a personal advantage in accessing the public lands. We do not deny this and accept this as an advantage of ownership. However, if they choose to sublet their property to an outfitter or charge the public to access the public lands they have in effect privatized the public lands and the wildlife on it.*

Public agencies that allow this to occur become a party to this activity and must assume some responsibility. There is no right to outfit the public lands as there is no right to graze public lands. These are privileges that can be terminated if abused.

When a public agency grants an outfitter a license it in effect allows the outfitter to make money by guiding his clients in harvesting wildlife. If the outfitter has almost exclusive access to this wildlife, it in effect has become privatized.

It is the responsibility of the agency to insure that this does not take place. The agency can state in its contract with the outfitter that the public must have equitable access and work out that plan before the license is granted. If a rancher's lease is terminated because he violates the lease agreement his private property rights are still intact. In no way has the agency violated his private property rights. The same should apply to privilege of outfitting.

2254-18 Response Under the Preferred Alternative, the BLM would provide special recreation permits (SRPs) for commercial outfitting and guiding (hunting) in the Monument consistent with 43 CFR 2932.26 and the goal of managing these lands for a variety of sustainable visitor experiences in mostly primitive and natural landscapes.

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

2254-19 Comment *Uplands Special Recreation Management Area - Special Recreation Use Permits (SRPs) pg. xviii. MWF understands and supports the limitations of outfitters to the current 14 non-transferable permits and agrees with the cap. MWF believes that the institution of this cap instantaneously increases the value of these businesses and that such permits must be non-transferable. In order to preserve a reasonable impact to other visitors on the Monument, the number of guided trips should remain at the current level.*

Furthermore, MWF believes that the regulation and administration of SRPs for outfitting must go one step further and that SRPs only be issued where the public has equivalent access.

Map D in the RMP indicates areas within the Monument where public access opportunities are lacking. This map provides the very tool to accomplish this restriction. MWF believes that issuing Outfitter SRPs for use in areas effectively prohibitive to the public user constitutes a private monopoly and such selective, preferential, exclusive use is wholly and totally inappropriate for a public land management agency and our public National Monument. Most areas of the uplands in the Monument can technically be accessed by foot from the Missouri River. But if that means that an outfitter can purchase motorized access through private land into a portion of the Monument that is 18 miles from the river, then we believe this does not constitute equivalent access. On several occasions, Monument management staff have publicly stated that other federal agencies not only issue permits but actually target areas not available for public access to be prioritized for permitted outfitter use; those claims have not been substantiated in our research nor do we believe they are appropriate since they discriminate against general non-commercial users. MWF contacted US Forest Service officials and could find no such inclination much less any documented rule that suggests this is legitimate practice, and strongly requests that the BLM does not set that precedence here on our National Monument.

Group		Outfitting
		Indications in this section direct the BLM to base adaptive management strategies based on BLM's 2930 Recreation Permit Administrative Handbook, BLM's Outfitter Management Guidelines and 1997 MOU with the Board of Outfitters (BLM MOU MT932-9111). Although these guidelines may provide for judicial controls on the situation, MWF believes that, if so, the MOU should be placed in the Appendix for a transparent public review process.
2254-19	Response	Under the Preferred Alternative, the BLM would provide special recreation permits (SRPs) for commercial outfitting and guiding (hunting) in the Monument consistent with 43 CFR 2932.26 and the goal of managing these lands for a variety of sustainable visitor experiences in mostly primitive and natural landscapes. One of BLM's goals is to provide quality recreational opportunities that serve the public interest via authorized commercial operators for visitors lacking the skill or equipment necessary to otherwise participate. To meet this goal, a management approach may be developed through activity level planning that is responsive to changing visitor use trends, use patterns, and resource conditions. While the current use levels for the upland SRPs appear to be adequate, visitor demand for commercial hunting and guiding services could increase in the future.
2254-20	*Comment*	*No Commercialization of Monument –* • *The Missouri River in the Monument and the Monument uplands should remain wild and not be commercialized.* • *Allocation of user opportunity should be made fairly and directly to the individual citizen. No "set-asides" or reserves of special use should ever be made to any commercial vendor.*
2254-20	Response	One of BLM's goals is to provide quality recreational opportunities that serve the public interest via authorized commercial operators for visitors lacking the skill or equipment necessary to otherwise participate. To meet this goal, a management approach may be developed through activity level planning that is responsive to changing visitor use trends, use patterns, and resource conditions. While the current use levels for the upland special recreation permits (SRPs) appear to be adequate, visitor demand for commercial hunting and guiding services could increase in the future. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Uplands Special Recreation Management Area (SRMA), Alternative F (Preferred Alternative) for a complete description of Special Recreation Permits.
2254-21	*Comment*	*Commercial Motorized Tours. The range of alternatives is inadequate. There is no discussion of the type or size of vehicle that may be used. Alt F allows two vehicles per operator, but how many operators are there? What analysis is there of impacts on the objects of the Monument from two vehicles per day multiplied by an uncertain number of operators? What is the impact on air quality, noise and the spread of weeds?*
2254-21	Response	Under the Preferred Alternative the BLM could issue special recreation permits for commercial motorized tours. Motorized tours would be restricted to two vehicles or less per day for each commercial permit on local, collector and some identified resource roads. Currently, one commercial upland tour operator is authorized for the Monument. The potential impacts from a special recreation permit are analyzed on a site-specific basis when the permit application is received by the BLM. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Decisions Common to All Alternatives, for a description of the NEPA process.

Group		Outfitting
2254-22	*Comment*	*Alternative F advises that there is a limit of 23 SRP's. Why is this number the benchmark? The cumulative effects analysis does not address the impacts over time from 23 SRP's.*
2254-22	Response	The limit is based on the number issued in 1999. In 2000, the Central Montana RAC recommended the number of permits be capped and BLM implemented a moratorium on the number of special recreation permits (SRPs) issued for the Upper Missouri River. SRPs have been addressed in cumulative impacts. See Chapter 4, Summary of Cumulative Impacts to Recreation.
2254-23	*Comment*	*We'd like to see the BLM be creative in its approach and try to grandfather in some of the current use, so that none of the outfitters are put in a hardship. Likewise, we'd like to see them work with ranchers and irrigators, so that they can continue to do the work that they need to do there. But generally, we think the direction should be away from motors on the river.*
2254-23	Response	The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. Under the Preferred Alternative motorized use by ranchers, irrigators and other administrative users will continue to be authorized. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

Group		Hunting
2255-01	*Comment*	*Manage the Monument and the Wild and Scenic River corridor to protect the remote character and for wildlife and traditional, non-motorized hunting and floating. The Breaks can boast trophy bull elk and world-class mulie bucks. Most hunters seek a fair chase hunting opportunity where they can stalk their prey on foot. Designate large blocks of land as "non-motorized game areas." Designate non-motorized hunting and fishing zones to improve and protect habitat. Big game need security and seclusion to thrive, and traditional hunters need quiet and stillness in which to pursue them. Elk in particular are adversely impacted by the presence of motorized traffic - their breeding and calving seasons are disrupted, their grazing patterns disturbed. Protect elk and bighorn sheep populations.*
2255-01	Response	The BLM's transportation plan provides for access to the Monument for hunting and other recreational activities. It also establishes road closures in specific areas to provide opportunities for hunters who seek a quiet non-motorized atmosphere in which to hunt.
2255-02	*Comment*	*Hunting should continue to be a major use of the area and that activity controlled by the State game dept. for everyone's benefit.*
2255-02	Response	The Proclamation states that "Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of Montana with respect to fish and wildlife management."
2255-03	*Comment*	*I would like to hunt in the Breaks and feel some of the experiences that Lewis and Clark did in 1805, while they were feeding their men. The hundreds of miles of roads, the airstrips and the motorized boat traffic all destroy the feeling of remoteness and detract from the challenge.*

Group		Hunting
2255-03	Response	The BLM's transportation plan provides for access to the Monument for hunting and other recreational activities. It also establishes road closures in specific areas to provide opportunities for hunters who seek a quiet non-motorized atmosphere in which to hunt. The BLM has limited data on hunting season use of the river below Coal Banks Landing. Studies and monitoring efforts will be initiated in the future to document use patterns and trends.
2255-04	*Comment*	*Traditional hunting and fishing in quiet, nonmotorized places is becoming rare and the Breaks national Monument provides that opportunity for the future if the BLM lives up to the spirit of the Proclamation.*
2255-04	Response	The BLM's transportation plan provides for access to the Monument for hunting and other recreational activities. It also designates closed roads, except for game retrieval, to provide opportunities for hunters seeking a quiet non-motorized atmosphere in which to hunt.
2255-05	*Comment*	*We encourage BLM to consult very closely with MFWP in matters related to hunting including hunter access and permitted outfitting. We would very much like to see a BLM commitment to work with MFWP in the long range to incorporate adjacent private lands with Monument lands into large Block Management Units to be administered under the MFWP's Hunting Access Enhancement Program. The Chain Buttes BM unit could serve as a model as to how such an area could be managed for hunting. We also encourage BLM to investigate a mechanism whereby federal funding could compliment MFWP's hunting access enhancement funds in a cooperative effort to accomplish big game herd management through hunting across a broad landscape.*
2255-05	Response	The BLM works with Montana Fish, Wildlife and Parks (MFWP) to improve hunting access to public and private lands whenever possible. Block Management is a state program, and MFWP establishes these management units in cooperation with private landowners. The BLM works with them as a cooperator. The BLM has its own acquisition and easement program to gain access to BLM land from private landowners. This program has strict congressional oversight, and it is unlikely that BLM would be able to provide funding to a state program in which there would be no federal oversight. The BLM has worked with MFWP to identify areas where big game management can be aided by reducing or improving access on BLM land.
2255-06	*Comment*	*Hikers and campers can use the land for 12 months of the year, hunters use it two months. The same can be said of the boaters for extended use. I think hunters should have access for the limited time.*
2255-06	Response	The BLM's transportation plan supports opportunities in the Monument for hunting as well as other recreational activities.
2255-07	*Comment*	*I believe the Monument should be managed for traditional, quiet and historical recreational values. Hunting will improve if the area is managed for non-motorized hunting, to allow elk and deer to thrive and develop.*
2255-07	Response	The BLM's transportation plan provides access to the Monument for hunting and other recreational activities. It also establishes road closures in specific areas to provide opportunities for hunters who seek a quiet non-motorized atmosphere in which to hunt.

Group		Hunting
2255-08	*Comment*	*I believe that all hunting regulations should be formulated by a sister agency, the USFWS, rather than the State of Montana. While it diverts from normal procedures, it is legal and would benefit the Breaks a great deal, and precedent exists. Any agency that derives most of its income from license sales has a built-in bias and will often act irresponsibly. This is not an attack on the Montana FWP's biologists, but rather the Commission that regularly ignores the advice of the biologists and remains beholden to outfitters. In many national parks, USFWS determines fishing regulations and I believe the Charles Russell Wildlife Refuge has set its own seasons and limits for elk and deer, overriding the state.*
2255-08	Response	The Proclamation states that "Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of Montana with respect to fish and wildlife management." This plan does not affect nor will it address the State of Montana's authority to manage hunting. Nothing in the Proposed RMP/Final EIS would detract from the continued use of the area for hunting.
2255-09	*Comment*	*Don't make it more difficult to hunt than it already is by shutting down access and making more red tape.*
2255-09	Response	The BLM's transportation plan provides access to the Monument for hunting and other recreational activities.
2255-10	*Comment*	*A concern I have is that of the area being a national monument, will there have to be special legalized wording in the law to permit the use of firearms in this area for hunting and shooting?*
2255-10	Response	Nothing in the Proclamation or the RMP bans the use of firearms for hunting and shooting. Chapter 2 of the Proposed RMP/Final EIS, under Decisions Common to All Alternatives, the Recreation section, states: The recreation emphasis will be to develop and maintain opportunities for dispersed recreational activities such as hunting, hiking, scenic and wildlife viewing and driving for pleasure, consistent with current policies and practices and the Proclamation.
2255-11	*Comment*	*We oppose further restrictions on hunting and fishing on private land and are in favor of permissible use by the general public of private land and general use of public lands in the region for hunting and fishing.*
2255-11	Response	The RMP does not address hunting and fishing restrictions on private land. The transportation and recreation portions of the Draft RMP/EIS describe recreation opportunities on public land to hunt and fish. Hunting and fishing is a primary use of BLM land in the Monument from September through December.
2255-12	*Comment*	*Do you know what "wilderness" means? You have an obligation to protect the monument's wildness and wildlife. You do not have an obligation to make it easy for people to hunt in the monument without ever leaving a vehicle.*
2255-12	Response	The Monument is not a designated wilderness area. The BLM's transportation plan provides access to the Monument for hunting and other recreational activities. It also establishes road closures in specific areas to provide opportunities for hunters who seek a quiet non-motorized atmosphere in which to hunt.
2255-13	*Comment*	*Manage the Monument for traditional, non-motorized hunting. True hunters want to keep the big game as undisturbed as possible and value the sport of hunting, not the traffic intrusions made by insensitive trophy searchers and for-profit commercial ventures.*

Group		Hunting
2255-13	Response	The BLM's transportation plan provides for access to the Monument for hunting and other recreational activities. It also establishes road closures in specific areas to provide opportunities for hunters who seek a quiet non-motorized atmosphere in which to hunt.
2255-14	*Comment*	*Manage for traditional non-motoring hunting.*
2255-14	Response	The BLM's transportation plan provides access to the Monument for hunting and other recreational activities. It also establishes road closures in specific areas to provide opportunities for hunters who seek a quiet non-motorized atmosphere in which to hunt.
2255-15	*Comment*	*Hunting should be allowed only by foot or horse back.*
2255-15	Response	The BLM's transportation plan provides access to the Monument for hunting and other recreational activities. It also establishes road closures in specific areas to provide opportunities for hunters who seek a quiet non-motorized atmosphere in which to hunt.
2255-16	*Comment*	*The Monument needs to be managed for traditional, non-motorized hunting experiences, which are accessible to a greater majority of people than can afford guided air expeditions. This levels the "playing field" for hunter use.*
2255-16	Response	The BLM's transportation plan provides access to the Monument for hunting and other recreational activities. It also establishes road closures in specific areas to provide opportunities for hunters who seek a quiet non-motorized atmosphere in which to hunt.
2255-17	*Comment*	*Hunting should be managed as a primitive experience. Most hunters understand that motorized intrusion minimizes quality hunting. I am a hunter.*
2255-17	Response	The BLM's transportation plan provides access to the Monument for hunting and other recreational activities. It also establishes road closures in specific areas to provide opportunities for hunters who seek a quiet non-motorized atmosphere in which to hunt.
2255-18	*Comment*	*Manage the Monument for a traditional, non-motorized hunting experience.*
2255-18	Response	The BLM's transportation plan provides access to the Monument for hunting and other recreational activities. It also establishes road closures in specific areas to provide opportunities for hunters who seek a quiet non-motorized atmosphere in which to hunt.
2255-19	*Comment*	*The BLM does not have use statistics for hunting season use of the river. Our members have been hunting from the river for years and know that hunting from non-motorized canoes is popular. It would most certainly become more popular if hunters did not have to contend with the noise and disturbance of motorcraft. Our members perceive that hunting use is more popular upstream from Judith Landing than it is below. We feel we are being generous by recommending only a small section downstream be declared for non-motorized craft only in order to provide a balance of opportunity for different hunting experiences.*
2255-19	Response	The BLM's transportation plan provides access to the Monument for hunting and other recreational activities. It also establishes road closures in specific areas to provide opportunities for hunters who seek a quiet non-motorized atmosphere in which to hunt. The BLM has limited data on hunting season use of the river below Coal Banks Landing. Studies and monitoring efforts will be initiated in the future to document use patterns and trends.

Group		Hunting
2255-20	*Comment*	*There is a record of serious poaching in the Breaks, particularly of trophy bighorn sheep. Unfettered motorized use can only make enforcement and protection of this precious public resource even more difficult.*
2255-20	Response	Poaching can be a problem wherever there is public access to trophy wildlife populations, and road access can make this activity easier for those wishing to break the law. Closing roads and enforcement are the easiest solutions. But roads serve many groups of public users for permitted and lawful uses. The Preferred Alternative does close many roads, which would improve wildlife security. Enforcement of game laws is the responsibility of Montana Fish, Wildlife and Parks (MFWP), and anyone observing violations can contact them.
2255-22	*Comment*	*Would very much like to see a BLM commitment to work with MFWP in the long range to incorporate adjacent private lands with monument lands into large block management units to be administered under the MFWP's hunting access enhancement program.*
2255-22	Response	The BLM works with Montana Fish, Wildlife and Parks (MFWP) to improve hunting access to public and private lands whenever possible. Block Management is a state program, and MFWP establishes these management units in cooperation with private landowners. The BLM works with them as a cooperator. The BLM has its own acquisition and easement program to gain access to BLM land from private landowners. This program has strict congressional oversight, and it is unlikely that BLM would be able to provide funding to a state program in which there would be no federal oversight. The BLM has worked with MFWP to identify areas where big game management can be aided by reducing or improving access on BLM land.

Group		User Fees
2256-01	*Comment*	*If necessary charge a reasonable annual fee for use of the river and our public land to help with the extra costs of more people using the land or to patrol damaged areas and punish the law breakers. User fees are appropriate and would make the Monument less dependent on variable appropriations and political influence. Fee and recreation charges will have to be increased and recreationists (hunters) are going to have to start paying their own way.*
2256-01	Response	As described in Chapter 2 of the Proposed RMP/Final EIS, the BLM would implement an expanded amenity fee for overnight camping in Level 1 sites and an individual special recreation permit for boating the Missouri River. After the RMP is completed the BLM would develop a business plan to determine the actual fee amounts charged for new sites. Development of the business plan would involve the Central Montana RAC and include an opportunity for public involvement. Fees would not be charged until completion of the business plan, except for the fee system for James Kipp Recreation Area. See the complete discussion of fees in Chapter 2 under Recreation, Alternative F (Preferred Alternative), Fees.
2256-02	*Comment*	*No public user fees should be charged to members of the public using or accessing the Monument.*
2256-02	Response	The goal of BLM's recreation fee program is to retain fee revenues to supplement appropriations and other funding sources to repair, maintain and improve recreation sites and settings to quality standards and to enhance the delivery of recreation services related directly to visitor enjoyment, access, and health and safety.

Group		User Fees
2256-03	*Comment*	*I found the DEIS discussions of Special Recreation Permits for boaters on the Missouri River to be confusing and incomplete for the Preferred Alternative. It is unclear whether permits will be issued on a daily use or season-long use basis. No examples are given of possible fees or even a range of potential fee structures. The Final EIS should provide a discussion of comparable fees charged for floating other recreational rivers managed by the BLM. I request that the BLM develop a flexible and fair fee structure for river permits that takes into consideration the various levels of boater use that occurs. Once-a-year users should not be asked to bear the same cost burden as season-long users.*
2256-03	Response	As described in Chapter 2 of the Proposed RMP/Final EIS, the BLM would implement an expanded amenity fee for overnight camping in Level 1 sites and an individual special recreation permit for boating the Missouri River. After the RMP is completed the BLM would develop a business plan to determine the actual fee amounts charged for new sites. Development of the business plan would involve the Central Montana RAC and include an opportunity for public involvement. Fees would not be charged until completion of the business plan, except for the fee system for James Kipp Recreation Area. See the complete discussion of fees in Chapter 2 under Recreation, Alternative F (Preferred Alternative), Fees.
2256-04	*Comment*	*As a floater who uses only Level 3 and Level 4 sites, I do not think it is fair nor equitable to include Level 1 amenity fees in a Special Area Permit required for all boating on the Missouri River. Fees at Level 1 and Level 2 sites should be exclusive and self-supporting for those sites and fees for floating and camping at other sites should be specifically used to offset management costs for Level 3 and 4 sites. I do not float the Monument to camp at expanded amenity sites because they do not offer the primitive outdoor experience that I seek. Asking floaters like me to pay for services I do not use is unfair.*
2256-04	Response	As described in Chapter 2 of the Proposed RMP/Final EIS, the BLM would implement an expanded amenity fee for overnight camping in Level 1 sites and an individual special recreation permit for boating the Missouri River. After the RMP is completed the BLM would develop a business plan to determine the actual fee amounts charged for new sites. Development of the business plan would involve the Central Montana RAC and include an opportunity for public involvement. Fees would not be charged until completion of the business plan, except for the fee system for James Kipp Recreation Area. See the complete discussion of fees in Chapter 2 under Recreation, Alternative F (Preferred Alternative), Fees.
2256-05	*Comment*	*Special fees for recreationists should be limited to fees for using developed sites.*
2256-05	Response	The BLM invests considerable time and expense to manage the Upper Missouri National Wild and Scenic River, outside of developed sites. Fees from special area use supplement appropriations and other funding sources to repair, improve and maintain recreation sites and settings to quality standards and to enhance the delivery of recreation services related directly to visitor enjoyment, access, and health and safety.
2256-06	*Comment*	*The draft Resource Management Plan for the Upper Missouri River National Monument includes a proposal to require floaters to pay to obtain a permit to float the River. I would question whether the BLM has the jurisdiction to require floaters either to obtain a permit, or to require payment for such a permit. The Missouri River is a navigable waterway owned by the State of Montana, and is considered to be a public highway. The United States has a superior navigational servitude only for the purpose of improving navigation (such as the placement of docks and dams). The United States has no authority to infringe upon the sovereignty of the State of Montana to: restrict navigation; limit recreational floating; or to require that those utilizing the River for travel, obtain a permit from the United States.*

Group		User Fees
2256-06	Response	See Chapter 1 of the Proposed RMP/Final EIS, under the heading "What is the BLM's authority to regulate recreational activities on the Upper Missouri National Wild and Scenic River, including recreation user fees and motorized watercraft restrictions?" BLM was directed by the Secretary of the Interior under Public Law 94-486 to manage the river pursuant to the provisions of the Wild and Scenic Rivers Act. Further, the Federal Lands Policy Management Act gives BLM general authority to regulate and enforce the occupancy and use of BLM land through permits and fees. The Federal Lands Recreation Enhancement Act gives the Secretary of the Interior authority to issue Special Recreation Permits and charge fees connected to issuing those permits.
2256-07	*Comment*	*I support the implementation of a fee system if the money raised goes back into some aspect of maintaining the Monument. If 6,000 users each paid $10 or $20 each for a float trip on the river, the funds should go into a fund that offsets the costs of things like fencing, new toilets, maintenance on recreation areas, firewood acquisition and delivery. I don't know what fee is reasonable, but something in the neighborhood of $20 or $30 per person per voyage is probably a good start without being excessive.*
2256-07	Response	As described in Chapter 2 of the Proposed RMP/Final EIS, the BLM would implement an expanded amenity fee for overnight camping in Level 1 sites and an individual special recreation permit for boating the Missouri River. After the RMP is completed the BLM would develop a business plan to determine the actual fee amounts charged for new sites. Development of the business plan would involve the Central Montana RAC and include an opportunity for public involvement. Fees would not be charged until completion of the business plan, except for the fee system for James Kipp Recreation Area. See the complete discussion of fees in Chapter 2 under Recreation, Alternative F (Preferred Alternative), Fees.
2256-08	*Comment*	*The Preferred Alternative would require a fee for floating the river by conventional means, i.e. boat, raft, canoe, kayak, etc. However, all aircraft, private or commercial, would be allowed to fly the river corridor, land and/or depart from certain areas of the river itself without paying a fee, any fee. Is this omission just another perk for the politically well connected elitist?*
2256-08	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, the operation and landing of floatplanes would only be allowed on river miles 0 to 3. Landing of floatplanes on miles 3 to 149 would be allowed for emergency purposes only.
2256-09	*Comment*	*We recommend a go-slow approach to fees. Problems of distortion of use patterns, collection costs, visitor acceptance and other potential problems are a reality that you should weigh carefully before considering use fees. It is best to apply the fullest array of management tools in order to avoid direct limiting recreational uses. Fees are good tools to use before imposing limits on uses or the number of visitors.*
2256-09	Response	As described in Chapter 2 of the Proposed RMP/Final EIS, the BLM would implement an expanded amenity fee for overnight camping in Level 1 sites and an individual special recreation permit for boating the Missouri River. After the RMP is completed the BLM would develop a business plan to determine the actual fee amounts charged for new sites. Development of the business plan would involve the Central Montana RAC and include an opportunity for public involvement. Fees would not be charged until completion of the business plan, except for the fee system for James Kipp Recreation Area. See the complete discussion of fees in Chapter 2 under Recreation, Alternative F (Preferred Alternative), Fees.

Group		User Fees
2256-10	*Comment*	*I very much want to have the option of accessing the Cow Island area in safe weather conditions without additional fees or permits.*
2256-10	Response	As described in Chapter 2 of the Proposed RMP/Final EIS, the BLM would implement an expanded amenity fee for overnight camping in Level 1 sites and an individual special recreation permit for boating the Missouri River. After the RMP is completed the BLM would develop a business plan to determine the actual fee amounts charged for new sites. Development of the business plan would involve the Central Montana RAC and include an opportunity for public involvement. Fees would not be charged until completion of the business plan, except for the fee system for James Kipp Recreation Area. See the complete discussion of fees in Chapter 2 under Recreation, Alternative F (Preferred Alternative), Fees.
2256-11	*Comment*	*Under the Preferred Alternative F, the BLM will charge a fee for a Special Area Permit to float the river (Chapter 2, page 54) and cites the Federal Lands Recreation Enhancement Act (FLREA) of 2004 and BLM regulations (43 CFR 2930) as their authority to do so (Chapter 1, page 7). However, 16 USC 460l-6a(c) authorizes special recreation permits only for "group activities, recreation events, motorized recreation vehicles, and other specialized recreation uses." Additionally, the FLREA prohibits the BLM from charging fees for accessing dispersed areas. Please clarify the BLM's authority to charge fees for floating the river to access a dispersed area.*
2256-11	Response	The Federal Land Policy and Management Act (FLPMA) gives the BLM general authority to regulate and enforce the occupancy and use of the BLM land through permits and fees (43 USC 1732(b), 1733 (1994)). Through 2004, the Land and Water Conservation Fund Act of 1964 empowered the BLM to issue Special Recreation Permits (SRPs) according to its own procedures and fee schedules (16 USC 460l-6a(c) (1994)). These SRPs help manage group activities, recreation events, motorized recreation vehicle activities, and other special recreation uses in accordance with procedures at fees established by the agency involved. The Federal Lands Recreation Enhancement Act (FLREA) of 2004 gives the Secretary of the Interior authority to issue SRPs and charge fees connected to issuing those permits. This authority began in 2005, and applies to group activities, recreation events and motorized vehicle use activities on federal recreational lands and waters. This act replaces the BLM authority to charge fees under the Land and Water Conservation Fund Act. Bureau regulations (43 CFR 2930) require SRPs for all commercial uses on the public lands and waters that the BLM manages, including permits for any uses in special areas such as wild and scenic rivers. The BLM can manage, require and enforce permits and fees within a wild and scenic river to protect the river values, even if the river users do not set foot upon BLM land (63 IBLA at 381-82). Management activities and enforcement are designed to protect BLM land, property, users, occupants, resources, and activities on or having a clear potential to affect lands adjacent to BLM land or related waters.
2256-12	*Comment*	*The draft leaves camping fees open for future determination. We would like to see some effort and proposals as to what the fee ranges might be and how it might be figured insofar as boaters floating the entire Monument may have to camp anywhere from five to seven nights. Perhaps a flat fee could be considered, depending where they put it and assuming, in all cases, a take out and one final camp at Fred Robinson Bridge.*
2256-12	Response	As described in Chapter 2 of the Proposed RMP/Final EIS, the BLM would implement an expanded amenity fee for overnight camping in Level 1 sites and an individual special

recreation permit for boating the Missouri River. After the RMP is completed the BLM would develop a business plan to determine the actual fee amounts charged for new sites. Development of the business plan would involve the Central Montana RAC and include an opportunity for public involvement. Fees would not be charged until completion of the business plan, except for the fee system for James Kipp Recreation Area. See the complete discussion of fees in Chapter 2 under Recreation, Alternative F (Preferred Alternative), Fees.

2256-13 *Comment* *As a floater who uses only Level 3 and 4 sites, I do not think it is fair nor equitable to include Level 1 amenity fees in a Special Area Permit required for all boating on the Missouri River.*

2256-13 Response As described in Chapter 2 of the Proposed RMP/Final EIS, the BLM would implement an expanded amenity fee for overnight camping in Level 1 sites and an individual special recreation permit for boating the Missouri River. After the RMP is completed the BLM would develop a business plan to determine the actual fee amounts charged for new sites. Development of the business plan would involve the Central Montana RAC and include an opportunity for public involvement. Fees would not be charged until completion of the business plan, except for the fee system for James Kipp Recreation Area. See the complete discussion of fees in Chapter 2 under Recreation, Alternative F (Preferred Alternative), Fees.

2256-14 *Comment* *Fees at Level 1 and 2 sites should be exclusive and self-supporting for those sites, and fees for floating and camping at other sites should be specifically used to offset management costs for Level 3 and 4 sites.*

2256-14 Response As described in Chapter 2 of the Proposed RMP/Final EIS, the BLM would implement an expanded amenity fee for overnight camping in Level 1 sites and an individual special recreation permit for boating the Missouri River. After the RMP is completed the BLM would develop a business plan to determine the actual fee amounts charged for new sites. Development of the business plan would involve the Central Montana RAC and include an opportunity for public involvement. Fees would not be charged until completion of the business plan, except for the fee system for James Kipp Recreation Area. See the complete discussion of fees in Chapter 2 under Recreation, Alternative F (Preferred Alternative), Fees.

2256-15 *Comment* *But perhaps the greatest inequity and hypocrisy of the Preferred Alternative is the statement that permit costs would be "based on the cost of operating the permit system, special costs related to the management of the area, - and fairness and equity among all users (emphasis added)." Considering that a recent GAO report stated that the Federal government spends over six times what it collects on the grazing program, and that the BLM would have to charge $7.46 per AUM to cover its costs in contrast to the $1.43 per AUM charged in 2004, the BLM should rethink its claim that a recreation permit fee for the UMRBNM would be fair and equitable among all users.*

2256-15 Response As described in Chapter 2 of the Proposed RMP/Final EIS, the BLM would implement an expanded amenity fee for overnight camping in Level 1 sites and an individual special recreation permit for boating the Missouri River. After the RMP is completed the BLM would develop a business plan to determine the actual fee amounts charged for new sites. Development of the business plan would involve the Central Montana RAC and include an opportunity for public involvement. Fees would not be charged until completion of the business plan, except for the fee system for James Kipp Recreation Area. See the complete discussion of fees in Chapter 2 under Recreation, Alternative F (Preferred Alternative), Fees.

Group		User Fees
2256-16	*Comment*	*Under the Preferred Alternative F, the BLM will charge a fee for a Special Area Permit to float the river. The BLM has no authority to impose fees on persons floating the river who do not use BLM facilities and services; therefore, Alternative A, which imposes no fees, should be adopted.*
2256-16	Response	The Federal Land Policy and Management Act (FLPMA) gives the BLM general authority to regulate and enforce the occupancy and use of the public lands through permits and fees (43 USC 1732(b), 1733 (1994)). Through 2004, the Land and Water Conservation Fund Act of 1964 empowered the BLM to issue Special Recreation Permits (SRPs) according to its own procedures and fee schedules (16 USC 460l-6a(c) (1994)). These SRPs help manage group activities, recreation events, motorized recreation vehicle activities, and other special recreation uses in accordance with procedures at fees established by the agency involved. The Federal Lands Recreation Enhancement Act (FLREA) of 2004 gives the Secretary of the Interior authority to issue SRPs and charge fees connected to issuing those permits. This authority began in 2005, and applies to group activities, recreation events and motorized vehicle use activities on federal recreational lands and waters. This act replaces the BLM authority to charge fees under the Land and Water Conservation Fund Act. Bureau regulations (43 CFR 2930) require SRPs for all commercial uses on the public lands and waters that the BLM manages, including permits for any uses in special areas such as wild and scenic rivers. The BLM can manage, require and enforce permits and fees within a wild and scenic river to protect the river values, even if the river users do not set foot upon BLM land (63 IBLA at 381-82). Management activities and enforcement are designed to protect BLM land, property, users, occupants, resources, and activities on or having a clear potential to affect lands adjacent to BLM land or related waters.
2256-17	*Comment*	*"The BLM may charge fees where it is necessary to meet the health, safety, visitor services and resource protection needs" (BLM letter dated April 11, 2006). Those needs should be clearly defined and the BLM should establish clear standards to determine when fees are necessary. Again, current management (Alternative A) has not resulted in any adverse impacts to the protected objects and there is no substantial, consistent increase in visitor use, nor has any other threat to the protected objects been identified; therefore, no fees are necessary. Charging fees for developed campsites and boat launches that incur construction and maintenance costs makes sense, but imposing fees on persons who want to float the river without using the BLM facilities and services does not. Also in the BLM response letter dated April 11th, the BLM states that the fees "would" be used for site maintenance and visitor services, including support for county emergency services; however, the draft RMP/EIS states that the fees "could" be used to support county emergency services. Use of the word "would" implies a degree of certainty not found when the word "could" is substituted. This point should be clarified and, if any fees are imposed, a portion of those fees should be provided to the appropriate county government.*
2256-17	Response	As described in Chapter 2 of the Proposed RMP/Final EIS, the BLM would implement an expanded amenity fee for overnight camping in Level 1 sites and an individual special recreation permit for boating the Missouri River. After the RMP is completed the BLM would develop a business plan to determine the actual fee amounts charged for new sites. Development of the business plan would involve the Central Montana RAC and include an opportunity for public involvement. Fees would not be charged until completion of the business plan, except for the fee system for James Kipp Recreation Area. See the complete discussion of fees in Chapter 2 under Recreation, Alternative F (Preferred Alternative), Fees.

Group		User Fees
		The Proposed RMP/Final EIS states that fees could be used to support county emergency services since details of the fee system have not been finalized. For additional information, see Chapter 2, Recreation, Alternative F (Preferred Alternative), Fees.
2256-18	*Comment*	*The preferred alternative allows non-profit organized use of the river at no charge. If such an allowance can be made and managed for non-profits, it can surly be managed for the Indigenous people with reserved treaty rights to the area.*
2256-18	Response	User fees would be provided for in the Preferred Alternative of the Proposed RMP/Final EIS. Through the development of a business plan the fee structure would be resolved, including fee waivers and fees assessed on general public users.
2256-19	*Comment*	*The document does not reflect the considerable disagreement from Tribal Governments against charging its members fees for use of the Monument. It also does not mention that the RAC came to consensus to not charge fees. Nonetheless, I still am of the opinion that fees should not be assessed to Natives with reserved rights to the area.*
2256-19	Response	User fees would be provided for in the Preferred Alternative of the Proposed RMP/Final EIS. Through the development of a business plan the fee structure would be resolved, including fee waivers and fees assessed on general public users.
2256-20	*Comment*	*Consideration should be seriously directed toward hardened, fee-area designated river camping, including concreted outhouses that can be pumped easily and cheaply from a river scow.*
2256-20	Response	The BLM implemented a human waste carry-out regulation in 2004. Under the Preferred Alternative, additional facilities may be constructed dependent on river location. See the discussion of camping facilities in Chapter 2 of the Proposed RMP/Final EIS under Upper Missouri River Special Recreation Management Area (SRMA), Alternative F (Preferred Alternative).
2256-21	*Comment*	*Recreation – Fees pg. xvi. This section specifies a fee schedule is to be instituted for developed sites and facilities within the Monument. MWF understands that such facilities do require a financial commitment to maintain them in operating condition as well as waste removal. Both commercial and casual users depend on these facilities. MWF requests that the availability of these sites is first and foremost prioritized for non-commercial, public users. If usage records indicate that commercial ventures overwhelm or inhibit non-commercial users other arrangements need to be developed to provide for the general non-commercial, public user or commercial users must be required to make other arrangements.* *MWF opposes the BLM plans to implement fees for public boating on the river and questions BLM's authority to impose fees to float a navigable Montana river. Article IX of the 1972 Montana Constitution, Section 3, paragraph (3): "All surface, underground, flood and atmospheric waters within the boundaries of the state are the property of the state for the use of its people and are subject to appropriation for beneficial use as provided by law." This implies that there could be a legal conflict with the authority to require payment of a fee. Such a management plan decision could challenge legal precedence.*
2256-21	Response	Availability of sites is on a first-come, first-served basis for boaters on the Upper Missouri River. The BLM will continue to monitor use and look for campsite conflict trends that may be occurring between commercial and noncommercial boaters.

Group **User Fees**

The Federal Land Policy and Management Act (FLPMA) gives the BLM general authority to regulate and enforce the occupancy and use of the public lands through permits and fees (43 USC 1732(b), 1733 (1994)). Through 2004, the Land and Water Conservation Fund Act of 1964 empowered the BLM to issue Special Recreation Permits (SRPs) according to its own procedures and fee schedules (16 USC 460l-6a(c) (1994)). These SRPs help manage group activities, recreation events, motorized recreation vehicle activities, and other special recreation uses in accordance with procedures at fees established by the agency involved.

The Federal Lands Recreation Enhancement Act (FLREA) of 2004 gives the Secretary of the Interior authority to issue SRPs and charge fees connected to issuing those permits. This authority began in 2005, and applies to group activities, recreation events and motorized vehicle use activities on federal recreational lands and waters. This act replaces the BLM authority to charge fees under the Land and Water Conservation Fund Act.

Bureau regulations (43 CFR 2930) require SRPs for all commercial uses on the public lands and waters that the BLM manages, including permits for any uses in special areas such as wild and scenic rivers. The BLM can manage, require and enforce permits and fees within a wild and scenic river to protect the river values, even if the river users do not set foot upon BLM land (63 IBLA at 381-82). Management activities and enforcement are designed to protect BLM land, property, users, occupants, resources, and activities on or having a clear potential to affect lands adjacent to BLM land or related waters.

2256-22 *Comment* *I would like to see the BLM put a little more effort in coming up with some kind of permit cost for floating the river that's coming up in the future.*

2256-22 Response The BLM would implement a fee program as described in Chapter 2 of the Proposed RMP/Final EIS under Recreation, Alternative F (Preferred Alternative). Development of the fee structure for expanded amenity fee sites and Special Recreation Permits to boat the river would be guided by the Central Montana Resource Advisory Committee, and would take place following completion of the RMP. The public would have additional opportunities to comment on the details of the system at that time. The fee program would be developed based on criteria defined in the Federal Lands Recreation Enhancement Act (FLREA).

2256-23 *Comment* *There will be a fee for river users, for floaters like me. That's cool, I'll pay my share. And aircraft can come in and land – and they're a very expensive toy – they can land on the river, they can depart from the river, and not pay a dime. Now, how fair is that?*

2256-23 Response Under the Preferred Alternative, the operation and landing of floatplanes would only be allowed on river miles 0 to 3. Landing of floatplanes on river miles 3 to 149 would be allowed for emergency purposes only.

2256-24 *Comment* *The preferred Alternative F includes a restriction on motorized watercraft (Chapter 2, page 63), implementation of fees to boat the river (Chapter 2, page 53), and restrictions on Special Recreation use Permits (Chapter 2, page 62). Where does the BLM derive their authority to restrict usage and charge fees for use of the river through the Monument? Did Congress authorize the implementation of the fees?*

2256-24 Response The Federal Land Policy and Management Act (FLPMA) gives the BLM general authority to regulate and enforce the occupancy and use of the public lands through permits and fees (43 USC 1732(b), 1733 (1994)). Through 2004, the Land and Water

Group		**User Fees**
		Conservation Fund Act of 1964 empowered the BLM to issue Special Recreation Permits (SRPs) according to its own procedures and fee schedules (16 USC 460l-6a(c) (1994)). These SRPs help manage group activities, recreation events, motorized recreation vehicle activities, and other special recreation uses in accordance with procedures at fees established by the agency involved. The Federal Lands Recreation Enhancement Act (FLREA) of 2004 gives the Secretary of the Interior authority to issue SRPs and charge fees connected to issuing those permits. This authority began in 2005, and applies to group activities, recreation events and motorized vehicle use activities on federal recreational lands and waters. This act replaces the BLM authority to charge fees under the Land and Water Conservation Fund Act. Bureau regulations (43 CFR 2930) require SRPs for all commercial uses on the public lands and waters that the BLM manages, including permits for any uses in special areas such as wild and scenic rivers. The BLM can manage, require and enforce permits and fees within a wild and scenic river to protect the river values, even if the river users do not set foot upon BLM land (63 IBLA at 381-82). Management activities and enforcement are designed to protect BLM land, property, users, occupants, resources, and activities on or having a clear potential to affect lands adjacent to BLM land or related waters.
Group		**Non-Motorized Trails**
2257-01	*Comment*	*A non-motorized trail system would be a great idea. And the Nez Perce Trail is a logical place to start. They have been very successful in southeastern Utah. Hikers and bikers are increasing rapidly across the U.S. and recreational activity would be attracted to Montana. Some of the old motorized trails can be converted to non-motorized trails.*
2257-01	Response	One of BLM's goals for recreation is to manage for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Designated trails for hiking and mountain biking may be developed in the future and closed roads may be converted to non-motorized trails if they meet visitor use management goals and do not impact the objects for which the Monument was designated. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Decisions Common to All Alternatives, Recreation.
2257-02	*Comment*	*We don't need more motorized opportunities. There are plenty of those developed, roaded, busy places.*
2257-02	Response	One of BLM's goals for recreation is to manage for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads closed yearlong and seasonally would provide opportunities for semi-primitive, non-motorized experiences. The closures would benefit hunters who seek areas accessible only by foot and summer visitors who wish to hike and explore areas away from the road system. See the Preferred Alternative Transportation Map (Map 5).
2257-03	*Comment*	*Some trails and roads should be closed to motorized traffic. I enjoy getting away from traffic when I hunt and hike. But many roads need to be kept open for ranchers and fishermen and floaters and canoers to use the area.*

Group		Non-Motorized Trails
2257-03	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads closed yearlong and seasonally would provide opportunities for semi-primitive, non-motorized experiences. The closures would benefit hunters who seek areas accessible only by foot and summer visitors who wish to hike and explore areas away from the road system. See the Preferred Alternative Transportation Map (Map 5).
2257-04	*Comment*	*There are currently no established hiking trails and few regulated camping facilities in the Monument and this lack only encourages misuse and at times abuse. Possibly the Bureau could establish two more loop roads similar to Slippery Anne. This would clearly define the vehicle access issue; allow public areas for recreation and the BLM a way to manage vehicle travel.*
2257-04	Response	Under the Preferred Alternative, BLM would consider building or rerouting roads as necessary for additional public access to large blocks of BLM lands. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Access, Alternative F (Preferred Alternative).
2257-05	*Comment*	*Manage the Monument for traditional, non-motorized hunting. The Breaks can boast trophy bull elk and world-class mulie bucks. But big game need security and seclusion to thrive, and traditional hunters need quiet and stillness in which to pursue them. Elk in particular are adversely impacted by the presence of motorized traffic -- their breeding and calving seasons are disrupted, their grazing patterns are disturbed. Protect the Breaks' magnificent hunting opportunities by designating large blocks of land as "non-motorized game areas."*
2257-05	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads closed yearlong and seasonally would provide opportunities for semi-primitive, non-motorized experiences. The closures would benefit hunters who seek areas accessible only by foot. These primitive areas would provide additional habitat security for elk and other wildlife species. See the Preferred Alternative Transportation Map (Map 5).
2257-06	*Comment*	*With roads proliferating out of control throughout our country, emphasis should be places on the creation of "quiet" areas: non-motorized areas aside for quiet hiking, fishing, and hunting, as practiced by the vast majority of public lands users. This is what the WSA's and the Bullwhacker area should provide, but you seem to deem it necessary to cater to motorized users and allow motorized travel within these areas.*
2257-06	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads closed yearlong and seasonally would provide opportunities for semi-primitive, non-motorized experiences. The closures would benefit hunters who seek areas accessible only by foot and summer visitors who wish to hike and explore areas away from the road system. See the Preferred Alternative Transportation Map (Map 5).
Group		**Seaplanes**
2258-01	*Comment*	*The Missouri River is a navigable waterway of current and historical national importance for transportation, recreation and interstate commerce by seaplanes. Seaplanes have historically used the Missouri River as a navigable waterway because it is the safest and lowest level route between the east and west coasts. There is no factual or evidential definition of adverse impacts to the river for the BLM to eliminate seaplane access because the Missouri River is part of the National Waterway Network and is recognized as a navigable waterway. The Harbors and Rivers Act of 1899 (and other federal rules)*

recognize the importance of using rivers for commerce by seaplanes and this right of navigation must not be reduced. Seaplane access to all segments of the river should be allowed consistent with the use of motor boats.

2258-01 Response

The Monument lies between Fort Benton and Fort Peck, which are the refueling stops for floatplanes along this section of the Missouri River. Under the Preferred Alternative, floatplanes would be allowed on river miles 0 to 3 near Fort Benton. From river miles 3 to 149 the river would remain available for safety and emergency landings, such as avoiding inclement weather. Therefore, there would be no impact to interstate commerce and the Missouri River would remain available for the land and take-off or floatplanes for safety reasons. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Upper Missouri River Special Recreation Management Area (SRMA), Alternative F (Preferred Alternative), Motorized Watercraft.

2258-02 Comment

Seaplanes use the Missouri River for navigation and interstate commerce, thus both State and Federal laws, including the River and Harbor Act of 1899, the Equal Footing Doctrine, and the Public Trust Doctrine protect it. The Corps of Engineers have general rules governing aviation and specifically seaplanes, as codified in Title 36. Since the FAA and U.S. Coast Guard heavily regulate and govern seaplane use, the BLM should conclude that it is inappropriate to create more regulation under the RMP.

When flying, the FAA regulates seaplanes and when on the water, seaplanes are under the Coast Guard's jurisdiction. Since the Missouri River is navigable, Coast Guard considers seaplanes vessels when on the water. Seaplane use on the Missouri River is small, but very important and may be considered a "de minimus" impact. The BLM lacks the expertise necessary to evaluate airspace conflict issues, and is granted no authority or implied authority to regulate aviation for resolving airspace conflicts.

2258-02 Response

The BLM consulted with the FAA on December 5, 2006. The FAA stated landings are a civil issue, and the person or agency with statutory latitude for the property or water has the ability to restrict or deny access to the property or water. See Chapter 1 of the Proposed RMP/Final EIS for a description of BLM's authority to regulate recreational activity on the Upper Missouri National Wild and Scenic River.

Under the Preferred Alternative, floatplanes would be allowed year round on river miles 0 to 3 near Fort Benton. From river miles 3 to 149 the river would remain available for safety and emergency landings, such as avoiding inclement weather. This would not interfere with the FAA's regulation of airspace or the Coast Guard's regulation of watercraft on navigable waters.

2258-03 Comment

Seaplanes use the Missouri River as a safety net while transitioning between eastern/western United States; this route is the only passage through the Rocky Mountains that offers seaplanes both water and fuel and provides a safe landing alternative. For seaplanes transiting across Montana, the Missouri River is one of the only safe havens in hundreds of miles. The BLM's preferred alternative diminishes safety for pilots whose landing options are few. Under this proposal, 250 continuous miles of the Missouri River between Fort Benton and Fort Peck would be closed or heavily restricted.

Seaplane pilots rely on open water to wait out poor weather conditions, transfer extra fuel, and inspect malfunctioning equipment. Compared to planes with wheels, seaplanes have a limited range and altitude performance and lower engine power. Eliminating the possibility of landing for 200 miles puts an undue amount of risk on seaplane pilots and their passengers; personal safety should be a major reason for this stretch of the Missouri River to be open to seaplanes. The proposed regulations would jeopardize safety by restricting alternatives for precautionary water landings; it is uncalled for and unsafe.

Group		Seaplanes
		If the BLM prohibits seaplanes, pilots who transit the Rocky Mountains would be forced to choose routes over terrain that would afford no safe landing and could cause loss of life or aircraft. The proposed prohibition of seaplanes offers no benefit to public health and safety and will have a detrimental effect on the health and safety of pilots and their passengers. *Montana's Stream Access Law does not appear to preclude the use of seaplanes.*
2258-03	Response	Under the Preferred Alternative, the landing of floatplanes on the river between miles 3 to 149 would be limited to emergencies and not allowed for casual use. This section of the river would be available for the land and take-off of floatplanes for safety reasons, such as avoiding inclement weather. With fuel available for floatplanes at Fort Peck and Fort Benton, a pilot should be within the safety range for most floatplanes to cross the Monument. Floatplanes would be allowed year round on river miles 0 to 3 near Fort Benton. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Upper Missouri River Special Recreation Management Area (SRMA), Alternative F (Preferred Alternative), Motorized Watercraft.
2258-04	*Comment*	*The Missouri River should be left to interstate commerce via seaplane. State and Federal laws protect navigation and interstate commerce. The Federal Commerce Clause limits Congress's power to enact laws and prohibits State and local laws that discriminate against interstate commerce or impose undue burden upon it. This includes prohibition of laws that prevent interstate travel and navigation. There would be a substantial impact on interstate commerce if the BLM closed the Missouri River as a flyway for seaplanes.*
2258-04	Response	The floatplane refueling stops on this section of the Missouri River are located at Fort Benton and Fort Peck. Under the Preferred Alternative, landing on the Upper Missouri River between river miles 3 to 149 would be limited to emergencies (e.g. avoiding inclement weather) and not allowed for casual use. Floatplanes would be allowed year round on river miles 0 to 3 near Fort Benton. Therefore, there would be no impact to interstate commerce.
2258-05	*Comment*	*BLM inappropriately grouped seaplanes with personal watercraft (PWC) for purposes of evaluation. There is no explanation to the rational behind combining seaplanes and PWC in the draft plan. These two very different types of watercraft create very different conditions and the BLM should separate seaplanes for purposes of evaluation and management.* *Seaplanes and PWC are not similar in their use or operational characteristics. PWC are primarily used for water sports and recreation and seaplanes are primarily used for access and do not operate in close proximity to other craft. Any restriction on personal watercraft should not have bearing on the determination of seaplane access to the Missouri River.*
2258-05	Response	A number of management goals guided the development of the alternatives for this RMP. These goals are the result of information provided by public scoping, existing laws, regulations and the Proclamation. One of the goals is to manage these lands for a variety of sustainable visitor experiences in mostly primitive and natural landscapes. Personal watercraft and floatplanes are addressed in the same section in Chapter 2 since both activities would be limited to the same section of the river under the Preferred Alternative. The use of personal watercraft is a recent development and tends toward high speed activities with associated noise levels that affect most other boaters and impacts the experience they wish to enjoy on the wild and scenic river.

Group		Seaplanes
		One of the purposes of the Wild and Scenic Rivers Act is to protect the natural features that make the river outstanding. Floatplanes may impact the quiet, primitive setting the wild and scenic river offers visitors, and those seeking a primitive experience may be disrupted by the approach, landing, and take-off of a floatplane. The natural and primitive setting of the river is one of the natural features that would be impaired by the floatplane landings and take-offs.
2258-06	*Comment*	*There is no discussion in the draft RMP/EIS of comparison noise levels and their impacts. It is important that any consideration of noise be comparative and examine any seaplane noise relative to other uses on the river or adjacent property such cars, tractors, gun fire, military over flights, barking dogs, people, boats, and other excepted activities.* *The BLM has acknowledged that they were not aware that seaplanes are currently using the river, which is a testament that the noise impact is currently nonexistent. A seaplane generates a loud noise when it lands or takes off, generally for two to four minutes, which is of minimal auditory impact (less than 0.2% of the day). No seaplane operations occur at night. Studies have shown that it would take 17 seaplane landings to have the same overall noise impact to the river as a single powerboat traveling the length of the river. The noise signature is so minimal that BLM should not use it as a basis for banning seaplanes.* *Is the noise signature different from a powerboat traveling upstream at twenty miles an hour? Compared to the statement in which the BLM is not aware of seaplane use in the Monument, how many powerboats are using the river and how much noise are they generating?* *Seaplanes do not create a wake unless they land or take off. Watercraft (including water skiers, power and fishing boats) create more noise and wake traffic than any aircraft. Seaplanes create 500 to 2,000 feet of wake during landing or take off. Compared to a boat, seaplanes create 1/300th to 1/600th less wake than a boat traveling the same distance. Seaplanes are more like canoes than powerboats when stirring up mud in the water. Seaplanes do not disturb anything within the depths of the river; they have no propellers underwater and taxi through even shallow water without disturbing sediment or water quality. Boats increase turbidity in the water with their submerged propellers or jets and often discharge oily exhaust in the water.* *If seaplanes are prohibited from river use because of pollution issues, the BLM should prohibit all boats from river use. Seaplanes do not require docks or roads and generate minimal noise and wake and should be considered equal to boats if not given the advantage over them. If the disturbance caused by motorboats is acceptable, then the minimal disturbance cause by seaplanes must also be acceptable. The management of seaplanes should be consistent with other federal and state regulations.* *During dry conditions, ground vehicles and horses stir up dust, which could potentially damage the objects of interest of the Monument. Seaplanes land on water, thus creating dust and do not have the potential for damage as other modes of transportation do.*
2258-06	Response	One of the purposes of the Wild and Scenic Rivers Act is to protect the natural features that make the river outstanding. Floatplanes may impact the quiet, primitive setting the wild and scenic river offers visitors, and those seeking a primitive experience may be disrupted by the approach, landing, and take-off of a floatplane. The natural and primitive setting of the river is one of the natural features that would be impaired by the floatplane landings and take-offs.

Group		Seaplanes
2258-07	*Comment*	*The BLM has no basis to discriminate against seaplanes. Within the draft RMP/EIS, the BLM imposes tighter restrictions on seaplanes than boats. Why does the BLM make a distinction between boats and seaplanes? On water, the Coast Guard considers seaplanes a vessel and are subject to their rules, thus the BLM should not allow motorboats to operate where seaplanes are restricted. The design of a seaplane float system works to create minimal friction with the water and little wake that would create erosion. If seaplanes are restricted from the Monument, are boats, cars, or people next? The discrimination of seaplanes in the Monument is unreasonable and unfair and puts people and property at risk. Prohibiting seaplanes precludes handicapped people from experiencing the Monument. Cutting off access of seaplanes would violate the spirit of the Americans with Disabilities Act.*
2258-07	Response	One of the purposes of the Wild and Scenic Rivers Act is to protect the natural features that make the river outstanding. Floatplanes may impact the quiet, primitive setting the wild and scenic river offers visitors, and those seeking a primitive experience may be disrupted by the approach, landing, and take-off of a floatplane. The natural and primitive setting of the river is one of the natural features that would be impaired by the floatplane landings and take-offs. Under the Preferred Alternative, the landing of floatplanes on the Upper Missouri National Wild and Scenic River between river miles 3 to 149 would be limited to emergencies and not allowed for casual use. The river would remain available for safety and emergency landings, such as inclement weather. Floatplanes would be allowed year round on river miles 0 to 3 near Fort Benton. The BLM would provide reasonable accommodations for individuals with disabilities consistent with the Rehabilitation Act of 1973. Accommodations would be considered on a case-by-case basis by the Monument Manager.
2258-08	*Comment*	*The Missouri River is an essential element of an east-west highway system and is the only route across the Rocky Mountains that must be maintained. The BLM may have underestimated the river's importance as a regional and national resource for seaplanes. "Straight float" seaplanes do not have wheels (amphibious seaplanes are equipped with floats and wheels) and can only land and take off in water. Landing and taxing occur at idle power and are inaudible; the takeoff is loud but requires an average 2 minutes of time; seaplanes leave no environmental impact. Restricting seaplane use takes away the ability for straight floats to make a safe and comfortable flight and pilots need all options available in case of inclement weather, refueling needs, and mechanical problems or other unforeseen needs. Seaplanes should have access to the Missouri River as it is a vital water link and should remain open for the safety of pilots.*
2258-08	Response	Under the Preferred Alternative, floatplanes would be allowed year round on river miles 0 to 3 near Fort Benton. From river miles 3 to 149 the river would remain available for safety and emergency landings, such as inclement weather. The river would remain available for the landing and take-off of floatplanes for safety reasons. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Upper Missouri River Special Recreation Management Area (SRMA), Alternative F (Preferred Alternative), Motorized Watercraft.
2258-09	*Comment*	*Seaplanes and Personal Watercraft (PWC) do not belong on the Wild and Scenic section of the Missouri River as it flows through the Monument. Airplanes and PWC are not compatible with the objects for which the Monument was established and BLM should ban them. A compromise to banning seaplanes from landing in the Monument is for the BLM to limit landing and taking off to early mornings only.*

Group		Seaplanes
		Seaplanes and PWC occupying the same stretch of the narrow river corridor is not compatible with reasonable and responsible planning efforts and verges on irresponsible planning. If BLM determined that PWC and seaplanes occupying the same space is safe, it needs to be cited in the document.
2258-09	Response	The use of personal watercraft and floatplanes would not be allowed on river miles 3 to 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22 for a description of motorized use under the Preferred Alternative.
2258-10	*Comment*	*The BLM presents no factual or evidential basis for restricting access to the Missouri River by seaplanes. The draft RMP/EIS does not mention the detrimental impacts in the alternatives, only in the summary of the proposed restrictions. Despite the lack of any documentation showing adverse potential impacts of the historic and legal use of seaplanes, the plan would effectively prohibit access to nearly 200 miles of the Missouri River (including the Monument and Wildlife Refuge).* *Has the BLM conducted empirical studies of the impact of current seaplane operations to determine whether such operations are having a detrimental impact? Seaplane use of the Monument has existed without degradation of the Monument's resources. Occasional landing on the Missouri River for refueling, mechanical issues or inhospitable weather does not leave an environmental impact. Seaplanes do not cause erosion, hurt, or destroy the landscape of the Breaks. They leave behind a short, mild wake and negligible, clean emissions.* *There is no documentation in the proposed plan for treating seaplanes differently than other motorized watercraft. A court in Florida found regulations that differentiate treatment of seaplanes from other motorized boats "arbitrary and capricious."*
2258-10	Response	Under the Preferred Alternative, the landing of floatplanes on the river between miles 3 to 149 would be limited to emergencies, such as mechanical issues or inhospitable weather, but would not be allowed for casual use. If there were a need to land on the river for safety or emergency purposes, it would be allowed. One of the purposes of the Wild and Scenic Rivers Act is to protect the natural features that make the river outstanding. Floatplanes may impact the quiet, primitive setting the wild and scenic river offers visitors, and those seeking a primitive experience may be disrupted by the approach, landing, and take-off of a floatplane. The natural and primitive setting of the river is one of the natural features that would be impaired by the floatplane landings and take-offs.
2258-11	*Comment*	*Seaplanes and Personal Watercraft (PWC) should be restricted from the Monument. For the good of all Monument visitors, close the entire 149-mile stretch to PWC and seaplanes. The purpose of the Monument is best served by severely limiting vehicle access, prohibiting fly-ins, and keeping motor craft off the river. Floatplanes conflict with other users and intrude into important river corridor big game habitat, raptor habitat, and fisheries. BLM should only allow airplanes in the Monument for emergency purposes. More developed sites in the Monument are not needed; the existing launch and pullout sites are adequate for public use.*
2258-11	Response	Floatplanes and personal watercraft would be restricted to river miles 0 to 3 under the Preferred Alternative. Fort Benton is a refueling stop for floatplanes along this section of the Missouri River. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Upper Missouri River Special Recreation Management Area (SRMA), Alternative F (Preferred Alternative), Motorized Watercraft.

Group		Seaplanes
2258-12	*Comment*	*The best evidence of the minimal impact of seaplanes on both the human experience and the environment is contained in the following statement within the draft RMP: "There has been no BLM documented case of a floatplane landing on any section of the river outside the Fort Benton area." The BLM statement is not factual; there are documented landings on the section of river with the Monument outside the Fort Benton area in the past five years. It is apparent that the existing seaplane users do not have an impact on the area based on BLM's experience. The majority of seaplane operations are unknown to the BLM or any other Federal agency. Floatplanes are not bothering Monument visitors every week; seaplanes are courteous to neighbors and leave the area as it was found.*
2258-12	Response	The BLM conducts extensive patrols of the river, and in the past five years those patrols have never documented a floatplane landing. Boating with associated camping and exploring is the predominant use of the river. Most visitors hunt, fish or boat the river to enjoy the primitive setting and the opportunity to experience quiet and solitude. One of the purposes of the Wild and Scenic Rivers Act is to protect the natural features that make the river outstanding. Floatplanes may impact the quiet, primitive setting the wild and scenic river offers visitors, and those seeking a primitive experience may be disrupted by the approach, landing, and take-off of a floatplane. The natural and primitive setting of the river is one of the natural features that would be impaired by the floatplane landings and take-offs.
2258-13	*Comment*	*The Missouri River is a crucial transcontinental link for seaplanes. The Missouri River is a tool for seaplanes to safely transit the Rocky Mountains; it has been a part of our "highway system" for seaplanes for over 75 years. Seaplanes regularly use this section of the Missouri River as a flyway because it is the only safe area to cross the Continental Divide. Removing the Missouri River as a crucial flyway serves no significant purposes; it endangers pilots and creates a stumbling block to transit the country. Having places to land a seaplane are critical to interstate travel and safety. It is important that transit based uses (fuel transfer, to avoid inclement weather, resolve equipment malfunctions, to await daylight, to address the illness of the pilot or passengers) be allowed. How will this plan affect general aviation in Montana, especially for refueling, equipment checks, and inclement weather?* *Prevent this unique and important national transportation route from being closed down; it would be a tremendous burden to pilots if the Monument was closed to seaplanes. The Missouri River system should remain a viable route for cross-country seaplane operations. The Monument should be managed more "public friendly."*
2258-13	Response	Under the Preferred Alternative, the landing of floatplanes on the river between miles 3 to 149 would be limited to emergencies and not allowed for casual use. The river would remain available for safety and emergency landings, such as mechanical issues or inhospitable weather. With fuel available for floatplanes at Fort Peck and Fort Benton, a pilot should be within the safety range for most floatplanes to cross the Monument. Floatplanes would be allowed year round on river miles 0 to 3 near Fort Benton. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Upper Missouri River Special Recreation Management Area (SRMA), Alternative F (Preferred Alternative), Motorized Watercraft.
2258-14	*Comment*	*Montana's Stream Access Law protects use of the river. The Montana Legislature provides a unique approach for allowing recreational opportunities and access to streams regardless of ownership. Definitions of Stream Access; MCA 23-2-301:*

Group		Seaplanes
		(2) "Class I waters" means surface waters, other than lakes, that: *(a) Lie within the official recorded federal government survey meander lines thereof;* *(b) Flow over lands that have been judicially determined to be owned by the State by reason of application of the federal navigability test for State streambed ownership;* *(c) Are or have been capable of supporting the following commercial activities: log floating, transportation of furs and skins, shipping, commercial guiding using multi-person watercraft, public transportation, or the transportation of merchandise, as these activities have been defined by published judicial opinion as of April 19, 1985; or* *(d) Are or have been capable of supporting commercial activity within the meaning of the federal navigability test for State streambed ownership.* *(3) "Class II waters" means all surface waters that are not Class I waters, except lakes.* *(10) "Recreational use" means with respect to surface waters: fishing, hunting, swimming, floating in small craft or other flotation devices, boating in motorized craft unless otherwise prohibited or regulated by law, or craft propelled by oar or paddle, other water-related pleasure activities, and related unavoidable or incidental uses.* *The Missouri River would fall under the classification of a Class I River; as such, seaplanes would be allowed access, as any vessel (motorized boat) would be for recreational purposes.*
2258-14	Response	Section 13 of the Wild and Scenic Rivers Act states: "The jurisdiction of the states over waters of a stream included in a national wild and scenic river or recreation river area shall be unaffected by this Act to the extent that such jurisdiction may be exercised without impairing the purposes of this Act or its administration." One of the purposes of the Wild and Scenic Rivers Act is to protect the natural features that make the river outstanding. Floatplanes may impact the quiet, primitive setting the wild and scenic river offers visitors, and those seeking a primitive experience may be disrupted by the approach, landing, and take-off of a floatplane. The natural and primitive setting of the river is one of the natural features that would be impaired by the landing and take-off of floatplanes. The BLM is directed by the Wild and Scenic Rivers Act to protect and enhance the values which caused the river to be included in the Wild and Scenic River System. This includes establishing various degrees of intensity for protection and development based on the special attributes (Outstandingly Remarkable Values – ORVs) of the area. The BLM is further directed by the Proclamation to protect objects of the Monument. One of the original 1977 management objectives for the Upper Missouri National Wild and Scenic River was to minimize noise pollution in zones valued for their aura of quiet and solitude (A Management Plan for the Upper Missouri Wild and Scenic River, September 1977).
2258-15	*Comment*	*No legitimate studies show that noise/landing/operations of aircraft adversely impact wildlife habitat. Without such documentation, the management plan must tend toward allowing reasonable seaplane use. If operations adversely impact the environment, the 75 years of seaplane flight over the Missouri River would show damage.* *The language of the Proclamation indicates that any finding of potential impact by seaplanes on fish and wildlife management must be established by the State of Montana.* *Allowing landings by float planes anywhere in the Monument is incompatible with other users, big game habitat, raptor habitat and fisheries.*

Group		Seaplanes
2258-15	Response	The impact on fish and wildlife management by floatplanes may or may not be significant; however, the noise, disturbance and overall intrusion on the natural and primitive setting of the river associated with a floatplane landing and taking off is significant. One of the purposes of the Wild and Scenic Rivers Act is to protect the natural features that make the river outstanding. Floatplanes may impact the quiet, primitive setting the wild and scenic river offers visitors, and those seeking a primitive experience may be disrupted by the approach, landing, and take-off of a floatplane. The natural and primitive setting of the river is one of the natural features that would be impaired by the floatplane landings and take-offs.
2258-16	*Comment*	*The BLM needs to consult with the FAA, Coast Guard, Corp of Engineers, the Department of Commerce and the State of Montana. Seaplane pilots and operators of seaplanes have the right to expect that government agencies coordinate their efforts.* *It appears that the BLM consulted with Corps of Engineers, Omaha District, it does not appear the BLM considered or applied the Corps' seaplane standards during consultation for the management plan. Consultation is required with the Coast Guard, the primary agency with regulatory authority over seaplane operations and the FAA.* *The BLM should consult the State of Montana to determine whether floatplanes represent a significant impact with respect to fish and wildlife, per the Proclamation: "Nothing in this Proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of Montana with respect to fish and wildlife management."*
2258-16	Response	The FAA and Coast Guard have been consulted. The Preferred Alternative in the Proposed RMP/Final EIS proposes to restrict the landing of floatplanes on river miles 3 to 149 to emergencies only which does not interfere with the FAA's regulation of airspace or the Coast Guard's regulation of watercraft on navigable waters. The impact on fish and wildlife management by floatplanes may or may not be significant; however, the noise, disturbance and overall intrusion on the natural and primitive setting of the river associated with landing and taking off of a floatplane is significant. One of the purposes of the Wild and Scenic Rivers Act is to protect the natural features that make the river outstanding. Floatplanes may impact the quiet, primitive setting the wild and scenic river offers visitors, and those seeking a primitive experience may be disrupted by the approach, landing, and take-off of a floatplane. The natural and primitive setting of the river is one of the natural features that would be impaired by the floatplane landings and take-offs.
2258-17	*Comment*	*The prohibition for seaplanes in the draft management plan was not based on any substantial information. Without documenting or demonstrating any actual or even potential degradation of the environment or wildlife values by seaplanes, the management must tend toward reasonable use.*
2258-17	Response	Under the Preferred Alternative, the landing floatplanes on the river between miles 3 to 149 would be limited to emergencies and not allowed for casual use. One of the purposes of the Wild and Scenic Rivers Act is to protect the natural features that make the river outstanding. Floatplanes may impact the quiet, primitive setting the wild and scenic river offers visitors, and those seeking a primitive experience may be disrupted by the approach, landing, and take-off of a floatplane. The natural and primitive setting of the river is one of the natural features that would be impaired by the floatplane landings and take-offs.

Group		Seaplanes
2258-18	*Comment*	*The Wild and Scenic Rivers Act allows uses of waters "for purposes other than those specified." The important, but minor use by seaplanes needing the river for interstate travel should be considered a "de minimus" use allowable under the Act, since there has never been consultation with the FAA and US Coast Guard as to its impact on seaplanes, and there is no documented, substantial impact from seaplanes.* *The Wild and Scenic Rivers Act states "other uses that do not substantially interfere with public use and enjoyment" should not be limited, seaplanes are a "de minimus" use, and it has not been established that there is substantial impact from their continued use of the river as a flyway. There is no identification restriction upstream in the areas of the Missouri River that are designated Wild and Scenic.*
2258-18	Response	The FAA and Coast Guard have been consulted. The Preferred Alternative in the Proposed RMP/Final EIS proposes to restrict the landing of floatplanes on river miles 3 to 149 to emergencies only which does not interfere with the FAA's regulation of airspace or the Coast Guard's regulation of watercraft on navigable waters. Section 13 of the Wild and Scenic Rivers Act states: "The jurisdiction of the states over waters of a stream included in a national wild and scenic river or recreation river area shall be unaffected by this Act to the extent that such jurisdiction may be exercised without impairing the purposes of this Act or its administration." One of the purposes of the Wild and Scenic Rivers Act is to protect the natural features that make the river outstanding. Floatplanes may impact the quiet, primitive setting the wild and scenic river offers visitors, and those seeking a primitive experience may be disrupted by the approach, landing, and take-off of a floatplane. The landing and take-off of floatplanes would impair the natural and primitive setting of the river. The BLM is directed by the Wild and Scenic Rivers Act to protect and enhance the values which caused the river to be included in the Wild and Scenic River System. This includes establishing various degrees of intensity for protection and development based on the special attributes (Outstandingly Remarkable Values – ORVs) of the area. The BLM is further directed by the Proclamation to protect objects of the Monument. One of the original 1977 management objectives for the Upper Missouri National Wild and Scenic River was to minimize noise pollution in zones valued for their aura of quiet and solitude (A Management Plan for the Upper Missouri Wild and Scenic River, September 1977).
2258-19	*Comment*	*It is proposed that the BLM RMP provide an in-place mechanism for seaplanes transiting the Monument to play a positive role in reporting any problems observed in the Monument – ranging from fire to vandalism to emergency access needs – to BLM authorities. It is further proposed that the management plan request seaplanes to pick up trash if it is found in remote areas of the Monument and report the location at which it was found.*
2258-19	Response	The BLM would appreciate any information floatplane pilots report as they transit over the Monument, and would appreciate any trash picked up between river miles 0 to 3, the stretch where floatplanes would be allowed under the Preferred Alternative.
2258-20	*Comment*	*Chapter 1 contains no mention of floatplanes.*
2258-20	Response	Chapter 1 contains background information on the planning process and sets the stage for the information presented in the rest of the document, including the discussion of floatplanes.
2258-21	*Comment*	*Department of Interior Part 1600 Planning, Programming, Budgeting Resource Management Planning*

Group		Seaplanes
		Sec. 1610.4-6 Estimation of effects of alternatives *"The District or Area Manager shall estimate and display the physical, biological, economic, and social effects of implementing each alternative considered in detail. The estimation of effects shall be guided by the planning criteria and procedures implementing National Environmental Policy Act. The estimate may be stated terms of probable ranges where effects cannot be precisely determined."* *The proposed RMP does not appear to have demonstrated or estimated physical or biological impact of seaplane use in the Monument or the economic and social effects of implementing the preferred alternative as well as the proposed alternatives.*
2258-21	Response	One of the purposes of the Wild and Scenic Rivers Act is to protect the natural features that make the river outstanding. Floatplanes may impact the quiet, primitive setting the wild and scenic river offers visitors, and those seeking a primitive experience may be disrupted by the approach, landing, and take-off of a floatplane. The landing and take-off of floatplanes would impair the natural and primitive setting of the river.
2258-22	*Comment*	*The proposed seaplane prohibition on the Missouri River flies in the face of why the Missouri River is so important to this country-a means of exploration and transportation. Notably, to our first tribes, the Lewis and Clark Expedition and Charles Lindbergh, the Missouri River has been and continues to be a vital link in our country's exploration and transportation future. Any prohibition would deride the efforts of these early explorers.*
2258-22	Response	Under the Preferred Alternative, floatplanes would be allowed year round on river miles 0 to 3 near Fort Benton. Fort Benton is a refueling stop for floatplanes along this section of the Missouri River. From river miles 3 to 149 the Upper Missouri River would remain available for safety and emergency landings. The river would remain available for safety and emergency landings, such as mechanical issues or inhospitable weather.
2258-23	*Comment*	*I suggest in regards to occasional seaplanes on the Missouri River within the Monument, the BLM would publish an information sheet that would delineate sensitive wildlife nesting areas along the river. This information would be available to pilots through the BLM web site and upon written request, and must be in the pilot's possession before use of the river except in an emergency or precautionary landing. The nesting sites could also be put into the Federal Aviation Agency Notices to Airmen database with the relevant lat./long. The existence of bald eagle or any other wildlife nesting area along the river should not be reason to close the entire river to seaplanes.*
2258-23	Response	The Preferred Alternative would allow floatplane landings on river miles 0 to 3 and emergency landings and take-offs (which would preclude consideration for wildlife impacts) between river miles 3 to 149. The impact on fish and wildlife management by floatplanes may or may not be significant; however, the noise, disturbance and overall intrusion on the natural and primitive setting of the river associated with a floatplane landing and taking off is significant. One of the purposes of the Wild and Scenic Rivers Act is to protect the natural features that make the river outstanding. Floatplanes may impact the quiet, primitive setting the wild and scenic river offers visitors, and those seeking a primitive experience may be disrupted by the approach, landing, and take-off of a floatplane. The natural and primitive setting of the river is one of the natural features that would be impaired by the floatplane landings and take-offs.
2258-24	*Comment*	*Has there ever been a documented complaint against a seaplane on this stretch of the Missouri River flowing what now is the Monument? If so, provide written documentation.*

Group		Seaplanes
2258-24	Response	There has never been a documented complaint against floatplanes on the Upper Missouri River. The BLM conducts extensive patrols of the river, and in the past five years those patrols have never documented a floatplane landing.
2258-25	*Comment*	*The draft RMP offers no explanation as to why the seaplanes are banned from the Missouri River beyond three miles downstream from Fort Benton. How was this distance determined and under what criteria?*
2258-25	Response	The Fort Benton area has fuel and water for floatplanes. The three-mile downstream limit provides adequate space for floatplanes to land and take off while preserving the mostly natural and primitive setting of the river. One of the purposes of the Wild and Scenic Rivers Act is to protect the natural features that make the river outstanding. Floatplanes may impact the quiet, primitive setting the wild and scenic river offers visitors, and those seeking a primitive experience may be disrupted by the approach, landing, and take-off of a floatplane. The natural and primitive setting of the river is one of the natural features that would be impaired by the floatplane landings and take-offs.
2258-26	*Comment*	*The Columbia Seaplane Pilots Association requests the BLM to come to one of the following conclusions in crafting its final management plan: Either seaplanes will not be governed by special rules in the Monument because they have de minimus impact- since there is no record of seaplanes having a significant negative impact on this stretch of the river, there is no need for regulation- or seaplanes on the Missouri River within the Monument shall have the right to land on the river for purposes relating to the transit (interstate commerce), including landings, takeoffs, transfer fuel, landings to avoid inclement weather, etc. Otherwise, seaplanes wishing to use the monument area for recreational purposes, such as camping, shall be governed by the same rules as powerboats.*
2258-26	Response	Under the Preferred Alternative, floatplanes would be able to land, take off and transfer fuel from river miles 0 to 3. This is the only area on the 149-mile section of the Upper Missouri National Wild and Scenic River where fuel is available. Floatplanes would also be allowed to land in emergency situations, including landing to avoid inclement weather on any section of the river. The landing of floatplanes on the river would not be allowed for casual use on miles 3 to 149. The primary mode of conducting commerce by a floatplane is in the air. With fuel available for floatplanes at Fort Peck and Fort Benton, a pilot should be within the safety range for most floatplanes to cross the Monument.
2258-27	*Comment*	*Will the monument have a provision if a precautionary landing should occur? Will the pilot face regulatory recriminations for doing so?*
2258-27	Response	The Preferred Alternative in the Proposed RMP/Final EIS, states that floatplanes would be allowed to land in emergency situations, including landing to avoid inclement weather.
2258-28	*Comment*	*A telephone discussion with BLM staff on November 29, 2005 brought up the concept that "solitude" might be considered an object. In our reading of the Proclamation, we do not find "solitude" listed. Further, the BLM's consideration of noise in the Monument must by comparative, and examining any seaplane noise relative to other uses on the river or adjacent property such as cars, tractors, military jet flights, the BLM helicopter, ATV's gun fire (hunting is a common activity in the Monument during some seasons and creates noise that can be heard for long distances), power boats, agricultural aircraft operations,*

and other accepted activities. If "solitude" can be justified to be protected, then major noise activities such as military aircraft, hunting, tractors, autos, trucks, and other common uses should be addressed—not seaplanes which are de minimus, essential for interstate commerce and historic.

2258-28 Response A number of management goals guided the development of the alternatives for this RMP. These goals are the result of information provided by public scoping, existing laws, regulations and the Proclamation. One of the goals is to manage these lands for a variety of sustainable visitor experiences in mostly primitive and natural landscapes. A definition of primitive is unaffected or little affected by civilizing influences, and a definition of solitude is remoteness from habitations, lonely seclusion. Disturbances of the primitive experience and solitude on the river are many, but the noise, disturbance and overall intrusion on the natural and primitive setting of the river associated with a floatplane landing and taking off is beyond what is expected in a mostly primitive Upper Missouri National Wild and Scenic River.

2258-29 Comment *Why would you choose to close almost 200 miles of the Missouri River to seaplanes and not close it to boat traffic?*

2258-29 Response One of the purposes of the Wild and Scenic Rivers Act is to protect the natural features that make the river outstanding. Floatplanes may impact the quiet, primitive setting the wild and scenic river offers visitors, and those seeking a primitive experience may be disrupted by the approach, landing, and take-off of a floatplane. The natural and primitive setting of the river is one of the natural features that would be impaired by the floatplane landings and take-offs.

2258-30 Comment *The Missouri River itself should be protected from the noise pollution of motorized boats, seaplanes, jet boats, and jet skis. These motorized watercraft that disturb the quiet and tranquility of the Monument should be banned in the undeveloped areas of the Monument that is part of what makes the Monument so precious and enjoyable will be preserved.*

2258-30 Response One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Motorized use is compatible with the multiple use Wild and Scenic River designation, and the Proclamation does not establish that motorized use of the river should be eliminated. The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use, including opportunities for a non-motorized experience from June 15 to September 15 on river miles 92.5 through 149 on Sunday through Wednesday.

2258-31 Comment *If it is legal for powerboats to navigate a public waterway then it should be legal for seaplanes. Where powerboats are permitted, seaplanes ought to be permitted as well.*

2258-31 Response One of the purposes of the Wild and Scenic Rivers Act is to protect the natural features that make the river outstanding. Floatplanes may impact the quiet, primitive setting the wild and scenic river offers visitors, and those seeking a primitive experience may be disrupted by the approach, landing, and take-off of a floatplane. The natural and primitive setting of the river is one of the natural features that would be impaired by the floatplane landings and take-offs.

2258-32 Comment *Chapter 4 contains statements such as the following: "Floatplane activity could cause airspace problems during emergency activities." This reference relates to the alleged conflicts between floatplanes and future firefighting activities. This alleged concern, if it*

Group		**Seaplanes**
		were true, would be applicable to all parts of the western US that have forests and water bodies. However, this is not a problem because the FAA pre-empts control of airspace. The standard procedure is that the FAA issues a Notice to Airmen (NOTAM) identifying the location of special airspace restrictions, such as for firefighting. Pilots obtain these NOTAMS during preflight preparation for flights, from briefings by radio during flight and through satellite radio transmissions.
2258-32	Response	Interference of floatplanes with firefighting activity is no different than with any other type of aircraft, the notification procedures are the same. The NOTAM system is not foolproof. Not all aircraft will receive the notice, and some aircraft users do not file flight plans or request weather forecasts and may not get the NOTAM.
Group		**Motorized Watercraft – General**
2253-01	*Comment*	*The BLM's proposal for a seasonal ban on power boating is not acceptable or fair to people that use this area for recreation. Motorized use on the lower section of river is not a big issue, and banning motor boats is not necessary. It would discriminate against the elderly and physically incapable, eliminate emergency services, and not allow for summer boating with kids and family. There is currently no conflict with motors. Only if there's a problem should closure or prohibition be employed.*
2253-01	Response	The BLM is directed by the Wild and Scenic Rivers Act to protect and enhance the values which caused the river to be included in the Wild and Scenic River System. This includes establishing various degrees of intensity for protection and development based on the special attributes (Outstandingly Remarkable Values – ORVs) of the area. The BLM is further directed by the Proclamation to protect objects of the Monument. One of the original 1977 management objectives for the Upper Missouri National Wild and Scenic River was to minimize noise pollution in zones valued for their aura of quiet and solitude (A Management Plan for the Upper Missouri Wild and Scenic River, September 1977). A seasonal downstream no-wake restriction on motorized craft was implemented to achieve this objective. Since that time visitor use has gone from approximately 2,000 boaters per year to nearly 6,000 boaters per year. Further, motorized craft on the river increased from 107 in 1980 to 458 in 2006. That is a 328% increase of motorized watercraft over a 26-year period. In a 2001 survey of boaters using the river between Fort Benton and Fred Robinson Bridge, 51% of respondents said they encountered a motorized boat sometime during their trip. More significant, since the 2001 survey motorized craft on the river increased from 197 boats to 458 boats. That is a 132% increase in just five years. The increase in motorized craft makes it more difficult to protect and enhance the value of quiet and solitude, which is one of the ORVs the BLM is directed by law to protect under the Wild and Scenic Rivers Act. To address this issue the BLM incorporated public comment with management goals and a careful analysis of visitor use patterns and trends to develop a balanced watercraft management alternative. The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument. Further, BLM was able to expand opportunities for motorized use by restructuring the seasonal restriction period to include additional days in June for motorized use not available under current management. To protect and enhance the value of quiet and solitude, under the Preferred Alternative the wild and scenic segments from Holmes Council Island to Fred Robinson Bridge (river miles 92.5 to 149) would have a seasonal restriction from June 15 to September 15. Motorized watercraft

traveling downstream at a no-wake speed would be allowed on Thursday through Saturday. On Sunday through Wednesday motorized watercraft travel would not be allowed. Personal watercraft and floatplanes would not be allowed on this segment of the river yearlong. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

2253-02 *Comment* *BLM should implement a strategy that promotes quiet boating opportunities while protecting the primitive nature of the Monument. We are concerned about the uncontrolled use of motorized boats on the UMNWSR segments and disturbances motorized boats may cause to the quiet wilderness experience. BLM has no obligation to accommodate motorized watercraft, and we should be thinking about future generations of users. Creating a non-motorized section would give everyone an equal chance at campsites and preserve the solitude and remote character of the river.*

2253-02 Response One of BLM's goals for recreation in the Monument, as stated in Chapter 2 of the Proposed RMP/Final EIS under Decisions Common to All Alternatives, Recreation, is to manage for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Motorized use is compatible with the multiple use Wild and Scenic River designation, and the Proclamation does not establish that motorized use of the river should be eliminated. Motorboat use occurred before the river was designated in 1976, and has continued to occur in a seasonally restricted manner to the present. The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

2253-03 *Comment* *Where does BLM derive the authority to restrict usage of the river through the Monument and what impacts have been noted that warrant such a change?*

2253-03 Response As stated in Chapter 1 of the Proposed RMP/Final EIS under Issues Considered but Not Further Analyzed, FLPMA gives BLM authority to regulate recreation activities on the Upper Missouri National Wild and Scenic River. The BLM was directed by the Secretary of the Interior under Public Law 94-486 to manage the river pursuant to the provisions of the Wild and Scenic Rivers Act.

The BLM is directed by the Wild and Scenic Rivers Act to protect and enhance the values which caused the river to be included in the Wild and Scenic River System. This includes establishing various degrees of intensity for protection and development based on the special attributes (Outstandingly Remarkable Values – ORVs) of the area. The BLM is further directed by the Proclamation to protect objects of the Monument. One of the original 1977 management objectives for the Upper Missouri National Wild and Scenic River was to minimize noise pollution in zones valued for their aura of quiet and solitude (A Management Plan for the Upper Missouri Wild and Scenic River, September 1977). A seasonal downstream no-wake restriction on motorized craft was implemented to achieve this objective.

Visitor use has gone from approximately 2,000 boaters per year to nearly 6,000 boaters per year. Motorized craft on the river increased from 107 in 1980 to 458 in 2006. That is a 328% increase of motorized watercraft over a 26-year period. In a 2001 survey of boaters using the river between Fort Benton and Fred Robinson Bridge, 51% of respondents said they encountered a motorized boat sometime during their trip. Perhaps

more significant, since the 2001 survey motorized craft on the river increased from 197 boats to 458 boats. That is a 132% increase in just five years. The increase in motorized craft makes it more difficult to protect and enhance the value of quiet and solitude, which is one of the ORV's the BLM is directed by law to protect under the Wild and Scenic Rivers Act.

The BLM received numerous comments from boaters regarding an opportunity to experience the river free from the sound of motors. Opportunities to experience the river in a semi-primitive or primitive non-motorized setting were determined by looking at the river as three distinct opportunity settings. The upper section (river miles 0 to 52) is a recreation classified section, and the river flows through a predominately rural setting. This area was determined suitable for motorized use, in both directions, year around. The White Cliff section (river miles 52 to 84.5) is a wild classified section and the river flows through a semi-primitive setting. Because it is the most popular stretch of the river, and because the setting has been modified with recreation facilities such as vault toilets and log shelters, it was determined motorized use is acceptable with a downstream no-wake restriction during the core period of use. Within the parameters of resource protection and management goals, we wanted to ensure a broad range of users had an opportunity to experience this section of the river. The lower section (river miles 92.5 to 149) is the most primitive section. It has the least recreation facility development, the least amount of visitor use and the lowest level of motorized use of the three sections. We determined this section could provide a primitive, non motorized experience.

The BLM incorporated public comment with management goals and a careful analysis of visitor use patterns and trends to develop a balanced watercraft management alternative. The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument. Further, BLM was able to expand opportunities for motorized use by restructuring the seasonal restriction period to include additional days in June for motorized use not available under current management. To protect and enhance the value of quiet and solitude, under the Preferred Alternative the wild and scenic segments from Holmes Council Island to Fred Robinson Bridge (river miles 92.5 to 149) would have a seasonal restriction from June 15 to September 15. Motorized watercraft traveling downstream at a no-wake speed would be allowed on Thursday through Saturday. On Sunday through Wednesday motorized watercraft travel would not be allowed. Motorized watercraft travel both upstream and downstream would be allowed the remainder of the year, from September 16 to June 14. However, personal watercraft and floatplanes would not be allowed on this segment of the river yearlong. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

2253-04 *Comment* *It would be a tragedy to close the river to motorized boats from the week after Labor Day to the Week before Memorial Day. It would eliminate hunting access to any of the general public to the entire area. It would leave it open to special groups only and it would cater to out-of-state hunters.*

We urge the BLM to reconsider the benefits of restricting motorized watercraft travel for the 149 miles of the river in the Monument.

2253-04 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, the river would not be closed to motorized use; however, there would be seasonal restrictions on two segments of the river (river miles 52 to 84.5 and 92.5 to 149) from June 15 to September 15. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

Group		Motorized Watercraft – General
2253-05	*Comment*	*When confronted with a visitor's activities, in this case motorized use that may cause problems at the present time, the managers are directed to close the area to use, prohibit the use, or limit the use, in that specific order.* *To be consistent with these organic acts and its emphasis on visitor enjoyment, this order must be reversed so that initial efforts are aimed at managing a visitors use to eliminate or avoid problems. And only if good management cannot fix a problem should the options of closure or prohibition be employed.*
2253-05	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM would use standards and indicators to manage visitor use and resource impacts (Appendix Q). The BLM would monitor conditions and develop management actions, as necessary, to reduce impacts to resource and social conditions without limiting the number of people boating the Missouri River. Management actions may include, but would not be limited to, further restrictions on group size, limits on the number of nights allowed at one site, designated campsites, closures of campsites, construction of additional facilities, and development of additional dispersed campsites.
2253-06	*Comment*	*Motorized access is particularly curtailed in most of the alternatives. The rationale expressed in the draft plan is that noise from motorized craft interferes with expectations of certain users. While the tranquility of the river is a valued asset, restricting legitimate visitors to prevent offending the sensitivities of a minority of the national population is unreasonable, undemocratic, and contrary to the requirements of the FLPMA.*
2253-06	Response	The BLM is directed by the Wild and Scenic Rivers Act to protect and enhance the values which caused the river to be included in the Wild and Scenic River System. This includes establishing various degrees of intensity for protection and development based on the special attributes (Outstandingly Remarkable Values – ORVs) of the area. The BLM is further directed by the Proclamation to protect objects of the Monument. One of the original 1977 management objectives for the Upper Missouri National Wild and Scenic River was to minimize noise pollution in zones valued for their aura of quiet and solitude (A Management Plan for the Upper Missouri Wild and Scenic River, September 1977). A seasonal downstream no-wake restriction on motorized craft was implemented to achieve this objective. Since that time visitor use has gone from approximately 2,000 boaters per year to nearly 6,000 boaters per year. Further, motorized craft on the river increased from 107 in 1980 to 458 in 2006. That is a 328% increase of motorized watercraft over a 26-year period. In a 2001 survey of boaters using the river between Fort Benton and Fred Robinson Bridge, 51% of respondents said they encountered a motorized boat sometime during their trip. Perhaps more significant, since the 2001 survey motorized craft on the river increased from 197 boats to 458 boats. That is a 132% increase in just five years. The increase in motorized craft makes it more difficult to protect and enhance the value of quiet and solitude, which is one of the ORV's the BLM is directed by law to protect under the Wild and Scenic Rivers Act. To address this issue the BLM incorporated public comment with management goals and a careful analysis of visitor use patterns and trends to develop a balanced watercraft management alternative. The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument. Further, BLM was able to expand opportunities for motorized use by restructuring the seasonal restriction period to include additional days in June for motorized use not available under current management. To protect and enhance the value of quiet and solitude, under the Preferred Alternative the wild and scenic segments from Holmes Council Island to Fred Robinson Bridge (river miles 92.5 to 149)

would have a seasonal restriction from June 15 to September 15. Motorized watercraft traveling downstream at a no-wake speed would be allowed on Thursday through Saturday. On Sunday through Wednesday motorized watercraft travel would not be allowed. Personal watercraft and floatplanes would not be allowed on this segment of the river yearlong. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

2253-07 *Comment* *Motorized access is particularly curtailed in most of the alternatives. The rationale expressed in the draft plan is that noise from motorized craft interferes with expectations of certain users. While the tranquility of the river is a valued asset, restricting legitimate visitors to prevent offending the sensitivities of a minority of the national population is unreasonable, undemocratic, and contrary to the requirements of the FLPMA.*

2253-07 Response The BLM is directed by the Wild and Scenic Rivers Act to protect and enhance the values which caused the river to be included in the Wild and Scenic River System. This includes establishing various degrees of intensity for protection and development based on the special attributes (Outstandingly Remarkable Values – ORVs) of the area. The BLM is further directed by the Proclamation to protect objects of the Monument. One of the original 1977 management objectives for the Upper Missouri National Wild and Scenic River was to minimize noise pollution in zones valued for their aura of quiet and solitude (A Management Plan for the Upper Missouri Wild and Scenic River, September 1977). A seasonal downstream no-wake restriction on motorized craft was implemented to achieve this objective. Since that time visitor use has gone from approximately 2,000 boaters per year to nearly 6,000 boaters per year. Further, motorized craft on the river increased from 107 in 1980 to 458 in 2006. That is a 328% increase of motorized watercraft over a 26-year period. In a 2001 survey of boaters using the river between Fort Benton and Fred Robinson Bridge, 51% of respondents said they encountered a motorized boat sometime during their trip. Perhaps more significant, since the 2001 survey motorized craft on the river increased from 197 boats to 458 boats. That is a 132% increase in just five years. The increase in motorized craft makes it more difficult to protect and enhance the value of quiet and solitude, which is one of the ORVs the BLM is directed by law to protect under the Wild and Scenic Rivers Act.

To address this issue the BLM incorporated public comment with management goals and a careful analysis of visitor use patterns and trends to develop a balanced watercraft management alternative. The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument. Further, BLM was able to expand opportunities for motorized use by restructuring the seasonal restriction period to include additional days in June for motorized use not available under current management. To protect and enhance the value of quiet and solitude, under the Preferred Alternative the wild and scenic segments from Holmes Council Island to Fred Robinson Bridge (river miles 92.5 to 149) would have a seasonal restriction from June 15 to September 15. Motorized watercraft traveling downstream at a no-wake speed would be allowed on Thursday through Saturday. On Sunday through Wednesday motorized watercraft travel would not be allowed. Personal watercraft and floatplanes would not be allowed on this segment of the river yearlong. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

2253-08 *Comment* *As for river usage, please manage it primarily for quiet solitude. Please strictly limit jet skis, motorboats, float planes. Don't allow motorized recreation on the whole river. Your preferred alternative proposes a motor-free section of the river, and that is good. All motorized travel on other sections should be at slow speeds (no wake). It would be best if jet skis and float planes are not allowed on the river at all.*

Group		Motorized Watercraft – General
2253-08	Response	One of BLM's goals for the recreation is to manage for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Motorized use is compatible with the multiple use Wild and Scenic River designation, and the Proclamation does not establish that motorized use of the river should be eliminated. Motorboat use occurred before the river was designated in 1976, and has continued to occur in a seasonally restricted manner to the present. The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience (on Sundays, Mondays, Tuesdays and Wednesdays) from June 15 to September 15 on river miles 92.5 through 149.
2253-09	*Comment*	*BLM should conduct surveys of boater use on the Wild & Scenic River during the winter season in order to gauge use of the river for access by hunters during the hunting season.*
2253-09	Response	The BLM has limited data regarding watercraft user patterns during the hunting season. In the future BLM will focus on social research and data collection efforts during the September 1 to November 30 hunting season and, if necessary, consider necessary changes through activity level planning.
2253-10	*Comment*	*The fifty plus mile river closure through the scenic portion of the monument should be kept as in the plan. No preferences or benefits should be given to farmers, ranchers, guides, etc. that are not fully available to the general public.*
2253-10	Response	The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience (on Sundays, Mondays, Tuesdays and Wednesdays) from June 15 to September 15 on river miles 92.5 through 149. Under the Preferred Alternative motorized use by ranchers, irrigators and other administrative users will continue to be authorized. For additional information, see Chapter 2 in the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.
2253-11	*Comment*	*In May and November 2002, the RAC Subgroup recommended that the BLM continue current management of the Monument regarding fees and the use of motorized watercraft. In November 2002, the RAC agreed with the Subgroup's July 29, 2002 letter and recommended that fees not be instituted. Although the draft RMP/EIS mentions this work (Chapter 1, page 2), it does not state how the recommendations were considered when drafting the RMP/EIS or why they were not used. What data and scientific evidence did the BLM use to justify going against the Subgroup and RAC recommendations?*
2253-11	Response	Resource Advisory Council (RAC) recommendations are highly regarded by the BLM. Throughout this planning process the RAC was kept informed of how their recommendations were being used. The recommendations are considered in the range of alternatives addressed in the Draft RMP/EIS and Proposed RMP/Final EIS; under Alternative B a fee system would not be implemented. On occasion the RAC conveys recommendations that the BLM cannot implement because of legal, budget or staffing constraints. The Preferred Alternative in the Proposed RMP/Final EIS would implement an amenity fee for overnight camping in Level 1 sites and an individual recreation permit for boating on the Upper Missouri River. The Level 1 sites contain some combination of tent or trailer spaces, picnic tables, drinking water, access roads, reasonable visitor protection,

refuse container, toilet facilities and simple devices for containing a fire. These facilities require cleaning, testing, maintenance and occasional upgrades.

The Preferred Alternative for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience (on Sundays, Mondays, Tuesdays and Wednesdays) from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2, Table 2.22 in the Proposed RMP/Final EIS for more complete information about motorized use on the Upper Missouri River.

2253-12 *Comment* *If you shut this area down to only floaters and canoers you are stopping people who have used this area long before it became a Monument area. You are also stopping many people who are not physically able to make a lengthy float or canoe trip which requires paddling and camping.*

2253-12 Response The Preferred Alternative in the Proposed RMP/Final EIS provides opportunities for motorized use yearlong on the recreation segments of the river (river miles 0 to 52 and 84.5 to 92.5). On river miles 52 to 84.5 motorized use would be allowed from September 16 to June 14, but at a no wake speed from June 15 to September 15. On river miles 92.5 to 149 motorized use would be allowed September 16 to June 14, but at a no-wake speed on Thursdays, Fridays and Saturdays from June 15 to September 15. However, motorized watercraft travel would not be allowed on this segment on Sundays, Mondays, Tuesdays and Wednesdays from June 15 to September 15. For additional information, see Chapter 2 in the Proposed RMP/Final EIS, Table 2.22, for a description of motorized use on the Upper Missouri River.

Group **Motorized Watercraft – No Change**

2259-01 *Comment* *The current plan has been in place since 1976 and is sufficient and very workable, satisfies the cultural and social needs and preserves a system for our future generations. Motor boat users have already compromised in a meaningful way with the current no-wake regulation and have come to accept the regulations over time. This river is not for the exclusive use of the canoeists and a ban would be discriminatory against senior citizens and the physically incapable, and it would not consider safety of floaters. Boating [motorboating] is a longstanding traditional use of the local communities. BLM should accommodate as much of the public as possible. If anything, the plan should be more liberal, less restrictive to motorized use. It is not right for power boaters to give up their rights on the Wild and Scenic Missouri River.*

2259-01 Response The BLM is directed by the Wild and Scenic Rivers Act to protect and enhance the values which caused the river to be included in the Wild and Scenic River System. This includes establishing various degrees of intensity for protection and development based on the special attributes (Outstandingly Remarkable Values – ORVs) of the area. The BLM is further directed by the Proclamation to protect objects of the Monument. One of the original 1977 management objectives for the Upper Missouri National Wild and Scenic River was to minimize noise pollution in zones valued for their aura of quiet and solitude (A Management Plan for the Upper Missouri Wild and Scenic River, September 1977). A seasonal downstream no-wake restriction on motorized craft was implemented to achieve this objective. Since that time visitor use has increased from approximately 2,000 boaters per year to nearly 6,000 boaters per year. Motorized craft on the river increased from 107 in 1980 to 458 in 2006. That is a 328% increase of motorized watercraft over a 26-year

period. In a 2001 survey of boaters using the river between Fort Benton and the Fred Robinson Bridge, 51% of respondents said they encountered a motorized boat sometime during their trip. More significant, since the 2001 survey motorized craft on the river increased from 197 boats to 458 boats. That is a 132% increase in just five years. The increase in motorized craft makes it more difficult to protect and enhance the value of quiet and solitude, which is one of the ORVs the BLM is directed by law to protect under the Wild and Scenic Rivers Act.

To address this issue the BLM incorporated public comment with management goals and a careful analysis of visitor use patterns and trends to develop a balanced watercraft management alternative. The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument. Further, BLM was able to expand opportunities for motorized use by restructuring the seasonal restriction period to include additional days in June for motorized use not available under current management. To protect and enhance the value of quiet and solitude, under the Preferred Alternative the wild and scenic segments from Holmes Council Island to the Fred Robinson Bridge (river miles 92.5 to 149) would have a seasonal restriction from June 15 to September 15. Motorized watercraft traveling downstream at a no-wake speed would be allowed on Thursday through Saturday. On Sunday through Wednesday motorized watercraft travel would not be allowed. Personal watercraft and floatplanes would not be allowed on this segment of the river yearlong. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

2259-02 *Comment* *BLM ignored the Resource Advisory Council's (RAC) recommendation and the 2001 directive by the Secretary of Interior to implement all feasible RAC recommendations. BLM changed its mind and decided to impose very restrictive boating regulations.*

2259-02 Response Resource Advisory Council (RAC) recommendations are highly regarded by the BLM. Throughout this planning process the RAC was kept informed of how their recommendations were being used. Many of the recommendations are considered in the range of alternatives addressed in the Draft RMP/EIS and Proposed RMP/Final EIS. The RAC recommendations from 1999 included a recommendation that motorized watercraft on the wild and scenic portions of the Upper Missouri National Wild and Scenic River be restricted as follows: all motorized use will be "no- wake" from the Saturday before Memorial Day to the Sunday after Labor Day (Appendix A). This recommendation is addressed under Alternative A (Current Management) in the Draft RMP/EIS and Proposed RMP/Final EIS.

The BLM incorporated public comment with management goals and a careful analysis of visitor use patterns and trends to develop a balanced watercraft management alternative. The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument. Further, BLM was able to expand opportunities for motorized use by restructuring the seasonal restriction period to include additional days in June for motorized use not available under current management. To protect and enhance the value of quiet and solitude, under the Preferred Alternative the wild and scenic segments from Holmes Council Island to Fred Robinson Bridge (river miles 92.5 to 149) would have a seasonal restriction from June 15 to September 15. Motorized watercraft traveling downstream at a no-wake speed would be allowed on Thursday through Saturday. On Sunday through Wednesday motorized watercraft travel would not be allowed. Personal watercraft and floatplanes would not be allowed on this segment of the river yearlong. For additional information, see Chapter 2

Group		**Motorized Watercraft – No Change**
		of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.
2259-03	*Comment*	*My feeling is that the way that you are managing the area now, with the additional weeks of motor boating on the river would be my favorite option followed by option A.*
2259-03	Response	The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument. The BLM restructured the seasonal restriction period to include additional days in June for motorized use. To protect and enhance the value of quiet and solitude, under the Preferred Alternative the wild and scenic segments from Holmes Council Island to Fred Robinson Bridge (river miles 92.5 to 149) would have a seasonal restriction from June 15 to September 15. Motorized watercraft traveling downstream at a no-wake speed would be allowed on Thursday through Saturday. On Sunday through Wednesday motorized watercraft travel would not be allowed. Personal watercraft and floatplanes would not be allowed on this segment of the river yearlong. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.
Group		**Motorized Watercraft – Other Alternatives**
2260-01	*Comment*	*Year-round non-motorized section on the lower end of the river and all other motorized travel on the river should be downstream, no-wake only. Exceptions for landowners (livestock and grazing administration) and administrative or emergency uses.*
2260-01	Response	One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. The alternatives analyzed in the Draft RMP/EIS and Proposed RMP/Final EIS provided a reasonable range of alternatives for motorized use on the Upper Missouri River. It is not feasible or reasonable to include every variation as a separate alternative analyzed in detail. Public comment was incorporated with management goals and a careful analysis of visitor use patterns and trends to develop a balanced watercraft management alternative. The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument. It includes opportunities for a non-motorized experience, four days each week, from June 15 to September 15 on river miles 92.5 through 149. Motorized use of the river would continue for administrative and emergency purposes.
2260-02	*Comment*	*All Wild and Scenic [classified] sections of the river should be motor free.*
2260-02	Response	Under Alternative E, motorized watercraft would not be allowed on the wild and scenic sections. One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Public comment was incorporated with management goals and a careful analysis of visitor use patterns and trends to develop a balanced watercraft management alternative. The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument. It includes opportunities for a non-motorized experience, four days each week, from June 15 to

September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, Use of Motorized Watercraft on the Upper Missouri River.

2260-03 *Comment* *BLM should consider horsepower limitations, speed limits, motor size restrictions, certain weeks when no motors would be allowed, certain days when no motors should be allowed, downstream no-wake travel only, no motorized watercraft competition, no transport of all terrain vehicles, or additional river sections restrictions (beyond the preferred alternative) on motorized use.*

2260-03 Response It is not feasible or reasonable to include every variation as a separate alternative analyzed in detail. One of the original 1977 management objectives for the Upper Missouri National Wild and Scenic River was to minimize noise pollution in zones valued for their aura of quiet and solitude (A Management Plan for the Upper Missouri Wild and Scenic River, September 1977. The BLM considered a variety of alternatives, as shown in Summary Comparison Table 2.39 in the Proposed RMP/Final EIS under Use of Motorized Watercraft on the Missouri River. The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument. It includes opportunities for a non-motorized experience, four days each week, from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, Use of Motorized Watercraft on the Upper Missouri River.

2260-04 *Comment* *Another suggestion might be to phase out downstream travel using motors at no-wake speeds during the peak float season. BLM could grandfather in the existing outfitters. They could use motors (downstream at no-wake speed) for as long as they had a permit. Once they sold their permit, the new outfitter could not motor downstream during the peak float season.*

Unfortunately, none of the alternatives seems to have looked at these sorts of variations to provide a period of time in the White Cliffs section that would not have motors, except for the alternative that bans them year-round. While the White Cliffs may not be as remote as the river in the eastern part of the Monument, it is still a "wild" section, and it is by far the most popular stretch. BLM should provide a motor-free opportunity for people who wish to float this historic and scenic stretch of the river.

2260-04 Response The alternatives analyzed in the Draft RMP/EIS and Proposed RMP/Final EIS provided a reasonable range of alternatives for motorized use on the Upper Missouri River. It is not feasible or reasonable to include every variation as a separate alternative analyzed in detail.

Opportunities to experience the river in a semi-primitive or primitive non-motorized setting were determined by looking at the river as three distinct opportunity settings. The upper section (river miles 0 to 52) is a recreation classified section, and the river flows through a predominately rural setting. This area was determined suitable for motorized use, in both directions, year around. The White Cliff section (river miles 52 to 84.5) is a wild classified section and the river flows through a semi-primitive setting. Because it is the most popular stretch of the river, and because the setting has been modified with recreation facilities such as vault toilets and log shelters, it was determined motorized use is acceptable with a downstream no-wake restriction during the core period of use. Within the parameters of resource protection and management goals, we wanted to ensure a broad range of users had an opportunity to experience this section of the river. The lower section (river miles 92.5 to 149) is the most primitive section. It has the least

recreation facility development, the least amount of visitor use and the lowest level of motorized use of the three sections. The BLM determined this section could provide a primitive, non-motorized experience.

The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument. The alternative also includes an opportunity for a non-motorized experience, four days each week, from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, Use of Motorized Watercraft on the Upper Missouri River.

2260-05 *Comment* *Modify your preferred alternative so as to restrict motor boats between river mile 92.5 and 149 from June 15 to September 15. This would give us another 10 days to get our kids and grandkids out of school and have a short window in which to make a [motorized] trip on the river. Another consideration is to make the time period June 15th through Labor Day.*

2260-05 Response After careful analysis BLM determined that motorized use opportunities could be extended an additional 10 days to incorporate a timeframe when the river is high enough to accommodate motors and when many people like to fish. Under the Preferred Alternative in the Proposed RMP/Final EIS, the seasonal restriction would begin June 15 and end September 15. For additional information, see Chapter 2, Table 2.22, Use of Motorized Watercraft on the Upper Missouri River.

2260-06 *Comment* *No motorized travel from Fort Benton to Fred Robinson Bridge.*

2260-06 Response Under Alternative E, motorized watercraft would not be allowed on the Upper Missouri River. One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Public comment was incorporated with management goals and a careful analysis of visitor use patterns and trends to develop a balanced watercraft management alternative. The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument. It includes opportunities for a non-motorized experience, four days each week, from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, Use of Motorized Watercraft on the Upper Missouri River.

2260-07 *Comment* *Cap the number of motorboats on the river at one time; impose the no-wake rule earlier in the spring until later in the fall.*

2260-07 Response The alternatives analyzed in the Draft RMP/EIS and Proposed RMP/Final EIS provided a reasonable range of alternatives for motorized use on the Upper Missouri River. It is not feasible or reasonable to include every variation as a separate alternative analyzed in detail.

One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Public comment was incorporated with management goals and a careful analysis of visitor use patterns and trends to develop a balanced watercraft management alternative. The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-

motorized, consistent with public use and enjoyment of the Monument. It includes opportunities for a non-motorized experience, four days each week, from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, Use of Motorized Watercraft on the Upper Missouri River.

2260-08 *Comment* *BLM's preferred alternative is a good start, but it needs to be more restrictive.*

2260-08 Response One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Public comment was incorporated with management goals and a careful analysis of visitor use patterns and trends to develop a balanced watercraft management alternative. The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument. It includes opportunities for a non-motorized experience, four days each week, from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, Use of Motorized Watercraft on the Upper Missouri River.

2260-09 *Comment* *The entire 149 miles of the river within the Monument should be motorized river corridor and should be managed to protect the remote character and traditional motorized recreation and hunting opportunities. The river should be open to motorized use from Sept 1st till June 1st.*

2260-09 Response Under Alternative B, motorized watercraft would be allowed yearlong on the Upper Missouri River. One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Public comment was incorporated with management goals and a careful analysis of visitor use patterns and trends to develop a balanced watercraft management alternative. The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument. It includes opportunities for a non-motorized experience, four days each week, from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, Use of Motorized Watercraft on the Upper Missouri River.

2260-10 *Comment* *Allow motorized boats near Fort Benton. With the river running alongside the town, you don't have a wilderness experience anyway. Boaters have always used this area to ski and test out their boats before taking them to other water locations. Let them continue this use. Planes should be allowed to land to refuel at this spot also.*

2260-10 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, the section of the river near Fort Benton from river mile 0 to 52 would be open yearlong to motorized travel. However, personal watercraft and floatplanes would only be allowed on river miles 0 to 3. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, Use of Motorized Watercraft on the Upper Missouri River.

2260-11 *Comment* *I would like to see a section of the river open only to non-motorized boats during the hunting season. I would be there in my canoe. Another consideration is to prohibit use on the lower 57 miles from Sept 1 through Dec 1.*

Group		Motorized Watercraft – Other Alternatives
2260-11	Response	The alternatives analyzed in the Draft RMP/EIS and Proposed RMP/Final EIS provided a reasonable range of alternatives for motorized use on the Upper Missouri River. It is not feasible or reasonable to include every variation as a separate alternative analyzed in detail. Under Alternative D, motorized watercraft would be limited to traveling downstream at a no-wake speed from September 16 to November 30 on the lower section of the river (river mile 92.5 to 149). One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Public comment was incorporated with management goals and a careful analysis of visitor use patterns and trends to develop a balanced watercraft management alternative. The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument. The alternative also includes an opportunity for a non-motorized experience, four days each week, from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, Use of Motorized Watercraft on the Upper Missouri River.
2260-12	*Comment*	*We support a very minimum use of motorized water craft, especially within the White Cliffs section (Pilot Rock to Deadman's Rapid). However it is our concern that allowing motorized craft downstream on this section may open the door to additional motorized use by certain floaters who heretofore had not used motors. Additionally, the seasonal restriction, for a no-wake speed, downstream only within the White Cliff section, should be expanded to begin on May 15 to September 15. We would hope that motorized no-wake downstream travel in the White Cliffs could be entirely eliminated from May 15 to September 15. Also, the no motorized seasonal travel from Holmes Council Island to Fred Robinson Bridge is most welcome, again however, it should be expanded to begin on May 15 to September 15. This section is most pristine and deserving of a quiet environment. Finally, perhaps a restriction of horsepower should be considered for downstream no wake use depending on the craft size and type.*
2260-12	Response	The alternatives analyzed in the Draft RMP/EIS and Proposed RMP/Final EIS provided a reasonable range of alternatives for motorized use on the Upper Missouri River. It is not feasible or reasonable to include every variation as a separate alternative analyzed in detail. Opportunities to experience the river in a semi-primitive or primitive non-motorized setting were determined by looking at the river as three distinct opportunity settings. The upper section (river miles 0 to 52) is a recreation classified section, and the river flows through a predominately rural setting. This area was determined suitable for motorized use, in both directions, year around. The White Cliff section (river miles 52 to 84.5) is a wild classified section and the river flows through a semi-primitive setting. Because it is the most popular stretch of the river, and because the setting has been modified with recreation facilities such as vault toilets and log shelters, it was determined motorized use is acceptable with a downstream no-wake restriction during the core period of use. Within the parameters of resource protection and management goals, we wanted to ensure a broad range of users had an opportunity to experience this section of the river. The lower section (river miles 92.5 to 149) is the most primitive section. It has the least recreation facility development, the least amount of visitor use and the lowest level of motorized use of the three sections. The BLM determined this section could provide a primitive, non-motorized experience. The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized

and non-motorized, consistent with public use and enjoyment of the Monument. The alternative also includes an opportunity for a non-motorized experience, four days each week, from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, Use of Motorized Watercraft on the Upper Missouri River.

2260-13 *Comment* *I like the idea of increasing the length of time that motor boats are allowed on the river. This will do more for more people to enjoy the river like that can't take the amount of time that takes for "float" only trip.*

2260-13 Response After careful analysis BLM determined that motorized use opportunities could be extended an additional 10 days to incorporate a timeframe when the river is high enough to accommodate motors and when many people like to fish. Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, the seasonal restriction would begin June 15 and end September 15. For additional information, see Table 2.22 for a description of motorized use.

2260-14 *Comment* *Wild and Scenic sections should be limited to downstream travel at no-wake speeds year-round.*

2260-14 Response The alternatives analyzed in the Draft RMP/EIS and Proposed RMP/Final EIS provided a reasonable range of alternatives for motorized use on the Upper Missouri River. It is not feasible or reasonable to include every variation as a separate alternative analyzed in detail.

One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Public comment was incorporated with management goals and a careful analysis of visitor use patterns and trends to develop a balanced watercraft management alternative. The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument. It includes opportunities for a non-motorized experience, four days each week, from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, Use of Motorized Watercraft on the Upper Missouri River.

2260-15 *Comment* *If the BLM desires to regulate boating on the river then it is recommended that the river segments not be used as a means to control boating. What is recommended is the establishment of a new concept simply called "boating zones." The zones can better relate to traditional river use and can provide for a more equitable use amongst competing interests on the river.*

The current system is vastly inequitable. The Fort Benton area enjoys 52 miles of unrestricted boating. The Winifred/Lewistown area has been relegated a mere 7 miles of unrestricted boating and the Robinson Bridge/Kipp area has 0 miles of unrestricted boating.

This is an example of how boating on the river could be established to solve the perceived need for solitude on a section of the river. Arrow Creek to Stafford Ferry would be established as open boating year long. Stafford Ferry to river mile 139 (10 miles above the Robinson Bridge) would be established as a restricted zone where no motorized travel would be permitted from June 1 – September 1 each year. Open boating remainder of the year. River mile 139 to the Robinson Bridge would be established as open boating year-round.

2260-15 Response

The alternatives analyzed in the Draft RMP/EIS and Proposed RMP/Final EIS provided a reasonable range of alternatives for motorized use on the Upper Missouri River. It is not feasible or reasonable to include every variation as a separate alternative analyzed in detail.

Opportunities to experience the river in a semi-primitive or primitive non-motorized setting were determined by looking at the river as three distinct opportunity settings. The upper section (river miles 0 to 52) is a recreation classified section, and the river flows through a predominately rural setting. This area was determined suitable for motorized use, in both directions, year around. The White Cliff section (river miles 52 to 84.5) is a wild classified section and the river flows through a semi-primitive setting. Because it is the most popular stretch of the river, and because the setting has been modified with recreation facilities such as vault toilets and log shelters, it was determined motorized use is acceptable with a downstream no-wake restriction during the core period of use. Within the parameters of resource protection and management goals, we wanted to ensure a broad range of users had an opportunity to experience this section of the river. The lower section (river miles 92.5 to 149) is the most primitive section. It has the least recreation facility development, the least amount of visitor use and the lowest level of motorized use of the three sections. The BLM determined this section could provide a primitive, non-motorized experience.

The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument. For example, BLM was able to expand opportunities for motorized use by restructuring the seasonal restriction period to include additional days in June not available under current management. The alternative also includes an opportunity for a non-motorized experience, four days each week, from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, Use of Motorized Watercraft on the Upper Missouri River.

2260-16 *Comment*

Work creatively to phase out some of the motor use, but also to grandfather in some of the current use so that outfitters here aren't harmed economically by this, and likewise ranchers and irrigators that need motorized use on the river and BLM.

2260-16 Response

The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument. It includes opportunities for a non-motorized experience, four days each week, from June 15 to September 15 on river miles 92.5 through 149. Motorized use of the river would continue for administrative and emergency purposes. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Upper Missouri River Special Recreation Management Area (SRMA), Alternative F (Preferred Alternative), Motorized Watercraft.

2260-17 *Comment*

The present requirement of no-wake areas should be continued which allows motorboats to go down river at very slow speeds between Memorial Day and September 15 in the Wild and Scenic areas with no up-river traveling. Also no motorboats whether going down or up during this time span in the Wild and Scenic area from Holmes Council island and the Fred Robinson Bridge. I, personally, would like to see this period extended on both ends.

2260-17 Response

The alternatives analyzed in the Draft RMP/EIS and Proposed RMP/Final EIS provided a reasonable range of alternatives for motorized use on the Upper Missouri River. It is not feasible or reasonable to include every variation as a separate alternative analyzed in detail.

Group **Motorized Watercraft – Other Alternatives**

One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Public comment was incorporated with management goals and a careful analysis of visitor use patterns and trends to develop a balanced watercraft management alternative. The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument. It includes opportunities for a non-motorized experience, four days each week, from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, Use of Motorized Watercraft on the Upper Missouri River.

2260-18 *Comment* *Landing craft type of boats or any transport of ORVs on the river should be specifically prohibited. Off road vehicle use on BLM lands is especially inappropriate for the Monument and is currently prohibited leaving no compelling reason to allow such craft.*

2260-18 Response The Proclamation prohibits all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes. The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument.

Group **Motorized Watercraft – Data and Information**

2261-01 *Comment* *The BLM has not established that motorized use of the river poses any threat to the river values or to BLM land or related water. Furthermore, the Wild and Scenic Rivers Act states that the Federal agency having jurisdiction shall only "take such action respecting management policies, regulations, contracts, plans" as may be necessary to protect such rivers... (16USC 1271-1287, Section 12(a)). The BLM has not established that motorized watercraft poses any threat to the river or adversely impacts the protected objects; therefore, no additional restriction should be imposed and current management (Alternative A) should be continued. Additionally, motorized boating is a historic use and existing right that has been exercised without damaging the resource; therefore, it should be continued in accordance with the Proclamation's multiple use mandates.*

There is little conflict on the river right now, particularly in the stretch of the river where motors are being considered for elimination, so why create a limitation when there is no existing problem? With only 5 non-administrative launches during the high season, I would suggest that the BLM continue to monitor use and then if deemed appropriate implement restrictions.

We need to know what kind of data and scientific evidence did the BLM use to justify going against the RAC's recommendations, and addressing the American Disability Act, how that is addressed as far as the seasonal use and motorized watercraft.

2261-01 Response The BLM is directed by the Wild and Scenic Rivers Act to protect and enhance the values which caused the river to be included in the Wild and Scenic River System. This includes establishing various degrees of intensity for protection and development based on the special attributes (Outstandingly Remarkable Values – ORVs) of the area. The BLM is further directed by the Proclamation to protect objects of the Monument. One of the original 1977 management objectives for the Upper Missouri National Wild and Scenic River was to minimize noise pollution in zones valued for their aura of quiet and solitude

(A Management Plan for the Upper Missouri Wild and Scenic River, September 1977). A seasonal downstream no-wake restriction on motorized craft was implemented to achieve this objective. Since that time visitor use has increased from approximately 2,000 boaters per year to nearly 6,000 boaters per year. Motorized craft on the river increased from 107 in 1980 to 458 in 2006. That is a 328% increase of motorized watercraft over a 26-year period. In a 2001 survey of boaters using the river between Fort Benton and the Fred Robinson Bridge, 51% of respondents said they encountered a motorized boat sometime during their trip. More significant, since the 2001 survey motorized craft on the river increased from 197 boats to 458 boats. That is a 132% increase in just five years. The increase in motorized craft makes it more difficult to protect and enhance the value of quiet and solitude, which is one of the ORVs the BLM is directed by law to protect under the Wild and Scenic Rivers Act.

Opportunities to experience the river in a semi-primitive or primitive non-motorized setting were determined by looking at the river as three distinct opportunity settings. The upper section (river miles 0 to 52) is a recreation classified section, and the river flows through a predominately rural setting. This area was determined suitable for motorized use, in both directions, year around. The White Cliff section (river miles 52 to 84.5) is a wild classified section and the river flows through a semi-primitive setting. Because it is the most popular stretch of the river, and because the setting has been modified with recreation facilities such as vault toilets and log shelters, it was determined motorized use is acceptable with a downstream no-wake restriction during the core period of use. Within the parameters of resource protection and management goals, we wanted to ensure a broad range of users had an opportunity to experience this section of the river. The lower section (river miles 92.5 to 149) is the most primitive section. It has the least recreation facility development, the least amount of visitor use and the lowest level of motorized use of the three sections. The BLM determined this section could provide a primitive, non-motorized experience.

The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument. For example, BLM was able to expand opportunities for motorized use by restructuring the seasonal restriction period to include additional days in June not available under current management. The alternative also includes an opportunity for a non-motorized experience, four days each week, from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a description of motorized use on the Upper Missouri River.

The Resource Advisory Council recommendations from 1999 included a recommendation that motorized watercraft on the wild and scenic portions of the Upper Missouri National Wild and Scenic River be restricted as follows: all motorized use will be "no- wake" from the Saturday before Memorial Day to the Sunday after Labor Day (Appendix A). This recommendation is addressed under Alternative A (Current Management) in the Draft RMP/EIS and Proposed RMP/Final EIS.

The BLM would provide reasonable accommodations for individuals with disabilities consistent with the Rehabilitation Act of 1973. Accommodations would be considered on a case-by-case basis by the Monument Manager.

2261-02 *Comment* *Using current BLM use data and the explanation of the preferred alternative on 429 of the Draft RMP Appendix J Standards and Indicators that include limits of acceptable change, it is clear that further motorized boating restrictions are unnecessary at this time because we are nowhere near the thresholds for a management action.*

2261-02 Response

Indicator 1 (Appendix Q in the Proposed RMP/Final EIS) is a broad umbrella that establishes a carrying capacity for the number of people boating on the river. It does not address the type of craft they are using, and it does not address the range of possible experiences the Monument can offer to visitors.

The BLM took an extensive look at this issue and combined public comment with management goals and a careful analysis of visitor use patterns and trends to develop a balanced watercraft management alternative. The alternative provides for a broad range of visitor experiences and supports one of the original 1977 management objectives for the Upper Missouri National Wild and Scenic River, which was to minimize noise pollution in zones valued for their aura of quiet and solitude (A Management Plan for the Upper Missouri Wild and Scenic River, September 1977).

Opportunities to experience the river in a semi-primitive or primitive non-motorized setting were determined by looking at the river as three distinct opportunity settings. The upper section (river miles 0 to 52) is a recreation classified section, and the river flows through a predominately rural setting. This area was determined suitable for motorized use, in both directions, year around. The White Cliff section (river miles 52 to 84.5) is a wild classified section and the river flows through a semi-primitive setting. Because it is the most popular stretch of the river, and because the setting has been modified with recreation facilities such as vault toilets and log shelters, it was determined motorized use is acceptable with a downstream no-wake restriction during the core period of use. Within the parameters of resource protection and management goals, we wanted to ensure a broad range of users had an opportunity to experience this section of the river. The lower section (river miles 92.5 to 149) is the most primitive section. It has the least recreation facility development, the least amount of visitor use and the lowest level of motorized use of the three sections. We determined this section could provide a primitive, non-motorized experience.

The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument. For example, BLM was able to expand opportunities for motorized use by restructuring the seasonal restriction period to include additional days in June not available under current management. The alternative also includes an opportunity for a non-motorized experience, four days each week, from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a description of motorized use on the Upper Missouri River.

2261-03 *Comment*

The statements written in the Environmental Consequences section on pages 301 and 302 look to be opinion only, stem from a single use agenda, neglect scientific data, and were made with no regard for the cultural activities that have kept this river area pristine. Where is the evidence indicating a problem with noise and visual impacts from legal recreation users?

2261-03 Response

The BLM is directed by the Wild and Scenic Rivers Act to protect and enhance the values which caused the river to be included in the Wild and Scenic River System. This includes establishing various degrees of intensity for protection and development based on the special attributes (Outstandingly Remarkable Values – ORVs) of the area. The BLM is further directed by the Proclamation to protect objects of the Monument. One of the original 1977 management objectives for the Upper Missouri National Wild and Scenic River was to minimize noise pollution in zones valued for their aura of quiet and solitude (A Management Plan for the Upper Missouri Wild and Scenic River, September 1977). A seasonal downstream no-wake restriction on motorized craft was implemented to achieve

this objective. Since that time visitor use has increased from approximately 2,000 boaters per year to nearly 6,000 boaters per year. Motorized craft on the river increased from 107 in 1980 to 458 in 2006. That is a 328% increase of motorized watercraft over a 26-year period. In a 2001 survey of boaters using the river between Fort Benton and the Fred Robinson Bridge, 51% of respondents said they encountered a motorized boat sometime during their trip. More significant, since the 2001 survey motorized craft on the river increased from 197 boats to 458 boats. That is a 132% increase in just five years. The increase in motorized craft makes it more difficult to protect and enhance the value of quiet and solitude, which is one of the ORVs the BLM is directed by law to protect under the Wild and Scenic Rivers Act.

To address this issue the BLM incorporated public comment with management goals and a careful analysis of visitor use patterns and trends to develop a balanced watercraft management alternative. The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument. Further, BLM was able to expand opportunities for motorized use by restructuring the seasonal restriction period to include additional days in June for motorized use not available under current management. To protect and enhance the value of quiet and solitude, under the Preferred Alternative the wild and scenic segments from Holmes Council Island to Fred Robinson Bridge (river miles 92.5 to 149) would have a seasonal restriction from June 15 to September 15. Motorized watercraft traveling downstream at a no-wake speed would be allowed on Thursday through Saturday. On Sunday through Wednesday motorized watercraft travel would not be allowed. Personal watercraft and floatplanes would not be allowed on this segment of the river yearlong. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

2261-04 *Comment* *The Affected Environment section on pages 168 to 171 showing your records of river use gives me the picture that the traffic on the river is stable to even dropping. This is without the numbers for 2005. Your data on page 169 does indicate that 1 in 5 recreational users do experience this lower portion of the river but the motorized use table on page 170 does not separate by river portion. Making a decision with inadequate data is not right and I see nothing in this section to merit your support for Alternative F.*

2261-04 Response Visitor use stabilized following a significant increase from 1997 to 1999. However, motorized craft on the river increased from 107 in 1980 to 458 in 2006. That is a 328% increase of motorized watercraft over a 26-year period. In a 2001 survey of boaters using the river between Fort Benton and the Fred Robinson Bridge, 51% of respondents said they encountered a motorized boat sometime during their trip. More significant, since the 2001 survey, motorized craft on the river increased from 197 boats to 458 boats. That is a 132% increase in just five years. This upward trend in the use of motorized craft makes it difficult to protect and enhance the value of quiet and solitude, one of the ORVs the BLM is directed by law to protect under the Wild and Scenic Rivers Act.

To address this issue the BLM incorporated public comment with management goals and a careful analysis of visitor use patterns and trends to develop a balanced watercraft management alternative. The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument. Further, BLM was able to expand opportunities for motorized use by restructuring the seasonal restriction period to include additional days in June for motorized use not available under current management. To protect and enhance the value of quiet and solitude, under the Preferred Alternative the wild and scenic

segments from Holmes Council Island to Fred Robinson Bridge (river miles 92.5 to 149) would have a seasonal restriction from June 15 to September 15. Motorized watercraft traveling downstream at a no-wake speed would be allowed on Thursday through Saturday. On Sunday through Wednesday motorized watercraft travel would not be allowed. Personal watercraft and floatplanes would not be allowed on this segment of the river yearlong. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

2261-05 *Comment* *The DEIS fails to analyze the impacts from different kinds of watercraft. There is no comparison of the impacts from wakes caused by motor driven boats compared to canoes. There is no analysis of the impacts on fisheries and spawning areas, including the Pallid Sturgeon, from shallow draft jet boats.*

2261-05 Response Motorized watercraft use is not documented as being a significant contributor to the degradation of fish habitat and riparian areas on the Upper Missouri River.

2261-06 *Comment* *The DEIS concedes that the soil in the Breaks and along the banks of the UMNWSR are highly erodible. Given this fact, how will the use of motorboats impact these erodible soils? The BLM should consider placing horsepower and no-wake restrictions on the entire river year round to protect the erodible banks of the river.*

2261-06 Response Motorized watercraft use is not documented as being a significant contributor to bank erosion on the Upper Missouri River.

Group **Personal Watercraft**

2262-01 *Comment* *Personal Watercraft are designated as Class A motorboats by the United States Coast Guard, and their owners pay the same taxes and registration fees as do all other motorized craft under Montana law. I urge you to reconsider the proposed categorical ban on PWC, and apply the same rules as other boats are proposed to operate under. I do not think there can ethically be discrimination against any watercraft that is titled and registered in these United States that are governed under the same laws as any other boat. Not to mention that our craft meet higher emission standards and are quieter than most inboard/outboard driven boats we've seen in the recent years. They also do less damage to the environment than propeller driven craft. If you allow any pleasure boaters on the Upper Missouri Breaks than you must allow all pleasure boaters the same right.*

There is no data or science supplied with your plan that indicates any noise sampling, nor any measurement of the numbers of PWC using the waterways. What problems have there been to warrant removing PWC from the river? It appears that no member of the personal watercraft community was included in developing plans that ultimately exclude PWC.

2262-01 Response One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Boating with associated camping and exploring is the predominant use of the river. Most visitors hunt, fish or boat the river to enjoy the primitive setting and the opportunity to experience quiet and solitude on the Upper Missouri National Wild and Scenic River. Personal watercraft use tends toward high speed activities with associated noise levels that affect other boaters. Their frequency and proximity to other boaters demonstrates a pattern of use contrary to, and in conflict with, the majority of boaters on the Upper Missouri River.

Group		**Personal Watercraft**
		The majority of use on the Missouri River occurs in the summer months between June and August. The busiest portion of the season is from June 15 to August 1. However, recreation along the UMNWSR in the spring and fall, particularly during hunting season, is also important to visitors. Data on visitor use are only collected in the summer months, so it is difficult to estimate year-round use levels. Any boat (canoe, raft, jon boat, etc.) launched with a motor is considered a motorized watercraft. Specific data on the type of motorized use is not collected. Between 2002 and 2006 an average of 13% of all boats launched were motorized craft. There is an upward trend in the use of motorized watercraft between 2002 and 2006 with the number of motorized craft on the river increasing from 198 in 2002 to 458 in 2006. This is a 131% increase in registered motorized craft use in a five-year period. Additional information on visitor use is included in the Recreation section of Chapter 3 in the Proposed RMP/Final EIS.
2262-02	*Comment*	*Eliminate all use of personal motorized watercraft. They do not belong on the river and only have the potential to amuse a small number of people while annoying everyone else. Limiting PWC to three miles of the river would best preserve the unique resources of the area and the ability of visitors to enjoy them. Allowing or expanding jet skies [personal water craft] belies the purpose of the wild and scenic river that this monument encompasses. Use of personal watercraft disrupts the peaceful enjoyment of wild places for man; they disturb the normal breeding sites and harass wildlife and other birds resting on the water. They affect visitors' ability to enjoy the Monument, have numerous adverse impacts including air and water pollution and pose serious safety concerns for other visitors. Jet Ski users tend to congregate in concentrated areas and ride in groups for long periods of time, amplifying noise impacts. Noise from personal watercraft is perceived to be more annoying than by other visitors than that of a standard motorboat even though the maximum noise levels may be similar for the two watercraft. The noise produced by personal watercraft at the National Monument would significantly devalue this unique experience.*
2262-02	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM would restrict personal watercraft to river miles 0 to 3 yearlong. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.
2262-03	*Comment*	*A better definition of personal watercraft is needed. This could mean any watercraft designed to be operated by one person, kayak, canoe, raft, etc. Not just a motorized watercraft.*
2262-03	Response	See the definition of personal watercraft in the Glossary of the Draft RMP/EIS or Proposed RMP/Final EIS. We specifically state motorized recreational watercraft in the definition, which states in part: "A motorized recreational watercraft or vessel designed to be operated by a person sitting, standing, straddling or kneeling **on the vessel**, rather than in the conventional manner of operation by sitting, standing or kneeling **inside** the watercraft or vessel."
Group		**Motorized Watercraft – No Motors**
2263-01	*Comment*	*It is essential that the entire 149 miles of the Wild and Scenic River corridor be non-motorized. Motorized boats can enjoy the remaining 2000+ miles of the Missouri. We would like some small part without motors. We do not want to hear or see motor boats;*

we want to enjoy the solitude and peace of the river. The invasion of jet-boats and jet-skis destroys the experience. It should be a quiet river to honor the legacy of Lewis and Clark. The popularity of canoe, kayak and float trips attests to the public interest in the quiet, wild Missouri. Manage the Wild and Scenic River corridor to protect the remote character and traditional non-motorized recreation and hunting opportunities. Motorized use is incompatible with the Wild and Scenic River Designation and goes against the spirit and intent of the proclamation.

2263-01 Response

Opportunities to experience the river in a semi-primitive or primitive non-motorized setting were determined by looking at the river as three distinct opportunity settings. The upper section (river miles 0 to 52) is a recreation classified section, and the river flows through a predominately rural setting. This area was determined suitable for motorized use, in both directions, year around. The White Cliff section (river miles 52 to 84.5) is a wild classified section and the river flows through a semi-primitive setting. Because it is the most popular stretch of the river, and because the setting has been modified with recreation facilities such as vault toilets and log shelters, it was determined motorized use is acceptable with a downstream no-wake restriction during the core period of use. Within the parameters of resource protection and management goals, we wanted to ensure a broad range of users had an opportunity to experience this section of the river. The lower section (river miles 92.5 to 149) is the most primitive section. It has the least recreation facility development, the least amount of visitor use and the lowest level of motorized use of the three sections. The BLM determined this section could provide a primitive, non-motorized experience.

One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Motorized use is compatible with the multiple use Wild and Scenic River designation, and the Proclamation does not establish that motorized use of the river should be eliminated. Motorboat use occurred before the river was designated in 1976, and has continued to occur in a seasonally restricted manner to the present. The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149.

Alternative E in the Draft RMP/EIS and Proposed RMP/Final EIS addressed no motors on the river.

2263-02 *Comment*

This proposal allows for constantly increasing commercial use and other motorized users, who will continue to motor ahead to "save" and dominate the best and favorite campsites. At least the wild and scenic segments of the river should be motor free.

2263-02 Response

The Preferred Alternative would cap the number of Special Recreation Permits (SRPs) issued to 23 commercial operators, plus one-time SRPs primarily for institutions and organized groups that meet the definition of commercial. In 2006 only 17 of the 23 operators holding permits under the current moratorium applied for a SRP. Five one-time permits were issued. In 2006 commercial use was down 7% compared to 2005. The BLM has heard comments from boaters regarding commercial operators going ahead to save favorite campsites. Based on a decline in commercial use and overall visitor use over the past three seasons, recreation specialists do not consider this to be a major concern at the present. However, the issue will be monitored and addressed in the future should boater feedback or social research indicate an escalating pattern of concern.

Group		**Motorized Watercraft – No Motors**
		Under the Preferred Alternative in the Proposed RMP/Final EIS, motorized use on the river would be allowed with seasonal limitations on upstream travel and a seasonal no-wake speed restriction in the wild and scenic segments of the Upper Missouri National Wild and Scenic River from June 15 to September 15. In addition, the wild and scenic segment from Holmes Council Island to the Fred Robinson Bridge would be restricted to non-motorized watercraft from June 15 to September 15 on Sunday through Wednesday. Alternative E in the Draft RMP/EIS and Proposed RMP/Final EIS addressed no motors on the wild and scenic segments of the river.
2263-03	*Comment*	*The monument represents the opportunity to have the only motor free sections of America's longest river. Protecting the quiet and remoteness that Lewis and Clark experienced is what the vast majority of river users wants and expects. Knowing that many outfitters make their living on the Missouri River, and that some use motors on their boats, we suggest grandfathering such use at current levels. Likewise, ranchers, irrigators and others within the Monument that need to occasionally use motors on the river in support of their livelihood should be able to continue to do so. In the meantime, jet-skies landing craft, float planes and watercraft transporting terrestrial vehicles (except for ferries) on all sections of the river in Monument should be prohibited. Also, no motorized competition should be allowed.*
2263-03	Response	In 2006, 19% of watercraft used by registered boaters were motorized. This indicates a significant number of boaters enjoy using a motorized watercraft to experience the Upper Missouri National Wild and Scenic River. The BLM heard comments from boaters that are physically unable to paddle the river and using a motorized craft is very important to them. The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use, including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. Motorized use by ranchers, irrigators and other administrative users would continue to be authorized. Personal watercraft and floatplanes would restricted to river miles 0 to 3.
2263-04	*Comment*	*There should be minimal motor use on at least parts of the river, at least at certain times. At least river mile 52-149 must be kept quiet yearlong. People need to have just a few stretches of the great Missouri River that "quiet" users can escape to, if not at all times then during the floating, fishing, hunting, and birthing seasons. By far, the majority of users (90 percent) are canoeists, rowers, etc. who do not use motorized craft. All the rest of the Missouri River is open to motors. Surely a significant length of the river inside the Monument should be left for non-motorized craft especially on the upper and middle portions of the Monument.*
2263-04	Response	In 2005 and 2006, 81% of watercraft were non-motorized, 19% were motorized. The current level of facility development, the current level of visitor use, and the current demand from a broad range of watercraft users in the upper and middle portions of the river (river miles 0 to 88.5) create settings compatible with motorized and seasonally restricted motorized use. The section from river miles 92.5 to 149 (lower river) provides visitors the greatest opportunity to experience solitude and the primitive nature of the Monument. The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use, including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149.

Group		Motorized Watercraft – No Motors
2263-05	*Comment*	*My wife and I live on the Missouri River about 5 miles south of Great Falls. One of the reasons we had as a basis of living here was solitude. Five years ago we still enjoyed solitude and silence at home. With the advent of personal water vehicles and jet boats, both of those characteristics are gone forever. People who use the river for this sport are not evil, nor do they intend to rob everyone along the river of peace and tranquility, it's just that stealing peace, tranquility, serenity, and silence is a natural by-product of their enjoying their sport. The Missouri Breaks must be protected against this type of usage; otherwise, commercial jet boats are inevitable. It's just human nature.*
2263-05	Response	One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Motorized use is compatible with the multiple use Wild and Scenic River designation, and the Proclamation does not establish that motorized use of the river should be eliminated. Motorboat use occurred before the river was designated in 1976, and has continued to occur in a seasonally restricted manner to the present. The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.
2263-06	*Comment*	*My wife and I live on the Missouri River south of Great Falls. Ten years ago we enjoyed not only the beauty of the river but its solitude. No more. The advent and use of motorized water craft such as jet boats, jet skis, etc. have turned our small stretch of river into a noisy, mechanized, and high speed thoroughfare, occasionally highlighted by verbal fights between the users of motorized watercraft who consider the river to be theirs and have no respect for other users of the river or for the landowners on either side of the river. Prohibit motorized watercraft on the river within the Monument.*
2263-06	Response	Alternative E in the Draft RMP/EIS and Proposed RMP/Final EIS addressed no motors on the river. One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Motorized use is compatible with the multiple use Wild and Scenic River designation, and the Proclamation does not establish that motorized use of the river should be eliminated. Motorboat use occurred before the river was designated in 1976, and has continued to occur in a seasonally restricted manner to the present. The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.
2263-07	*Comment*	*The only motors allowed on the river should be that of the BLM ranger - at any time of the year. Thousands manage to float the river by paddle power alone, and should not have their enjoyment marred by the roar and stink of internal combustion engines.*
2263-07	Response	Alternative E in the Draft RMP/EIS and Proposed RMP/Final EIS addressed no motors on the river.

Group		Motorized Watercraft – No Motors
		One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Motorized use is compatible with the multiple use Wild and Scenic River designation, and the Proclamation does not establish that motorized use of the river should be eliminated. Motorboat use occurred before the river was designated in 1976, and has continued to occur in a seasonally restricted manner to the present. The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.
2263-08	*Comment*	*Manage the Wild and Scenic river corridor to protect the remote character and traditional non-motorized recreation and hunting opportunities. The entire 149 miles of the river within the Monument should be non-motorized and launch and take-out sites should be limited to the present number.*
2263-08	Response	Alternative E in the Draft RMP/EIS and Proposed RMP/Final EIS addressed no motors on the river. One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Motorized use is compatible with the multiple use Wild and Scenic River designation, and the Proclamation does not establish that motorized use of the river should be eliminated. Motorboat use occurred before the river was designated in 1976, and has continued to occur in a seasonally restricted manner to the present. The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River. Under the Preferred Alternative, additional Level 1 and 2 sites would only be considered from Fort Benton downstream to Judith Landing to improve resource conditions, improve distribution of visitor use or resolve visitor use conflicts. No additional Level 1 or 2 sites would be developed below Judith Landing (river mile 92.5). For additional information, see the discussion in Chapter 2 of the Proposed RMP/Final EIS, Upper Missouri River Special Recreation Management Area (SRMA), Alternative F (Preferred Alternative), Camping Facilities.
2263-09	*Comment*	*I had the good fortune to canoe over 100 miles of the designated Wild and Scenic section. Part of the allure of this section comes from being able to view a landscape largely unchanged since the dawn of its creation. A crucial component of this experience is the absence of mechanized noise. I cannot see one reasonable argument for continuing to allow motorboats on the river and ORV's in the river corridor.*
2263-09	Response	One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Motorized use is compatible with the multiple use Wild and Scenic River designation, and the Proclamation does not establish that motorized use of the river should be eliminated. Motorboat use occurred before the river was designated in 1976, and has continued to occur in a seasonally restricted manner to the present. The Preferred Alternative, in the Proposed RMP/Final

EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

The Proclamation prohibits all motorized and mechanized vehicle use off road except for emergency and authorized administrative purposes. Under the Preferred Alternative in the Proposed RMP/Final EIS, 34 miles of BLM roads in the Upper Missouri National Wild and Scenic River (UMNWSR) would be closed to public motorized travel. Twelve additional miles would be seasonally closed to public motorized use. About 33 miles of BLM roads would be open yearlong. The majority of the closed roads are located downriver or east of the PN Bridge.

2263-10 *Comment* *Keep all motorized boats, etc. from the river. This is a wilderness area and anything that spoils the feeling of being in a wilderness area should be kept out.*

2263-10 Response Alternative E in the Draft RMP/EIS and Proposed RMP/Final EIS addressed no motors on the river.

The Monument is not a designated wilderness area. One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Motorized use is compatible with the multiple use Wild and Scenic River designation, and the Proclamation does not establish that motorized use of the river should be eliminated. Motorboat use occurred before the river was designated in 1976, and has continued to occur in a seasonally restricted manner to the present. The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

2263-11 *Comment* *The 149-mile wild and scenic river also appears to be left with no quiet span of motor-free year round use.*

2263-11 Response The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

2263-12 *Comment* *There should be no motorized vessels on the Monument area of the river. Once the natural environment is invaded it will spiral downward into a less and less pristine, special, precious natural area.*

2263-12 Response Alternative E in the Draft RMP/EIS and Proposed RMP/Final EIS addressed no motors on the river.

Group		Motorized Watercraft – No Motors
		One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Motorized use is compatible with the multiple use Wild and Scenic River designation, and the Proclamation does not establish that motorized use of the river should be eliminated. Motorboat use occurred before the river was designated in 1976, and has continued to occur in a seasonally restricted manner to the present. The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.
2263-13	*Comment*	*With monument status all motorized river traffic should be stopped. But I understand that you are proposing to close only a short section of the monument for 3 months each year. Why? The spirit of wilderness is absolutely contrary to the use of motorized travel.*
2263-13	Response	The Monument is not a designated wilderness area. One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Motorized use is compatible with the multiple use Wild and Scenic River designation, and the Proclamation does not establish that motorized use of the river should be eliminated. Motorboat use occurred before the river was designated in 1976, and has continued to occur in a seasonally restricted manner to the present. Opportunities to experience the river in a semi-primitive or primitive non-motorized setting were determined by looking at the river as three distinct opportunity settings. The upper section (river miles 0 to 52) is a recreation classified section, and the river flows through a predominately rural setting. This area was determined suitable for motorized use, in both directions, year around. The White Cliff section (river miles 52 to 84.5) is a wild classified section and the river flows through a semi-primitive setting. Because it is the most popular stretch of the river, and because the setting has been modified with recreation facilities such as vault toilets and log shelters, it was determined motorized use is acceptable with a downstream no-wake restriction during the core period of use. Within the parameters of resource protection and management goals, we wanted to ensure a broad range of users had an opportunity to experience this section of the river. The lower section (river miles 92.5 to 149) is the most primitive section. It has the least recreation facility development, the least amount of visitor use and the lowest level of motorized use of the three sections. The BLM determined this section could provide a primitive, non-motorized experience. The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument. The alternative also includes an opportunity for a non-motorized experience four days each week, from June 15 to September 15, on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.
2263-14	*Comment*	*No power boats; they not only disrupt peace and quiet, but the wakes destroy shorelines as well.*
2263-14	Response	Alternative E in the Draft RMP/EIS and Proposed RMP/Final EIS addressed no motors on the river. Motorized watercraft use is not documented as being a significant contributor to the degradation of riparian areas on the Upper Missouri River.

Group		Motorized Watercraft – No Motors
2263-15	*Comment*	*The river should be managed to exclude such disruptive uses as jet skis, powerboats, and floatplanes especially, and any motorized usage of the river should be severely limited.*
2263-15	Response	One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Motorized use is compatible with the multiple use Wild and Scenic River designation, and the Proclamation does not establish that motorized use of the river should be eliminated. Motorboat use occurred before the river was designated in 1976, and has continued to occur in a seasonally restricted manner to the present. The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. Personal watercraft and floatplanes would only be allowed on river miles 0 to 3 near Fort Benton. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.
2263-16	*Comment*	*As the Missouri River within the boundaries of the monument is designated Wild and Scenic motorized use should be limited.*
2263-16	Response	Alternative E in the Draft RMP/EIS and Proposed RMP/Final EIS addressed no motors on the river. One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Motorized use is compatible with the multiple use Wild and Scenic River designation, and the Proclamation does not establish that motorized use of the river should be eliminated. Motorboat use occurred before the river was designated in 1976, and has continued to occur in a seasonally restricted manner to the present. The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.
2263-17	*Comment*	*Keep the Wild and Scenic River motor-free, if possible. If you cave in to the motorized community on the water, at least limit the motors to 10 HP as per some lakes in Glacier National Park.*
2263-17	Response	The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use, including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River. Reducing horsepower is not an effective way to manage motorboat use as horsepower does not necessarily equate to a reduction in motor noise. The downstream no-wake speed restriction is an effective way to limit noise.
2263-18	*Comment*	*It's time to remove motorboat use from this last truly wild and undeveloped stretch of the Missouri. The BLM has taken a step to correct the problem by proposing that the area from Holmes Council Island to Fred Robinson Bridge (56 miles) be motor free—but only*

for 3 months each year. The BLM must do more. Why can't the BLM provide high-quality canoeing and rafting opportunities on this Wild and Scenic River—to ensure that it will remain largely as Lewis and Clark experienced it 200 years ago?

2263-18 Response Alternative E in the Draft RMP/EIS and Proposed RMP/Final EIS addressed no motors on the river.

One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Motorized use is compatible with the multiple use Wild and Scenic River designation, and the Proclamation does not establish that motorized use of the river should be eliminated. Motorboat use occurred before the river was designated in 1976, and has continued to occur in a seasonally restricted manner to the present. The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

2263-19 Comment *I am most concerned that the commitment to keep the Wild and Scenic River essentially free of motorized craft is apparently being abandoned. During the scores of times that I have floated the River, the overwhelming defining attribute of the experience has been the quiet solitude that allows the floater to imagine a time past, a place as it "used to be." Nothing is more disruptive to that experience than the intrusion of motor driven craft. The proposal to allow motors on two-thirds of the Wild and Scenic section year round - and on all of the river most of the year, is unconscionable. The negative impacts of this proposal are magnified many fold by the total lack of "necessity." The river itself does a fine job of transporting the visitor from one end to the other. Very few, if any, rivers in the United States afford the opportunity for the "average floater" to experience the quiet and solitude found on the Upper Missouri. I strongly urge that the entire 149 mile section designated Wild and Scenic be designated non-motorized year round.*

2263-19 Response Alternative E in the Draft RMP/EIS and Proposed RMP/Final EIS addressed no motors on the river.

One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Motorized use is compatible with the multiple use Wild and Scenic River designation, and the Proclamation does not establish that motorized use of the river should be eliminated. Motorboat use occurred before the river was designated in 1976, and has continued to occur in a seasonally restricted manner to the present. The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

2263-20 Comment *Motorized use on the river. With the advent of personal water vehicles, and jet boats, both of those characteristics are gone forever. The Missouri Breaks must be protected against this type of usage, otherwise commercial jet boats are inevitable, it's just human nature.*

Group		Motorized Watercraft – No Motors
2263-20	Response	Alternative E in the Draft RMP/EIS and Proposed RMP/Final EIS addressed no motors on the river. One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Motorized use is compatible with the multiple use Wild and Scenic River designation, and the Proclamation does not establish that motorized use of the river should be eliminated. Motorboat use occurred before the river was designated in 1976, and has continued to occur in a seasonally restricted manner to the present. The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.
2263-21	*Comment*	*I am aghast at the proposal that only 57 miles out 149 would be motor free. And furthermore that this restriction would only apply during summer months. (I have canoed the river in May, and I have friends who hunt from canoes on the river in October). The fact that these motor craft - especially jet boats and worse, jet skis (personal water craft), would be allowed on this stretch of river is devastating news. The noise from these machines, their speed, and sometimes reckless driving of the jet ski drivers are issues. Also, many floaters start at Fort Benton and motor craft on this stretch of river would create a danger for canoes and kayaks leaving from this dock. These problems do not benefit the greatest good for the greatest number.*
2263-21	Response	One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Motorized use is compatible with the multiple use Wild and Scenic River designation, and the Proclamation does not establish that motorized use of the river should be eliminated. Motorboat use occurred before the river was designated in 1976, and has continued to occur in a seasonally restricted manner to the present. The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use, including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. Personal watercraft and floatplanes would only be allowed on river miles 0 to 3 near Fort Benton. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.
2263-22	*Comment*	*Motor-free River - The draft plan is wrong in allowing motorized boats to use the entire 149 miles of the river within the Monument during all or part of the year. We have enjoyed motor boating ourselves, but this wild part of the Missouri River surely should be kept as a quiet zone for floating, canoeing and kayaking. Bear in mind that Lewis and Clark did not use motors. To make the most of the historical and natural values of the Missouri Breaks, keep this section motor-free.*
2263-22	Response	Alternative E in the Draft RMP/EIS and Proposed RMP/Final EIS addressed no motors on the river. One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Motorized use is compatible

with the multiple use Wild and Scenic River designation, and the Proclamation does not establish that motorized use of the river should be eliminated. Motorboat use occurred before the river was designated in 1976, and has continued to occur in a seasonally restricted manner to the present. The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

2263-23 *Comment* *Eliminate all motorized river traffic except for selective federal emergency or specific management actions. Apply year-long, no seasonal exceptions. The motorized noise violates our wilderness solitude, and is directly contrary to the objectives of the National Wild-Scenic River. We must revert to the Missouri River environment from Ft. Benton to Kipp which existed before 1950. Create and effect the solution aggressively, now as part of the BLM Breaks NM RMP.*

2263-23 Response One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Motorized use is compatible with the multiple use Wild and Scenic River designation and the General Management Objectives established for its management (A Management Plan for the Upper Missouri Wild and Scenic River, September 1977).

The Proclamation does not establish that motorized use of the river should be eliminated. Motorboat use occurred before the river was designated in 1976, and has continued to occur in a seasonally restricted manner to the present. The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

2263-24 *Comment* *What is wrong with just canoes on the river with power boats for emergencies?*

2263-24 Response One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Motorized use is compatible with the multiple use Wild and Scenic River designation, and the Proclamation does not establish that motorized use of the river should be eliminated. Motorboat use occurred before the river was designated in 1976, and has continued to occur in a seasonally restricted manner to the present. The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

2263-25 *Comment* *The last 147 miles of the undeveloped Missouri River has illegally been opened up to sea planes, jet boats, jet skis.*

2263-25 Response Motorized use is compatible with the multiple use Wild and Scenic River designation, and the Proclamation does not establish that motorized use of the river should be eliminated.

Group		Motorized Watercraft – No Motors
		Motorboat use occurred before the river was designated in 1976, and has continued to occur in a seasonally restricted manner to the present. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River under the Preferred Alternative.
2263-26	*Comment*	*As a person that has floated the river from Coal Banks Landing to the Fred Robinson Bridge many times I feel that allowing motor use on the river is unneeded and detracts from the experience of floating. Accordingly, I hope that the final plan leans to making the Monument a peaceful place where one can experience the beauty of the area unspoiled by the roar of motors.*
2263-26	Response	The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use, including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.
2263-27	*Comment*	*I recommend the BLM adopt a motors on the river position that represents the majority of use on the river - eliminate them. Check fishing licenses at the put-in when people register to float. Let the BLM rangers float the river the same way everyone else does. Provide people an opportunity for the public to have a non-motorized experience. There are other segments outside the Monument where people can have a motorized experience.*
2263-27	Response	Alternative E in the Draft RMP/EIS and Proposed RMP/Final EIS addressed no motors on the river. In 2005 and 2006, 81% of watercraft were non-motorized, 19% were motorized (458 motorized craft). The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River. The BLM does use non-motorized patrols as much as possible. However, there are times when a motorized craft is necessary to complete a specific task.
2263-28	*Comment*	*How can a river be "wild" with motor boats buzzing in the water and airplanes above.*
2263-28	Response	The classification of wild, scenic or recreation within the Wild and Scenic Rivers Act refers primarily to shoreline development. Please refer to the Wild and Scenic Rivers Act, Sec 2 (b), 1, 2 and 3 for specific definitions of these classifications. One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Motorized use is compatible with the multiple use Wild and Scenic River designation, and the Proclamation does not establish that motorized use of the river should be eliminated. Motorboat use occurred before the river was designated in 1976, and has continued to occur in a seasonally restricted manner to the present.

Group		Motorized Watercraft – No Motors
		The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.
2263-29	*Comment*	*I am opposed to extending motorized travel and airstrips in the wild and scenic stretch of the river. Most Montana rivers run adjacent to highways and railways, which definitely detracts from the wilderness aspect of the trip, no matter how wild or beautiful the river. But not the Missouri. Lack of motorboat, auto, rail and airplane noise is part of what makes the journey so exceptional.*
2263-29	Response	The BLM has not extended motorized travel to areas of the river and uplands where it did not occur prior to the Monument designation. Please refer to Map 5, Alternative F (Preferred Alternative) for roads and airstrips, and Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.
2263-30	*Comment*	*I believe the key values of the quiet and solitude of the Missouri River can best be preserved by designating the 149 miles of "Wild and Scenic River" in the Monument as motor-free year-round, not the 57 miles currently designated, and then only applicable in summer months. Non-motorized recreationists deserve more priority, I believe, as we create the lowest impact on the environment in our methods of use, and motorized users have many more places to enjoy their recreation without needing to horn in on the few "wild and scenic" places left in the state.*
2263-30	Response	Alternative E in the Draft RMP/EIS and Proposed RMP/Final EIS addressed no motors on the river. Opportunities to experience the river in a semi-primitive or primitive non-motorized setting were determined by looking at the river as three distinct opportunity settings. The upper section (river miles 0 to 52) is a recreation classified section, and the river flows through a predominately rural setting. This area was determined suitable for motorized use, in both directions, year around. The White Cliff section (river miles 52 to 84.5) is a wild classified section and the river flows through a semi-primitive setting. Because it is the most popular stretch of the river, and because the setting has been modified with recreation facilities such as vault toilets and log shelters, it was determined motorized use is acceptable with a downstream no-wake restriction during the core period of use. Within the parameters of resource protection and management goals, we wanted to ensure a broad range of users had an opportunity to experience this section of the river. The lower section (river miles 92.5 to 149) is the most primitive section. It has the least recreation facility development, the least amount of visitor use and the lowest level of motorized use of the three sections. The BLM determined this section could provide a primitive, non-motorized experience. One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Motorized use is compatible with the multiple use Wild and Scenic River designation, and the Proclamation does not establish that motorized use of the river should be eliminated. Motorboat use occurred before the river was designated in 1976, and has continued to occur in a seasonally restricted manner to the present. The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach

that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

2263-31 *Comment* *The Breaks is an excellent place to provide a motor free float opportunity. Surely we can spare this small section of the Missouri from the sound of motors. If the local ranchers need to use motors to service their stock, special permits can be issued.*

2263-31 Response Alternative E in the Draft RMP/EIS and Proposed RMP/Final EIS addressed no motors on the river.

The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use, including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. Motorized use by ranchers, irrigators and other administrative users would continue to be authorized. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Upper Missouri River Special Recreation management Area (SRMA), Alternative F (Preferred Alternative), Motorized Watercraft, for a complete description of motorized use on the Upper Missouri River.

2263-32 *Comment* *I was concerned at the BLM public meeting that the river would be sectioned into some motorized use and some non-motorized use. I would heartily support non-motorized use of the river. I would like to repeat that allowing recreational, motorized craft lends to accidents and catastrophe.*

2263-32 Response Opportunities to experience the river in a semi-primitive or primitive non-motorized setting were determined by looking at the river as three distinct opportunity settings. The upper section (river miles 0 to 52) is a recreation classified section, and the river flows through a predominately rural setting. This area was determined suitable for motorized use, in both directions, year around. The White Cliff section (river miles 52 to 84.5) is a wild classified section and the river flows through a semi-primitive setting. Because it is the most popular stretch of the river, and because the setting has been modified with recreation facilities such as vault toilets and log shelters, it was determined motorized use is acceptable with a downstream no-wake restriction during the core period of use. Within the parameters of resource protection and management goals, we wanted to ensure a broad range of users had an opportunity to experience this section of the river. The lower section (river miles 92.5 to 149) is the most primitive section. It has the least recreation facility development, the least amount of visitor use and the lowest level of motorized use of the three sections. The BLM determined this section could provide a primitive, non-motorized experience.

One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Motorized use is compatible with the multiple use Wild and Scenic River designation, and the Proclamation does not establish that motorized use of the river should be eliminated. Motorboat use occurred before the river was designated in 1976, and has continued to occur in a seasonally restricted manner to the present.

The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities

for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

2263-33 *Comment* *Allowing motorized recreation on the Wild and Scenic River would also eliminate the possibility of quiet and reflective experiences that only occur in the "Primitive" Recreation Class.*

2263-33 Response Opportunities to experience the river in a semi-primitive or primitive non-motorized setting were determined by looking at the river as three distinct opportunity settings. The upper section (river miles 0 to 52) is a recreation classified section, and the river flows through a predominately rural setting. This area was determined suitable for motorized use, in both directions, year around. The White Cliff section (river miles 52 to 84.5) is a wild classified section and the river flows through a semi-primitive setting. Because it is the most popular stretch of the river, and because the setting has been modified with recreation facilities such as vault toilets and log shelters, it was determined motorized use is acceptable with a downstream no-wake restriction during the core period of use. Within the parameters of resource protection and management goals, we wanted to ensure a broad range of users had an opportunity to experience this section of the river. The lower section (river miles 92.5 to 149) is the most primitive section. It has the least recreation facility development, the least amount of visitor use and the lowest level of motorized use of the three sections. The BLM determined this section could provide a primitive, non-motorized experience.

One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Motorized use is compatible with the multiple use Wild and Scenic River designation, and the Proclamation does not establish that motorized use of the river should be eliminated. Motorboat use occurred before the river was designated in 1976, and has continued to occur in a seasonally restricted manner to the present.

The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

2263-34 *Comment* *As with other rivers, jet boats and other motorized watercraft threaten the solitude and wild character of the river corridor by making it noisier, faster and more mechanized. As stewards of the land, we must not only consider the present conditions, but the changes likely to occur in coming years. Over the last 10 years, use has doubled during the summer. Use of motorized watercraft has also increased from 8 percent in 2002 to 19 percent in 2005. In addition, new types of motorized watercraft are also being sold. A marina in Great Falls is selling an 18-foot landing craft, which can carry an ATV, and a new generation of ATVs is being sold which can travel on both land and water. Last year a motorcycle with a pontoon was spotted on the river.*

2263-34 Response One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Motorized use is compatible with the multiple use Wild and Scenic River designation, and the Proclamation does not establish that motorized use of the river should be eliminated. Motorboat use occurred

before the river was designated in 1976, and has continued to occur in a seasonally restricted manner to the present.

The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

2263-35 *Comment* *Our members are particularly concerned about the excess of motorized use proposed to be permitted during hunting seasons. There is not a single non-motorized segment on the Wild and Scenic River or, for that matter, the entire 2,600-mile length of the Missouri River.*

2263-35 Response The BLM has limited data regarding watercraft user patterns during the hunting season. In the future BLM will focus social research and data collection efforts during the September 1 to November 30 hunting season and, if necessary, consider changes through activity level planning. The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River provides a non-motorized opportunity on Sunday through Wednesday on river miles 92.5 to 149 from September 1 through September 15 during a portion of the hunting season. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

2263-36 *Comment* *One of our most serious concerns is allowing motorized watercraft on the Missouri River. The Club urges the BLM to ban all motorized watercraft on the river. Having human powered craft on the river will better protect the outstanding resources of the monument and provide a much higher quality recreational experience. Nonmotorized watercraft would comply with the spirit of the Presidential Proclamation by better protecting the objects of interest in the monument. The Upper Missouri River Breaks provides an almost unique experience to paddle a free-flowing prairie river with some of the most spectacular scenery in the Great Plains. Hearing motorized watercraft adversely impacts the wild experience that people expect when canoeing or rafting down the Missouri River. This stretch of the Missouri is the last wild portion of the Missouri, America's longest river. It is essential that the FEIS protect the natural sounds of the river corridor. The FEIS must incorporate stronger measures to protect the wild and remote river experience that visitors expect along this stretch of the Missouri. The FEIS should ban motorized use on the Missouri River.*

2263-36 Response Alternative E in the Draft RMP/EIS and Proposed RMP/Final EIS addressed no motors on the river.

Opportunities to experience the river in a semi-primitive or primitive non-motorized setting were determined by looking at the river as three distinct opportunity settings. The upper section (river miles 0 to 52) is a recreation classified section, and the river flows through a predominately rural setting. This area was determined suitable for motorized use, in both directions, year around. The White Cliff section (river miles 52 to 84.5) is a wild classified section and the river flows through a semi-primitive setting. Because it is the most popular stretch of the river, and because the setting has been modified with recreation facilities such as vault toilets and log shelters, it was determined motorized use is acceptable with a downstream no-wake restriction during the core period of use. Within the parameters of resource protection and management goals, we wanted to ensure

a broad range of users had an opportunity to experience this section of the river. The lower section (river miles 92.5 to 149) is the most primitive section. It has the least recreation facility development, the least amount of visitor use and the lowest level of motorized use of the three sections. The BLM determined this section could provide a primitive, non-motorized experience.

One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Motorized use is compatible with the multiple use Wild and Scenic River designation, and the Proclamation does not establish that motorized use of the river should be eliminated. Motorboat use occurred before the river was designated in 1976, and has continued to occur in a seasonally restricted manner to the present.

The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

2263-37 *Comment* *Protect the River. The DEIS needs to analyze the continued effects of motor boats on the river with an alternative that will eliminate, year round, motor craft from the wild portion of the Wild and Scenic River.*

2263-37 Response Alternative E would eliminate motorized watercraft on all sections of the river yearlong. See Chapters 2 and 4 of the Proposed RMP/Final EIS for alternative descriptions and analyses of environmental consequences.

One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Motorized use is compatible with the multiple use Wild and Scenic River designation, and the Proclamation does not establish that motorized use of the river should be eliminated. Motorboat use occurred before the river was designated in 1976, and has continued to occur in a seasonally restricted manner to the present.

The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

2263-38 *Comment* *The BLM is obligated to protect the solitude of this river now and into the future. There isn't a single non-motorized mile of the entire 2,600-mile Missouri River. Over time use of motorized watercraft is certain to increase as it has everywhere else. Now is the time to create a motor-free river, before use becomes even better established and the remoteness and solitude that makes this river special are incrementally lost.*

2263-38 Response Alternative E in the Draft RMP/EIS and Proposed RMP/Final EIS addressed no motors on the river.

One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Motorized use is compatible

with the multiple use Wild and Scenic River designation, and the Proclamation does not establish that motorized use of the river should be eliminated. Motorboat use occurred before the river was designated in 1976, and has continued to occur in a seasonally restricted manner to the present.

The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

2263-39 *Comment* *We think by and large the direction should be away from motors on the river. We think right now 85 percent of the users are paddlers, and we think that's really what this place is about.*

2263-39 Response In 2005 and 2006, 81% of watercraft were non-motorized, 19% were motorized. The current levels of facility development and visitor use, and current demand from a broad range of watercraft users in the upper and middle portions of the river create settings compatible with motorized and seasonally restricted motorized use. The section of river from river miles 92.5 to 149 (lower river) provides visitors the greatest opportunity to experience solitude and the primitive nature of the Monument. The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use, including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

2263-40 *Comment* *The BLM is obligated to protect the solitude of this river now and into the future. There isn't a single non-motorized mile in the entire 2600 miles of the Missouri River. An alternative is needed which strikes a far better balance than the preferred alternative which gives more attention to protection and restoration, and, most important, it must honor the values for which this monument was created.*

2263-40 Response One of BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Motorized use is compatible with the multiple use Wild and Scenic River designation, and the Proclamation does not establish that motorized use of the river should be eliminated. Motorboat use occurred before the river was designated in 1976, and has continued to occur in a seasonally restricted manner to the present.

The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

Group		**Motorized Watercraft – Older Boaters or Individuals with Disabilities**
2264-01	*Comment*	*Many who want to enjoy wild and beautiful places like the Missouri River are simply not able to do so because they are elderly, disabled or have physical limitations that would not allow paddling down the river several days. There should be room for reasonable power assist for those whom would be otherwise excluded. BLM should not discriminate against this type of user.*
2264-01	Response	The BLM incorporated public comment with management goals and a careful analysis of visitor use patterns and trends to develop a balanced watercraft management alternative. The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument. Further, BLM was able to expand opportunities for motorized use by restructuring the seasonal restriction period to include additional days in June for motorized use not available under current management. To protect and enhance the value of quiet and solitude, under the Preferred Alternative the wild and scenic segments from Holmes Council Island to the Fred Robinson Bridge (river miles 92.5 to 149) would have a seasonal restriction from June 15 to September 15. Motorized watercraft traveling downstream at a no-wake speed would be allowed on Thursday through Saturday. On Sunday through Wednesday motorized watercraft travel would not be allowed. Personal watercraft and floatplanes would not be allowed on this segment of the river yearlong. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River. The BLM would provide reasonable accommodations for individuals with disabilities consistent with the Rehabilitation Act of 1973. Accommodations would be considered on a case-by-case basis by the Monument Manager.
2264-02	*Comment*	*I would like to say that I vote in favor of the use of motorized craft on the river throughout this area for not only everyone, but the senior citizens and the impaired that won't be able to see any of that.*
2264-02	Response	The BLM incorporated public comment with management goals and a careful analysis of visitor use patterns and trends to develop a balanced watercraft management alternative. The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument. Further, BLM was able to expand opportunities for motorized use by restructuring the seasonal restriction period to include additional days in June for motorized use not available under current management. To protect and enhance the value of quiet and solitude, under the Preferred Alternative the wild and scenic segments from Holmes Council Island to the Fred Robinson Bridge (river miles 92.5 to 149) would have a seasonal restriction from June 15 to September 15. Motorized watercraft traveling downstream at a no-wake speed would be allowed on Thursday through Saturday. On Sunday through Wednesday motorized watercraft travel would not be allowed. Personal watercraft and floatplanes would not be allowed on this segment of the river yearlong. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.
Group		**Motorized Watercraft – Allow Motors**
2265-01	*Comment*	*The Missouri River should be left open to motorized use for hunting and fishing and watercraft and none should be designated as motor-free. The use of motors does no harm in any way. It is a big river and power boaters have as much right if not more rights than*

floaters in canoes and kayaks. Limiting motorized use would reduce the accessibility of the Monument to many, including the elderly and the handicap and those with limited time, physical ability and finances. It is discrimination to say those in canoes can use the river but those in motorboats cannot. There is plenty of room for both uses, and shouldn't our National Treasure be enjoyed by as many of us tax paying citizens as possible?

2265-01 Response

The BLM is directed by the Wild and Scenic Rivers Act to protect and enhance the values which caused the river to be included in the Wild and Scenic River System. This includes establishing various degrees of intensity for protection and development based on the special attributes (Outstandingly Remarkable Values – ORVs) of the area. The BLM is further directed by the Proclamation to protect objects of the Monument. One of the original 1977 management objectives for the Upper Missouri National Wild and Scenic River was to minimize noise pollution in zones valued for their aura of quiet and solitude (A Management Plan for the Upper Missouri Wild and Scenic River, September 1977). A seasonal downstream no-wake restriction on motorized craft was implemented to achieve this objective. Since that time visitor use has increased from approximately 2,000 boaters per year to nearly 6,000 boaters per year. Motorized craft on the river increased from 107 in 1980 to 458 in 2006. That is a 328% increase of motorized watercraft over a 26-year period. In a 2001 survey of boaters using the river between Fort Benton and the Fred Robinson Bridge, 51% of respondents said they encountered a motorized boat sometime during their trip. More significant, since the 2001 survey motorized craft on the river increased from 197 boats to 458 boats. That is a 132% increase in just five years. The increase in motorized craft makes it more difficult to protect and enhance the value of quiet and solitude, which is one of the ORVs the BLM is directed by law to protect under the Wild and Scenic Rivers Act.

To address this issue the BLM incorporated public comment with management goals and a careful analysis of visitor use patterns and trends to develop a balanced watercraft management alternative. The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument. Further, BLM was able to expand opportunities for motorized use by restructuring the seasonal restriction period to include additional days in June for motorized use not available under current management. To protect and enhance the value of quiet and solitude, under the Preferred Alternative the wild and scenic segments from Holmes Council Island to Fred Robinson Bridge (river miles 92.5 to 149) would have a seasonal restriction from June 15 to September 15. Motorized watercraft traveling downstream at a no-wake speed would be allowed on Thursday through Saturday. On Sunday through Wednesday motorized watercraft travel would not be allowed. Personal watercraft and floatplanes would not be allowed on this segment of the river yearlong. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

2265-02 *Comment*

Should someone get hurt, it would be helpful to have a means of getting them help quickly. Power boats can do just that. Powerboats can get an injured person to an access point in hours rather than days, and they offer a measure of safety that would not otherwise exist.

2265-02 Response

The following language is included in the Preferred Alternative for Motorized Watercraft in Chapter 2 of the Proposed RMP/Final EIS: There would be no restrictions for any military, fire, search and rescue, or law enforcement watercraft used for emergency purposes. This includes the use of motorized watercraft by the public for emergency purposes including the landing and take-off of floatplanes.

2265-03 *Comment*

Why restrict or prohibit an activity and its freedom when it seems so unnecessary? If it's in the name of good management then the management is improper in my estimation.

Why go to Alternative F when Alternative B has worked quite satisfactorily for years? It's not broke so don't fix it. I would like to see Alternative B.

2265-03 Response

The BLM is directed by the Wild and Scenic Rivers Act to protect and enhance the values which caused the river to be included in the Wild and Scenic River System. This includes establishing various degrees of intensity for protection and development based on the special attributes (Outstandingly Remarkable Values – ORVs) of the area. The BLM is further directed by the Proclamation to protect objects of the Monument. One of the original 1977 management objectives for the Upper Missouri National Wild and Scenic River was to minimize noise pollution in zones valued for their aura of quiet and solitude (A Management Plan for the Upper Missouri Wild and Scenic River, September 1977). A seasonal downstream no-wake restriction on motorized craft was implemented to achieve this objective. Since that time visitor use has increased from approximately 2,000 boaters per year to nearly 6,000 boaters per year. Motorized craft on the river increased from 107 in 1980 to 458 in 2006. That is a 328% increase of motorized watercraft over a 26-year period. In a 2001 survey of boaters using the river between Fort Benton and the Fred Robinson Bridge, 51% of respondents said they encountered a motorized boat sometime during their trip. More significant, since the 2001 survey motorized craft on the river increased from 197 boats to 458 boats. That is a 132% increase in just five years. The increase in motorized craft makes it more difficult to protect and enhance the value of quiet and solitude, which is one of the ORVs the BLM is directed by law to protect under the Wild and Scenic Rivers Act.

To address this issue the BLM incorporated public comment with management goals and a careful analysis of visitor use patterns and trends to develop a balanced watercraft management alternative. The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument. Further, BLM was able to expand opportunities for motorized use by restructuring the seasonal restriction period to include additional days in June for motorized use not available under current management. To protect and enhance the value of quiet and solitude, under the Preferred Alternative the wild and scenic segments from Holmes Council Island to Fred Robinson Bridge (river miles 92.5 to 149) would have a seasonal restriction from June 15 to September 15. Motorized watercraft traveling downstream at a no-wake speed would be allowed on Thursday through Saturday. On Sunday through Wednesday motorized watercraft travel would not be allowed. Personal watercraft and floatplanes would not be allowed on this segment of the river yearlong. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

2265-04 Comment

There's too much restriction on boat use now on the river. Get rid of the no-wake and can't go up the river. Let's not make it any worse – I think us residents should have more use of our river.

2265-04 Response

The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience, four days each week, from June 15 to September 15 on river miles 92.5 through 149. The BLM expanded opportunities for motorized use by restructuring the restriction period to include additional days in June not available under current management. The Preferred Alternative provides opportunities for motorized use year long on all sections of the river. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

Group		Motorized Watercraft – Allow Motors
2265-05	*Comment*	*You are stopping people that would like to use this area only for the day, they do not have the time it takes to make a float or canoe trip. Many boaters put in at a launch site and travel up or down the river and then return to the launch site to return home.*
2265-05	Response	Many opportunities exist for a one-day motorized trip on the river. The Preferred Alternative in the Proposed RMP/Final EIS provides opportunities for motorized use yearlong on the recreation segments of the river (river miles 0 to 52 and 84.5 to 92.5). On river miles 52 to 84.5 motorized use would be allowed from September 16 to June 14, but at a no wake speed from June 15 to September 15. On river miles 92.5 to 149 motorized use would be allowed September 16 to June 14, but at a no-wake speed on Thursdays, Fridays and Saturdays from June 15 to September 15. However, motorized water craft travel would not be allowed on this segment on Sundays, Mondays, Tuesdays and Wednesdays from June 15 to September 15.For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.
2265-06	*Comment*	*On the motorboat issue I support opening the river yearlong. There are stretches now that aren't utilized by motorboats so non-motorized users have places they can go. There are enough quiet places and quiet sections of the river. So why change it? Use is dictated by river flows and fuel availability. And motorized use is mainly congregated on the lower end during the spring paddlefish season. Keep it open for all users to be able to appreciate the area.*
2265-06	Response	Alternative B in the Draft RMP/EIS and Proposed RMP/Final EIS addressed leaving the entire river open yearlong to motorized watercraft. The BLM is directed by the Wild and Scenic Rivers Act to protect and enhance the values which caused the river to be included in the Wild and Scenic River System. This includes establishing various degrees of intensity for protection and development based on the special attributes (Outstandingly Remarkable Values – ORVs) of the area. The BLM is further directed by the Proclamation to protect objects of the Monument. One of the original 1977 management objectives for the Upper Missouri National Wild and Scenic River was to minimize noise pollution in zones valued for their aura of quiet and solitude (A Management Plan for the Upper Missouri Wild and Scenic River, September 1977). A seasonal downstream no-wake restriction on motorized craft was implemented to achieve this objective. Since that time visitor use has increased from approximately 2,000 boaters per year to nearly 6,000 boaters per year. Motorized craft on the river increased from 107 in 1980 to 458 in 2006. That is a 328% increase of motorized watercraft over a 26-year period. In a 2001 survey of boaters using the river between Fort Benton and the Fred Robinson Bridge, 51% of respondents said they encountered a motorized boat sometime during their trip. More significant, since the 2001 survey motorized craft on the river increased from 197 boats to 458 boats. That is a 132% increase in just five years. The increase in motorized craft makes it more difficult to protect and enhance the value of quiet and solitude, which is one of the ORVs the BLM is directed by law to protect under the Wild and Scenic Rivers Act. To address this issue the BLM incorporated public comment with management goals and a careful analysis of visitor use patterns and trends to develop a balanced watercraft management alternative. The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument. Further, BLM was able to expand opportunities for motorized use by restructuring the seasonal restriction period to include additional days in June for motorized use not available under current management. To protect and enhance

the value of quiet and solitude, under the Preferred Alternative the wild and scenic segments from Holmes Council Island to Fred Robinson Bridge (river miles 92.5 to 149) would have a seasonal restriction from June 15 to September 15. Motorized watercraft traveling downstream at a no-wake speed would be allowed on Thursday through Saturday. On Sunday through Wednesday motorized watercraft travel would not be allowed. Personal watercraft and floatplanes would not be allowed on this segment of the river yearlong. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

2265-07 *Comment* *Most of the proposed alternatives unreasonably restrict public access and use of the river. In an apparent attempt to placate environmental extremist and commercial interests, most of the alternatives, including the "preferred" Alternative F, restrict uses to a minority elite segment of the public. It is clear that those that can afford to take extended floating trips down the river are favored over all others.*

2265-07 Response The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience, four days each week, from June 15 to September 15 on river miles 92.5 through 149. The BLM expanded opportunities for motorized use by restructuring the restriction period to include additional days in June not available under current management. The Preferred Alternative provides opportunities for motorized use year long on all sections of the river. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

2265-08 *Comment* *How dare you try to ruin Montana and /or control recreation so that those of us who love fishing are not able to enjoy what by rights should be ours to enjoy. People who enjoy boating too should be able to have fun with what Montana has to offer us.*

2265-08 Response The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience, four days each week, from June 15 to September 15 on river miles 92.5 through 149. The BLM expanded opportunities for motorized use by restructuring the restriction period to include additional days in June not available under current management. The Preferred Alternative provides opportunities for motorized use year long on all sections of the river. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

2265-09 *Comment* *We prefer to use a pontoon boat on the river so we can take a group. We would not be able to do this if there was the elimination of the motor rule. One can not steer or maneuver a pontoon boat without the use of motors. In the many years we have done this we have never received any negative feedback from others that were on the river at the same time.*

2265-09 Response The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience, four days each week, from June 15 to September 15 on river miles 92.5 through 149. The BLM expanded opportunities for motorized use by restructuring the restriction period to include additional days in June not available under

current management. The Preferred Alternative provides opportunities for motorized use year long on all sections of the river. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

2265-10 *Comment* *The river has never been hurt by motorized watercraft traveling on it. They say that the wake washes the banks, which is a crock because anyone who has ever lived by the river and watched the wind blow knows that the wind causes wakes much more than boats when it really blows and I have lived down there and have seen this first hand. The banning of motorized boats at any time is out and out discrimination.*

2265-10 Response The BLM is directed by the Wild and Scenic Rivers Act to protect and enhance the values which caused the river to be included in the Wild and Scenic River System. This includes establishing various degrees of intensity for protection and development based on the special attributes (Outstandingly Remarkable Values – ORVs) of the area. The BLM is further directed by the Proclamation to protect objects of the Monument. One of the original 1977 management objectives for the Upper Missouri National Wild and Scenic River was to minimize noise pollution in zones valued for their aura of quiet and solitude (A Management Plan for the Upper Missouri Wild and Scenic River, September 1977). A seasonal downstream no-wake restriction on motorized craft was implemented to achieve this objective. Since that time visitor use has increased from approximately 2,000 boaters per year to nearly 6,000 boaters per year. Motorized craft on the river increased from 107 in 1980 to 458 in 2006. That is a 328% increase of motorized watercraft over a 26-year period. In a 2001 survey of boaters using the river between Fort Benton and the Fred Robinson Bridge, 51% of respondents said they encountered a motorized boat sometime during their trip. More significant, since the 2001 survey motorized craft on the river increased from 197 boats to 458 boats. That is a 132% increase in just five years. The increase in motorized craft makes it more difficult to protect and enhance the value of quiet and solitude, which is one of the ORVs the BLM is directed by law to protect under the Wild and Scenic Rivers Act.

To address this issue the BLM incorporated public comment with management goals and a careful analysis of visitor use patterns and trends to develop a balanced watercraft management alternative. The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument. Further, BLM was able to expand opportunities for motorized use by restructuring the seasonal restriction period to include additional days in June for motorized use not available under current management. To protect and enhance the value of quiet and solitude, under the Preferred Alternative the wild and scenic segments from Holmes Council Island to Fred Robinson Bridge (river miles 92.5 to 149) would have a seasonal restriction from June 15 to September 15. Motorized watercraft traveling downstream at a no-wake speed would be allowed on Thursday through Saturday. On Sunday through Wednesday motorized watercraft travel would not be allowed. Personal watercraft and floatplanes would not be allowed on this segment of the river yearlong. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

2265-11 *Comment* *My main issue of disagreement is your plan on the motorized boat use and road closures along Missouri River from Fort Benton downstream and along the CMR Breaks. I hunt and fish in these stretches of land, use my jet powered fishing boat mostly in fall and winter time. I feel that does no harm in any way to anyone.*

Group		Motorized Watercraft – Allow Motors
2265-11	Response	The Preferred Alternative in the Proposed RMP/Final EIS provides opportunities for motorized use yearlong on the recreation segments of the river (river miles 0 to 52 and 84.5 to 92.5). On river miles 52 to 84.5 motorized use would be allowed from September 16 to June 14, but at a no wake speed from June 15 to September 15. On river miles 92.5 to 149 motorized use would be allowed September 16 to June 14, but at a no-wake speed on Thursdays, Fridays and Saturdays from June 15 to September 15. However, motorized water craft travel would not be allowed on this segment on Sundays, Mondays, Tuesdays and Wednesdays from June 15 to September 15. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.
2265-12	*Comment*	*We have witnessed the responsible use of motorized craft by many hunters, anglers and others traveling the river. The use of motorized boats allows people to disperse and enjoy this vast country, which results in a better experience for all users.*
2265-12	Response	The Preferred Alternative in the Proposed RMP/Final EIS provides opportunities for motorized use yearlong on the recreation segments of the river (river miles 0 to 52 and 84.5 to 92.5). On river miles 52 to 84.5 motorized use would be allowed from September 16 to June 14, but at a no wake speed from June 15 to September 15. On river miles 92.5 to 149 motorized use would be allowed September 16 to June 14, but at a no-wake speed on Thursdays, Fridays and Saturdays from June 15 to September 15. However, motorized water craft travel would not be allowed on this segment on Sundays, Mondays, Tuesdays and Wednesdays from June 15 to September 15. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.
2265-13	*Comment*	*There is already a no-wake rule on the river for that section for the summer months. The boats that would use a motor to get through there would not make that much noise that it should upset anyone else. We spent eight years floating that section of river. We have floated from Loma all the way to the Fred Robinson, and have seen only two boats with motors and they were coming up the river. They didn't bother us one bit. They were there and gone before we even knew it. Their motors didn't bother us at all and they were very courteous.*
2265-13	Response	The BLM is directed by the Wild and Scenic Rivers Act to protect and enhance the values which caused the river to be included in the Wild and Scenic River System. This includes establishing various degrees of intensity for protection and development based on the special attributes (Outstandingly Remarkable Values – ORVs) of the area. The BLM is further directed by the Proclamation to protect objects of the Monument. One of the original 1977 management objectives for the Upper Missouri National Wild and Scenic River was to minimize noise pollution in zones valued for their aura of quiet and solitude (A Management Plan for the Upper Missouri Wild and Scenic River, September 1977). A seasonal downstream no-wake restriction on motorized craft was implemented to achieve this objective. Since that time visitor use has increased from approximately 2,000 boaters per year to nearly 6,000 boaters per year. Motorized craft on the river increased from 107 in 1980 to 458 in 2006. That is a 328% increase of motorized watercraft over a 26-year period. In a 2001 survey of boaters using the river between Fort Benton and the Fred Robinson Bridge, 51% of respondents said they encountered a motorized boat sometime during their trip. More significant, since the 2001 survey motorized craft on the river increased from 197 boats to 458 boats. That is a 132% increase in just five years. The increase in motorized craft makes it more difficult to protect and enhance the value of quiet and solitude, which is one of the ORVs the BLM is directed by law to protect under the Wild and Scenic Rivers Act.

Group		Motorized Watercraft – Allow Motors
		To address this issue the BLM incorporated public comment with management goals and a careful analysis of visitor use patterns and trends to develop a balanced watercraft management alternative. The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument. Further, BLM was able to expand opportunities for motorized use by restructuring the seasonal restriction period to include additional days in June for motorized use not available under current management. To protect and enhance the value of quiet and solitude, under the Preferred Alternative the wild and scenic segments from Holmes Council Island to Fred Robinson Bridge (river miles 92.5 to 149) would have a seasonal restriction from June 15 to September 15. Motorized watercraft traveling downstream at a no-wake speed would be allowed on Thursday through Saturday. On Sunday through Wednesday motorized watercraft travel would not be allowed. Personal watercraft and floatplanes would not be allowed on this segment of the river yearlong. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.
2265-14	*Comment*	*The rules for boating the Monument area as they stand now are unreasonable. Ice jams up and down the river cause more damage than any number of power boats making wakes. Most people that I know who utilize boats up and down the river have been extremely sensitive to the environment, the floaters, the land owners, and have adhered to the rules as they now stand. We have been limited to the seasonal restrictions which already limit any boating due to low water.*
2265-14	Response	Under Alternative A (Current Management), motorized use of the Upper Missouri River would be restricted seasonally (Memorial Day to Labor Day) on the wild and scenic segments of the river (89 miles). Motorized watercraft travel downstream at a no-wake speed would be allowed from the Saturday before Memorial Day through the Sunday after Labor Day. The BLM would expand opportunities for motorized use by restructuring the restriction period to include additional days in June not available under current management. The Preferred Alternative in the Proposed RMP/Final EIS provides opportunities for motorized use yearlong on the recreation segments of the river (river miles 0 to 52 and 84.5 to 92.5). On river miles 52 to 84.5 motorized use would be allowed from September 16 to June 14, but at a no wake speed from June 15 to September 15. On river miles 92.5 to 149 motorized use would be allowed September 16 to June 14, but at a no-wake speed on Thursdays, Fridays and Saturdays from June 15 to September 15. However, motorized water craft travel would not be allowed on this segment on Sundays, Mondays, Tuesdays and Wednesdays from June 15 to September 15. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.
2265-15	*Comment*	*For someone who doesn't canoe, I can't see restricting a motor boat used for fishing and hunting purposes. There is plenty of room for canoers and boaters both. I have run into motor boats myself while canoeing and you only hear the motor for a little while.*
2265-15	Response	The BLM would expand opportunities for motorized use by restructuring the restriction period to include additional days in June not available under current management. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the river under the Preferred Alternative.

Group		**Motorized Watercraft – Allow Motors**
		The Preferred Alternative in the Proposed RMP/Final EIS provides opportunities for motorized use yearlong on the recreation segments of the river (river miles 0 to 52 and 84.5 to 92.5). On river miles 52 to 84.5 motorized use would be allowed from September 16 to June 14, but at a no wake speed from June 15 to September 15. On river miles 92.5 to 149 motorized use would be allowed September 16 to June 14, but at a no-wake speed on Thursdays, Fridays and Saturdays from June 15 to September 15. However, motorized water craft travel would not be allowed on this segment on Sundays, Mondays, Tuesdays and Wednesdays from June 15 to September 15.
2265-16	*Comment*	*My worst fear is that you will shut down or severely restrict motorized boat use in the Monument area.*
2265-16	Response	The BLM would expand opportunities for motorized use by restructuring the restriction period to include additional days in June not available under current management. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the river under the Preferred Alternative. The Preferred Alternative in the Proposed RMP/Final EIS provides opportunities for motorized use yearlong on the recreation segments of the river (river miles 0 to 52 and 84.5 to 92.5). On river miles 52 to 84.5 motorized use would be allowed from September 16 to June 14, but at a no wake speed from June 15 to September 15. On river miles 92.5 to 149 motorized use would be allowed September 16 to June 14, but at a no-wake speed on Thursdays, Fridays and Saturdays from June 15 to September 15. However, motorized water craft travel would not be allowed on this segment on Sundays, Mondays, Tuesdays and Wednesdays from June 15 to September 15.
2265-17	*Comment*	*Many times you never see a canoe or floater, particularly in the colder times of the year. Motorized boats can slow down when meeting or approaching other watercraft. The sound of a motor is no worse than many of the boom boxes that are blasting as some floaters and canoers have on going down the river. Common courtesy and respect can go a long way. The motorized boat users can only lose no matter what decision is made. The floaters and canoers should not be able to dictate the use of the river. Many people in the special interest groups may only use the river once in their life time and some will never use it, but they still do not want motorized boats on the river.*
2265-17	Response	The BLM would expand opportunities for motorized use by restructuring the restriction period to include additional days in June not available under current management. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the river under the Preferred Alternative. The Preferred Alternative in the Proposed RMP/Final EIS provides opportunities for motorized use yearlong on the recreation segments of the river (river miles 0 to 52 and 84.5 to 92.5). On river miles 52 to 84.5 motorized use would be allowed from September 16 to June 14, but at a no wake speed from June 15 to September 15. On river miles 92.5 to 149 motorized use would be allowed September 16 to June 14, but at a no-wake speed on Thursdays, Fridays and Saturdays from June 15 to September 15. However, motorized water craft travel would not be allowed on this segment on Sundays, Mondays, Tuesdays and Wednesdays from June 15 to September 15.
2265-18	*Comment*	*Unless you intend to ban all motor activity on the river, we believe all kinds of boats with four stroke engines should be allowed.*

Group		Motorized Watercraft – Allow Motors
2265-18	Response	As discussed in Chapter 2 of the Proposed RMP/Final EIS, Alternatives Considered but Not Analyzed in Detail, Use of Motorized Watercraft on the Upper Missouri River, it is not feasible or reasonable to include every variation as a separate alternative analyzed in detail. A complete description of motorized use on the river under the Preferred Alternative is located in Chapter 2, Table 2.22.
2265-19	*Comment*	*I own a motorized boat. My family enjoys time boating, I don't want any of my past or future experiences to be changed.*
2265-19	Response	The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience, four days each week, from June 15 to September 15 on river miles 92.5 through 149. The BLM expanded opportunities for motorized use by restructuring the restriction period to include additional days in June not available under current management. The Preferred Alternative provides opportunities for motorized use yearlong on the recreation segments of the river (river miles 0 to 52 and 84.5 to 92.5). On river miles 52 to 84.5 motorized use would be allowed from September 16 to June 14, but at a no wake speed from June 15 to September 15. On river miles 92.5 to 149 motorized use would be allowed September 16 to June 14, but at a no-wake speed on Thursdays, Fridays and Saturdays from June 15 to September 15. However, motorized water craft travel would not be allowed on this segment on Sundays, Mondays, Tuesdays and Wednesdays from June 15 to September 15. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.
2265-20	*Comment*	*I don't see what is wrong with a boat going both ways on the river. That Missouri river has a rich history of travel, why change it now?*
2265-20	Response	The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience, four days each week, from June 15 to September 15 on river miles 92.5 through 149. The BLM expanded opportunities for motorized use by restructuring the restriction period to include additional days in June not available under current management. The Preferred Alternative provides opportunities for motorized use yearlong on the recreation segments of the river (river miles 0 to 52 and 84.5 to 92.5). On river miles 52 to 84.5 motorized use would be allowed from September 16 to June 14, but at a no wake speed from June 15 to September 15. On river miles 92.5 to 149 motorized use would be allowed September 16 to June 14, but at a no-wake speed on Thursdays, Fridays and Saturdays from June 15 to September 15. However, motorized water craft travel would not be allowed on this segment on Sundays, Mondays, Tuesdays and Wednesdays from June 15 to September 15. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.
2265-21	*Comment*	*Fishing access to these areas that are remote can only be traveled to in a certain time frame. Spending days floating the river to these choice fishing areas is not an option for the average working family. So will power boating be allowed between Memorial Day and Labor Day weekend in the future? And more than 4 miles up and down from a landing?*

2265-21 Response

The Preferred Alternative, in the Proposed RMP/Final EIS, for the use of motorized watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience, four days each week, from June 15 to September 15 on river miles 92.5 through 149. The BLM expanded opportunities for motorized use by restructuring the restriction period to include additional days in June not available under current management.

The Preferred Alternative provides opportunities for motorized use yearlong on the recreation segments of the river (river miles 0 to 52 and 84.5 to 92.5). On river miles 52 to 84.5 motorized use would be allowed from September 16 to June 14, but at a no wake speed from June 15 to September 15. On river miles 92.5 to 149 motorized use would be allowed September 16 to June 14, but at a no-wake speed on Thursdays, Fridays and Saturdays from June 15 to September 15. However, motorized water craft travel would not be allowed on this segment on Sundays, Mondays, Tuesdays and Wednesdays from June 15 to September 15. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

2265-22 Comment

It seems to me that motorboat owners have become kind of a second-class citizen just like cigarette smokers are today. You can't do it here; you can't do it there. I don't see why somebody that's got a motorboat can't use the river and somebody with a canoe can.

2265-22 Response

The BLM is directed by the Wild and Scenic Rivers Act to protect and enhance the values which caused the river to be included in the Wild and Scenic River System. This includes establishing various degrees of intensity for protection and development based on the special attributes (Outstandingly Remarkable Values – ORVs) of the area. The BLM is further directed by the Proclamation to protect objects of the Monument. One of the original 1977 management objectives for the Upper Missouri National Wild and Scenic River was to minimize noise pollution in zones valued for their aura of quiet and solitude (A Management Plan for the Upper Missouri Wild and Scenic River, September 1977). A seasonal downstream no-wake restriction on motorized craft was implemented to achieve this objective. Since that time visitor use has increased from approximately 2,000 boaters per year to nearly 6,000 boaters per year. Motorized craft on the river increased from 107 in 1980 to 458 in 2006. That is a 328% increase of motorized watercraft over a 26-year period. In a 2001 survey of boaters using the river between Fort Benton and the Fred Robinson Bridge, 51% of respondents said they encountered a motorized boat sometime during their trip. More significant, since the 2001 survey motorized craft on the river increased from 197 boats to 458 boats. That is a 132% increase in just five years. The increase in motorized craft makes it more difficult to protect and enhance the value of quiet and solitude, which is one of the ORVs the BLM is directed by law to protect under the Wild and Scenic Rivers Act.

Opportunities to experience the river in a semi-primitive or primitive non-motorized setting were determined by looking at the river as three distinct opportunity settings. The upper section (river miles 0 to 52) is a recreation classified section, and the river flows through a predominately rural setting. This area was determined suitable for motorized use, in both directions, year around. The White Cliff section (river miles 52 to 84.5) is a wild classified section and the river flows through a semi-primitive setting. Because it is the most popular stretch of the river, and because the setting has been modified with recreation facilities such as vault toilets and log shelters, it was determined motorized use is acceptable with a downstream no-wake restriction during the core period of use. Within the parameters of resource protection and management goals, we wanted to ensure a broad range of users had an opportunity to experience this section of the river. The

lower section (river miles 92.5 to 149) is the most primitive section. It has the least recreation facility development, the least amount of visitor use and the lowest level of motorized use of the three sections. The BLM determined this section could provide a primitive, non-motorized experience.

The BLM incorporated public comment with management goals and a careful analysis of visitor use patterns and trends to develop a balanced watercraft management alternative. The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument. Further, BLM was able to expand opportunities for motorized use by restructuring the seasonal restriction period to include additional days in June for motorized use not available under current management. To protect and enhance the value of quiet and solitude, under the Preferred Alternative the wild and scenic segments from Holmes Council Island to Fred Robinson Bridge (river miles 92.5 to 149) would have a seasonal restriction from June 15 to September 15. Motorized watercraft traveling downstream at a no-wake speed would be allowed on Thursday through Saturday. On Sunday through Wednesday motorized watercraft travel would not be allowed. Personal watercraft and floatplanes would not be allowed on this segment of the river yearlong. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

2265-24 *Comment* *If the river is closed to everyone except canoers I feel this is discrimination against my rights, and does this represent multiple use of our public lands in your eyes.*

2265-24 Response The BLM is directed by the Wild and Scenic Rivers Act to protect and enhance the values which caused the river to be included in the Wild and Scenic River System. This includes establishing various degrees of intensity for protection and development based on the special attributes (Outstandingly Remarkable Values – ORVs) of the area. The BLM is further directed by the Proclamation to protect objects of the Monument. One of the original 1977 management objectives for the Upper Missouri National Wild and Scenic River was to minimize noise pollution in zones valued for their aura of quiet and solitude (A Management Plan for the Upper Missouri Wild and Scenic River, September 1977). A seasonal downstream no-wake restriction on motorized craft was implemented to achieve this objective. Since that time visitor use has increased from approximately 2,000 boaters per year to nearly 6,000 boaters per year. Motorized craft on the river increased from 107 in 1980 to 458 in 2006. That is a 328% increase of motorized watercraft over a 26-year period. In a 2001 survey of boaters using the river between Fort Benton and the Fred Robinson Bridge, 51% of respondents said they encountered a motorized boat sometime during their trip. More significant, since the 2001 survey motorized craft on the river increased from 197 boats to 458 boats. That is a 132% increase in just five years. The increase in motorized craft makes it more difficult to protect and enhance the value of quiet and solitude, which is one of the ORVs the BLM is directed by law to protect under the Wild and Scenic Rivers Act.

To address this issue the BLM incorporated public comment with management goals and a careful analysis of visitor use patterns and trends to develop a balanced watercraft management alternative. The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument. Further, BLM was able to expand opportunities for motorized use by restructuring the seasonal restriction period to include additional days in June for motorized use not available under current management. To protect and enhance the value of quiet and solitude, under the Preferred Alternative the wild and scenic

segments from Holmes Council Island to Fred Robinson Bridge (river miles 92.5 to 149) would have a seasonal restriction from June 15 to September 15. Motorized watercraft traveling downstream at a no-wake speed would be allowed on Thursday through Saturday. On Sunday through Wednesday motorized watercraft travel would not be allowed. Personal watercraft and floatplanes would not be allowed on this segment of the river yearlong. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

2265-25 *Comment* *The new boating regulation that the BLM wants has been so controversial. I feel that the fact that the floaters have precedence over the motorboats is discrimination. The wind has been an eroding factor for years and far worse than the boater. I don't feel the boaters need to run the river full throttle, they should slow down for the floaters and I think we can both have usage of the Missouri.*

2265-25 Response The BLM is directed by the Wild and Scenic Rivers Act to protect and enhance the values which caused the river to be included in the Wild and Scenic River System. This includes establishing various degrees of intensity for protection and development based on the special attributes (Outstandingly Remarkable Values – ORVs) of the area. The BLM is further directed by the Proclamation to protect objects of the Monument. One of the original 1977 management objectives for the Upper Missouri National Wild and Scenic River was to minimize noise pollution in zones valued for their aura of quiet and solitude (A Management Plan for the Upper Missouri Wild and Scenic River, September 1977). A seasonal downstream no-wake restriction on motorized craft was implemented to achieve this objective. Since that time visitor use has increased from approximately 2,000 boaters per year to nearly 6,000 boaters per year. Motorized craft on the river increased from 107 in 1980 to 458 in 2006. That is a 328% increase of motorized watercraft over a 26-year period. In a 2001 survey of boaters using the river between Fort Benton and the Fred Robinson Bridge, 51% of respondents said they encountered a motorized boat sometime during their trip. More significant, since the 2001 survey motorized craft on the river increased from 197 boats to 458 boats. That is a 132% increase in just five years. The increase in motorized craft makes it more difficult to protect and enhance the value of quiet and solitude, which is one of the ORVs the BLM is directed by law to protect under the Wild and Scenic Rivers Act.

Opportunities to experience the river in a semi-primitive or primitive non-motorized setting were determined by looking at the river as three distinct opportunity settings. The upper section (river miles 0 to 52) is a recreation classified section, and the river flows through a predominately rural setting. This area was determined suitable for motorized use, in both directions, year around. The White Cliff section (river miles 52 to 84.5) is a wild classified section and the river flows through a semi-primitive setting. Because it is the most popular stretch of the river, and because the setting has been modified with recreation facilities such as vault toilets and log shelters, it was determined motorized use is acceptable with a downstream no-wake restriction during the core period of use. Within the parameters of resource protection and management goals, we wanted to ensure a broad range of users had an opportunity to experience this section of the river. The lower section (river miles 92.5 to 149) is the most primitive section. It has the least recreation facility development, the least amount of visitor use and the lowest level of motorized use of the three sections. The BLM determined this section could provide a primitive, non-motorized experience.

The BLM incorporated public comment with management goals and a careful analysis of visitor use patterns and trends to develop a balanced watercraft management alternative. The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized

and non-motorized, consistent with public use and enjoyment of the Monument. Further, BLM was able to expand opportunities for motorized use by restructuring the seasonal restriction period to include additional days in June for motorized use not available under current management. To protect and enhance the value of quiet and solitude, under the Preferred Alternative the wild and scenic segments from Holmes Council Island to Fred Robinson Bridge (river miles 92.5 to 149) would have a seasonal restriction from June 15 to September 15. Motorized watercraft traveling downstream at a no-wake speed would be allowed on Thursday through Saturday. On Sunday through Wednesday motorized watercraft travel would not be allowed. Personal watercraft and floatplanes would not be allowed on this segment of the river yearlong. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

2265-26 *Comment* *That seasonal boating thing is almost like a de facto ban on boats. You know, we just get a few months out of the year to run a few little small sections, and I really believe there is a vast inequity of open-boating opportunities on the river that the BLM really needs to address.*

2265-26 Response The BLM is directed by the Wild and Scenic Rivers Act to protect and enhance the values which caused the river to be included in the Wild and Scenic River System. This includes establishing various degrees of intensity for protection and development based on the special attributes (Outstandingly Remarkable Values – ORVs) of the area. The BLM is further directed by the Proclamation to protect objects of the Monument. One of the original 1977 management objectives for the Upper Missouri National Wild and Scenic River was to minimize noise pollution in zones valued for their aura of quiet and solitude (A Management Plan for the Upper Missouri Wild and Scenic River, September 1977). A seasonal downstream no-wake restriction on motorized craft was implemented to achieve this objective. Since that time visitor use has increased from approximately 2,000 boaters per year to nearly 6,000 boaters per year. Motorized craft on the river increased from 107 in 1980 to 458 in 2006. That is a 328% increase of motorized watercraft over a 26-year period. In a 2001 survey of boaters using the river between Fort Benton and the Fred Robinson Bridge, 51% of respondents said they encountered a motorized boat sometime during their trip. More significant, since the 2001 survey motorized craft on the river increased from 197 boats to 458 boats. That is a 132% increase in just five years. The increase in motorized craft makes it more difficult to protect and enhance the value of quiet and solitude, which is one of the ORVs the BLM is directed by law to protect under the Wild and Scenic Rivers Act.

Opportunities to experience the river in a semi-primitive or primitive non-motorized setting were determined by looking at the river as three distinct opportunity settings. The upper section (river miles 0 to 52) is a recreation classified section, and the river flows through a predominately rural setting. This area was determined suitable for motorized use, in both directions, year around. The White Cliff section (river miles 52 to 84.5) is a wild classified section and the river flows through a semi-primitive setting. Because it is the most popular stretch of the river, and because the setting has been modified with recreation facilities such as vault toilets and log shelters, it was determined motorized use is acceptable with a downstream no-wake restriction during the core period of use. Within the parameters of resource protection and management goals, we wanted to ensure a broad range of users had an opportunity to experience this section of the river. The lower section (river miles 92.5 to 149) is the most primitive section. It has the least recreation facility development, the least amount of visitor use and the lowest level of motorized use of the three sections. The BLM determined this section could provide a primitive, non-motorized experience.

Group		**Motorized Watercraft – Allow Motors**
		The BLM incorporated public comment with management goals and a careful analysis of visitor use patterns and trends to develop a balanced watercraft management alternative. The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument. Further, BLM was able to expand opportunities for motorized use by restructuring the seasonal restriction period to include additional days in June for motorized use not available under current management. To protect and enhance the value of quiet and solitude, under the Preferred Alternative the wild and scenic segments from Holmes Council Island to Fred Robinson Bridge (river miles 92.5 to 149) would have a seasonal restriction from June 15 to September 15. Motorized watercraft traveling downstream at a no-wake speed would be allowed on Thursday through Saturday. On Sunday through Wednesday motorized watercraft travel would not be allowed. Personal watercraft and floatplanes would not be allowed on this segment of the river yearlong. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.
2265-27	*Comment*	*If allowing motorized and nonmotorized use at the same time can work successfully on these popular and heavily-used rivers, certainly we should be able to make this work on a lightly used section of the Missouri.*
2265-27	Response	The BLM incorporated public comment with management goals and a careful analysis of visitor use patterns and trends to develop a balanced watercraft management alternative. The Preferred Alternative in the Proposed RMP/Final EIS protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of the Monument. Further, BLM was able to expand opportunities for motorized use by restructuring the seasonal restriction period to include additional days in June for motorized use not available under current management. To protect and enhance the value of quiet and solitude, under the Preferred Alternative the wild and scenic segments from Holmes Council Island to Fred Robinson Bridge (river miles 92.5 to 149) would have a seasonal restriction from June 15 to September 15. Motorized watercraft traveling downstream at a no-wake speed would be allowed on Thursday through Saturday. On Sunday through Wednesday motorized watercraft travel would not be allowed. Personal watercraft and floatplanes would not be allowed on this segment of the river yearlong. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.
Group		**Motorized Watercraft – Administrative Use**
2266-01	*Comment*	*The river should be non-motorized and any necessary motorized traffic for administrative reasons should be at no-wake speed, in a downstream direction. The worst violators of the no-wake limit have been the BLM boats. There have been numerous complaints about excessive noise and trips. If there's a limitation on motorized use, all agency personnel should follow the same rules with the exception of emergencies.*
2266-01	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, a cooperative effort among agencies operating on the river would be initiated. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Upper Missouri River Special Recreation management Area (SRMA), Alternative F (Preferred Alternative), Motorized Watercraft, for a complete description of motorized use on the Upper Missouri River.

Group		**Motorized Watercraft – Administrative Use**
2266-02	*Comment*	*Outfitter, ranchers, irrigators and others that make a living and need motors should be allowed to continue.*
2266-02	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, livestock grazing permittees would be allowed upstream travel to administer their grazing permit with prior notification to the BLM. In emergency situations, verbal notification from the permittee would suffice; for planned or known livestock grazing permit administrative work, a letter of exemption would be needed prior to motoring upstream. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Upper Missouri River Special Recreation management Area (SRMA), Alternative F (Preferred Alternative), Motorized Watercraft, for a complete description of motorized use on the Upper Missouri River.
2266-03	*Comment*	*Landowners should have automatic administrative use up or down river to administer grazing permits without prior notification to the BLM. The river should be no different from a road to administer an individual's lease.*
2266-03	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, livestock grazing permittees would be allowed upstream travel to administer their grazing permit with prior notification to the BLM. In emergency situations, verbal notification from the permittee would suffice; for planned or known livestock grazing permit administrative work, a letter of exemption would be needed prior to motoring upstream. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Upper Missouri River Special Recreation management Area (SRMA), Alternative F (Preferred Alternative), Motorized Watercraft, for a complete description of motorized use on the Upper Missouri River.
Group		**Transportation – General**
2300-01	*Comment*	*Motorized vehicle road use and landing strip activity are not compatible with the Proclamation values of remoteness, serenity, quietness, and lack of development. Favor the traditional non-motorized use.*
2300-01	Response	The Proclamation states, the Secretary "shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects." One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29).
2300-02	*Comment*	*User-created roads (two-tracks) and the airstrips should be removed to preserve the primitive character and solitude of the area.*
2300-02	Response	Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes

135 miles on spur roads (averaging less than 1/2 mile). Overall, about 216,700 acres of BLM land would be within 1/2 mile of a designated open BLM road (yearlong or seasonally). This is about 58% of the Monument.

Six airstrips (selected to avoid clusters) would remain open for private aircraft to provide opportunities for recreational backcountry activities such as camping, hiking, and sightseeing. The landing of aircraft would only be allowed on these airstrips. Current use of the backcountry airstrips is very limited.

2300-03 *Comment* *Modify Alternative F to minimize or restrict motorized use of roads and the landing strips. Uncontrolled use can lead to vandalism, damage to the landscape, and unnecessary noise.*

2300-03 Response The Proclamation states, the Secretary "shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects." One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument.

Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29).

The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.

Under the Preferred Alternative, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Overall, about 216,700 acres of BLM land would be within 1/2 mile of a designated open BLM road (yearlong or seasonally). This is about 58% of the Monument.

Six airstrips (selected to avoid clusters) would remain open for private aircraft to provide opportunities for recreational backcountry activities such as camping, hiking, and sightseeing. The landing of aircraft would only be allowed on these airstrips. Current use of the backcountry airstrips is very limited.

2300-04 *Comment* *Roads and airstrips are necessary for landowners but other users should be restricted / controlled.*

2300-04 Response For administrative purposes travel would be authorized off road and on closed roads for BLM, other federal agencies, state and county agencies, lessees and permittees. Administrative purposes would be limited to those activities necessary to administer the permit or lease.

Group		**Transportation – General**
		The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt. Six airstrips (selected to avoid clusters) would remain open for private aircraft to provide opportunities for recreational backcountry activities such as camping, hiking, and sightseeing. The landing of aircraft would only be allowed on these airstrips. Current use of the backcountry airstrips is very limited.
2300-05	*Comment*	*Control of motorized travel in the area is being driven by a non-motorized agenda.*
2300-05	Response	The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.
2300-06	*Comment*	*Light/minimal or the lack of motorized travel on roads seems to be a criteria being used to close roads.*
2300-06	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29). Under the Preferred Alternative, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile).
2300-07	*Comment*	*The use of motorized vehicles and aircraft in the Monument does not meet the less energy consumption philosophy.*
2300-07	Response	Using motorized equipment and vehicles for recreational purposes is common on BLM land. Recreational activities in the Monument would not be constrained or managed by energy consumption criteria. We do not see motorized use (vehicle travel and aircraft landings) at significant levels in the Monument. Many of the roads receive little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer).
2300-08	*Comment*	*Rural fire districts and EMS personnel need all the roads to remain open and, where feasible, be maintained for equipment access.*
2300-08	Response	Travel off road and on closed roads would be allowed for any military, fire, search and rescue, or law enforcement vehicle used for emergency purposes.

Group		Transportation – General
2300-09	*Comment*	*Enforcing new road closures, motorized boating restrictions and airstrip closures will not save or preserve this Breaks area. It will only hinder effective management, including fire control and emergency response.*
2300-09	Response	There would be no restrictions for any military, fire, search and rescue, or law enforcement watercraft used for emergency purposes on the Missouri River. This includes the use of motorized watercraft by the public for emergency purposes. Travel off road and on closed roads would be allowed for any military, fire, search and rescue, or law enforcement vehicle used for emergency purposes.
2300-10	*Comment*	*The Draft RMP/EIS does not prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes. Any transportation plan relying on the Draft RMP/EIS will not address the actions, including road closures or travel restrictions, necessary to protect the objects identified in the Proclamation.*
2300-10	Response	The Proclamation states, the Secretary "shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects." One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29).
2300-11	*Comment*	*The plan in no way provides any provision or control to insure that commercial hot air balloons, aircraft noted for their extremely limited direction control, land only on Monument airstrips.*
2300-11	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, all commercial aircraft landing in the Monument (planes, helicopters, hot air balloons, or ultralights) would be required to utilize specific authorized backcountry airstrips. Seasonal restrictions may apply to the commercial use of these airstrips. Commercial use would require prior authorization. Commercial aviation activities would be required to adhere to the stipulations incorporated into the authorized special recreation permit (SRP - 43 CFR 2930 regulations) issued by BLM for the specific activity.
2300-12	*Comment*	*Only non-motorized travel should be permitted absent the need for emergency medical attention excursions.*
2300-12	Response	The Proclamation states, the Secretary "shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects." One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument.

Group		Transportation – General
		Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29). Using motorized equipment and vehicles for recreational purposes is common on BLM land. We do not see motorized use (vehicle travel and aircraft landings) at significant levels in the Monument. Many of the roads receive little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer).
2300-13	*Comment*	*Snowmobiles, if permitted at all, should be restricted to the same few roads that are available to vehicles. Winter should be a time for refuge for wildlife and snowmobiles are the antithesis of concern for wildlife in the winter.*
2300-13	Response	The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as "limited" consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. All motorized and mechanized vehicles must stay on roads. This includes snowmobiles.
2300-14	*Comment*	*I support the road closures. Roads leading down to the river must certainly be closed off in order to protect the visual integrity of the wild and scenic Upper Missouri.*
2300-14	Response	The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29). These criteria were applicable to some of the BLM roads located in the Upper Missouri National Wild and Scenic River and WSAs. Under the Preferred Alternative in the Proposed RMP/Final EIS, 75 existing BLM road segments in the Upper Missouri National Wild and Scenic River (UMNWSR) would be closed to public motorized travel (34 miles). Nine additional BLM road segments would be seasonally closed to public motorized travel (12 miles). The majority of these roads are located downriver or east of the PN Bridge (Map 5, East Half Transportation Map).
2300-15	*Comment*	*In case of emergency how will the BLM respond to fires, accidents, and emergencies if all the infrastructure is gone?*
2300-15	Response	Travel off road and on closed roads would be allowed for any military, fire, search and rescue, or law enforcement vehicle used for emergency purposes.
2300-16	*Comment*	*A significant closing of roads and motorized trails in the project area is not consistent with meeting the needs of the public and the goals of Multiple-Use Management as directed under Federal Land Policy and Management Act of 1976 (FLPMA), Multiple Use Sustained Yield Act of 1960 and P.L. 88-657. Why are legally designated multiple-use lands being managed for limited-use instead of multiple-use?*
2300-16	Response	The Proclamation states, the Secretary "shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects."

Group		Transportation – General
		One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29).
2300-17	*Comment*	*The wildlife/visitor interaction in national parks demonstrates that the manner in which visitors coexist with wildlife is the most significant factor in the interaction between wildlife and visitors. The manner in which visitors coexist with wildlife in national forest can be shaped by adequate use of mitigation measures including seasonal closures, educational programs and trail rangers. Therefore, reasonable alternatives to the closure of motorized roads and trails exist and can be used to address wildlife concerns. We request that these sorts of reasonable alternatives to closure of roads and trails to motorized visitors be adequately considered and incorporated into the preferred alternative.*
2300-17	Response	The Proclamation states the Secretary "shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects." One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument. The range of alternatives in the Draft RMP/EIS includes six alternatives for the transportation system in the Monument that address the Proclamation and BLM's goal. This range includes Alternative A (Current Management), which is the current designated road system. The range of alternatives varies from Alternative A, which would leave most roads open yearlong or seasonally, to Alternative E, which would close most of the roads in the Monument. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. About 293 miles would be open yearlong and 111 miles would be open seasonally. The BLM would reduce the number of parallel and spur roads (172 miles) and some roads in areas with important wildlife habitat (1 mile), in areas considered unsuitable due to erosion and slope (13 miles), and in other areas (15 miles). There are 201 miles proposed for closure.
2300-18	*Comment*	*Why are there so many double-standards in the impact analyses and decision-making? If the issues surrounding motorized travel are significant enough to justify closures, then, in order to avoid introducing a bias to the evaluation and process the same issues and restrictions should also be applied to hiking, mountain climbing, cross-country hiking, wilderness users, etc.*
2300-18	Response	The Proclamation states, the Secretary "shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects."

Group **Transportation – General**

One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument.

Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security areas and wildlife winter range areas.

2300-19 *Comment* *A study of National Park elk habituated to human activity and not hunted were more sensitive to persons afoot than vehicles (Shultz, R.D. and James A. Bailey "Responses of National Park Elk to Human Activity," Journal of Wildlife Management, v42, 1975). Therefore, hikers disturb elk more than motor vehicles and "disturbance of wildlife" should not be used as a reason to justify motorized recreation and access closures. Additionally, when there are concerns with wildlife disturbance, restrictions on hikers should be given a greater emphasis than restrictions on motorized visitors.*

2300-19 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29).

Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Overall, about 216,700 acres of BLM land would be within 1/2 mile of a designated open BLM road (yearlong or seasonally). This is about 58% of the Monument.

Seasonal closures (December 1 to March 31) on resource roads within identified big game winter ranges could improve big game survival by reducing human contact and reducing stress during the winter period. Limiting disturbances on identified winter ranges would prevent additional disturbance of wintering big game during a period of physical stress. Big game species could experience improved survival due to reduced stress.

2300-20 *Comment* *Allowing travel up to 300 feet off of a designated route, both roads and trails, is an absolutely necessary opportunity for reasonable use of the area by the public. This access is needed for retrieval, woodcutting, and to reach dispersed campsites and the public's use of the area would be unreasonably compromised without this access. The use of this access can be qualified to restrict it in situations where it results in unreasonable resource damage.*

2300-20 Response The range of alternatives in the Draft RMP/EIS addressed several options for allowing vehicles to park off roads in the Monument. This range included distances from 10 feet to 300 feet and also immediately adjacent to a road. Based on the Proclamation, motorized and mechanized vehicle use is prohibited off road, except for emergency or authorized administrative purposes.

Under the Preferred Alternative in the Proposed RMP/Final EIS, outside of the WSAs, motorized or mechanized vehicles may park adjacent to a road to provide a reasonable safe distance for the public to pass. However, parking must be within 50 feet of a road. Parking would be encouraged at previously used sites. In the WSAs, motorized or mechanized vehicles may only park immediately adjacent to a vehicle way or cherry stem road.

2300-21 *Comment* *We are very concerned that motorized recreationists must identify and inventory specific routes that we want to remain open. These resources are there now and they are being used by the public and in almost all cases, it is entirely reasonable type and level of use. Motorized recreationists should not have to identify and inventory motorized routes as part of the process. This is the work of the agency. No other visitor group is saddled with this requirement.*

We are puzzled by this requirement. We have never had to identify and inventory backpacking routes that we wish to remain open. Additionally, most motorized recreationists do not have the expertise or equipment required to provide a comprehensive inventory of roads and trails. We are very concerned about the burden and disadvantage that is placed on motorized recreationists by this procedure and we request that it be changed.

2300-21 Response The following specifications were used to determine which routes would be inventoried for the Monument transportation plan. Motorized travel is not considered cross-country (off-road) on BLM land when: (1) the motorized vehicle uses constructed roads that are maintained by the BLM (constructed roads are often characterized with cut and fill slopes); and (2) the motorized vehicle use is on clearly evident two-track routes with regular travel and continuous passage of motorized vehicles over a period of years. A two-track is where perennial vegetation is devoid or scarce, or where wheel tracks are continuous depressions in the soil yet evident to the casual observer and are vegetated. BLM roads include two-track routes under the resource road classification.

A two-person seasonal inventory crew collected data on 436 miles of BLM roads (a total of 759 miles for all roads) during the summer of 2002 for the east half of the Monument, and another seasonal crew in 2004 collected additional information on 44 miles of BLM roads (a total of 81 miles for all roads) in the west half. Information on another 125 miles of BLM roads was obtained from existing data. The BLM roads in the Monument total 605 miles.

There would be 201 miles (415 road segments) closed to public motorized use under the Preferred Alternative in the Proposed RMP/Final EIS. This includes about 193 miles of two-track resource roads. The majority of the 201 miles of closed BLM roads would be allowed to reclaim naturally. For additional information see the Road Classification and Maintenance section of the Preferred Alternative in Chapter 2.

2300-22 *Comment* *Using OHV generated gas tax monies for maintenance, education, and construction of motorized recreational opportunities.*

2300-22 Response The OHV funds and grants are normally tied to trail systems, not roads. The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." A single-track trail system for motorized travel (ATVs, quads, motorcycles, etc.) is not authorized or permissible in the Monument. All motorized and mechanized vehicles must stay on roads.

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

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

2300-23 *Comment* *Evaluations and decisions have been limited to natural resource management issues. Issues associated with motorized access and motorized recreation must be adequately addressed during the evaluation and decision-making including social, economic, and environmental justice issues. We are concerned that issues cannot be restricted to just those associated with natural resources. Access and recreation on public lands are essential needs of the public in Montana and we respectfully request that issues associated with the human environment be adequately addressed.*

2300-23 Response The Visitor Use, Services, and Infrastructure section in Chapter 2 of the Proposed RMP/Final EIS includes management for recreation in the Monument. This section includes alternatives for recreation management areas; fees; gateway communities; research, collection, and special events; recreation in sensitive wildlife habitat; potential interpretive sites; special recreation permits; opportunities for boaters; camping facilities; and motorized watercraft.

The Access and Transportation section in Chapter 2 of the Proposed RMP/Final EIS includes management guidance for the transportation system in the Monument. This section includes alternatives for access; the BLM road system; and aviation.

These topics and others, including social, economic, and environmental justice issues, are analyzed in Chapter 4, the Environmental Consequences section of the Proposed RMP/Final EIS.

2300-24 *Comment* *The cumulative negative effects of more restrictive travel plan decisions include the concentration of use on fewer miles of road and trail, such that traffic density is increased and recreation enjoyment is reduced. Travel decisions affecting public lands that restrict motorized recreation in one area may consequently increase motorized use in another where site-specific travel plans are not yet in place. Cumulatively then, this "leapfrog" effect may increase resource damage, create more law enforcement problems, generate discord between motorized and non-motorized recreationists, and make future site-specific travel planning more difficult. This cumulative negative effect must be adequately considered as part of this project.*

2300-24 Response Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Overall, about 216,700 acres of BLM land would be within 1/2 mile of a designated open BLM road (yearlong or seasonally). This is about 58% of the Monument.

Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes

(wet spring or dry hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security areas and wildlife winter range areas.

The environmental consequences of the alternatives, including cumulative effects, are addressed in Chapter 4 of the Draft RMP/EIS and Proposed RMP/Final EIS.

2300-25 *Comment* *We respectfully maintain that the agency can not establish the motorized routes to remain open based solely on formal written public input because the process did not have a high enough level of participation by motorized recreationists to develop meaningful input. Therefore, the needs of motorized recreationists are not adequately or accurately represented.*

2300-25 Response The following specifications were used to determine which routes would be inventoried for the Monument transportation plan. Motorized travel is not considered cross-country (off-road) on BLM land when: (1) the motorized vehicle uses constructed roads that are maintained by the BLM (constructed roads are often characterized with cut and fill slopes); and (2) the motorized vehicle use is on clearly evident two-track routes with regular travel and continuous passage of motorized vehicles over a period of years. A two-track is where perennial vegetation is devoid or scarce, or where wheel tracks are continuous depressions in the soil yet evident to the casual observer and are vegetated. BLM roads include two-track routes under the resource road classification.

A two-person seasonal inventory crew collected data on 436 miles of BLM roads (a total of 759 miles for all roads) during the summer of 2002 for the east half of the Monument, and another seasonal crew in 2004 collected additional information on 44 miles of BLM roads (a total of 81 miles for all roads) in the west half. Information on another 125 miles of BLM roads was obtained from existing data. The BLM roads in the Monument total 605 miles.

Chapter 5 in the Draft RMP/EIS and Proposed RMP/Final EIS describes the public participation events that occurred during preparation of the RMP including scoping meetings and alternative development workshops.

2300-26 *Comment* *The document and decision makers must prove by use of facts and data and without reasonable doubt that the claimed improvements to the natural environment are significant enough to justify the significant impact on the human environment associated with the closure of motorized routes. There must be a measurable and significant improvement. Additionally, there must be monitoring to backup the claimed improvements to the natural environment.*

2300-26 Response Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security areas and wildlife winter range areas.

The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.

Group **Transportation – General**

In Chapter 4, under Social Impacts Common to All Alternatives, the environmental justice issues were addressed. No identifiable effects or issues specific to any minority or low income population surfaced in any of the six alternatives. Again in Chapter 4 under Economics and Social headings, the impacts to human environment were discussed.

2300-27 *Comment* *A study of sound levels from OHV use was found to be less than the background noise of the wind in treetops (Nora Hamilton, Mendocino National Forest, memorandum to the file, November 17, 1992). Also, the USDA FS Technology and Development Program in a report prepared in 1993 and titled "Sound Levels of Five Motorcycles Traveling Over Forest Trails" found that at distances over 400 feet, motorcycles do not raise the ambient sound level (they are no louder than background levels of noise). Absolute quiet is not a reasonable expectation. Sound from motorized sources such as airplanes exists even in the most remote areas. It is not reasonable to expect absolute quiet in areas intended for multiple-use. The sound level of motorized recreation use is not greater than natural sounds, and therefore, sound level should not be used as a reason to justify motorized recreation and access closures.*

2300-27 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29).

The BLM would reduce the number of parallel and spur roads (172 miles) and some roads in areas with important wildlife habitat (1 mile), in areas considered unsuitable due to erosion and slope (13 miles), and in other areas (15 miles). There are 201 miles proposed for closure.

The recreation section in Chapter 4 of the Draft RMP/EIS and Proposed RMP/Final EIS addresses the effects of noise on recreation opportunities. The potential impacts are primarily from motorized activities on the Upper Missouri National Wild and Scenic River, which may include personal watercraft, floatplanes, and other seasonal motorized watercraft.

The sound level of motorized recreation was not a criterion used to close the 201 miles of BLM roads under the Preferred Alternative. The criteria used were parallel, redundant, spur, slope condition and soil erosion, safety, and the other factors listed in Table 2.29 in the Proposed RMP/Final EIS.

2300-28 *Comment* *An alternative to motorized closures in many cases would be to keep motorized opportunities open and use education on principles such as those found in the Tread Lightly program and Blue Ribbon Coalition Recreation Code of Ethics and Principles to address and eliminate specific issues associated with motorized recreationists. These efforts could include the use of pamphlets, information kiosks, and presentations. Education can also be used to address and eliminate issues associated with non-motorized recreationists by encouraging their use of reasonable expectations, reasonable tolerance of others, and reasonable sharing of our land resources.*

To date, educational measures have not been adequately considered, evaluated or implemented. We request that educational measures be incorporated as part of this proposed action and that the cumulative negative impact on motorized recreationists of

not using education in all past actions involving motorized recreational opportunities be addressed. Additionally, we request that an adequate mitigation plan be included as part of this action to compensate for past cumulative negative impacts associated with inadequate use of education measures in past actions.

2300-28 Response

One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument.

The information and education program along with Tread Lightly, Leave No Trace, and others are integral parts of BLM's recreation program to encourage compliance and the preservation of the various activities we manage on public land. The BLM's National Recreation 2000 guidance handbook, the Purple Book Recreation Policy, and the Tri-State Recreation Plan all incorporate educational measures as addressed in the Decisions Common to All Alternatives section of Chapter 2.

2300-29 Comment

A reasonable Travel Management alternative would maintain existing travelways that provide motorized recreationists with a system of loops and destinations. The preferred alternative should provide access to motorized looped trail systems, spurs for exploration and destinations, and motorized access to areas located outside the project area. We request that the cumulative negative effect of reduced recreation and access opportunities for motorized visitors within the project area be adequately considered in the document and decision-making. The cumulative negative effect of eliminating motorized access to loop trail systems, provide exploration opportunities and destinations outside of the project area should also be adequately considered in the document and decision-making.

2300-29 Response

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

Because the majority of the Monument has a relatively young geologic history, the "breaks" topography consists of steep eroding terrain with numerous long narrow ridges reaching towards the Missouri River. Motorized traffic along the many ridge roads forms many unimproved two-track resource roads. The terrain and topography do not easily lend themselves to the development of public loop road systems in the Monument.

2300-30 Comment

A reasonable alternative instead of all motorized closures is a sharing of resources. A reasonable alternative for accomplishing this can be done by designating alternating weeks for motorized and non-motorized use. The schedule can be communicated to the public by signs at each end of the trail segments, newspaper articles, and through local user groups. This alternative eliminates any reasonable concern about conflict of users (which we think is over-stated and over-emphasized based on reasons discussed elsewhere in this submittal).

2300-30 Response

No motorized single-track trails are permissible under the Proclamation issued in January 2001 and therefore, were not a part of the transportation plan in the RMP for the Monument. The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as a limited area consistent with 43 CFR 8340. A limited area means an area restricted at certain

times, in certain areas, and/or to certain vehicular use, such as no off-road travel. A single track trail system for motorized travel (ATVs, quads, motorcycles, etc.) is not authorized or permissible in the Monument. All motorized and mechanized vehicles must stay on roads.

The Proclamation states the Secretary "shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects." One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument. The range of alternatives in the Draft RMP/EIS includes six alternatives for the transportation system in the Monument that address the Proclamation and BLM's goal. This range includes Alternative A (Current Management), which is the current designated road system. The range of alternatives varies from Alternative A, which would leave most roads open yearlong or seasonally, to Alternative E, which would close most of the roads in the Monument.

Under the Preferred Alternative in the Proposed RMP/Final EIS, 404 miles of BLM roads (67%) would be designated open for public motorized use sometime during the year (Table 2.38 and Map 5 in the Proposed RMP/Final EIS). The remaining BLM roads (201 miles or 33%) would be closed yearlong to motorized travel by the public. The current road system is addressed as Alternative A in the Draft RMP/EIS and Proposed RMP/Final EIS (Table 2.27 and Map 4 in the Proposed RMP/Final EIS).

2300-31 *Comment* *A new strategy for travel management actions should be to enhance the level of opportunities for motorized visitors in order to be responsive to the needs of the public. Enhancement could include roads and trails systems with loops, exploration destinations such as lakes, mines, scenic overlooks, and inter-connections to other public lands and regional trails. We request that the preferred alternative include the enhancement of motorized recreational opportunities.*

2300-31 Response No motorized single-track trails are permissible under the Proclamation issued in January 2001 and therefore, were not a part of the transportation plan in the RMP for the Monument. The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as a limited area consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. A single track trail system for motorized travel (ATVs, quads, motorcycles, etc.) is not authorized or permissible in the Monument. All motorized and mechanized vehicles must stay on roads.

One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument.

Under the Preferred Alternative in the Proposed RMP/Final EIS, 404 miles of BLM roads (67%) would be designated open for public motorized use sometime during the year (Table 2.38 and Map 5 in the Proposed RMP/Final EIS). The remaining BLM roads (201 miles or 33%) would be closed yearlong to motorized travel by the public. The current road system is addressed as Alternative A in the Draft RMP/EIS and Proposed RMP/Final EIS (Table 2.27 and Map 4 in the Proposed RMP/Final EIS).

2300-32 *Comment* *We request that the process include consideration of the negative impacts that proposed motorized road and trail closures will have on fire management, fuel wood harvest for*

home heating, and timber management. The analysis should include an analysis of the benefits to the public from the gathering of deadfall for firewood from each of the roads and trails proposed for closure. These analyses are especially significant following a devastating fire season and a period of rising energy costs. The need for firewood gathering is increasing given the increasing energy costs.

2300-32 Response

Where forest/woodland health is in jeopardy, minimal impact harvesting techniques that are appropriate for soil and topographical conditions may be pursued. The Monument Manager could designate personal use areas for cutting Christmas trees and firewood. Under a permit, individuals could be allowed to utilize incidental material. The permit would address the specific type of material and conditions under which removal would occur.

No motorized single-track trails are permissible under the Proclamation issued in January 2001 and therefore, were not a part of the transportation plan in the RMP for the Monument. The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as a limited area consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. A single track trail system for motorized travel (ATVs, quads, motorcycles, etc.) is not authorized or permissible in the Monument. All motorized and mechanized vehicles must stay on roads.

2300-33 Comment

We are concerned about the loss of access and impact on the handicapped, elderly, and physically impaired produced by each motorized closure to historic sites and traditional use areas. The proposed closures deny these citizens access to public lands that are especially important to them. We request that all the roads, trails, and features of interest be analyzed for the access and recreation opportunity that they provide for handicapped, elderly, and physically impaired visitors.

2300-33 Response

No motorized single-track trails are permissible under the Proclamation issued in January 2001 and therefore, were not a part of the transportation plan in the RMP for the Monument. The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as a limited area consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. A single track trail system for motorized travel (ATVs, quads, motorcycles, etc.) is not authorized or permissible in the Monument. All motorized and mechanized vehicles must stay on roads.

One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument.

Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. About 293 miles would be open yearlong and 111 miles would be open seasonally. The BLM would reduce the number of parallel and spur roads (172 miles) and some roads in areas with important wildlife habitat (1 mile), in areas considered unsuitable due to erosion and slope (13 miles), and in other areas (15 miles). There are 201 miles proposed for closure. The availability of 404 miles of designated open and

limited BLM roads (67% of the road system) would provide many opportunities for motorized recreation.

2300-34 *Comment* *Agencies are encouraged to return trails that used to be on trail inventories to the current inventory.*

2300-34 Response No motorized single-track trails are permissible under the Proclamation issued in January 2001 and therefore, were not a part of the transportation plan in the RMP for the Monument. The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as a limited area consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. A single track trail system for motorized travel (ATVs, quads, motorcycles, etc.) is not authorized or permissible in the Monument. All motorized and mechanized vehicles must stay on roads.

2300-35 *Comment* *Motorized recreationists would be willing to accept area closure when necessary to protect the natural environment in exchange for a reasonable network of OHV roads and trails.*

2300-35 Response No motorized single-track trails are permissible under the Proclamation issued in January 2001 and therefore, were not a part of the transportation plan in the RMP for the Monument. The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as a limited area consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. A single track trail system for motorized travel (ATVs, quads, motorcycles, etc.) is not authorized or permissible in the Monument. All motorized and mechanized vehicles must stay on roads.

Under the Preferred Alternative in the Proposed RMP/Final EIS, 404 miles of BLM roads (67%) would be designated open for public motorized use sometime during the year (Table 2.38 and Map 5 in the Proposed RMP/Final EIS). Roads that are designated open or limited (404 miles) would be open to all forms of motorized and mechanized use consistent with management objectives with the exception 2 miles of roads identified as backcountry airstrips.

2300-36 *Comment* *The integrity of the "loop" trail system should be maintained. Loop systems mininize the number of on-trail encounters because non-motorized trail users don't encounter motorized users going both directions, as they do on non-loop trails. Loop trails also offer trail users a more desirable recreational experience. Agencies are encouraged to provide opportunity for "motorized loop trail systems" to lessen impacts and to provide a better recreational experience. Spurs are useful for exploration and reaching destinations.*

2300-36 Response No motorized single-track trails are permissible under the Proclamation issued in January 2001 and therefore, were not a part of the transportation plan in the RMP for the Monument. The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as a limited area consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. A single

track trail system for motorized travel (ATVs, quads, motorcycles, etc.) is not authorized or permissible in the Monument. All motorized and mechanized vehicles must stay on roads.

The majority of the Monument has a relatively young geologic history and the "breaks" topography consists of steep eroding terrain with numerous long narrow ridges reaching towards the Missouri River. Motorized traffic along the many ridge roads forms many unimproved two-track resource roads. The terrain and topography do not easily lend themselves to the development of public loop road systems in the Monument.

2300-37 *Comment* *OHV use and wildlife can and do coexist. We do not see any evidence in the field that would indicate that summer motorized recreation use is a significant wildlife problem. We support motorized closures where necessary to protect wildlife during the spring calving season and hunting season while maintaining a reasonable level of access during those periods.*

2300-37 Response Impacts from roads are well documented in the available scientific literature, in that roads impact all wildlife to some degree. The level of impact can be influenced by many factors, including type and size of road, season of use, frequency of use, type of vehicles using road, location of a road, and very important is the amount of traffic. As demonstrated by the healthy populations of elk, mule deer, and bighorn sheep, the current traffic level and location of traffic in relation to populations is not currently a major impact to population levels of these three species. It does not mean there is not an impact on these species, or that impacts from roads are not continuing to impact other species.

Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security areas and wildlife winter range areas.

2300-38 *Comment* *All public lands were largely open to motorized access prior to the 1960's. Many existing roads and trails were created by legal logging, mining and public access during this period. Nearly all of the roads and trails in the project area have been in existence for many years with many dating back to the turn of the century. The term "unclassified road or ghost road" may give the impression that these roads evolved illegally. We request a clarification in the document that travelways with these origins are legal travelways as recognized by the 3-States OHV ROD. We are very concerned that the agencies are not honoring this agreement and decision. Additionally, we request that these roads and trails continue to provide recreation opportunities for motorized visitors and that mitigation measures be used, as required, to stabilize or address any environmental concerns.*

2300-38 Response The following specifications were used to determine which routes would be inventoried for the Monument transportation plan. Motorized travel is not considered cross-country (off-road) on BLM land when: (1) the motorized vehicle uses constructed roads that are maintained by the BLM (constructed roads are often characterized with cut and fill slopes); and (2) the motorized vehicle use is on clearly evident two-track routes with regular travel and continuous passage of motorized vehicles over a period of years. A two-track is where perennial vegetation is devoid or scarce, or where wheel tracks are continuous depressions in the soil yet evident to the casual observer and are vegetated. BLM roads include two-track routes under the resource road classification.

Group		Transportation – General
		A two-person seasonal inventory crew collected data on 436 miles of BLM roads (a total of 759 miles for all roads) during the summer of 2002 for the east half of the Monument, and another seasonal crew in 2004 collected additional information on 44 miles of BLM roads (a total of 81 miles for all roads) in the west half. Information on another 125 miles of BLM roads was obtained from existing data. The BLM roads in the Monument total 605 miles.
2300-39	*Comment*	*Agencies are encouraged to treat hiking, horses and mountain bikes as a form of transportation, just as motorized recreation is a form of transportation.*
2300-39	Response	The alternatives in Chapter 2 for access and transportation consider aircraft use, mountain biking, vehicles, ATVs, motorbikes, etc. as authorized forms of travel with motorized vehicles and mechanized equipment. Hiking and horseback activities are addressed under the Visitor Use, Services, and Infrastructure section of the document.
2300-40	*Comment*	*Physically challenged visitors must use wheeled vehicles to visit public lands. The needs of all of these multiple-use visitors have not been adequately addressed and the proposed negative impacts to them have not been adequately disclosed. We request that the cumulative needs of these visitors be accurately quantified and the cumulative negative impacts of closures on these visitors be considered in the decision-making.*
2300-40	Response	Individuals with disabilities could request a permit to travel on closed roads consistent with the Rehabilitation Act of 1973. Such access would be considered on a case-by-case basis by the Monument Manager. If the need arises, the BLM could identify specific designated closed roads as access for individuals with disabilities.
2300-41	*Comment*	*There needs to be better coordination between adjoining National Forest and BLM lands when making maps, laying out trails, and establishing travel plans. In some cases a trail is open in one jurisdiction but becomes closed when it crosses over the boundary to another jurisdiction resulting in an overall loss of motorized recreation opportunity.*
2300-41	Response	There are no National Forest lands adjoining the Monument. The CMR National Wildlife Refuge and Fort Belknap Indian Reservation do border the Monument and we have coordinated our travel plan with them.
2300-42	*Comment*	*Restrictions or closures are not always obvious to the public. Education can also be in the form of measures such as the use of jackleg fences with signs at the end of motorized trails in sensitive areas so that public is made aware of the end of the motorized trail and the surrounding area closure. The use of public education to address problems may require effort and time but it is more reasonable than the use of closures. We request the full use of education to address visitor problems. Additionally, individual motorized recreationists and groups can be called upon to assist with the implementation of the educational process.*
2300-42	Response	As addressed in Decisions Common to All Alternatives in Chapter 2, the information and education program along with Tread Lightly, Leave No Trace, and others are integral parts of BLM's recreation program to encourage compliance and the preservation of the various activities we manage in the Monument. The BLM's National Recreation 2000 guidance handbook, the Purple Book Recreation Policy, and the Tri-State Recreation Plan all incorporate the educational measures.

Group		Transportation – General
2300-43	*Comment*	*Provide open or play areas for motorized recreation opportunity and trials bikes where acceptable in selected areas.*
2300-43	Response	No motorized single-track trails are permissible under the Proclamation issued in January 2001 and therefore, were not a part of the transportation plan in the RMP for the Monument. The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as a limited area consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. A single track trail system for motorized travel (ATVs, quads, motorcycles, etc.) is not authorized or permissible in the Monument. All motorized and mechanized vehicles must stay on roads.
2300-44	*Comment*	*You want to close 200 miles of roads, limit airplanes, boats, and snowmobiles. How many ranchers use those roads, how many have airplanes, boats and snowmobiles? They are no doubt used to check cattle, fences etc.*
2300-44	Response	For administrative purposes travel would be authorized off road and on closed roads for BLM, other federal agencies, state and county agencies, lessees and permittees. Administrative purposes would be limited to those activities necessary to administer the permit or lease. This includes livestock permittees building or maintaining fences and water facilities, delivering salt or supplements, moving livestock, checking wells and pipelines, or other activities directly associated with the implementation of a grazing permit or lease. Most ranchers who use a plane as a part of their livestock management operation also have an airstrip and hangar located on their private property.
2300-45	*Comment*	*The imposition of vehicle noise upon others who are trying to enjoy the peace and quiet of a natural setting has become onerous in recent years. While that may be merely an aesthetic consideration, the real impacts of landscape erosion, wildlife disturbance, fire danger, and the spread of noxious weeds has serious implications for the ecological health of our protected "natural" areas. The off-road users have become incredibly bold in their disregard for posted restrictions on motor vehicles. I have witnessed such abuses on numerous occasions; the more remote the area, the more brazen the abuse since they know that enforcement largely relies on the honor system.* *Safeguarding the last of the best places in the face of troubling cultural shifts toward reckless motorized recreation is a difficult task.*
2300-45	Response	The Preferred Alternative would close 201 miles of BLM roads. This includes 37 miles that are considered parallel roads, 10 miles of redundant roads, and 135 miles of spur roads (1 mile or less). Overall, about 216,700 acres of BLM land would be within 1/2 mile of a designated open BLM road (yearlong or seasonally). This is about 58% of the Monument. The BLM will provide uniformed law enforcement patrols of the Monument. The law enforcement program will stress public compliance through education and outreach to develop a sense of public ownership of the Monument. The BLM will respond to resource violations consistent with current law enforcement responsibilities within the Lewistown Field Office.
2300-46	*Comment*	*If this is to be a national Monument, set aside for the scenic viewing for the public, how will they access the area if you close the roads, airstrips and motorized river traffic? We,*

the public are varied in our abilities to get around. If it is accessible for one, then it should be for all.

2300-46 Response The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.

The six backcountry airstrips (four would be closed to avoid clustering) would be designated open for public use but commercial activity must be authorized by obtaining a permit.

Boats with motors would be allowed on the Upper Missouri National Wild and Scenic River, but do face restricted times during the summer period as to when a motor can be used to power the boat through the water.

2300-47 Comment *The environmental groups are gradually strangling economic activity throughout Montana using aggressive regulations and proposed closures to promote their view of exclusive use for the nonmotorized public. Ranchers, oil and gas development, motorized watercraft, OHV, and airplane activity are all legitimate activities on public land.*

The cumulative effect on motorized recreation has not been addressed. This proposal along with the other federal forest and travel plan closures needs to be examined. Our numbers are growing. We ask a simple question of the agencies: Where do we go when this opportunity is lost?

2300-47 Response The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.

The environmental consequences of the alternatives, including cumulative effects, are addressed in Chapter 4 of the Draft RMP/EIS and Proposed RMP/Final EIS.

2300-48 Comment *Keep this treasure a treasure! Once you allow motorized access the quiet solitude of the area will never ever be recovered.*

2300-48 Response Currently there are 524 miles (87%) of BLM roads open to motorized public travel yearlong. Under the Preferred Alternative the number of open road miles would decrease by 231 miles.

2300-49 Comment *The second issue is the conflict of the 1906 Antiquities and the Proclamation in the extensive use of aircraft landing on land and water and use of a variety of motorized vehicles in the RMP.*

2300-49 Response One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument.

Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting,

geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29).

2300-50 *Comment* *I am sorry to say that I am very disappointed in your plan. The plan is full of unnecessary accommodations for motorized use of the area, from excessive miles of road to unnecessary airstrips to motorized use of the stretch of the Missouri River through the Breaks. In all my previous comments I have requested that all types of motorized use be restricted or eliminated.*

2300-50 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, public motorized travel is restricted to 404 miles of designated roads, and 201 miles of BLM roads would be closed to public travel. Aircraft landings would be restricted to six backcountry airstrips and four airstrips would be closed. No cross-country travel off designated roads would be permissible with motorized vehicles or mechanized equipment; however, travel off road and on closed roads would be allowed for any military, fire, search and rescue, or law enforcement vehicle used for emergency purposes.

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

2300-51 *Comment* *The preferred alternative will not adhere to State statutes regarding noise.*

23-2-523 (9) The population density and heavy recreational use of certain lakes require a noise standard more restrictive than the standard set in 23-2-526 in order to protect the public health and safety.

23-2-521 (3)(a) Except as provided in subsection (3)(b), the exhaust of an internal combustion engine used on a motorboat or vessel must be muffled either by discharge underwater or by a functioning muffler capable of muffling exhaust noise to 90 dbA or less when measured at a distance of 1 meter from the muffler at idle speed in accordance with the stationary sound level measurement procedure for pleasure motorboats (SAE J2005). The muffler may not be modified or altered, such as by a cutout.

The final RMP must comply with all State noise statutes designed to protect natural quiet and human health.

2300-51 Response Motorboats on the river must comply with state statutes. Under the Preferred Alternative in the Proposed RMP/Final EIS, motorized use on the river would be allowed with seasonal limitations on upstream travel and a seasonal no-wake speed restriction in the wild and scenic segments of the UMNWSR from June 15 to September 15. In addition, the wild and scenic segment from Holmes Council Island to the Fred Robinson Bridge would be restricted to non-motorized watercraft from June 15 to September 15 on Sunday through Wednesday.

Group		Transportation – General
2300-52	*Comment*	*How about we have an alternative for motorized use only.*
2300-52	Response	The Proclamation states the Secretary "shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects." One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument. The range of alternatives in the Draft RMP/EIS includes six alternatives for the transportation system in the Monument that address the Proclamation and BLM's goal. This range includes Alternative A (Current Management), which is the current designated road system. The range of alternatives varies from Alternatives A and B, which would leave most roads open yearlong or seasonally, to Alternative E, which would close most of the roads in the Monument. Alternatives A and B would also leave the ten backcountry airstrips open yearlong and under Alternative B there would be no motorized use restrictions on the Upper Missouri National Wild and Scenic River.
2300-53	*Comment*	*Add a provision that ensures horse/mule use on roads, trails and cross-country travel.*
2300-53	Response	As addressed under Decisions Common to All Alternatives in Chapter 2, the recreation emphasis will be to develop and maintain opportunities for dispersed recreational activities such as hunting, hiking, scenic and wildlife viewing and driving for pleasure, consistent with current policies and practices and the Proclamation. Methods to achieve these opportunities include emphasizing public access and the Watchable Wildlife and Back Country Byways programs. The BLM will emphasize dispersed recreation opportunities including hiking and development of non-motorized hiking trails.
2300-54	*Comment*	*As more private lands become off limits to the public, it's pushed on to more public lands. Let's preserve this area with a travel plan that respects the needs of wildlife management.*
2300-54	Response	Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security areas and wildlife winter range areas.
2300-55	*Comment*	*In other words, this piece of property should be managed as though it is special, not just another acre of BLM land. This current land management proposal does not shout out special. In fact, it doesn't even whisper special. Instead, it allows motorized vehicles to overrun the water, the land, and the sky.*
2300-55	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, public motorized travel is restricted to 404 miles of designated roads, and 201 miles of BLM roads would be closed to public travel. Aircraft landings would be restricted to six backcountry airstrips and four airstrips would be closed. No cross-country travel off designated roads would be permissible with motorized vehicles or mechanized equipment; however, travel off road and on closed roads would be allowed for any military, fire, search and rescue, or law enforcement vehicle used for emergency purposes. . Motorized use on the river would be allowed with seasonal limitations on upstream travel and a seasonal no-wake speed restriction in the wild and scenic segments of the UMNWSR from June 15 to September 15. In addition, the wild and scenic segment from Holmes Council Island to the Fred Robinson Bridge would be restricted to non-motorized watercraft from June 15 to September 15 on Sunday through Wednesday.

Group		**Transportation – General**
2300-56	*Comment*	*We do know increased motorized travel is coming to the Monument. History teaches us that it will get out of hand if not managed properly. We must keep in mind this area has a special designation, whether some people like it or not. It's a Monument.*
2300-56	Response	One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29).
2300-57	*Comment*	*Backcountry airstrips should be eliminated and ORV usage must be curtailed. These measures will assure a quiet and peaceful float for those seeking a truly remember-able experience. In addition these measures will serve to protect the wildlife resources there as well.*
2300-57	Response	The Proclamation prohibits any off road motorized travel. Nearly 33% of the BLM roads (201 miles on 415 road segments) would be closed to public travel under the Preferred Alternative in the Proposed RMP/Final EIS. Under the Preferred Alternative in the Proposed RMP/Final EIS, motorized use on the river would be allowed with seasonal limitations on upstream travel and a seasonal no-wake speed restriction in the wild and scenic segments of the UMNWSR from June 15 to September 15. In addition, the wild and scenic segment from Holmes Council Island to the Fred Robinson Bridge would be restricted to non-motorized watercraft from June 15 to September 15 on Sunday through Wednesday.
Group		**Aircraft Landings**
2310-01	*Comment*	*Eliminate/close/prohibit the backcountry airstrips, they are not appropriate or consistent with the goals of the Monument and will facilitate use by hot-air balloons, ultralights and helicopters. Allowing existing numbers to remain could be a precedent setting action for other National Monuments.* *The proposed six airstrips are in conflict with the proclamation's directive that there shall be no motorized use off roads.* *What about an alternative that features 1 or 2 airstrips with limitations on the types and amounts of use?*
2310-01	Response	The use of backcountry grass landing strips is considered a recreational opportunity for visitors to the Monument. There is nothing in the Proclamation narrative that specifically disallows or prohibits the presence of primitive grass landing strips or the use of recreational aircraft. Travel by small fixed-wing aircraft is considered as a mode of transportation to visit the Monument, the same as motorized vehicles and mechanized equipment (mountain bikes).

Group		Aircraft Landings
		The Preferred Alternative recommends that six airstrips (selected to avoid clusters) would remain open to provide opportunities for recreational backcountry activities such as camping, hiking, and sightseeing. The six airstrips are Black Butte North, Bullwhacker, Cow Creek, Knox Ridge, Left Coulee, and Woodhawk. Five of the airstrips would be open yearlong while the Woodhawk airstrip would be restricted seasonally to provide wildlife habitat security during the fall hunting season (September 1 to November 30). The BLM plans to monitor the use of these primitive landing strips. If use increases significantly, BLM would consider changes through activity level planning (Appendix H) to protect the objects for which the Monument was designated. The Draft RMP/EIS addressed a reasonable range of alternatives for the backcountry airstrips. This range included several options, including ten, seven, six and no airstrips.
2310-02	*Comment*	*Decrease or minimize the number of backcountry airstrips.*
2310-02	Response	The Preferred Alternative recommends that six airstrips (selected to avoid clusters) would remain open to provide opportunities for recreational backcountry activities such as camping, hiking, and sightseeing. The six airstrips are Black Butte North, Bullwhacker, Cow Creek, Knox Ridge, Left Coulee, and Woodhawk. Five of the airstrips would be open yearlong while the Woodhawk airstrip would be restricted seasonally to provide wildlife habitat security during the fall hunting season (September 1 to November 30).
2310-03	*Comment*	*Retain the existing number of primitive landing strips.* *Aviators need a choice of airstrips to use in order to land where there are no livestock present.* *The airstrips would be considered objects of historic interest and should be preserved as provided for in the proclamation.*
2310-03	Response	The Preferred Alternative recommends that six airstrips (selected to avoid clusters) would remain open to provide opportunities for recreational backcountry activities such as camping, hiking, and sightseeing. The six airstrips are Black Butte North, Bullwhacker, Cow Creek, Knox Ridge, Left Coulee, and Woodhawk. Five of the airstrips would be open yearlong while the Woodhawk airstrip would be restricted seasonally to provide wildlife habitat security during the fall hunting season (September 1 to November 30). There are ten backcountry airstrips in the Monument. Six of the ten may be more than 50 years old; they have yet to be evaluated for their eligibility on the National Register of Historic Places.
2310-04	*Comment*	*Retain six backcountry grass airstrips located on BLM monument land to disperse recreational use to a variety of internal trailheads.* *We believe no airstrips should be allowed in the Monument.*
2310-04	Response	The Preferred Alternative recommends that six airstrips (selected to avoid clusters) would remain open to provide opportunities for recreational backcountry activities such as camping, hiking, and sightseeing. The six airstrips are Black Butte North, Bullwhacker, Cow Creek, Knox Ridge, Left Coulee, and Woodhawk. Five of the airstrips would be open yearlong while the Woodhawk airstrip would be restricted seasonally to provide wildlife habitat security during the fall hunting season (September 1 to November 30).

Group		Aircraft Landings
		The Draft RMP/EIS addressed an alternative (Alternative E) that would close the ten backcountry airstrips.
2310-05	*Comment*	*There should be only minimal maintenance standards for the primitive airstrips.* *The MPA is prepared to address maintenance needs by embarking on a partnership with the BLM utilizing volunteer labor and materials.*
2310-05	Response	As stated in the Preferred Alternative, the BLM would allow minimal hand maintenance of airstrips without prior approval, but maintenance would be limited to the area previously disturbed. The emphasis would be to keep the airstrips as backcountry airstrips, only suitable for landing aircraft equipped to use primitive airstrips. Mechanized maintenance, improvements, facilities or infrastructure (tie downs, wind socks, airstrip delineators, etc.) would require prior approval by the authorized officer.
2310-06	*Comment*	*The presence of the airstrips provides a safety net for aircraft in the area.*
2310-06	Response	As mentioned in Chapter 4 of the Proposed RMP/Final EIS under Aviation, Alternative F (Preferred Alternative), six backcountry airstrips would be officially listed on the Montana Aeronautical Chart. Any pilots and aircraft flying over the Monument terrain would then have access to basic information about these short grass landing airstrips in case of an emergency.
2310-07	*Comment*	*These primitive landing strips provide for recreational activities and other multiple uses and do not conflict with river traffic.*
2310-07	Response	As stated in the Aviation section of Chapter 2 in the Proposed RMP/Final EIS, one of BLM's goals is to provide access for diverse recreation opportunities while protecting the features in the Monument. Using small fixed-winged aircraft as a mode of access to the Monument provides opportunities to experience hiking, camping, photography, watching wildlife, viewing the landscape, etc. in a natural setting.
2310-08	*Comment*	*The Woodhawk (Middleton Ridge) backcountry airstrip should be open for public non-commercial use rather than closed.*
2310-08	Response	New information concerning the Woodhawk airstrip was made available during the Draft RMP/EIS public comment period. This primitive grass airstrip was initially constructed by Lewistown BLM personnel and was maintained by BLM as part of the annual transportation maintenance plan until the early 1990s. The airstrip was later maintained by a local private landowner using heavy equipment, which was considered to be an unauthorized activity on BLM land and resulted in a trespass action. The Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS recommends keeping the Woodhawk airstrip open seasonally to provide wildlife habitat security during the fall hunting season (closed September 1 to November 30).
2310-09	*Comment*	*The availability of backcountry airstrips meets the needs/criterion for the Americans with Disabilities Act (ADA).*
2310-09	Response	Utilization of small fixed-wing aircraft meets the intent of the ADA. Some medical conditions do not permit everyone to travel by vehicle to participate in an outdoor recreational experience. The use of these primitive grass landing strips does provide that opportunity, as pointed out in the public comments we received.

Group		Aircraft Landings
2310-10	*Comment*	*Landing of small aircraft creates less environmental impact (soil erosion, ruts) than motorized vehicles and less intrusion on our senses (hearing and seeing).* *No noise analysis data is provided in the document.* *The herbaceous ground cover on some runways far exceeds that of adjoining land.*
2310-10	Response	Photo documentation indicates little, if any, sign of soil disturbance on these primitive, backcountry airstrips from small fixed-wing aircraft either landing or taking off. Motorized vehicle travel, on the other hand, can result in substantial impact to the ground surface during wet conditions or from a high amount of traffic during dry conditions. The social impact of noise can be a factor for both types of travel. Normally, aircraft noise is a short duration impact as a plane can move from the area very quickly. The noise and sight impacts from motorized vehicles can be a longer duration.
2310-11	*Comment*	*The backcountry airstrips need to be added to the FAA's database and air charts.*
2310-11	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, six of the ten existing backcountry airstrips would be formally added to the Federal Aviation Administration (FAA) database and displayed on aeronautical charts for the area. The six airstrips are Black Butte North, Bullwhacker, Cow Creek, Knox Ridge, Left Coulee, and Woodhawk. The addition of these airstrips to the FAA charts would occur after the Record of Decision has been issued by the BLM. The four closed primitive landing strips would be identified with the international closure symbol – a white X on the ground.
2310-12	*Comment*	*To allow a backcountry airstrip to remain in the Monument would be illegal, a trespass action, has not been authorized, raises liability concerns, and gives hunters an unfair advantage.* *Data implies aircraft will impact bighorn sheep and aid in poaching. This is in conflict with the Proclamation to keep the Monument remote, undeveloped and unchanged.* *As use increases so would the maintenance requirements and the impact on the Monument.* *When were these airstrips authorized by the BLM? Why weren't these airstrips mentioned in earlier (1979) inventories?* *The strips were built as part of a fire order; there was no NEPA; and the strips were authorized using the appropriate protocol of the day.* *Unless there was gross negligence on the part of BLM, the agency could not be held liable.*
2310-12	Response	The ten backcountry airstrips were in place (existed) prior to enactment of the Federal Land Policy and Management Act of 1976 (FLPMA), the Upper Missouri Wild and Scenic River Plan (1978), the Montana BLM Wilderness Inventory publication (1979), and the Proclamation (2001). These airstrips were built for various authorized operational activities such as fire suppression, sagebrush spraying, and range improvement projects. Over the years these airstrips have been used by BLM personnel, contractors, oil and gas companies, livestock operators, and recreational pilots.

Group		Aircraft Landings
		The State of Montana's Recreational Use Statutes limit the liability of a landowner who opens their property for recreational purposes which, in this case, would be the BLM Lewistown Field Office. Generally speaking, the BLM would not be liable for personal injury or a death occurring in the Monument unless BLM's conduct constitutes "willful or wanton misconduct." Liability issues for various recreation activities on public land (e.g., hiking, camping, etc.) are the same unless BLM charges fees for specific amenities (e.g., a developed campground). State of Montana law does not allow using an aircraft to scout for game animals and hunt on the same day. According to information from MFWP and BLM personnel, these restrictions are not giving hunters who have been accessing the Monument area with small fixed-wing aircraft an unfair advantage over other hunters.
2310-13	*Comment*	*Use of the airstrips needs to be monitored and types of aircraft restricted. Commercial use of the airstrips should not be allowed.* *The text in the RMP needs to clearly state that open airstrips would be available to public, non-commercial use only.*
2310-13	Response	The BLM plans to monitor the use of the primitive landing strips. If use increases significantly, BLM would consider changes through activity level planning (Appendix H) to protect the objects for which the Monument was designated. Under the Preferred Alternative, all commercial aircraft landing in the Monument (planes, helicopters, hot air balloons, or ultralights) would be required to utilize specific authorized backcountry airstrips. Seasonal restrictions may apply to the commercial use of these airstrips. Commercial use would require prior authorization.
2310-14	*Comment*	*Close the airstrip in the Ervin Ridge WSA.*
2310-14	Response	The Preferred Alternative recommends that six airstrips (selected to avoid clusters) would remain open to provide opportunities for recreational backcountry activities such as camping, hiking, and sightseeing. The six airstrips are Black Butte North, Bullwhacker, Cow Creek, Knox Ridge, Left Coulee, and Woodhawk. Five of the airstrips would be open yearlong while the Woodhawk airstrip would be restricted seasonally to provide wildlife habitat security during the fall hunting season (September 1 to November 30). The Ervin Ridge airstrip would be closed.
2310-15	*Comment*	*Wildlife populations are both positively and negatively impacted by airstrips.* *Will the number of airstrips displace bighorn sheep? Will this negatively affect recruitment and population expansion? What about the increase in poaching from airplane access? Does the BLM want the responsibility and liability associated with such airstrips?* *It would appear the continual use of these airstrips over the past fifty plus years has had no identifiable negative effect on wildlife. If the use of these airstrips has been detrimental to bighorn sheep the EIS should specifically cite scientific research data that would merit such a conclusion.*
2310-15	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, five of the airstrips would be open yearlong while the Woodhawk airstrip would be restricted seasonally to provide wildlife habitat security during the fall hunting season (September 1 to November 30).

Group		Aircraft Landings
		Pilots using the six landing strips which would remain open have observed wildlife using these areas even during landings and take-offs. The open, grass airstrips provide feeding zones for area wildlife. Montana Fish, Wildlife and Parks (MFWP) has specific regulations pertaining to the use of aircraft during the hunting season.
2310-16	*Comment*	*We have concerns that six open airstrips may be inconsistent with the Proclamation directive to protect the objects and resources within the Monument. BLM needs to do further analysis on impacts associated with the presence of airstrips and design a wider range of alternatives before issuing a decision.*
2310-16	Response	The BLM plans to monitor the use of the primitive landing strips. If use increases significantly, BLM would consider changes through activity level planning (Appendix H) to protect the objects for which the Monument was designated, including wildlife. Under the Preferred Alternative in the Proposed RMP/Final EIS, the Woodhawk airstrip would be restricted seasonally to provide wildlife habitat security during the fall hunting season (September 1 to November 30). The RMP/EIS addressed a reasonable range of alternatives for the backcountry airstrips. This range included several options, including ten, seven, six and no airstrips.
2310-17	*Comment*	*Only after the Proclamation was issued did the Montana Pilots Association (MPA) become involved in the process and identified 10 airstrips they purportedly had been using all along. If these had been used so much, why did the MPA go out in trespass after the Proclamation was issued to maintain and improve these airstrips, including removal of sage brush, without the consent or authorization of BLM? Was it because without maintenance, it would have been apparent that the airstrips were not getting the historic use the MPA asserts?*
2310-17	Response	The MPA became involved in the public scoping process just as other organizations and individuals have by providing comments to BLM about activities and concerns associated with the designation of the Monument. Not all ten of the primitive grass landing strips were in good enough condition for use by small aircraft. Over the years volunteers occasionally did minimal hand maintenance on some of the airstrips so that small fixed-wing planes used by recreational backcountry pilots could land and take off safely. During the information gathering and inventory stage of this RMP process, the MPA provided input about conducting minimal maintenance tasks on some of the airstrips. When BLM's Montana State Director issued the Interim Guidance for managing the Monument in June 2001, this type of maintenance work was not identified as an "ongoing" project. Therefore, the MPA was directed by the Lewistown Field Office to cease this type of work. No trespass action was initiated by BLM nor was a citation issued.
2310-18	*Comment*	*Most of these airstrips were put in by BLM or previous landowners decades ago, fell into disuse, and were all but forgotten, and they were developed in trespass. BLM stopped using them long ago and still has no need for any of them. They have no use for fire suppression, and they have no use for emergency rescue, if aviation can be used to evacuate someone in an emergency, it will be a helicopter.*
2310-18	Response	The ten backcountry airstrips were in place (existed) prior to enactment of the Federal Land Policy and Management Act of 1976 (FLPMA), the Upper Missouri River Wild &

Scenic River Plan (1978), the Montana BLM Wilderness Inventory publication (1979), and the Proclamation (2001). Dated aerial photos on file with the BLM indicate these backcountry airstrips were in existence prior to 1976. These airstrips were built by BLM employees for various authorized operational activities such as fire suppression, sagebrush spraying, and range improvement projects. Over the years these airstrips have been used by BLM personnel, contractors, oil and gas companies, livestock operators, and recreational pilots. None of the landing strips are considered built in trespass by BLM.

Under the Preferred Alternative in the Proposed RMP/Final EIS, six airstrips would be added to Federal Aviation Administration (FAA) aeronautical charts for the area. The four closed primitive landing strips would be identified with the international closure symbol – a white X on the ground.

2310-19 *Comment* *Only after the Proclamation was issued did the Recreational Aviation Foundation step forward to identify 10 airstrips that they purportedly had been using all along. Why did the BLM have to issue a cease and desist order to stop pulling sagebrush and repair of the airstrips?*

2310-19 Response During the information gathering and inventory stage of this RMP process, the MPA provided input about conducting minimal maintenance tasks on some of the airstrips. When BLM's Montana State Director issued the Interim Guidance for managing the National Monument in June 2001, this type of maintenance work was not identified as an "ongoing" project. Therefore, the MPA was directed by the Lewistown Field Office to cease this type of work. No trespass action was initiated by BLM nor was a citation issued.

2310-20 *Comment* *Legal counsel has already determined that BLM has no liability, due to the recreational use statute in Montana.*

2310-20 Response The State of Montana's Recreational Use Statutes limit the liability of a landowner who opens their property for recreational purposes which, in this case, would be the BLM Lewistown Field Office. Generally speaking, the BLM would not be liable for personal injury or a death occurring in the Monument unless BLM's conduct constitutes "willful or wanton misconduct." Liability issues for various recreation activities on public land (e.g., hiking, camping, etc.) are the same unless BLM charges fees for specific amenities (e.g., a developed campground).

2310-21 *Comment* *Please also recognize that an unimproved landing strip opens up a major liability problem to the BLM due to ES&H issues. It is inherently dangerous.*

2310-21 Response The State of Montana's Recreational Use Statutes limit the liability of a landowner who opens their property for recreational purposes which, in this case, would be the BLM Lewistown Field Office. Generally speaking, the BLM would not be liable for personal injury or a death occurring in the Monument unless BLM's conduct constitutes "willful or wanton misconduct." Liability issues for various recreation activities on public land (e.g., hiking, camping, etc.) are the same unless BLM charges fees for specific amenities (e.g., a developed campground).

The backcountry airstrips are primitive in nature not having strip markers or any other infrastructure (tie downs, wind socks, airstrip delineators, etc.). The airstrips are suitable for small fixed wing aircraft equipped to land on primitive backcountry airstrips.

2310-22 *Comment* *I doubt that the six strips combined see all that much traffic during a given year. But this brings to mind the question, is it really necessary to leave all six open? Are all six active?*

Irreplaceable to a given operation - most likely cattle ranching? Could a portion of any management plan include a procedure for phasing these airstrips out?

2310-22 Response Currently, eight of the ten existing airstrips receive occasional small aircraft use during the year. Although these primitive landing strips were originally constructed for others uses, the majority of the activity is now associated with recreational backcountry pilots and aircraft.

The Preferred Alternative in the Proposed RMP/Final EIS recommends that six airstrips (selected to avoid clusters) would remain open to provide opportunities for recreational backcountry activities such as camping, hiking, and sightseeing. The six airstrips are Black Butte North, Bullwhacker, Cow Creek, Knox Ridge, Left Coulee, and Woodhawk. Five of the airstrips would be open yearlong while the Woodhawk airstrip would be restricted seasonally to provide wildlife habitat security during the fall hunting season (September 1 to November 30).

The BLM plans to monitor the use of the primitive landing strips. If use increases significantly, BLM would consider changes through activity level planning (Appendix H) to protect the objects for which the Monument was designated, including wildlife.

2310-23 Comment *Planes should land outside the Monument and access the Monument via legal roads.*

2310-23 Response The Preferred Alternative recommends that six airstrips (selected to avoid clusters) would remain open to provide opportunities for recreational backcountry activities such as camping, hiking, and sightseeing.

2310-24 Comment *Airplanes should be restricted to the airstrips located in the gateway communities, with no fly-ins within the Monument.*

2310-24 Response As stated in the Aviation section of Chapter 2 in the Proposed RMP/Final EIS, one of BLM's goals is to provide access for diverse recreation opportunities while protecting the features in the Monument. Using small fixed-winged aircraft as a mode of access to the Monument provides opportunities to experience hiking, camping, photography, watching wildlife, viewing the landscape, etc. in a natural setting.

The gateway communities provide amenities (fuel, water, food, etc.) and paved runways that can accommodate the use of larger aircraft.

2310-25 Comment *There are no airstrips in the monument noted on official aeronautical maps. To authorize current user-created airstrips in the Monument would remove benefits to gateway communities such as Lewistown, Great Falls, Fort Benton, Winifred, Big Sandy, Malta, Chinook and so on. There is also the danger of increased poaching, hazing wildlife, or drug-smuggling operations. Fire suppression, in my understanding, would not be helped by airstrips; helicopters could be used for fires in rough country.*

2310-25 Response Once the Record of Decision has been issued by the BLM on the Proposed RMP/Final EIS, the backcountry airstrips approved for public use would be added to Federal Aviation Administration (FAA) charts and aeronautical maps.

The economic analysis in Chapter 4 of the Proposed RMP/Final EIS has determined there would be very little economic impact to gateway communities from small fixed-wing aircraft using the primitive landing strips. The need for fuel and other amenities would be provided by the airports located in the surrounding towns.

Group **Aircraft Landings**

The environmental analysis in Chapter 4 of the Proposed RMP/Final EIS has determined that as long as there is only occasional use of the airstrips by small planes the impact from noise and human disturbance would be insignificant to wildlife. Montana Fish, Wildlife and Parks (MFWP) has specific regulations pertaining to the use of aircraft during the hunting season.

The BLM plans to monitor the use of the primitive landing strips. If use increases significantly, BLM would consider changes through activity level planning (Appendix H) to protect the objects for which the Monument was designated, including wildlife.

2310-26 *Comment* *By specifically including only various types of commercial aircraft in its requirement that these aircraft land only on Monument airstrips, the plan in effect will authorize all non-commercial aircraft to land and depart from any location within the Monument. Further, no commercial aircraft will be authorized to depart (take off) from any Monument airstrip once it has landed thereon. See page 101.*

2310-26 Response All commercial aircraft using designated backcountry airstrips would be required to obtain a Special Recreation Permit from BLM. Each SRP would be analyzed under a separate environmental analysis prior to any official authorization of the proposed activity.

Under the Preferred Alternative in the Proposed RMP/Final EIS, six airstrips (selected to avoid clusters) would remain open to provide opportunities for recreational backcountry activities such as camping, hiking, and sightseeing (Table 2.40 and Map 3). The six airstrips are Black Butte North, Bullwhacker, Cow Creek, Knox Ridge, Left Coulee, and Woodhawk. Five of the airstrips would be open yearlong while the Woodhawk airstrip would be restricted seasonally to provide wildlife habitat security during the fall hunting season (September 1 to November 30).

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

2310-27 *Comment* *Appendix G, Best Management Practices, does not contain a single word as to aircraft operations and/or aircraft landing strips. By the plan's authorizing and now promoting this can of worms, one would think that the BLM would be minimally interested in managing it, but apparently not. This omission speaks volumes as to the total lack of insight, recognition, evaluation, and control related to airstrips and aircraft operations within the Monument.*

2310-27 Response Appendix G in the Draft RMP/EIS states at the beginning: "Best Management Practices (BMPs) provide for the protection of wildlife, soils, vegetation, water quality and visual resources. While the BMPs below are listed under specific categories, the applicable BMPs would vary with the location of a project and the resource issues in that area. The best practice(s) should be used to meet site-specific needs."

Environmental analyses of airstrips in the Monument are located in Chapter 4 under the following sections: Impacts to Fish and Wildlife from Access and Transportation, Aviation; Impacts to Soils from Access and Transportation, Aviation; Impacts to Vegetation – Native Plants from Access and Transportation, Aviation; Impacts to Recreation from Access and Transportation, Aviation; and Impacts to Transportation from Access and Transportation, Aviation.

The BLM would monitor the use of the primitive landing strips. If use increases significantly, BLM would consider changes through activity level planning (Appendix H) to protect the objects for which the Monument was designated, including wildlife.

2310-28 *Comment* *The presence of landing strips creates many, many more problems for the public and BLM. For example, who would be responsible to maintain the strips for the use of such a small proportion of the populace? We don't believe public funds should be expended to benefit those wealthy enough to fly their own planes or be shuttled by aircraft into the Monument. Will the federal government be liable if there is an aircraft accident, and the pilot blames the poor condition of the runway? As you know, the landing strips don't provide access for anything other than to get somewhere else, presumably by car or ATV. If landing strips are designated, then the roads to the landing strips will have to be maintained. In addition, there could well be a demand for fuel storage at the landing strip or even for aircraft hangar space for maintenance. Will BLM allow commercial traffic into the Monument? Indeed, we are afraid that air taxi or charter operations may want to establish regular operations, at least during hunting season. We believe approval of landing strips within the Monument ties the BLM into an ever-increasing spiral of obligation and liability that should not be born by our tax dollars.*

2310-28 Response The BLM currently does not maintain any of the 10 primitive airstrips, nor is this proposed for the six recommended backcountry landing strips. Under the Preferred Alternative the BLM would allow minimal hand maintenance of airstrips without prior approval, but maintenance would be limited to the area previously disturbed. The emphasis would be to keep the airstrips as backcountry airstrips, only suitable for landing aircraft equipped to use primitive airstrips. Mechanized maintenance, improvements, facilities or infrastructure (tie downs, wind socks, airstrip delineators, etc.) would require prior approval by the Monument Manager. Volunteer agreements could be implemented for minimal hand maintenance work to meet standards for use by small fixed-wing aircraft.

The State of Montana's Recreational Use Statutes limit the liability of a landowner who opens their property for recreational purposes which, in this case, would be the BLM Lewistown Field Office. Generally speaking, the BLM would not be liable for personal injury or a death occurring in the Monument unless BLM's conduct constitutes "willful or wanton misconduct." Liability issues for various recreation activities on public land (e.g., hiking, camping, etc.) are the same unless BLM charges fees for specific amenities (e.g., a developed campground).

The backcountry airstrips are primitive in nature not having strip markers or any other infrastructure (tie downs, wind socks, airstrip delineators, etc.). The airstrips are suitable for small fixed wing aircraft equipped to land on primitive backcountry airstrips.

Pilots needing fuel or storage facilities would utilize amenities located on private land or in communities outside of the Monument.

As stated in the Preferred Alternative, all commercial aircraft landing in the Monument (planes, helicopters, hot air balloons, or ultralights) would be required to utilize specific authorized backcountry airstrips. Seasonal restrictions may apply to the commercial use of these airstrips. Commercial use would require an application for a Special Recreation Permit that must be submitted to the Monument Manager and a separate environmental assessment completed to analyze the specific impacts associated with the proposed action.

2310-29 *Comment* *Your recommended proposal suggests six airstrips, and as I recall, up to 10 in a couple of alternatives. I believe these are all on BLM land. How many are on private lands? Are*

that many needed on public land if there are sufficient numbers on private lands? Are any needed on BLM land at all? Visitors can arrive at airports in the surrounding areas and gain access via automobiles.

2310-29 Response Several airstrips are located on nearby private land in the Monument area, but any use of these airstrips requires prior approval from the landowner before a pilot can set down on them.

Under the Preferred Alternative in the Proposed RMP/Final EIS, six airstrips (selected to avoid clusters) would remain open to provide opportunities for recreational backcountry activities such as camping, hiking, and sightseeing (Table 2.40 and Map 5). The six airstrips are Black Butte North, Bullwhacker, Cow Creek, Knox Ridge, Left Coulee, and Woodhawk. Five of the airstrips would be open yearlong while the Woodhawk airstrip would be restricted seasonally to provide wildlife habitat security during the fall hunting season (September 1 to November 30).

2310-30 Comment *The Monument visitor would have to be standing on or in very close proximity to the airstrip to even know that it is there.*

2310-30 Response The existing terrain and vegetation provide ample screening as to the location of the airstrips when one is hiking or driving through the area.

2310-31 Comment *The draft Monument RMP/EIS does not address the subject of airstrip monitoring for any long-term substantial changes in the flora, fauna and landscape of the Monument. The MPA supports a comprehensive monitoring program to accurately measure and respond to changes over time.*

2310-31 Response A combination of BLM staff and volunteers could be used to monitor aircraft use and collect resource information (animals, plants, etc.).

If use increases significantly, BLM would consider changes through activity level planning (Appendix H) to protect the objects for which the Monument was designated.

2310-32 Comment *An RMP decision which would authorize airstrips on public land in the Monument sets BLM up for a whole set of subsequent decisions having to do with safety, liability, road access, fuel management, hazardous waste disposal, mitigation of adverse impacts to wildlife, noise abatement, weed control, fair market rental, bonding, restoration of the land when the permittee decides to abandon the strip, and the establishment of a fee structure which will enable BLM to recover its costs of administering the permit. If you decide to authorize the establishment of airstrips in the Monument, could you address in some detail how you are going to administer these authorizations?*

2310-32 Response The State of Montana's Recreational Use Statutes limit the liability of a landowner who opens their property for recreational purposes which, in this case, would be the BLM Lewistown Field Office. Generally speaking, the BLM would not be liable for personal injury or a death occurring in the Monument unless BLM's conduct constitutes "willful or wanton misconduct." Liability issues for various recreation activities on public land (e.g., hiking, camping, etc.) are the same unless BLM charges fees for specific amenities (e.g., a developed campground).

The backcountry airstrips are primitive in nature not having strip markers or any other infrastructure (tie downs, wind socks, airstrip delineators, etc.). The airstrips are suitable for small fixed wing aircraft equipped to land on primitive backcountry airstrips.

Only designated open resource roads would provide access to the landing strips. The use of the airstrips would be free-of-charge to the public and no permit would be required. Permits and fees would be applicable only if the activity is commercial in nature, which would require prior approval by the Monument manager.

The current low traffic volume, either from aircraft or vehicles, has not generated any impacts to wildlife and mitigation measures are not warranted at this time. If use increases significantly, the BLM would consider changes through activity level planning (Appendix H) to protect the objects for which the Monument was designated.

See Chapter 2 of the Proposed RMP/Final EIS under Aviation, Alternative F (Preferred Alternative) for a discussion of airstrips in the Monument.

2310-33 *Comment* *If BLM employees attempt to give any form of legality to any airstrips in the Monument, we the taxpayer are liable for death, damages, problems, wildfires, and all violations of every nature generated by fixed-wing aircraft. This includes transport of illegal drugs, poaching of wildlife; violations of the Ex. Order Proclamation; illegal outfitting; and a host of other existing and potential actions within our national monument.*

2310-33 Response The State of Montana's Recreational Use Statutes limit the liability of a landowner who opens their property for recreational purposes which, in this case, would be the BLM Lewistown Field Office. Generally speaking, the BLM would not be liable for personal injury or a death occurring in the Monument unless BLM's conduct constitutes "willful or wanton misconduct." Liability issues for various recreation activities on public land (e.g., hiking, camping, etc.) are the same unless BLM charges fees for specific amenities (e.g., a developed campground).

The backcountry airstrips are primitive in nature not having strip markers or any other infrastructure (tie downs, wind socks, airstrip delineators, etc.). The airstrips are suitable for small fixed wing aircraft equipped to land on primitive backcountry airstrips.

2310-34 *Comment* *The draft RMP fails to show how six airstrips within the Monument will comply with the Proclamation and protect the objects identified in the Proclamation. Use of these airstrips by private pilots will seriously compromise the remote and primitive character of the region with more motors, noise, and visual disturbance. Indeed, allowing as many as six airstrips within a national Monument is unprecedented. Instead of approving airstrips within the Monument BLM should look for suitable airstrip sites on public land outside but near the Monument boundary. An even better idea is to provide an economic boost to Gateway communities, such as Big Sandy and Winifred, by encouraging pilots to use airstrips in these communities.*

In sum, nowhere in the RMP has BLM demonstrated that any airstrips, let alone six, would enhance the objects of the Monument, or even be compatible with the Monument.

2310-34 Response Along with the premise to protect and preserve significant resources of interest, the Antiquities Act and Proclamation also provides the opportunity for the public to enjoy these amenities.

The use of backcountry grass landing strips is considered a recreational opportunity for visitors to the Monument. There is nothing in the Proclamation narrative that specifically disallows or prohibits the presence of primitive grass landing strips or the use of recreational aircraft. Travel by small fixed-wing aircraft is considered as a mode of transportation to visit the Monument, the same as motorized vehicles and mechanized equipment (mountain bikes). If use increases significantly, BLM would consider changes

through activity level planning (Appendix H) to protect the objects for which the Monument was designated.

2310-35	*Comment*	*The existence of these airstrips was never brought to the attention of the RAC by BLM or the public in the 5 months that the RAC wrestled with making recommendations to the Secretary on whether or not there should be a special designation for this area. Most of these airstrips were put in by BLM decades ago, fell into disuse, and were all but forgotten. BLM long ago stopped using them and still has no need for any of them. They have no value for fire suppression, and they have no value for emergency rescue (if aviation can be used to evacuate someone from the Monument in an emergency, it will be a helicopter).* *This is no different than the issue of motors on the river or off-road use. There are legitimate conflicts between motorized and non-motorized users. This is very remote and scenic country, as the Proclamation and your own vision statement acknowledge, and airstrips are essentially inconsistent with what BLM should be trying to accomplish here. Granted, military jets occasionally fly over the Monument, and sometimes at low altitude. But they aren't landing right in the middle of it. And unlike the civilian use, the military jets have a purpose (training for national security purposes) and an authorized right (the Hays MOA). BLM cannot restrict civilian flights over the Monument, but it certainly can stop landings on these airstrips.* *If the pilots want landing strips within the Monument, there is plenty of private and State land they could lease and develop. If BLM must accommodate them, consider leaving open the Knox Ridge and Cow Creek airstrips. All the others should be closed year long.*
2310-35	Response	The presence of the majority of these ten primitive airstrips was documented and noted in the original wilderness inventory assessment for all BLM land in this area that was completed in the late 1970s. Although originally a part of BLM's operational activities, the use of grass airstrips is now primarily recreational in nature. The small fixed-wing aircraft that currently utilize these landing strips are in the area only occasionally and seem to have very little impact to the solitude and quietness of the Monument. This type of dispersed recreational opportunity is a legitimate activity for Monument land.
2310-37	*Comment*	*The use of motorized craft should not be the dominant use of a landscape designated to keep its remote and undeveloped character. (a) Six airstrips promote airplanes within the Monument. This is not compatible with the Proclamation which specifically bans "off road vehicles." (b) During the February 20, 2004, Interdisciplinary Team Meeting, the reason given for promoting the six airstrips was, "The pilots want them." This is not following the Proclamation's intent. (c) Airstrips designated to include other flying uses such as balloons, ultra-lights, and helicopters seem to welcome any and all gadgets.*
2310-37	Response	The activity of motorized aircraft landing and taking off from BLM primitive airstrips is occurring at a very low level. The BLM does not have data on how often or how many use days occur on these airstrips. Information provided during scoping, issues identification and continuing through alternative development of the RMP from various sources indicates recreational use is low volume, occurring infrequently in late spring through early fall. Takeoffs and landings generally occur in the morning or evening when air conditions are favorable. Day use and overnight camping are the most common use. Both single planes and small groups of planes use the area. The occasional use fits the overall parameters of solitude, seldom seen, and quietness of the area.

Group		Aircraft Landings
		The BLM is not marketing/promoting this activity. The intent is to continue a recreational opportunity for this type of visitor to enjoy and marvel at the significant resources present in the Monument.
		The Proclamation prohibits motorized travel off of existing roads (cross-country) but does not preclude the use of vehicles, ATVs, motor bikes, snowmobiles, etc. on these roads.
		The use of backcountry grass landing strips is considered a recreational opportunity for visitors to the Monument. There is nothing in the Proclamation narrative that specifically disallows or prohibits the presence of primitive grass landing strips or the use of recreational aircraft. Travel by small fixed-wing aircraft is considered as a mode of transportation to visit the Monument, the same as motorized vehicles and mechanized equipment (mountain bikes).
2310-38	*Comment*	*In conversations with past BLM employees and ranchers, I am fully convinced that these strips were constructed by BLM with the full and appropriate authorization necessary for their completion prior to the existence of NEPA. They simply are not trespass.*
2310-38	Response	The ten backcountry airstrips were in place (existed) prior to enactment of the Federal Land Policy and Management Act of 1976 (FLPMA), the Upper Missouri River Wild & Scenic River Plan (1978), the Montana BLM Wilderness Inventory publication (1979), and the Proclamation (2001). These airstrips were built by BLM employees for various authorized operational activities such as fire suppression, sagebrush spraying, and range improvement projects. Over the years these airstrips have been used by BLM personnel, contractors, oil and gas companies, livestock operators, and recreational pilots.
2310-39	*Comment*	*Congress has a couple of bills (including one co-sponsored by Montana's Denny Rehberg) banning the closure of backcountry airstrips but the BLM staff has apparently chosen to ignore those leaders and the land owners inside the Monument who want to continue using the area as they have in the past.*
2310-39	Response	Although ten primitive airstrips were identified by BLM during the inventory phase of the RMP project, two of the airstrips along the Bullwhacker Road (Log Cabin and Roadside) were recommended by the Montana Pilots Association as unsafe for fixed wing airplane use and BLM concurred with that recommendation. Two other backcountry airstrips, Black Butte South and Ervin Ridge, have been recommended for closure under the Preferred Alternative in the Proposed RMP/Final EIS to avoid the clustering of airstrips.
2310-40	*Comment*	*Utah Back Country Pilots would like to make a formal request for the BLM's Solicitor to provide us with a comprehensive analysis showing the number of lawsuits arising from aircraft accidents on BLM administered lands and their outcomes. Are pilots more of a liability than other users?*
2310-40	Response	The Department of the Interior Office of the Solicitor does not prepare opinions for members of the public. Liability issues for various recreation activities on public land (e.g., hiking, camping, etc.) are the same unless BLM charges fees for specific amenities (e.g., a developed campground).
2310-41	*Comment*	*There should be an alternative that allows for more choices than either six airstrips or none.*
2310-41	Response	In Chapter 2 of the Proposed RMP/Final EIS, Alternative A would authorize 10 primitive airstrips; Alternative B would provide an opportunity for more than 10 airstrips; and under Alternative C, 7 airstrips would remain open.

Group		Aircraft Landings
2310-42	*Comment*	*In addition to my support of Alternative F, I request that you also include the Woodhawk airstrip in the final RMP.*
2310-42	Response	New information concerning the Woodhawk airstrip was made available during the Draft RMP/EIS public comment period. This primitive grass airstrip was initially constructed by Lewistown BLM personnel and was maintained by BLM as part of the annual transportation maintenance plan until the early 1990s. Under the Preferred Alternative in the Proposed RMP/Final EIS, six airstrips would remain open, including the Woodhawk airstrip which would be restricted seasonally to provide wildlife habitat security during the fall hunting season (September 1 to November 30).
2310-43	*Comment*	*BLM must close all backcountry airstrips within the Monument to protect its wild and remote character, as required by the Proclamation.* *Recreational backcountry airstrips in the Monument will set a precedent for protected public lands across the West.* *The proposed airstrips are illegal because they have never been approved by the agency through a NEPA process.* *The agency's range of alternatives on this issue is inadequate.* *Backcountry airstrips create enforcement problems for the BLM. The agency is already unable to provide sufficient enforcement and monitoring to protect the Monument due to staffing and budgetary constraints.* *The draft RMP fails to analyze the income that might be lost to local communities by aircraft flying directly into the Monument rather than into a local airstrip.* *The draft RMP does not acknowledge or analyze the impact of the many additional airstrips that exist on private land in and adjacent to the Monument.* *Float planes do not belong on the Wild and Scenic Upper Missouri River.* *There should be no backcountry recreational airstrips in the Upper Missouri River Breaks National Monument. They are in conflict with the Proclamation and the Monument's intent. Other than the demand from a small, select group of users that want to fly their aircraft in and out of the Monument, the draft RMP provides no rationale for sanctioning six backcountry airstrips in the Monument. The "Aviation" section of the draft RMP is superficial, explains little, and fails to meet the requirements of NEPA. The preferred alternative is completely out of sync with other NLCS Monuments. It imposes liabilities on the BLM and the public, creates unnecessary management challenges, invites conflict with the vast majority of Monument users, puts Monument objects at potential risk, and would set a new precedent for airstrip access to other "protected" federal lands. Seaplanes are likewise incompatible with Monument goals and should be prohibited.*
2310-43	Response	The six proposed backcountry airstrips that would remain open for public use were built by the BLM. Aerial photos indicate five of the airstrips were in existence prior to 1976 (the other airstrip was built by the BLM in the early 1970s). The BLM ranger staff is aware of the backcountry airstrips and has been conducting periodic patrols. It has been factored into their current budget and would not be an additional expense if the six are designated.

We have determined earlier that the backcountry airstrips would not be an economic hardship on the gateway communities. These are primitive grass airstrips on BLM with no amenities (fuel, water, food, toilets, etc.) provided.

The Federal Aviation Administration (FAA) regulations and Montana law require that any pilot landing on a private landing strip must have prior authorization from the owner before using it. Otherwise, they can be cited for trespass.

2310-44 *Comment* *Why is the BLM considering building new roads to the back country airstrips? We have a real concern with putting new roads into these airstrips. We haven't had roads to these strips in the past, even for emergency situations and there wasn't supposed to be any more new roads in the Monument. Why are we considering new roads to back country airstrips, and for what purpose?*

2310-44 Response All six airstrips identified in the Draft RMP/EIS have existing roads to the airstrips or roads adjacent to the airstrips (Map 3, Alternative F, side B). No proposal is presented in the Draft RMP/EIS or in the Proposed RMP/Final EIS to build new roads to the airstrips.

2310-45 *Comment* *The plan in no way addresses the impact of the airstrips or aircraft operations on threatened, endangered or species of special concern. No one. The plan in no way – in Section G, that has a Best Management Practices glossary, you will not find one word in that glossary when it comes to aviation operations. Obviously, the BLM is not interested in managing, controlling these aircraft operations that they are promoting for this monument.*

2310-45 Response As stated in Chapter 2, the BLM will coordinate closely with the US Fish and Wildlife Service to protect threatened, endangered and special status species.

Appendix G in the Draft RMP/EIS states at the beginning: "Best Management Practices (BMPs) provide for the protection of wildlife, soils, vegetation, water quality and visual resources. While the BMPs below are listed under specific categories, the applicable BMPs would vary with the location of a project and the resource issues in that area. The best practice(s) should be used to meet site-specific needs."

Environmental analyses of airstrips in the Monument are located in Chapter 4 under the following sections: Impacts to Fish and Wildlife from Access and Transportation, Aviation; Impacts to Soils from Access and Transportation, Aviation; Impacts to Vegetation – Native Plants from Access and Transportation, Aviation; Impacts to Recreation from Access and Transportation, Aviation; and Impacts to Transportation from Access and Transportation, Aviation.

Analysis shows that the current low volume of use on the airstrips is not an impact to the threatened, endangered, or species of special concern. Through implementation and monitoring, the BLM would monitor the use of the primitive landing strips. If use increases significantly, BLM would consider changes through activity level planning (Appendix H) to protect the objects for which the Monument was designated, including wildlife.

2310-46 *Comment* *Given that the overriding management threshold should be preserve and restore the remote, undeveloped, wild character of the Upper Missouri River Breaks Monument, I would like the BLM to explain to me please, if you can, how six airstrips maintain a remote, undeveloped and unchanged character of the monument.*

2310-46 Response An important part of the Antiquities Act is to provide the opportunity for people to enjoy and see firsthand the significant objects identified for this national monument. Current

Group		**Aircraft Landings**
		minimal levels of use by aircraft utilizing the six primitive airstrips are not having an impact on these values (see Chapter 4 of the Proposed RMP/Final EIS, Aviation, Alternative F (Preferred Alternative). The implementation and monitoring process for the Monument allows for additional measures of mitigation if increased aviation use becomes evident (Appendix H).
2310-47	*Comment*	*There are private lands intermingled within the Monument. These could have airstrips located on them if the pilots wish to pursue this issue.*
2310-47	Response	Not every piece of private land is suitable for a landing and take-off airstrip. Under the Federal Aviation Administration (FAA) regulations, private airstrips require prior approval from the landowner before each aircraft landing can be initiated. This is not the case for the public airstrips located on the BLM land. The BLM has no authority over private land intermingled with the Monument.
Group		**Aircraft – Overflights**
2311-01	*Comment*	*There should be no low-level flights by private aircraft. Commercial, scenic overflights should not be allowed at an altitude that causes conflicts with other users.*
2311-01	Response	The Federal Aviation Administration (FAA) regulations ask that recreational aircraft fly at a minimum altitude of 2000 feet over the Monument area, but aircraft can fly lower than this level because it is only a "request" and cannot be enforced.
2311-02	*Comment*	*The average minimum flight altitude over the Monument and the river corridor should be 500 feet. This meets operational safety standards for aircraft and is sufficient for any monitoring work.* *Some ranchers use low level flying to monitor their sources of stock water, fences, gates and cattle location.*
2311-02	Response	General aviation aircraft may fly as low as they safely can, but not any closer than 500 feet to a watercraft, vehicle, or people. There have been incidences in the past where aircraft were reported to the Federal Aviation Administration (FAA) for being lower than 500 feet near canoes on the river and BLM is aware of two such instances where the pilots were cited accordingly.
2311-03	*Comment*	*To manage the Monument: (b) to minimize, and to the greatest extent possible, eliminate the use of motorized vehicles within the area; and the prohibition of aircraft landings or flights below 2000' AGL within and above the boundaries of the Monument.*
2311-03	Response	The Federal Aviation Administration (FAA) manages the airspace over the Monument for general aviation aircraft, not the BLM. Their regulations request a minimum fly-over altitude of 2,000 feet, but it is not mandatory.
2311-04	*Comment*	*The impact of low-level aircraft operations is not acknowledged or evaluated anywhere in the plan. Certain noise pollution levels and surface disruption prohibitions from roads are acknowledged in the plan.* *And, no acknowledgment or consideration whatsoever is given to the overall impact on the Monument that low-level aircraft operations will cause. Further, such impacts are certain to increase under the plan should it be adopted.*

Group		Aircraft – Overflights
		There is no analysis in the DEIS of the impacts on users and Monument objects from different types of aircraft. Commercial flights are incompatible with preserving and protecting the Monument's remote and wild character and create conflicts with other users.
2311-04	Response	The current low traffic volume associated with recreational aircraft and accompanying noise levels have not been a detriment to the area's wildlife population. If use does increase in the future and biologists determine it is having an impact, changes could be considered through activity level planning (Appendix H). However, noise associated with military aircraft conducting training exercises can be quite distracting to recreational users on the river or in the uplands for short periods. The Department of Defense's Hays Military Operations Area plan regulates such military overflights.
2311-05	*Comment*	*What about the jetliner 30,000 feet overhead. It creates an unnatural noise and blemish in the sky above the Monument. Will you eventually limit the use of that air corridor?*
2311-05	Response	The Federal Aviation Administration (FAA) regulations request that general aviation aircraft such as the jetliner fly no lower than 2,000 feet over the monument area. There are no restrictions as to the type and loudness of an aircraft above that altitude. Also, the Monument area is included in the Department of Defense's Hays Military Operations Area (MOA). The Montana Air National Guard currently uses this MOA for training missions on a daily basis as have other military units. The Air Force's B-1 bomber squadron has also flown ground level radar missions here.
2311-06	*Comment*	*Restrict airplanes, helicopters and other aircraft from flying over the river at low elevations. This includes military jets from Malmstrom AFB. Set requirements for this equivalent to restrictions in wilderness areas.*
2311-06	Response	The Monument area is included in the Department of Defense's Hays Military Operations Area (MOA). The Montana Air National Guard currently uses this MOA for training missions on a daily basis as have other military units. The Air Force's B-1 bomber squadron has also flown ground level radar missions here. The U.S. military operations take precedence over any of BLM's management prescriptions for the Monument.
2311-07	*Comment*	*Because aircraft are frequently used to keep track of grazing cattle and to manage game herds, it cannot be assumed that private aircraft will never be seen over the Monument.* *The fact that the Hays Military Operations Area overlays the Monument ensures that there will be continued operation of military jets overhead at altitudes as low as four hundred feet above ground level and velocities approaching the speed of sound* *Nowhere on the maps presented at the Great Falls comment session did I see the fact that the entire Monument underlies the Hays Military Operations Area (MOA).* *As for people, they had better not expect total silence under the MOA.* *Anyone who has actually read the hunting regulations knows that there are already laws covering spotting of game from the air.*
2311-07	Response	A discussion of the Hays MOA has been added to the Proposed RMP/Final EIS in Chapter 2 under Decisions Common to All Alternatives, Transportation, and in Chapter 3 under Aviation.

Group		Aircraft – Overflights
2311-08	*Comment*	*The EIS also needs to examine the impact of different aircraft. There is a difference between helicopters, hot air balloons, ultra lights and fixed wing aircraft and they all have different impacts on wildlife and on the soil. The EIS needs to examine the effects of low flying aircraft on wildlife, livestock and other users. The low flying aircraft conflict with many other users including hunters, boaters, campers and other recreational users. The EIS needs to examine the effects of low flying aircraft and their cumulative impact on Monument objects.* *The Sierra Club urges the BLM to work with the FAA and ban all commercial scenic aircraft low level overflights and landings within the boundary of National Monument. Commercial scenic flights are incompatible with preserving and protecting the Monument's remote and wild character and create conflicts with other users.*
2311-08	Response	As discussed in the Proposed RMP/Final EIS in Chapter 4, BLM and MFWP biologists have determined the existing low volume of aircraft utilizing the primitive landing strips are not generating impacts to the area's wildlife populations. If use increases significantly, BLM would consider changes through activity level planning (Appendix H) to protect the objects for which the Monument was designated. The Federal Aviation Administration (FAA) manages the airspace over the Monument for general aviation aircraft, not the BLM. Their current regulations request a minimum fly-over altitude of 2,000 feet, but it is not mandatory. Under the Preferred Alternative, all commercial aircraft landing in the Monument (planes, helicopters, hot air balloons, or ultralights) would be required to utilize specific authorized backcountry airstrips. Seasonal restrictions may apply to the commercial use of these airstrips. Commercial use would require prior authorization.
2311-09	*Comment*	*The DEIS fails to analyze the impacts from different aircraft. There is a difference between helicopters, hot air balloons, ultra lights and fixed wing aircraft and they all have different impacts on wildlife and on the soil. Moreover, such an analysis would be necessary to determine the frequency of encroachment by some aircraft off of roads. Hot air balloons and ultralights are notorious for having to make unscheduled landings but anything other than an emergency landing would be a violation of the Proclamation's prohibition of off road use.* *The DEIS fails to analyze the effects of low flying aircraft on wildlife, livestock and other users. The noise and proximity of low flying aircraft conflicts with other users including hunters, boaters and campers. The DEIS fails to analyze the number of low flying aircraft and their cumulative impact on Monument objects. The density of proposed airstrips in the Monument invites low flying aircraft to leapfrog from airstrip to airstrip creating a footprint much larger than the strips themselves. Yet, the DEIS totally ignores this impact.* *The DEIS fails to analyze impacts from low flying aircraft in the Wild and Scenic River Corridor. If the BLM does not recommend higher altitude limits for aircraft or exclusion zones for aircraft, then these aircraft flying 100 feet above the surface of the Missouri River will fly below the rim establishing the boundary of the Wild and Scenic River Corridor.* *The DEIS fails to analyze an alternative that recommends requiring higher altitude limits for aircraft. The FAA may be the agency that sets the altitude, but the BLM has the authority (and mandate as required to preserve and protect the Monument objects) to recommend that the FAA change its altitude specifications.*

Group **Aircraft – Overflights**

2311-09 Response The Federal Aviation Administration (FAA) is responsible and manages the airspace over the Monument area. Their regulations require aircraft to remain a minimum of 500 feet from boats, vehicles, people, structures, etc. Otherwise, general aviation aircraft can fly at lower levels as long as the aircraft is operating within its performance and safety standards.

Current FAA regulations request a minimum fly-over altitude of 2,000 feet, but it is not mandatory. This is the same requirement found on the adjacent Charles M. Russell National Wildlife Refuge in the southeast corner of the Monument area.

A discussion of the Hays MOA has been added to the Proposed RMP/Final EIS in Chapter 2 under Decisions Common to All Alternatives, Transportation, and in Chapter 3 under Aviation.

The BLM would request that the FAA's aeronautical maps and charts covering this area identify the national monument designation as part of the pilots' awareness information when they enter this airspace.

Group **Roads – General**

2320-01 *Comment* *Allow traditional and historic uses of roads including hunting, ranching activities, watching wildlife, sightseeing, access to private and State lands, & educational school trips.*

2320-01 Response One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument.

Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29).

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

Schools wanting to conduct educational trips that included travel on closed BLM roads could apply for a Special Recreation Permit on a case-by-case basis.

2320-02 *Comment* *Road closures/restrictions are needed to protect Monument values such as quietness, historic sites, landscape views, less wildlife disturbance, less vehicle & ATV traffic, and allow restoration of roads with native plants.*

In addition to the impact on wildlife, roads also pose a threat to other resources such as aquatic habitats and increase the threats from vandalism, theft and damage to archaeological and cultural sites.

Group		Roads – General
2320-02	Response	Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Overall, about 216,700 acres of BLM land would be within 1/2 mile of a designated open BLM road (yearlong or seasonally). This is about 58% of the Monument. The environmental consequences section of the Draft RMP/EIS and Proposed RMP/Final EIS addresses the impacts from the six alternatives discussed in Chapter 2. This includes the direct, indirect, and cumulative impacts.
2320-03	*Comment*	*Seems like only a minority of motorized users create the problems but all of us are suffering the consequences (road closures).*
2320-03	Response	The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt. Under the Preferred Alternative, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile).
2320-04	*Comment*	*Folks should be allowed to use the roads for fire fighting, search & rescue, emergency medical services, and permittee work.*
2320-04	Response	Travel off road and on closed roads would be allowed for any military, fire, search and rescue, or law enforcement emergency purposes. For administrative purposes travel would be authorized off road and on closed roads for BLM, other federal agencies, state and county agencies, lessees and permittees. Administrative purposes would be limited to those activities necessary to administer the permit or lease.
2320-05	*Comment*	*Road closures will reduce/eliminate (1) hunting opportunities such as harvesting game and managing wildlife predators, (2) opportunities to fish and recreate, (3) tourism, (4) the spread of noxious weeds, and (5) access to private land.* *Roads are the primary dangers of spreading noxious weeds, vandalizing historic objects and displacing wildlife and hunters.*
2320-05	Response	One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29).

Group		Roads – General
		Under the Preferred Alternative, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). There are 65 miles of BLM roads providing access to private land that would be designated open yearlong and 2 miles (two roads) that would be designated closed.
2320-06	*Comment*	*Game retrieval roads are needed during hunting season.*
2320-06	Response	The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.
2320-07	*Comment*	*Roads across BLM to private land create exclusive outfitter privileges.*
2320-07	Response	Under the Preferred Alternative, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). Landowner permission may be required for access to BLM roads. Some landowners grant permission to cross their private property while others do not. Those BLM roads identified as dashed green lines show where the public may need permission from the private landowner to access BLM roads (Map 5 in the Proposed RMP/Final EIS).
2320-08	*Comment*	*Road maintenance needed to fix road beds, control weeds.*
2320-08	Response	There are 435 miles of two-track resource roads. By closing 193 miles under the Preferred Alternative in the Proposed RMP/Final EIS, there would be a 44% reduction in road mileage that may cause the spread of noxious plants. Under the Preferred Alternative in the Proposed RMP/Final EIS, 340 miles of roads would only receive minimal maintenance to repair a problem (Level 2 Maintenance) and the remaining 64 miles of BLM roads could be maintained annually (Level 3 and 4 Maintenance). For additional information, see the Access and Transportation section of the Preferred Alternative in Chapter 2.
2320-09	*Comment*	*Adequate road system needed for older folks or to meet accessibility (disability) requirements.*
2320-09	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, 340 miles of BLM roads would only receive minimal maintenance to repair a problem (Level 2 Maintenance) and the remaining 64 miles of BLM roads could be maintained annually (Level 3 and 4 Maintenance). For additional information, see the Access and Transportation section of the Preferred Alternative in Chapter 2.
2320-10	*Comment*	*Roads are located on fragile soils which can lead to soil erosion.*
2320-10	Response	One of the criteria used to limit or close some two-track resource roads was soil erosion and slope condition. Under the Preferred Alternative in the Proposed RMP/Final EIS, 7 miles would be open seasonally and 13 miles would be closed based on this criterion.

Group		Roads – General
2320-11	*Comment*	*Scientific data and road criteria are needed to determine road status.*
2320-11	Response	The following specifications were used to determine which routes would be inventoried for the Monument transportation plan. Motorized travel is not considered cross-country (off-road) on BLM land when: (1) the motorized vehicle uses constructed roads that are maintained by the BLM (constructed roads are often characterized with cut and fill slopes); and (2) the motorized vehicle use is on clearly evident two-track routes with regular travel and continuous passage of motorized vehicles over a period of years. A two-track is where perennial vegetation is devoid or scarce, or where wheel tracks are continuous depressions in the soil yet evident to the casual observer and are vegetated. BLM roads include two-track routes under the resource road classification. A two-person seasonal inventory crew collected data on 436 miles of BLM roads (a total of 759 miles for all roads) during the summer of 2002 for the east half of the Monument, and another seasonal crew in 2004 collected additional information on 44 miles of BLM roads (a total of 81 miles for all roads) in the west half. Information on another 125 miles of BLM roads was obtained from existing data. The BLM roads in the Monument total 605 miles. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29).
2320-12	*Comment*	*We have a problem with the lack of science used to justify many of these road closures. Bighorn sheep and other wildlife populations are not disturbed by existing road system. I would also make the point that Montana FWP has not asked the BLM to close roads because of concern for these species.*
2320-12	Response	Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security areas and wildlife winter range areas.
2320-13	*Comment*	*Seems to be incomplete inventory data that addresses the number of roads in the monument and the traffic volume associated with the roads.*
2320-13	Response	The following specifications were used to determine which routes would be inventoried for the Monument transportation plan. Motorized travel is not considered cross-country (off-road) on BLM land when: (1) the motorized vehicle uses constructed roads that are maintained by the BLM (constructed roads are often characterized with cut and fill slopes); and (2) the motorized vehicle use is on clearly evident two-track routes with regular travel and continuous passage of motorized vehicles over a period of years. A two-track is where perennial vegetation is devoid or scarce, or where wheel tracks are continuous depressions in the soil yet evident to the casual observer and are vegetated. BLM roads include two-track routes under the resource road classification.

Group		Roads – General
		A two-person seasonal inventory crew collected data on 436 miles of BLM roads (a total of 759 miles for all roads) during the summer of 2002 for the east half of the Monument, and another seasonal crew in 2004 collected additional information on 44 miles of BLM roads (a total of 81 miles for all roads) in the west half. Information on another 125 miles of BLM roads was obtained from existing data. The BLM roads in the Monument total 605 miles.
2320-14	*Comment*	*It appears the BLM road system was influenced by the Spatial Analysis Study supported by The Wilderness Society.*
2320-14	Response	The Proclamation states the Secretary "shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects." One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument. The range of alternatives in the RMP/EIS includes six alternatives for the transportation system in the Monument that address the Proclamation and BLM's goal. This range includes Alternative A (Current Management), which is the current designated road system. The range of alternatives varies from Alternative A, which would leave most roads open yearlong or seasonally, to Alternative E, which would close most of the roads in the Monument.
2320-15	*Comment*	*Make sure that no ORV's are allowed to drive thru any moving water, or any off-road areas that may be considered 'wilderness' and home to wildlife, if it is deemed that such use will harm the ecosystem. I also hope that no new roads will be built in these areas to sidestep my first plea.*
2320-15	Response	The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as a "limited" area consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. All motorized and mechanized vehicles must stay on roads.
2320-16	*Comment*	*I note that some BLM road segments are open but the previous segment on State land is closed (one example is on the west side of the river across from Pilot Rock). Perhaps this is a way of depicting BLM's intent to get an easement from the State. If not, I do not understand why BLM would have an open road which cannot be reached without violating a road closure on the State land.*
2320-16	Response	BLM roads to the boundary of state land would remain open for administrative travel including state leaseholders. These roads would also be open for public travel, if shown to meet Monument objectives. The BLM would coordinate with state agencies on roads open to the public that lead to or from state land. There are about 80 miles of BLM roads providing access to state land; 59 miles would be open yearlong, 13 miles open seasonally, and 8 miles closed.
2320-17	*Comment*	*Keeping private roads into the Monument open would result in de-facto "private hunting areas." Would have no particular heartburn if full public use is allowed on those roads and in those areas but don't believe for a minute that those roads or areas will be opened and remain open for public access. It would be best to close all non-formal roads now.*

Group		Roads – General
2320-17	Response	Private property owners have the right to determine who can drive across their land whether it provides access to other private property, state land, or to BLM land. The BLM will respect private property rights. Landowner permission may be required for access to BLM roads. Some landowners grant permission to cross their private property while others do not. Under the Preferred Alternative, those BLM roads identified as dashed green lines show where the public may need permission from the private landowner to access BLM roads (Map 5 in the Proposed RMP/Final EIS).
2320-18	*Comment*	*All new tracks/roads that have been pioneered since designation must be closed and rehabilitated. There are too many roads already, which reduce wildlife security and detract from the natural character of the area.*
2320-18	Response	The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as a "limited" area consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. All motorized and mechanized vehicles must stay on roads.
2320-19	*Comment*	*The terrain is majestic and beautiful, but also fragile. Riding a trail bike off road, no matter how carefully, will leave tracks that will exist for years. One rider alone given freedom to ride where they wish, and being indifferent to their impact on this fragile environment, could make enough tracks in a month to leave a permanent scar in the area. Imagine dozens, or hundreds, of such riders and we can write the Breaks off as a national treasure.*
2320-19	Response	The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as a "limited" area consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. All motorized and mechanized vehicles must stay on roads.
2320-20	*Comment*	*Most of the user-created roads are unnecessary and should be eliminated because they threaten the Monument's natural, historical and biological values. Protection and restoration of wildlife habitat should be the first criterion for any road decisions.*
2320-20	Response	The following specifications were used to determine which routes would be inventoried for the Monument transportation plan. Motorized travel is not considered cross-country (off-road) on BLM land when: (1) the motorized vehicle uses constructed roads that are maintained by the BLM (constructed roads are often characterized with cut and fill slopes); and (2) the motorized vehicle use is on clearly evident two-track routes with regular travel and continuous passage of motorized vehicles over a period of years. A two-track is where perennial vegetation is devoid or scarce, or where wheel tracks are continuous depressions in the soil yet evident to the casual observer and are vegetated. BLM roads include two-track routes under the resource road classification. Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.

Group		Roads – General
2320-21	*Comment*	*To manage the Monument: (b) to minimize, and to the greatest extent possible, eliminate the use of motorized vehicles within the area; the restriction of motor-driven land vehicles to official vehicles (and then only to the extent necessary to perform maintenance of developed campsites).*
2320-21	Response	The Proclamation states the Secretary "shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects." One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument. The range of alternatives in the RMP/EIS includes six alternatives for the transportation system in the Monument that address the Proclamation and BLM's goal. This range includes Alternative A (Current Management), which is the current designated road system. The range of alternatives varies from Alternative A, which would leave most roads open yearlong or seasonally, to Alternative E, which would close most of the roads in the Monument.
2320-22	*Comment*	*The mitigation of existing unmapped roads, the policing of attempts at "building" new roads.*
2320-22	Response	The following specifications were used to determine which routes would be inventoried for the Monument transportation plan. Motorized travel is not considered cross-country (off-road) on BLM land when: (1) the motorized vehicle uses constructed roads that are maintained by the BLM (constructed roads are often characterized with cut and fill slopes); and (2) the motorized vehicle use is on clearly evident two-track routes with regular travel and continuous passage of motorized vehicles over a period of years. A two-track is where perennial vegetation is devoid or scarce, or where wheel tracks are continuous depressions in the soil yet evident to the casual observer and are vegetated. BLM roads include two-track routes under the resource road classification. A two-person seasonal inventory crew collected data on 436 miles of BLM roads (a total of 759 miles for all roads) during the summer of 2002 for the east half of the Monument, and another seasonal crew in 2004 collected additional information on 44 miles of BLM roads (a total of 81 miles for all roads) in the west half. Information on another 125 miles of BLM roads was obtained from existing data. The BLM roads in the Monument total 605 miles.
2320-23	*Comment*	*Create a road system that allows for very limited access but doesn't unduly fragment habitats or expose historical sites to abuse. Roads should have signs to indicate open roads with all others considered closed.*
2320-23	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29). Existing traffic control and directional signs would be maintained. New signs would be added where monitoring indicates a need to enhance safety or prevent resource damage or visitor confusion. Roads open to motorized and mechanized travel would be signed (small road number signs). Closed roads would not be signed unless necessary to prevent resource damage.

Group		Roads – General
2320-24	*Comment*	*It's not physically possible to look over much of this property by foot. Motorized travel is the only way to access this property or to tour this property.*
2320-24	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29). The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30).
2320-25	*Comment*	*Keep ORV's off the Monument and reclaim the damage already done. I've seen, in my last trip down the river in 2002, the ugly tracks of motorcycles and four wheel drive vehicles scarring the hillsides.*
2320-25	Response	The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as a "limited" area consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. All motorized and mechanized vehicles must stay on roads. The BLM will provide uniformed law enforcement patrols of the Monument. The law enforcement program will stress public compliance through education and outreach to develop a sense of public ownership of the Monument. The BLM will respond to resource violations consistent with current law enforcement responsibilities within the Lewistown Field Office.
2320-26	*Comment*	*Actively restore native plant species on lands damaged by overuse and ORV's.*
2320-26	Response	The BLM roads designated closed would either be allowed to reclaim naturally or selected segments may require ripping, scarifying and seeding with a native seed mix to control surface runoff. The Monument Manager could approve a different seed mixture to meet reclamation standards.
2320-27	*Comment*	*Make every effort to restore the landscape and to undo damages caused by ORV traffic. Stop erosion.*
2320-27	Response	One of the criteria used to limit or close some two-track resource roads was soil erosion and slope condition. Under the Preferred Alternative in the Proposed RMP/Final EIS, 7 miles would be open seasonally and 13 miles would be closed based on this criterion. The BLM roads designated closed would either be allowed to reclaim naturally or selected segments may require ripping, scarifying and seeding with a native seed mix to control surface runoff. The Monument Manager could approve a different seed mixture to meet reclamation standards.

Group		Roads – General
2320-28	*Comment*	*No ATV use in the Monument and no new roads.*
2320-28	Response	The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as a "limited" area consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. All motorized and mechanized vehicles must stay on roads. The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Roads that are designated open or limited (404 miles) would be open to all forms of motorized and mechanized use consistent with management objectives with the exception 2 miles of roads identified as backcountry airstrips. The BLM reserves the option to build new roads if necessary to access blocks of BLM land.
2320-29	*Comment*	*Off-road-vehicle use and the resulting soil erosion. The management team should take steps to restore the landscape and more importantly stop the causes of it.*
2320-29	Response	One of the criteria used to limit or close some two-track resource roads was soil erosion and slope condition. Under the Preferred Alternative in the Proposed RMP/Final EIS, 7 miles would be open seasonally and 13 miles would be closed based on this criterion. The BLM roads designated closed would either be allowed to reclaim naturally or selected segments may require ripping, scarifying and seeding with a native seed mix to control surface runoff. The Monument Manager could approve a different seed mixture to meet reclamation standards.
2320-30	*Comment*	*Do not create new roads or designate ORV trails as roads.*
2320-30	Response	The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as a "limited" area consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. A single-track trail system for motorized travel (ATVs, quads, motorcycles, etc.) is not authorized or permissible in the Monument. All motorized and mechanized vehicles must stay on roads. The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Roads that are designated open or limited (404 miles) would be open to all forms of motorized and mechanized use consistent with management objectives with the exception 2 miles of roads identified as backcountry airstrips. The BLM reserves the option to build new roads if necessary to access blocks of BLM land.
2320-31	*Comment*	*Close the user-created roads.*
2320-31	Response	The following specifications were used to determine which routes would be inventoried for the Monument transportation plan. Motorized travel is not considered cross-country (off-road) on BLM land when: (1) the motorized vehicle uses constructed roads that are

maintained by the BLM (constructed roads are often characterized with cut and fill slopes); and (2) the motorized vehicle use is on clearly evident two-track routes with regular travel and continuous passage of motorized vehicles over a period of years. A two-track is where perennial vegetation is devoid or scarce, or where wheel tracks are continuous depressions in the soil yet evident to the casual observer and are vegetated. BLM roads include two-track routes under the resource road classification.

Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.

2320-32 *Comment* *Is OK to close some roads, but should be left open to retrieve game. Us older hunters can legally get a hunt otherwise and that would cost the government a lot more. Even younger hunters can get a heart attack trying to retrieve game 2:00 pm till 4:00 pm.*

2320-32 Response The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.

2320-33 *Comment* *Attached is a jpg formatted map of the roads being addressed. A release of the proposed road closures indicates that these 2 roads (circled in blue) will be open year round. I have a real problem allowing these roads to remain open if they are not available for access to the general public. In general I would prefer to have more road closures or restrictions (game retrieval only) and without question close the 2 roads all together that are not open to the general public.*

2320-33 Response Private property owners have the right to determine who can drive across their land whether it provides access to other private property, state land, or to BLM land. The BLM will respect private property rights.

Landowner permission may be required for access to BLM roads. Some landowners grant permission to cross their private property while others do not. Under the Preferred Alternative, those BLM roads identified as dashed green lines show where the public may need permission from the private landowner to access BLM roads (Map 5 in the Proposed RMP/Final EIS).

2320-34 *Comment* *The goal should be restoration of closed roads as much as possible and prevention of off road damage to the ones designated open.*

2320-34 Response The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as a "limited" area consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. All motorized and mechanized vehicles must stay on roads.

Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.

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

2320-35 *Comment* *No ATVs and other motorized vehicles both big and small so no roads needed for easy access. Easy access means too many users that will destroy all peace and quiet that's what is left now. Wildlife is disturbed also.*

2320-35 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29).

The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Roads that are designated open or limited (404 miles) would be open to all forms of motorized and mechanized use consistent with management objectives with the exception 2 miles of roads identified as backcountry airstrips.

Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security areas and wildlife winter range areas.

The road system could be modified if vehicle use traffic patterns or resource conditions change. Modifications to the road system would be based on the management guidance under the Preferred Alternative, including the factors listed in Table 2.29 in the Proposed RMP/Final EIS. Any changes would be addressed through a travel plan update with public participation and environmental review.

2320-36 *Comment* *Two-track roads will only erode and mar the beauty for visitors who do not have access to these types of vehicles.*

2320-36 Response The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30).

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

2320-37	*Comment*	*Repair damage caused by ORVs.*
2320-37	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29). Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures. The BLM roads designated closed would either be allowed to reclaim naturally or selected segments may require ripping, scarifying and seeding with a native seed mix to control surface runoff. The Monument Manager could approve a different seed mixture to meet reclamation standards.
2320-38	*Comment*	*I am opposed to the plans of the BLM and its intentions regarding the 81,000 acres of private land that have been included in the Monument. The inclusion of this land affects my relatives in many ways. It also affects me as well. Its plan of closing off the road makes visiting a historical family homestead more difficult. A place where my father was raised for part of his life. It simply makes it much harder for those in my family that can not walk the distance.*
2320-38	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). There are 65 miles of BLM roads providing access to private land that would be designated open yearlong and 2 miles (two roads) that would be designated closed.
2320-39	*Comment*	*No roadways should be closed that interfere with private property and ranch access.*
2320-39	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). There are 65 miles of BLM roads providing access to private land that would be designated open yearlong and 2 miles (two roads) that would be designated closed.
2320-40	*Comment*	*All roads should be signed closed unless specifically open. The consideration of roads 1/2 mile of a "road" even any invader-created two tracks allows excessive roading which undermines the primitive nature of the area and decreases habitat for wildlife. Soon the entire area will have roads of some nature. All user-created roads in the Wilderness Study Areas and those of environmental concern should be closed to motorized traffic.*
2320-40	Response	Existing traffic control and directional signs would be maintained. New signs would be added where monitoring indicates a need to enhance safety or prevent resource damage or visitor confusion. Roads open to motorized and mechanized travel would be signed (small

road number signs). Closed roads would not be signed unless necessary to prevent resource damage.

Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security areas and wildlife winter range areas. The environmental consequences of the alternatives, including effects to wildlife, are addressed in Chapter 4 of the Draft RMP/EIS and Proposed RMP/Final EIS.

Several miles of vehicle ways are open to public motorized travel within the WSAs. Any public motorized travel from an existing road or cross-country travel is not permissible and unauthorized. Some existing vehicle ways that are currently open for motorized travel would be closed under the Preferred Alternative in the Proposed RMP/Final EIS. In the WSAs, about 27 miles of vehicles ways would be closed; 9 miles would be open yearlong and 15 miles would be open seasonally.

2320-41 *Comment* *Recreationists are significant users of roads on Federal lands in the RMP/Monument. Restrictions to roads, airstrips and access as offered in the preferred alternative will negatively impact hunters, anglers, campers, and all other outdoor users. In our view the closing of nearly 200 miles of access roads is unacceptable and completely unnecessary.*

2320-41 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29).

The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30).

Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.

2320-42 *Comment* *There should be no more roads added and present roads excluded except for those serving the ferry terminals. I saw on my trips down the river that all back country road access sites to the monument area ended in a really terrible, unkept, vandalized campground (of sorts). We could not camp in those areas due to their unacceptable and potentially dangerous condition. The picnic tables and fire pits had been destroyed. Back country roads lead to misuse of the resource.*

2320-42 Response Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.

Group		Roads – General
2320-43	*Comment*	*More 2-track trails should be closed to motor vehicles than are proposed. If too many roads are left open it will lead to greater and growing abuses with people driving off-road.*
2320-43	Response	The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as a "limited" area consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. All motorized and mechanized vehicles must stay on roads. Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.
2320-44	*Comment*	*I feel strongly that any road segment that does not have legal public access should be closed to all use - including use by the landowner whose property blocks public access.* *You've got too many roads open in Alternative F. I much prefer a limited network of routes that are better maintained to a large network that is poorly maintained - plus it's easier on the landscape (soils and veg.) too.*
2320-44	Response	Private property owners have the right to determine who can drive across their land whether it provides access to other private property, state land, or to BLM land. The BLM will respect private property rights. Landowner permission may be required for access to BLM roads. Some landowners grant permission to cross their private property while others do not. Under the Preferred Alternative, those BLM roads identified as dashed green lines show where the public may need permission from the private landowner to access BLM roads (Map 5 in the Proposed RMP/Final EIS).
2320-45	*Comment*	*As it is too many of the trails listed as hiking turn out to have ruts in them from ATV riders.*
2320-45	Response	The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as a "limited" area consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. A single-track trail system for motorized travel (ATVs, quads, motorcycles, etc.) is not authorized or permissible in the Monument. All motorized and mechanized vehicles must stay on roads.
2320-46	*Comment*	*I have done some hunting in the monument area and have used ATVs in this area. I am against any roads being closed and any restrictions on ATV use.*
2320-46	Response	The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each

day to retrieve their wildlife harvest, but not as access to hunt. Roads that are designated open or limited (404 miles) would be open to all forms of motorized and mechanized use consistent with management objectives with the exception 2 miles of roads identified as backcountry airstrips.

2320-47 *Comment* *All roads going to the monument, except those determined necessary by the BLM, will be closed. The closure must include all roads not available for public access.*

2320-47 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29).

Private property owners have the right to determine who can drive across their land whether it provides access to other private property, state land, or to BLM land. The BLM will respect private property rights.

Landowner permission may be required for access to BLM roads. Some landowners grant permission to cross their private property while others do not. Under the Preferred Alternative, those BLM roads identified as dashed green lines show where the public may need permission from the private landowner to access BLM roads (Map 5 in the Proposed RMP/Final EIS).

2320-48 *Comment* *We ask that all BLM and Forest Service actions include proper recognition of the agreement behind the 3-State OHV decision that included continued use of the existing networks of motorized roads and trails without massive motorized closures.*

2320-48 Response The Proclamation states the Secretary "shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects." One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument.

The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30).

Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.

2320-49 *Comment* *Our observations over decades of trail riding have established that significant wildlife mortality does not result from OHV activity. We are not aware of any reports of large animals such as deer, elk, or bear being hit or injured by OHV activity. Additionally, it is extremely rare for OHVs to injure any small animals such as squirrels or chipmunks. We request that wildlife mortality from OHV activity be considered minor and that wildlife mortality not be used as a reason to close roads and trails to OHV visitors.*

2320-49 Response Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security areas and wildlife winter range areas.

Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.

2320-50 Comment *Many handicapped, elderly, or physically impaired citizens can only access and recreate on public lands by using motorized roads and trails. The needs of these citizens should be adequately considered. On November 10th, 1998, President Clinton signed Public Law 105-359, requiring the Secretary of Agriculture and the Secretary of the Interior to conduct a study to improve access for persons with disabilities to outdoor recreation opportunities made available to the public. This law states:*

(a) STUDY REQUIRED. "The Secretary of Agriculture and the Secretary of the Interior shall jointly conduct a study regarding ways to improve the access for persons with disabilities to outdoor recreational opportunities (such as fishing, hunting, trapping, wildlife viewing, hiking, boating and camping) made available to the public on the Federal lands described in subsection (b)."

2320-50 Response Individuals with disabilities could request a permit to travel on closed roads consistent with the Rehabilitation Act of 1973. Such access would be considered on a case-by-case basis by the Monument Manager. If the need arises, the BLM could identify specific designated closed roads as access for individuals with disabilities.

2320-51 Comment *Oftentimes, many of the motorized roads and trails proposed for closure are primitive roads and trails that provide the ideal experience sought by motorized visitors. We request that the analysis adequately evaluate the type and quality of experiences that motorized visitors enjoy and want maintained in the area.*

Motorized recreationists prefer an interesting assortment of loop and spur routes for a variety of purposes. Each road and trail should be inventoried and viewed on the ground to determine its recreational value and any significant problem areas that require mitigation measures. Each road and trail should be evaluated for its value as a motorized loop or connected route. Each spur road and trail should be evaluated for its value including: a source of dispersed campsite(s), exploration opportunities, destination such as an old mine and viewpoint or as access for all multiple-use visitors. Every problem has a solution. Every impact has a mitigation measure. We request that travel management alternatives be developed with the objective of including as many roads and trails as possible and addressing as many problems as possible by using all possible mitigation measures.

2320-51 Response The following specifications were used to determine which routes would be inventoried for the Monument transportation plan. Motorized travel is not considered cross-country (off-road) on BLM land when: (1) the motorized vehicle uses constructed roads that are maintained by the BLM (constructed roads are often characterized with cut and fill slopes); and (2) the motorized vehicle use is on clearly evident two-track routes with regular travel and continuous passage of motorized vehicles over a period of years. A two-track is where perennial vegetation is devoid or scarce, or where wheel tracks are

continuous depressions in the soil yet evident to the casual observer and are vegetated. BLM roads include two-track routes under the resource road classification.

A two-person seasonal inventory crew collected data on 436 miles of BLM roads (a total of 759 miles for all roads) during the summer of 2002 for the east half of the Monument, and another seasonal crew in 2004 collected additional information on 44 miles of BLM roads (a total of 81 miles for all roads) in the west half. Information on another 125 miles of BLM roads was obtained from existing data. The BLM roads in the Monument total 605 miles.

Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29). The Preferred Alternative would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30).

The environmental consequences of the alternatives, including effects to recreation, are addressed in Chapter 4 of the Draft RMP/EIS and Proposed RMP/Final EIS.

2320-52 *Comment* *We feel that we are also representative of the needs of the majority of other public land visitors who may recreate and not be organized with a collective voice to comment on their needs during the public input process. These independent multiple-use recreationists include visitors who use motorized routes for weekend drives, mountain biking, sightseeing, exploring, picnicking, hiking, rock climbing, skiing, camping, hunting, RVs, shooting targets, fishing, viewing wildlife, snowmobiling, accessing patented mining claims, and collecting firewood, natural foods, rocks, etc. Mountain bikers seem to prefer OHV trails because we clear and maintain them and they have a desirable surface for biking. Multiple-use visitors also include physically challenged visitors who must use wheeled vehicles to visit public lands. All of these multiple-use visitors use roads and motorized trails for their recreational purposes and the decision must take into account motorized designations serve many recreation activities, not just recreational trail riding.*

2320-52 Response The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as a "limited" area consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. A single-track trail system for motorized travel (ATVs, quads, motorcycles, etc.) is not authorized or permissible in the Monument. All motorized and mechanized vehicles must stay on roads.

The Proclamation states the Secretary "shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects." One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument.

Group **Roads – General**

Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29).

The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Under the Preferred Alternative, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.

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

2320-53 *Comment*

Here is an analysis of comparing the Draft Alternative F (Preferred Alternative) to Montana Statewide Wilderness Study Report Volume II - Wilderness Study Area Specific Recommendations September 1991. (Attachment AB) (Red indicate new roads since 1990).

Dog Creek South WSA MT-068-244, September 1990 (Attachment A) (Attachment B-Draft Alternative F Map of Dog Creek South WSA & Stafford WSA): Draft shows road marked #1 not on 1990 inventory, Draft states - closed year long; road marked #2 not on 1990 inventory, Draft states - road designation C open June 16 to March 31, closed April 1 to June 15, bighorn sheep lambing.

Stafford WSA MT-068-250, September 1990 (Attachment C): Draft shows road marked #3 not on 1990 inventory, Draft states - road designation A open April 1 to November 30 (closed December 1 to march 31 - big game winter range).

Ervin Ridge WSA MT-268-253 , September 1990 (Attachment D) (Attachment E is Draft Alternative F map of Ervin Ridge): Draft shows roads user created into WSA since 1990, Draft states - closed year long.

Woodhawk WSA MT-068-246, September 1990 (Attachment F) (Attachment G is Draft Alternative F map of Woodhawk WSA): Draft shows road marked #4 road has been extended about 3/4 miles from 1990 inventory.

Antelope Creek WSA MT-065-266, September 1990 (Alternative H) (Alternative I is Draft Alternative F map of Antelope Creek WSA): Draft shows road marked #5 not on 1990 inventory, Draft states - road designated A open April 1 to November 30 (closed December 1 to March 31 - big game winter range); Road marked #6 not on 1990 inventory, Draft states - road designated A open April 1 to November 30 (closed December 1 to March 31 - big game winter range); Road marked #7 not on 1990 inventory, Draft states - road designated A open April 1 to November 30 (closed

December 1 to march 31 - big game winter range). Attachment J is a picture of a sign taken in September 2005 posted in Antelope Creek WSA which states "All vehicle travel restricted to designated roads and trails." There is no such thing as designated trails in a WSA that a vehicle can travel on. Take sign down and replace with proper sign. Attachment K, L, M, N, O and P are pictures of two tracks that have been created by unauthorized vehicles using cattle paths. Pictures taken September 2005.

Cow Creek WSA MT-066-256, September 1990 (Attachment Q) (Attachment R is Draft Alternative F map of Cow Creek WSA): Draft shows road marked #8 not on 1990 inventory, Draft states open all year; road marked #9 not on 1990 inventory, Draft states - road designation B open December 1 to November 30 (closed September 1 to November 30 - wildlife habitat security: game retrieval allowed from 10 a.m. to 2 p.m.); road marked #10 not on 1990 inventory, Draft states road designated A open April 1 to November 30 (closed December 1 to march 31 - big game winter range); road marked #11 not on 1990 inventory, road designation B open December 1 to November 30 (closed September 1 to November 30 - wildlife habitat security: game retrieval allowed from 10 a.m. to 2 p.m.).

All roads created by BLM intent or user created must be closed. None of these roads can be used (reopened) for game retrieval or for disabled person access. No game carts are allowed in the WSA (page 330 Draft).

2320-53 Response Any unauthorized route in the WSAs is closed under BLM's WSA IMP policy (handbook H-5550, July 1995) and is being addressed outside the scope of this RMP. Unauthorized routes are no longer shown on the transportation map.

Several miles of vehicle ways are open to public motorized travel within the WSAs. Any public motorized travel from an existing road or cross-country travel is not permissible and unauthorized. Some existing vehicle ways that are currently open for motorized travel would be closed under the Preferred Alternative in the Proposed RMP/Final EIS. In the WSAs, about 27 miles of vehicles ways would be closed; 9 miles would be open yearlong and 15 miles would be open seasonally.

2320-54 Comment *The fastest growing segment of ORV and ATV riders are minorities. By closing roads and trails you are discriminating against minorities which is against Federal law. What are you doing to promote recreation opportunities for minorities?*

2320-54 Response Environmental justice issues, including minorities, are addressed in Chapter 4 of the Proposed RMP/Final EIS under Impacts to Social Common to All Alternatives. No identifiable effects or issues specific to any minority or low income population surfaced in the analysis of the six alternatives presented in the RMP/EIS.

2320-55 Comment *Require vehicles to stay on roads as stated in the proclamation.*

2320-55 Response The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as a "limited" area consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. All motorized and mechanized vehicles must stay on roads.

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

violations consistent with current law enforcement responsibilities within the Lewistown Field Office.

2320-56 *Comment* *Prevent the de-facto privatized use of the Monument by closing the roads with no public access expect for legitimate administrative uses.*

2320-56 Response Private property owners have the right to determine who can drive across their land whether it provides access to other private property, state land, or to BLM land. The BLM will respect private property rights.

Landowner permission may be required for access to BLM roads. Some landowners grant permission to cross their private property while others do not. Under the Preferred Alternative, those BLM roads identified as dashed green lines show where the public may need permission from the private landowner to access BLM roads (Map 5 in the Proposed RMP/Final EIS).

2320-57 *Comment* *I also recommend that all BLM roads that can be closed to the public because of private property should also be closed entirely.*

2320-57 Response Private property owners have the right to determine who can drive across their land whether it provides access to other private property, state land, or to BLM land. The BLM will respect private property rights.

Landowner permission may be required for access to BLM roads. Some landowners grant permission to cross their private property while others do not. Under the Preferred Alternative, those BLM roads identified as dashed green lines show where the public may need permission from the private landowner to access BLM roads (Map 5 in the Proposed RMP/Final EIS).

2320-58 *Comment* *I am concerned that the Missouri Breaks National Monument will become "civilized" through road building, laying down of air strips, and increased "entry points" around the Monument.*

2320-58 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, public motorized travel is restricted to 404 miles of designated roads, and 201 miles of BLM roads would be closed to public travel. Aircraft landings would be restricted to six backcountry airstrips and four airstrips would be closed. No cross-country travel off designated roads would be permissible with motorized vehicles or mechanized equipment; however, travel off road and on closed roads would be allowed for any military, fire, search and rescue, or law enforcement vehicle used for emergency purposes.

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

2320-59 *Comment* *Require vehicles to stay on roads, as stated in the Proclamation.*

2320-59 Response The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as a "limited" area consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in

certain areas, and/or to certain vehicular use, such as no off-road travel. All motorized and mechanized vehicles must stay on roads.

The BLM will provide uniformed law enforcement patrols of the Monument. The law enforcement program will stress public compliance through education and outreach to develop a sense of public ownership of the Monument. The BLM will respond to resource violations consistent with current law enforcement responsibilities within the Lewistown Field Office.

2320-60 *Comment* *All roads to State and private land must remain open for public or permissive use to access private property or State property.*

2320-60 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). There are 65 miles of BLM roads providing access to private land that would be designated open yearlong and 2 miles (two roads) that would be designated closed.

BLM roads to the boundary of state land would remain open for administrative travel including state leaseholders. These roads would also be open for public travel, if shown to meet Monument objectives. The BLM would coordinate with state agencies on roads open to the public that lead to or from state land. There are about 80 miles of BLM roads providing access to state land; 59 miles would be open yearlong, 13 miles open seasonally, and 8 miles closed.

2320-61 *Comment* *Require all oil-gas exploration/development lessee-builders and/or the current lease holders to fully finance complete, effective elimination and restoration to preconstruction condition all trails, roads, troads, ways, routes within the Breaks NM with the exception of only those trails-roads specifically, legally permitted by the federal government, and the courts, to effect only valid oil-gas actions. No exceptions.*

2320-61 Response Natural gas exploration and development would be considered a permitted activity with conditions attached authorizing what would be approved in regards to motorized travel and possible maintenance work.

Site-specific BMPs will be implemented for all surface-disturbing activities to minimize, to the extent possible, impacts to resources in the Monument. The effectiveness of these measures would be dependent on local site characteristics such as landform, soils, climate, natural disturbances, and other physical processes. Additional information on road maintenance was included in the Chapter 2 of the Proposed RMP/Final EIS.

2320-62 *Comment* *Roads which pass through private land to Monument lands should remain open only if public access is assured through the private land (easements, etc.). We have no problem with the current level of open roads (Alternative A) as long as they remain open to the public.*

2320-62 Response Private property owners have the right to determine who can drive across their land whether it provides access to other private property, state land, or to BLM land. The BLM will respect private property rights.

Landowner permission may be required for access to BLM roads. Some landowners grant permission to cross their private property while others do not. Under the Preferred Alternative, those BLM roads identified as dashed green lines show where the public may

need permission from the private landowner to access BLM roads (Map 5 in the Proposed RMP/Final EIS).

2320-63 *Comment* *I think if there is a road that a landowner has been using all these years to get to one of his places, it should be left open to be used.*

2320-63 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use).

2320-64 *Comment* *The Monument transportation system must be based on scientific analysis, not political motivations, to ensure that it will protect natural, historical and biological values. Some existing roads need to be closed. Too many roads reduces the quality of the hunting experience and negatively impacts wildlife habitat, according to a Montana Department of Fish, Wildlife & Parks study. Some existing roads should end with trailheads, not endless spurs.*

2320-64 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29).

2320-65 *Comment* *A number of roads are planned to provide access to private land; it appears that they will not be public, but that they will be controlled by the landowners. If they are on public land, they should be public.*

2320-65 Response Private property owners have the right to determine who can drive across their land whether it provides access to other private property, state land, or to BLM land. The BLM will respect private property rights.

Landowner permission may be required for access to BLM roads. Some landowners grant permission to cross their private property while others do not. Under the Preferred Alternative, those BLM roads identified as dashed green lines show where the public may need permission from the private landowner to access BLM roads (Map 5 in the Proposed RMP/Final EIS).

2320-66 *Comment* *Manage the Monument for traditional, non-motorized hunting. The Breaks can boast trophy bull elk and world-class mulie bucks. But big game need security and seclusion to thrive, and traditional hunters need quiet and stillness in which to pursue them. Elk in particular are adversely impacted by the presence of motorized traffic -- their breeding and calving seasons are disrupted, their grazing patterns are disturbed. Protect the Breaks' magnificent hunting opportunities by designating large blocks of land as "non-motorized game areas."*

2320-66 Response The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as

big game retrieval roads during the hunting season (September 1 through November 30). Under the Preferred Alternative, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.

Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security areas and wildlife winter range areas.

The environmental consequences of the alternatives, including effects to wildlife and recreation, are addressed in Chapter 4 of the Draft RMP/EIS and Proposed RMP/Final EIS.

2320-67 *Comment* *The new "road" network will result in more motorized car and ATV access throughout the Monument which in turn will likely: (1) increase the spread of non-native species carried by such vehicles; (2) increase poaching or unethical hunting and fishing practices; (3) result in degradation of aquatic habitats through alteration of stream banks and increased sediment loads; and (4) result in a modification of animal behavior and populations. Transportation access also indirectly increases vandalism, theft, and damage to archaeological and cultural sites.*

2320-67 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, public motorized travel is restricted to 404 miles of designated roads, and 201 miles of BLM roads would be closed to public travel. Aircraft landings would be restricted to six backcountry airstrips and four airstrips would be closed. No cross-country travel off designated roads would be permissible with motorized vehicles or mechanized equipment; however, travel off road and on closed roads would be allowed for any military, fire, search and rescue, or law enforcement vehicle used for emergency purposes.

The environmental consequences of the alternatives are addressed in Chapter 4 of the Draft RMP/EIS and Proposed RMP/Final EIS.

2320-68 *Comment* *The BLM's proposed action in the DEIS and, in particular, the BLM's new, expansive transportation plan (which now includes two-tracks within the definition of a road), new rights of way, new recreational facilities, airstrips, and authorization of motor boats will severely impact the wilderness character of the Antelope Creek, Cow Creek, Dog Creek South, Ervin Ridge, Stafford, and Woodhawk WSAs and prejudice these areas chances of being included in the National Wilderness Preservation System.*

2320-68 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, public motorized travel is restricted to 404 miles of designated roads, and 201 miles of BLM roads would be closed to public travel. Aircraft landings would be restricted to six backcountry airstrips and four airstrips would be closed. No cross-country travel off designated roads would be permissible with motorized vehicles or mechanized equipment; however, travel off road and on closed roads would be allowed for any military, fire, search and rescue, or law enforcement vehicle used for emergency purposes.

Motorized use on the river would be allowed with seasonal limitations on upstream travel and a seasonal no-wake speed restriction in the wild and scenic segments of the

UMNWSR from June 15 to September 15. In addition, the wild and scenic segment from Holmes Council Island to the Fred Robinson Bridge would be restricted to non-motorized watercraft from June 15 to September 15 on Sunday through Wednesday.

The environmental consequences of the alternatives are addressed in Chapter 4 of the Draft RMP/EIS and Proposed RMP/Final EIS.

2320-69 *Comment* *Reduce the number of two-tracks and roads, and require vehicles to stay on designated roads.*

2320-69 Response The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as a "limited" area consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. All motorized and mechanized vehicles must stay on roads.

Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.

2320-70 *Comment* *Some of the roads, shown as open in your alternatives, cross private land and could be closed at any time. A permanent right of way needs to be acquired or alternate routes established.*

2320-70 Response Private property owners have the right to determine who can drive across their land whether it provides access to other private property, state land, or to BLM land. The BLM will respect private property rights.

Landowner permission may be required for access to BLM roads. Some landowners grant permission to cross their private property while others do not. Under the Preferred Alternative, those BLM roads identified as dashed green lines show where the public may need permission from the private landowner to access BLM roads (Map 5 in the Proposed RMP/Final EIS).

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

2320-71 *Comment* *The BLM budget cannot possibly supervise the Monument with roads, two-tracks, trucks, and ATVs running all over the place. Wildlife habitat will be impacted, along with damage to cultural sites and destruction of archaeological sites.*

2320-71 Response Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security areas and wildlife winter range areas.

Group **Roads – General**

The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Under the Preferred Alternative, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures. The environmental consequences of the alternatives are addressed in Chapter 4 of the Draft RMP/EIS and the Proposed RMP/Final EIS.

Decisions from an RMP would be implemented over a period of years depending on budget and staff availability. Funding levels affect the timing and implementation of management actions and project proposals, but do not affect the decisions made in an RMP.

The road system could be modified if vehicle use traffic patterns or resource conditions change. Modifications to the road system would be based on the management guidance under the Preferred Alternative, including the factors listed in Table 2.29 in the Proposed RMP/Final EIS. Any changes would be addressed through a travel plan update with public participation and environmental review.

2320-72 *Comment* *All two-track roads created in the WSAs or ACECs should be closed. A non-motorized trail system should be created for foot and horse travel by converting some of the two-track trails to non-motorized trails. The remainder are to be closed unless signed open.*

2320-72 Response Several miles of vehicle ways are open to public motorized travel within the WSAs. Any public motorized travel from an existing road or cross-country travel is not permissible and unauthorized. Some existing vehicle ways that are currently open for motorized travel would be closed under the Preferred Alternative in the Proposed RMP/Final EIS. In the WSAs, about 27 miles of vehicles ways would be closed; 9 miles would be open yearlong and 15 miles would be open seasonally.

In the Cow Creek ACEC, about 6 miles of BLM roads would be closed; 2 miles would be open yearlong and 1 mile would be open seasonally.

2320-74 *Comment* *Private lands and ranches inside and adjacent to the Monument are threatened by the proposed road closures by cutting off access.*

2320-74 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use).

2320-75 *Comment* *The preferred alternatives proposed closure of existing roads and trails within the area should be reviewed, with an inventory of the existing routes on the ground identified. Documentation supporting site-specific proposed closures should be available to the public. Montana Trail Vehicle Riders Association would welcome collaborative efforts to produce equitable and fair motorized opportunities.*

2320-75 Response The following specifications were used to determine which routes would be inventoried for the Monument transportation plan. Motorized travel is not considered cross-country (off-road) on BLM land when: (1) the motorized vehicle uses constructed roads that are maintained by the BLM (constructed roads are often characterized with cut and fill slopes); and (2) the motorized vehicle use is on clearly evident two-track routes with

regular travel and continuous passage of motorized vehicles over a period of years. A two-track is where perennial vegetation is devoid or scarce, or where wheel tracks are continuous depressions in the soil yet evident to the casual observer and are vegetated. BLM roads include two-track routes under the resource road classification.

A two-person seasonal inventory crew collected data on 436 miles of BLM roads (a total of 759 miles for all roads) during the summer of 2002 for the east half of the Monument, and another seasonal crew in 2004 collected additional information on 44 miles of BLM roads (a total of 81 miles for all roads) in the west half. Information on another 125 miles of BLM roads was obtained from existing data. The BLM roads in the Monument total 605 miles.

The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Under the Preferred Alternative, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.

Chapter 5 in the Draft RMP/EIS and Proposed RMP/Final EIS describes the public participation events that occurred during preparation of the RMP including scoping meetings and alternative development workshops. Many of these meetings and public comments addressed the roads in the Monument.

2320-76 *Comment* *Roadless areas need to be controlled. It is hard for people on motorized vehicles to stay on roads.*

2320-76 Response The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as a "limited" area consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. All motorized and mechanized vehicles must stay on roads.

The BLM will provide uniformed law enforcement patrols of the Monument. The law enforcement program will stress public compliance through education and outreach to develop a sense of public ownership of the Monument. The BLM will respond to resource violations consistent with current law enforcement responsibilities within the Lewistown Field Office.

2320-77 *Comment* *NPCA endorses the notion that access to Monument lands must be equitably and democratically available for all citizens, with no preferential access provided to any privileged group. As such, we urge BLM to disallow access on public land routes that pass through private lands and where owners of those private lands allow selective passage across their lands. This practice of privileged access for whatever purpose is un-American, inappropriate, and creates separate classes of citizens for the purpose of enjoying this resource that belongs to all citizens.*

2320-77 Response Private property owners have the right to determine who can drive across their land whether it provides access to other private property, state land, or to BLM land. The BLM will respect private property rights.

Group		Roads – General
		Landowner permission may be required for access to BLM roads. Some landowners grant permission to cross their private property while others do not. Under the Preferred Alternative, those BLM roads identified as dashed green lines show where the public may need permission from the private landowner to access BLM roads (Map 5 in the Proposed RMP/Final EIS).
2320-78	*Comment*	*During the interim five-year period, a comprehensive review of all road segments needs to be conducted. Criteria based on access and protection would be used to develop a final transportation plan. These criteria may differ across the Monument, but include big game management objectives, habitat security, game retrieval, public access and camping opportunities, public safety, and the protection of significant cultural and historic sites. The State recommends BLM bring together agency, local government, private and NGO representatives to collaborate on a final transportation plan.*
2320-78	Response	The following specifications were used to determine which routes would be inventoried for the Monument transportation plan. Motorized travel is not considered cross-country (off-road) on BLM land when: (1) the motorized vehicle uses constructed roads that are maintained by the BLM (constructed roads are often characterized with cut and fill slopes); and (2) the motorized vehicle use is on clearly evident two-track routes with regular travel and continuous passage of motorized vehicles over a period of years. A two-track is where perennial vegetation is devoid or scarce, or where wheel tracks are continuous depressions in the soil yet evident to the casual observer and are vegetated. BLM roads include two-track routes under the resource road classification. A two-person seasonal inventory crew collected data on 436 miles of BLM roads (a total of 759 miles for all roads) during the summer of 2002 for the east half of the Monument, and another seasonal crew in 2004 collected additional information on 44 miles of BLM roads (a total of 81 miles for all roads) in the west half. Information on another 125 miles of BLM roads was obtained from existing data. The BLM roads in the Monument total 605 miles. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29). The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Under the Preferred Alternative, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures. Chapter 5 in the Draft RMP/EIS and Proposed RMP/Final EIS describes the public participation events that occurred during preparation of the RMP including scoping meetings and alternative development workshops. Many of these meetings and public comments addressed the roads in the Monument.

Group		Roads – General
2320-79	*Comment*	*We need open roads to effectively fight fire. If they are not used then they deteriorate or cannot be found when you need them. The IC (incident commander) on a fire should have the authority to use whatever means necessary, including dozers, to effectively fight the fire.*
2320-79	Response	Travel off road and on closed roads would be allowed for any military, fire, search and rescue, or law enforcement vehicle used for emergency purposes. The appropriate management response to wildland fire in the Monument, including wilderness study areas (WSAs), will involve traditional fire line tactics, including the use of natural barriers and hand-constructed fire lines. The use of heavy equipment will be allowed through authorization of the Field Manager, Monument Manager or the appropriate agency administrator. Careful consideration will be given to how and where heavy equipment would be used to minimize erosion.
2320-80	*Comment*	*BLM has violated its duty under FLPMA to maintain a non-degradation policy with respect to the Wilderness Study Areas in the Monument. BLM has allowed numerous, user-created roads to flourish. The proposed management plan actually authorizes additional roads and airstrips in both Wilderness Study Areas and potential wilderness areas such as the Bullwhacker.*
2320-80	Response	Any unauthorized route in the WSAs is closed under BLM's WSA IMP policy (handbook H-5550, July 1995) and is being addressed outside the scope of this RMP. Several miles of vehicle ways are open to public motorized travel within the WSAs. Any public motorized travel from an existing road or cross-country travel is not permissible and unauthorized. Some existing vehicle ways that are currently open for motorized travel would be closed under the Preferred Alternative in the Proposed RMP/Final EIS. The Bullwhacker area is not a WSA or potential wilderness area. In the WSAs, about 27 miles of vehicles ways would be closed; 9 miles would be open yearlong and 15 miles would be open seasonally.
2320-81	*Comment*	*Off-road use should not be permitted. I am shocked that the current proposal allows vehicles off road by about 300 feet! I envision a road of braided two-track trails more than 600 feet wide, something certainly not appropriate in a natural area, or anywhere. I do not support off-road and ATV use anywhere in the Monument.*
2320-81	Response	The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as a "limited" area consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. All motorized and mechanized vehicles must stay on roads. Under the Preferred Alternative in the Proposed RMP/Final EIS, outside of the WSAs, motorized or mechanized vehicles may park adjacent to a road to provide a reasonable safe distance for the public to pass. However, parking must be within 50 feet of a road.
2320-82	*Comment*	*The two-track roads that have been created over the years by indiscriminate off-road travel should not be continued or improved. They are inappropriate in a natural area like the Monument.*
2320-82	Response	The following specifications were used to determine which routes would be inventoried for the Monument transportation plan. Motorized travel is not considered cross-country

(off-road) on BLM land when: (1) the motorized vehicle uses constructed roads that are maintained by the BLM (constructed roads are often characterized with cut and fill slopes); and (2) the motorized vehicle use is on clearly evident two-track routes with regular travel and continuous passage of motorized vehicles over a period of years. A two-track is where perennial vegetation is devoid or scarce, or where wheel tracks are continuous depressions in the soil yet evident to the casual observer and are vegetated. BLM roads include two-track routes under the resource road classification.

Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.

2320-83 *Comment* *Each county will obviously be impacted by visitor use and traffic in and around the Monument; therefore, the BLM should secure the affected counties' support before a transportation plan is adopted.*

2320-83 Response Chapter 5 in the Draft RMP/EIS and Proposed RMP/Final EIS describes the public participation events that occurred during preparation of the RMP including county involvement, scoping meetings and alternative development workshops. Many of these meetings and public comments addressed the roads in the Monument.

2320-84 *Comment* *Page xxiii has the statement, "Individuals with disabilities could request a permit to travel on closed roads . . . ." This seems to be inconsistent with the Americans with Disability Act. (a) The Americans with Disabilities Act does not require that "closed" roads be made available for those with disabilities. The multiple roads in the Monument are sufficient for all people. Closed should mean just that closed. (b) "A primary goal of the ADA is the equal participation of individuals with disabilities in the 'mainstream' of American society." (II-3.4000)*

2320-84 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, individuals with disabilities could request a permit to travel on closed roads consistent with the Rehabilitation Act of 1973. Such access would be considered on a case-by-case basis by the Monument Manager. If the need arises, the BLM could identify specific designated closed roads as access for individuals with disabilities.

2320-85 *Comment* *I agree that some areas should be absolutely closed to OHV's and other areas are appropriately places in the "limited" classification. There are, however, large areas in the "limited" classification throughout the public lands and some areas in the "closed" classification where there should be provisions for hunters to retrieve dead big game.*

2320-85 Response The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.

2320-86 *Comment* *I would submit that the BLM, and the sportsman community, would be dually served by a joint effort to determine which roads must absolutely be closed, and which ones may remain open. Additionally, I would ask that BLM officials meet with, and inform, local users of the proposed plan so that together the intentions of the BLM, and the accessibility rights of the citizens, may be met with appropriate compromise one each side. This will provide a fair and equitable resolution to which both sides have input.*

Group		Roads – General
2320-86	Response	Chapter 5 in the Draft RMP/EIS and Proposed RMP/Final EIS describes the public participation events that occurred during preparation of the RMP including scoping meetings and alternative development workshops. Many of these meetings and public comments addressed the roads in the Monument.
2320-87	*Comment*	*I would ask you to carefully review your planned road closures proposed for the Missouri Breaks Monument area of Montana. These lands have a long history of use by the local and regional hunting community and closing them, without alternate means of access, would be an unreasonable burden on the sportsman community. In addition, some lands adjacent to the proposed closure area are privately owned and the closures would prevent authorized users of these lands from obtaining proper access.*
2320-87	Response	The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt. The BLM would also coordinate with state agencies and county governments to improve public access to BLM land. Easements or fee acquisition opportunities would only be considered with willing landowners to enhance the values of the Monument and provide legal public access to or within the Monument, or additional public access to meet management objectives, including dispersed recreation use.
2320-88	*Comment*	*For each road closure you should decide whether it is absolutely necessary before making a decision to close it to public use, especially if there is no alternative means of access to each area closed.*
2320-88	Response	Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile).
2320-89	*Comment*	*It is important for to examine each planned road closure, to identify the purpose for each individual road to be closed, and to publish that information, so local area users can comment on the specific roads to be closed and the reasons for the specific closures.*
2320-89	Response	Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.
2320-90	*Comment*	*I am concerned that the extensive road closures proposed in the Plan will severely limit future access to hunters and recreational users of the resources. Instead of wholesale road closures, each proposed closing should be examined individually and subjected to public comment over a period of time to preserve adequate access for public and private users.*
2320-90	Response	The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.

Group		Roads – General
		A total of 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures. The road system could be modified if vehicle use traffic patterns or resource conditions change. Modifications to the road system would be based on the management guidance under the Preferred Alternative, including the factors listed in Table 2.29 in the Proposed RMP/Final EIS. Any changes would be addressed through a travel plan update with public participation and environmental review. This process would include coordination with state agencies and county government along with monitoring of wildlife populations for stress, over-harvest, or disturbances during critical time periods.
2320-91	*Comment*	*The road closures would deprive outdoorsman and Hunters along with other outdoor enthusiasts of a historically rich area. Please consider meeting with local hunting organizations and/or having a public forum to discuss the necessity for the road closures.*
2320-91	Response	The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt. Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures. Chapter 5 in the Draft RMP/EIS and Proposed RMP/Final EIS describes the public participation events that occurred during preparation of the RMP including scoping meetings and alternative development workshops. Many of these meetings and public comments addressed the roads in the Monument. The road system could be modified if vehicle use traffic patterns or resource conditions change. Modifications to the road system would be based on the management guidance under the Preferred Alternative, including the factors listed in Table 2.29 in the Proposed RMP/Final EIS. Any changes would be addressed through a travel plan update with public participation and environmental review. This process would include coordination with state agencies and county government along with monitoring of wildlife populations for stress, over-harvest, or disturbances during critical time periods.
2320-92	*Comment*	*Require all vehicles to stay on established, BLM system-inventoried roads . . . as was clearly stated in the Proclamation establishing the Monument. You must not allow off-road motorized use to destroy wildlife habitat and impact the area's natural quiet.*
2320-92	Response	The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as "limited" consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. A single-track trail system for motorized travel (ATVs, quads, motorcycles, etc.) is not authorized or permissible in the Monument. All motorized and mechanized vehicles must stay on roads.

The BLM will provide uniformed law enforcement patrols of the Monument. The law enforcement program will stress public compliance through education and outreach to develop a sense of public ownership of the Monument. The BLM will respond to resource violations consistent with current law enforcement responsibilities within the Lewistown Field Office.

2320-93 *Comment* *The recreational resource must remain open to all who wish to use it. The land and the water must not be limited to a select few. Access to this area is difficult at best and with the proposed limitations set forth in the travel plan, access will become more difficult. Granted, some roads could be closed. But to close roads based merely on measured distance between them while ignoring the terrain is not reasonable.*

2320-93 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29).

2320-94 *Comment* *All ORV's need to be kept on designated, existing, and improved roads. There needs to be active enforcement of this. We have noticed a rapid increase in the amount of weeds in the area, much of which is undoubtedly due to ORV use. No motorized cross-country travel should be permitted and all areas of the Monument should be off limits to ORV's unless specifically designated as open. User-created routes need to be closed to prevent fragmentation of habitat and to preserve backcountry solitude. Some two-tracks could be converted to hiking trails.*

2320-94 Response The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as "limited" consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. A single-track trail system for motorized travel (ATVs, quads, motorcycles, etc.) is not authorized or permissible in the Monument. All motorized and mechanized vehicles must stay on roads.

Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.

The BLM will provide uniformed law enforcement patrols of the Monument. The law enforcement program will stress public compliance through education and outreach to develop a sense of public ownership of the Monument. The BLM will respond to resource violations consistent with current law enforcement responsibilities within the Lewistown Field Office.

2320-95 *Comment* *Main roads should be kept open and cow trails should be closed during hunting season for 4 wheelers and pickups.*

2320-95 Response Recreational activities associated with public motorized access such as hunting, sightseeing, watching wildlife, etc. would be limited to travel on 404 miles of BLM roads

(64% of the existing roads). Big game retrieval with motorized vehicles during the hunting season would be permissible from September 1 to November 30 on 54 miles of seasonally closed roads.

Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.

2320-96 *Comment*

A valid, scientific argument for road closures must be based on the following concepts: (1) Those objects mandated for protection by the proclamation must all be identified and located - not just wildlife listed as object. (2) Threats to those objects must be identified and validated either by study or documented past experience. Only those roads that offer documented/valid threats to specific objects should be slated for closure or seasonal restriction.

The proposed closure or seasonal restrictions of 2/3 of the roads in the monument only serves to concentrate visitor use and will compound many times the current damage to the resource. There will be vastly increased user conflicts, it will concentrate camping areas and it will be an abhorrence to hunters who will be forced into more concentrated hunting scenarios. Stress on game will be more focused then ever and hunter safety will become a significant issue. Road closures in the monument will create significantly more problems then it will solve.

2320-96 Response

The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.

Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.

2320-97 *Comment*

The BLM has provided no logic for its proposed road closures.

With the current DRMP/DEIS, a reader cannot determine the methodology, science or data used by the BLM to make its determination.

2320-97 Response

The following specifications were used to determine which routes would be inventoried for the Monument transportation plan. Motorized travel is not considered cross-country (off-road) on BLM land when: (1) the motorized vehicle uses constructed roads that are maintained by the BLM (constructed roads are often characterized with cut and fill slopes); and (2) the motorized vehicle use is on clearly evident two-track routes with regular travel and continuous passage of motorized vehicles over a period of years. A two-track is where perennial vegetation is devoid or scarce, or where wheel tracks are continuous depressions in the soil yet evident to the casual observer and are vegetated. BLM roads include two-track routes under the resource road classification.

A two-person seasonal inventory crew collected data on 436 miles of BLM roads (a total of 759 miles for all roads) during the summer of 2002 for the east half of the Monument, and another seasonal crew in 2004 collected additional information on 44 miles of BLM

roads (a total of 81 miles for all roads) in the west half. Information on another 125 miles of BLM roads was obtained from existing data. The BLM roads in the Monument total 605 miles.

Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29).

Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.

2320-98 *Comment* *The BLM has made the conclusion that closing roads will benefit wildlife; however, nowhere in the DEIS and DRMP is there any scientific or local studies or data to sustain such a conclusion.*

2320-98 Response Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security areas and wildlife winter range areas.

Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.

2320-99 *Comment* *A valid, scientific argument for road closures must be based on the following concepts: (1) Those objects mandated for protection by the proclamation must all be identified and located - not just wildlife listed as object. (2) Threats to those objects must be identified and validated either by study or documented past experience. Only those roads that offer documented/valid threats to specific objects should be slated for closure or seasonal restriction.*

The proposed closure or seasonal restrictions of 2/3 of the roads in the monument only serves to concentrate visitor use and will compound many times the current damage to the resource. There will be vastly increased user conflicts, it will concentrate camping areas and it will be an abhorrence to hunters who will be forced into more concentrated hunting scenarios. Stress on game will be more focused then ever and hunter safety will become a significant issue. Road closures in the monument will create significantly more problems then it will solve.

2320-99 Response The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30).

Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.

Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.

2320-100 *Comment* *The BLM has provided no logic for its proposed road closures.*

With the current DRMP and DEIS, a reader cannot determine the methodology, science or data used by the BLM to make its determination.

2320-100 Response The following specifications were used to determine which routes would be inventoried for the Monument transportation plan. Motorized travel is not considered cross-country (off-road) on BLM land when: (1) the motorized vehicle uses constructed roads that are maintained by the BLM (constructed roads are often characterized with cut and fill slopes); and (2) the motorized vehicle use is on clearly evident two-track routes with regular travel and continuous passage of motorized vehicles over a period of years. A two-track is where perennial vegetation is devoid or scarce, or where wheel tracks are continuous depressions in the soil yet evident to the casual observer and are vegetated. BLM roads include two-track routes under the resource road classification.

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Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29).

Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.

2320-101 *Comment* *The BLM has made the conclusion that closing roads will benefit wildlife; however, nowhere in the DEIS and DRMP is there any scientific or local studies or data to sustain such a conclusion.*

2320-101 Response Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security areas and wildlife winter range areas.

Group		Roads – General
		Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.
2320-102	*Comment*	*Are all of the road closures necessary? Where I live, the Forest Service is always shutting roads down permanently. For what real purpose? To keep citizens off the land they own? After closure, what does it do if no one can ever go there? Does someone or group have an agenda against hunting? Once they are closed, it is almost impossible to ever reopen them. Do not close them just for the sake of closing them.*
2320-102	Response	Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.
2320-103	*Comment*	*For what reason - specifically - is each of these road closures intended? Indeed, each road should be viewed separately and changes to public access logically and rationally evaluated. Any broad brush dictums such as, ecosystem protection, are inadequate. Each road should be considered individually.* *Once rationale are presented for each road/access, the public should be given the opportunity to comment and discuss them.* *In any case, access across public lands to private land must not be curtailed.*
2320-103	Response	Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures. Chapter 5 in the Draft RMP/EIS and Proposed RMP/Final EIS describes the public participation events that occurred during preparation of the RMP including scoping meetings and alternative development workshops. Many of these meetings and public comments addressed the roads in the Monument. The BLM would coordinate with state agencies and county governments to improve public access to BLM land. Easements or fee acquisition opportunities would only be considered with willing landowners to enhance the values of the Monument and provide legal public access to or within the Monument, or additional public access to meet management objectives, including dispersed recreation use.
2320-104	*Comment*	*Roads should be closed into areas of the National Monument that are landlocked (cut off to the public) by private land.* *I strongly oppose allowing roaded vehicular access for hunting or other recreational uses to areas not otherwise open for public vehicle access. Any kind of arrangement that would establish or lead to de facto private hunting areas within the Breaks must not be established.*
2320-104	Response	Private property owners have the right to determine who can drive across their land whether it provides access to other private property, state land, or to BLM land. The BLM will respect private property rights.

Landowner permission may be required for access to BLM roads. Some landowners grant permission to cross their private property while others do not. Under the Preferred Alternative, those BLM roads identified as dashed green lines show where the public may need permission from the private landowner to access BLM roads (Map 5 in the Proposed RMP/Final EIS).

Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM would coordinate with state agencies and county governments to improve public access to BLM land. Easements or fee acquisition opportunities would only be considered with willing landowners to enhance the values of the Monument and provide legal public access to or within the Monument, or additional public access to meet management objectives, including dispersed recreation use. The BLM would also consider building or rerouting roads as necessary for additional public access to large blocks of BLM land.

2320-105 *Comment* *On the subject of turning every two track trail into a designated road, I sincerely doubt the BLM is up to such folly. Adequate roads are needed for fire control.*

2320-105 Response There are about 435 miles of two-track BLM resource roads in the Monument. The recommended closure of 193 miles under the Preferred Alternative in the Proposed RMP/Final EIS would reduce the miles of two-track roads by 44%. The remaining 242 miles of two-track resource roads that would receive spot maintenance (Level 2) when road conditions warrant the work.

Travel off road and on closed roads would be allowed for any military, fire, search and rescue, or law enforcement vehicle used for emergency purposes.

2320-106 *Comment* *At least 30 percent of the Monument should be two miles from any road. All closed roads should be re-habilitated with native plant species. No further "two-track" roads should be allowed to develop through strict enforcement of off-road motorized vehicle restrictions.*

2320-106 Response The BLM roads designated closed would either be allowed to reclaim naturally or selected segments may require ripping, scarifying and seeding with a native seed mix to control surface runoff. The Monument Manager could approve a different seed mixture to meet reclamation standards.

The BLM will provide uniformed law enforcement patrols of the Monument. The law enforcement program will stress public compliance through education and outreach to develop a sense of public ownership of the Monument. The BLM will respond to resource violations consistent with current law enforcement responsibilities within the Lewistown Field Office.

2320-107 *Comment* *Roads, which originate on or cross private lands without a formal public easement or right of way and then enter public land, should be closed to avoid privatizing a public road segment. Please reveal these situations and address these conflicts.*

2320-107 Response Private property owners have the right to determine who can drive across their land whether it provides access to other private property, state land, or to BLM land. The BLM will respect private property rights.

Landowner permission may be required for access to BLM roads. Some landowners grant permission to cross their private property while others do not. Under the Preferred Alternative, those BLM roads identified as dashed green lines show where the public may need permission from the private landowner to access BLM roads (Map 5 in the Proposed RMP/Final EIS).

Group		Roads – General
2320-108	*Comment*	*The extensive road proposal is certainly not necessary for hunter transport, either, as most hunters don't rely on off-road vehicles to hunt.*
2320-108	Response	The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as "limited" consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. All motorized and mechanized vehicles must stay on roads.
2320-109	*Comment*	*While there may be some worthwhile road closures, it is important that the BLM consult with local hunting organizations to maintain our historical hunting access.*
2320-109	Response	Chapter 5 in the Draft RMP/EIS and Proposed RMP/Final EIS describes the public participation events that occurred during preparation of the RMP including scoping meetings and alternative development workshops. Many of these meetings and public comments addressed the roads in the Monument. The road system could be modified if vehicle use traffic patterns or resource conditions change. Modifications to the road system would be based on the management guidance under the Preferred Alternative, including the factors listed in Table 2.29 in the Proposed RMP/Final EIS. Any changes would be addressed through a travel plan update with public participation and environmental review.
2320-110	*Comment*	*Are all the closures necessary? If so why? What about hunters who have limited mobility? I still enjoy hunting and the outdoors, but due to health problems I can not do a lot of walking. I think that this may be a back door tactic by anti-hunting groups to further restrict hunting. Please have more studies and get input from hunting groups before any action is taken.*
2320-110	Response	Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures. The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt. Individuals with disabilities could request a permit to travel on closed roads consistent with the Rehabilitation Act of 1973. Such access would be considered on a case-by-case basis by the Monument Manager. If the need arises, the BLM could identify specific designated closed roads as access for individuals with disabilities.
2320-111	*Comment*	*What is the purpose of the closures on a case-by-case basis?*
2320-111	Response	Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.

Group		Roads – General
2320-112	*Comment*	*I am a 50% disabled vet due to combat-related service in Vietnam. Without road access I would be unable to hunt. Without road access you would make it impossible for me and a lot of older people to hunt. If you must close access you must by law make an accommodation for handicapped hunters.*
2320-112	Response	The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt. Individuals with disabilities could request a permit to travel on closed roads consistent with the Rehabilitation Act of 1973. Such access would be considered on a case-by-case basis by the Monument Manager. If the need arises, the BLM could identify specific designated closed roads as access for individuals with disabilities.
2320-113	*Comment*	*The closure of the proposed roads would lead to much less opportunity for me to hunt as well as many other hunters. I would encourage you to closely scrutinize any road closure that would affect the access for hunters like myself.*
2320-113	Response	Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures. The Preferred Alternative would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.
2320-114	*Comment*	*It was recently brought to my attention that you plan to close access roads on some of your public lands. I don't know how much my opinion matters, but I would suggest you see if this is truly necessary before making any decisions.*
2320-114	Response	Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.
2320-115	*Comment*	*Roads: Access should be provided to most of the area. This has never been a roadless area. If the road is closed, it is closed to everyone - period. The leasee can ride a horse or walk the same as everyone else.*
2320-115	Response	For administrative purposes travel would be authorized off road and on closed roads for BLM, other federal agencies, state and county agencies, lessees and permittees. Administrative purposes would be limited to those activities necessary to administer the permit or lease.
2320-116	*Comment*	*I would encourage you to meet with local hunting organizations to attempt to provide access to each area that is possibly being made inaccessible due to these proposed road closures.*

Group		Roads – General
2320-116	Response	Chapter 5 in the Draft RMP/EIS and Proposed RMP/Final EIS describes the public participation events that occurred during preparation of the RMP including scoping meetings and alternative development workshops. Many of these meetings and public comments addressed the roads in the Monument. The road system could be modified if vehicle use traffic patterns or resource conditions change. Modifications to the road system would be based on the management guidance under the Preferred Alternative, including the factors listed in Table 2.29 in the Proposed RMP/Final EIS. Any changes would be addressed through a travel plan update with public participation and environmental review.
2320-117	*Comment*	*Has information on these closures been printed in local newspapers and in national hunting magazines? Has the reasons for the need to close each specific road been published? I request that these actions be taken.*
2320-117	Response	Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures. Chapter 5 in the Draft RMP/EIS and Proposed RMP/Final EIS describes the public participation events that occurred during preparation of the RMP including news releases, newsletters, notices, scoping meetings and alternative development workshops. Many of these meetings and public comments addressed the roads in the Monument.
2320-118	*Comment*	*Many roads are for the exclusive/privileged use of the neighboring landowners; they originate on private land and are marked open roads on the RMP maps. We believe these roads should bee closed except for necessary administrative uses such as servicing grazing leases. In the alternative, these roads could remain open if a formal legal right-of-way is obtained.*
2320-118	Response	Private property owners have the right to determine who can drive across their land whether it provides access to other private property, state land, or to BLM land. The BLM will respect private property rights. Landowner permission may be required for access to BLM roads. Some landowners grant permission to cross their private property while others do not. Under the Preferred Alternative, those BLM roads identified as dashed green lines show where the public may need permission from the private landowner to access BLM roads (Map 5 in the Proposed RMP/Final EIS). For administrative purposes travel would be authorized off road and on closed roads for BLM, other federal agencies, state and county agencies, lessees and permittees. Administrative purposes would be limited to those activities necessary to administer the permit or lease.
2320-119	*Comment*	*Road closures can eliminate human access to vast acreage. Please consider the use of "cherry stem" primary roads that would bring users deep into areas with "cherry stem" secondary and tertiary roads permitting perhaps more limited access to contiguous areas. Any closed roadbeds should be reserved for non-vehicular access.*
2320-119	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting,

geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29).

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

2320-120 *Comment* *I urge you to consider closing all roads within designated WSAs in the monument. The BLM is required by law to manage these areas for the maintenance of wilderness characteristics. Maintaining the areas as roadless will also contribute to the overall purpose of the Monument, as stated in the Proclamation, to protect the wild character and unique natural features of the area.*

2320-120 Response The six existing WSAs were not designated roadless in the 1987 Missouri Breaks Wilderness EIS. Several miles of vehicle ways are open to public motorized travel within the WSAs. Any public motorized travel from an existing road or cross-country travel is not permissible and unauthorized

Some existing vehicle ways in the WSAs that are currently open for motorized travel would be closed under the Preferred Alternative in the Proposed RMP/Final EIS. In the WSAs, about 27 miles of vehicles ways would be closed; 9 miles would be open yearlong and 15 miles would be open seasonally.

2320-121 *Comment* *As a disabled person I have a difficult time getting to areas to hunt. I do not have the luxury of being able to walk or hike to areas available to most able bodied persons.*

Please think carefully before you close all of these roads. At least discuss these closures with the people to be most affected by the closures.

2320-121 Response Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.

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

Chapter 5 in the Draft RMP/EIS and Proposed RMP/Final EIS describes the public participation events that occurred during preparation of the RMP including scoping meetings and alternative development workshops. Many of these meetings and public comments addressed the roads in the Monument.

The road system could be modified if vehicle use traffic patterns or resource conditions change. Modifications to the road system would be based on the management guidance under the Preferred Alternative, including the factors listed in Table 2.29 in the Proposed

RMP/Final EIS. Any changes would be addressed through a travel plan update with public participation and environmental review.

2320-122	*Comment*	*Before decisions are made about individual public land road closures, it would be very useful if BLM would implement meetings with local organizations and private owners before denying access to areas traditionally accessible for hunting, fishing, hiking, camping, etc.*
2320-122	Response	Chapter 5 in the Draft RMP/EIS and Proposed RMP/Final EIS describes the public participation events that occurred during preparation of the RMP including scoping meetings and alternative development workshops. Many of these meetings and public comments addressed the roads in the Monument. Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.
2320-123	*Comment*	*I found precious little discussion of resource damage in the EIS, at least none that justified the sort of closures proposed in most of the alternatives.*
2320-123	Response	Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.
2320-124	*Comment*	*NWF appreciates that the BLM intends to acquire public access easements from willing landowners. Many designated open roads within the Monument originate on private land and proceed into the public lands. NWF recommends that these roads be closed within three years unless a formal right-of-way easement can be secured, with the exception for management of Proclamation guaranteed uses like grazing leases or gas exploration leases.*
2320-124	Response	Private property owners have the right to determine who can drive across their land whether it provides access to other private property, state land, or to BLM land. The BLM will respect private property rights. Landowner permission may be required for access to BLM roads. Some landowners grant permission to cross their private property while others do not. Under the Preferred Alternative, those BLM roads identified as dashed green lines show where the public may need permission from the private landowner to access BLM roads (Map 5 in the Proposed RMP/Final EIS). The BLM would also coordinate with state agencies and county governments to improve public access to BLM land. Easements or fee acquisition opportunities would only be considered with willing landowners to enhance the values of the Monument and provide legal public access to or within the Monument, or additional public access to meet management objectives, including dispersed recreation use.
2320-125	*Comment*	*NWF commends the BLM for restricting OHV use to existing designated trails and roads that are marked as open. ORV use should be restricted from ecologically and culturally sensitive areas, and limited to suitable designated routes that will result in the least possible impact on the environment or impairment to other legitimate uses of the National Monument.*

Group		Roads – General
2320-125	Response	The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as a "limited" area consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. All motorized and mechanized vehicles must stay on roads. Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.
2320-126	*Comment*	*Road Closures. The Bureau of Land Management is planning to close more than 50% of the public roads to motor vehicle use within the Monument. Hunters have used many of these roads to access hunting areas. Without these roads it will be almost impossible for hunters to "walk in" to gain access to some of the excellent hunting opportunities provided within the Monument. According to the Plan, BLM's regulations (43 CFR 8341.2 and 8364.1) allow BLM to close roads where off-road vehicles are causing or will cause considerable adverse impacts to soil, vegetation, wildlife, wildlife habitat, cultural resources, threatened or endangered species, other authorized uses or other resources.* *The Plan also specifies that "[t]he BLM would reduce the number of parallel and spur roads and roads in crucial wildlife habitat, in areas considered unsuitable due to erosion and slope and if unique geologic formations, cultural sites or riparian areas are being degraded." p. 100. The Plan does not, however, specifically identify which roads are being closed for which purpose and/or why each specific road closure is deemed necessary. The only way that the public can intelligently and effectively comment on the planned road closures would be for the BLM to lay out on a road–by-road basis why the BLM finds it necessary to close each road, either permanently or seasonally (e.g., Road A – Seasonal Closure – Cause: Proximity to Sheep Habitat), and/or how each individual road closure is deemed by the BLM to comply with the aforementioned BLM regulations and how each individual road closure is deemed by BLM to accomplish the purposes of protecting wildlife habitat, wildlife, geologic formations, cultural sites or riparian areas.*
2320-126	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29). The Preferred Alternative would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt. Under the Preferred Alternative, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.

Group		Roads – General
2320-127	*Comment*	*Roads in the WSA's that were not inventoried when the WSA's were designated should be reclaimed.*
2320-127	Response	Any unauthorized route in the WSAs is closed under BLM's WSA IMP policy (handbook H-5550, July 1995) and is being addressed outside the scope of this RMP. Several miles of vehicle ways are open to public motorized travel within the WSAs. Any public motorized travel from an existing road or cross-country travel is not permissible and unauthorized. Some existing vehicle ways that are currently open for motorized travel would be closed under the Preferred Alternative in the Proposed RMP/Final EIS. In the WSAs, about 27 miles of vehicles ways would be closed; 9 miles would be open yearlong and 15 miles would be open seasonally.
2320-128	*Comment*	*The RMP has no detailed review of literature on assessment of roads and other impacts on wildlife (pages 197 – 198), only Canfield (1999) and Geist (1978) are cited. The Wilderness Society did a detailed review of roads in the UMRBNM that is not cited in the RMP although it is in the bibliography. This comprehensive reports needs to be liberally cited and the concerns identified within it need to be addressed.*
2320-128	Response	The Proposed RMP/Final EIS was produced using the best resource data and scientific literature available at the time the information was compiled. Much of this data has been updated with the cooperation of other agencies and as additional literature has become available. Inasmuch as a large amount of research is available on impacts to wildlife, a representative selection is cited in the Bibliography of the Proposed RMP/Final EIS. Literature often suggests the most stringent recommendations to protect all or the highest percentage of individuals of a wildlife species. However, these recommendations do not necessarily protect the majority of the species or their habitat or consider the need for multiple use management or the legal requirements that allow other activities within a defined area. Impacts from roads are well documented in the available scientific literature, in that roads impact all wildlife to some degree. The level of impact can be influenced by many factors, including type and size of road, season of use, frequency of use, type of vehicles using road, location of a road, and very important is the amount of traffic. As demonstrated by the healthy populations of elk, mule deer, and bighorn sheep, the current traffic level and location of traffic in relation to populations is not currently a major impact to population levels of these three species. It does not mean there is not an impact on these species, or that roads are not continuing to impact other species. While potential impacts to wildlife are well documented, specific impacts within the Monument are not. Populations or distribution of the large number of non-game species, including migratory birds and designated sensitive species, within the Monument are not available, nor is the ability to document the impacts for all the species present or potentially present. The Preferred Alternative would reduce existing and future impacts from all activities, while allowing for continued vehicle use to access traditional use areas of the Monument.
2320-129	*Comment*	*Alternative F: "Big game retrieval allowed from 10 am to 2 pm on specific designated closed roads." These designated routes should be clearly marked and understood that there is no driving off road.*
2320-129	Response	The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open

seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.

Only those BLM roads marked with a road number and the applicable letter (for example letter 'B' in the map legend that refers to game retrieval) would have public motorized traffic.

2320-130 *Comment* *The DRMP/DEIS fails to make any logical, scientific connection between the proposed road closures and restrictions and any perceived or actual benefit such road closures might have on wildlife.*

2320-130 Response The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.

Under the Preferred Alternative, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.

Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security areas and wildlife winter range areas.

2320-131 *Comment* *The BLM Cannot Close County and Private Access Roads.*

The DRMP/DEIS propose road closures or seasonally restrict almost two-thirds of the current traditional roads being used in the counties. DRMP/DEIS at 100, 172-73. These road closures directly affect local traditions, and the custom and culture of the communities. The BLM did not conduct the required analysis under NEPA on how these road closures would impact the local culture and traditions or the economy.

Furthermore, the BLM's stated goal is to make the necessary road closures to protect the "objects" designated by the Proclamation. DRMP/DEIS at 28. However, the DRMP/DEIS fail to make any rational connection between the road closures and the protection of those objects. It seems that the BLM is using the Monument designation to manage the land more like wilderness, a designation that Congress has not approved.

The BLM has made the conclusion that closing roads will benefit wildlife; however, nowhere in the DRMP/DEIS is there any scientific or local studies or data to sustain such a conclusion. In fact, the bighorn sheep herd in the affected area actually moved to an area where there was a local road that was used frequently. This herd has thrived and is now being used as a resource to start other herds because of the health of this herd. If the road bothered the bighorn sheep, they would not have moved to this area and thrived.

As mentioned earlier, NEPA requires that the BLM use best available science and quality data to make its decisions. City of Sausalito v. O'Neill, 386 F.3d 1186, 1213 (9th Cir. 2004). In this DRMP/DEIS, the BLM has not mentioned any adequate science or data upon which to base its decision to manage the Monument designated lands as a wilderness like area.

Also, in addition to NEPA requiring the BLM to use best available science and quality data and to determine the impacts on the local culture and economy, the BLM is required to balance these impacts after it has done the initial analysis. Nowhere in the DRMP/DEIS does the BLM attempt to explain how it is going to balance or coordinate these environmental impacts caused by the BLM's plan.

More specific problems with BLM's transportation plan includes:

• The BLM is planning to close or seasonally restrict almost all Level 1 and Level 2 roads because these roads are lowly maintained roads. The reason these roads are not maintained is because the roads do not need maintenance. If these roads were graded it would actually disturb the topsoil and hurt the road instead of improving the road. These roads are not maintained; however, that does not mean these roads are not necessary. The BLM needs to reconsider which Level 1 and Level 2 roads are being closed. The entire transportation plan should be redone and the BLM should determine whether all road closures are really necessary. The BLM must identify the specific purpose for each road closure and publish that information so that local area users can comment on the road closures and the reasons for those closures. At a minimum, these roads must be left open:

Fergus County Roads:

• All roads, trails, and two tracks in the Upper, Middle, and Lower Two Calf drainages as bounded by the DY Trail road, the Knox Ridge road, and the Lower Two Calf road.
• All roads, trails, and two tracks that originate from and including the MaBee road and the Armells Creek crossing that enables travel to and connection with the Knox Ridge road.
• All roads, trails and two tracks originating from and including the Woodhawk Bottom road.
• All roads, trails, and two tracks originating from and including the Heller Bottom road.
• All roads, trails, and two tracks originating from and including the Woodhawk Trail road, Sunshine Ridge road, DeWeese road, and Middleton Ridge road, with the exception of roads in the Woodhawk Wilderness Study Area.
• The two track road one quarter mile west of the Stafford Ferry road that connects from the Stafford Ferry road to the Missouri River. This is a favored access road to the river enjoyed by many local residents for camping and fishing.

Chouteau County/ Blaine County Roads:

• The road originating from the Lloyd road north of Stafford Ferry and traversing westward to the Judith Landing, locally known as the Goat Trail.
• There is a local tradition of lion hunting that is dependent upon roads being left open. Nowhere has the BLM considered this tradition.

• The Proclamation states that the designation of the Monument is not to increase or decrease the ability of Montana to manage fish and wildlife. However, in contrast to that stated goal, under the DRMP/DEIS the BLM is planning to close many necessary roads that allow the hunters to reach big game hunting and fishing areas. If hunters cannot reach the game, they will not be able to harvest it, which means that Montana will be less

able to manage the numbers of big game. The BLM has not considered how its transportation plan will negatively impact hunting.

• The BLM's proposed transportation plan for the Monument clearly impacts the State's ability to manage game species by the unjustifiable closing of key hunting access roads in the Monument. Access to game hunting areas is key to game harvest and retrieval in the rugged terrain of the Monument. In fact, promotion of public access to hunting areas is a top priority for the State's game management officials and continues to be a huge public interest issue in Montana.

• The BLM makes broad generalizations that the proposed road closures are needed to protect the biological objects of the Monument. To enable the public to make a credible critique of the road closures or restrictions, the BLM must delineate the science and data used to develop the road closure plan. Additionally, for the plan to hold legitimacy, the BLM must be compelled to summarize the coordination made with the State of Montana and confirm that the State has agreed to relinquish its game management ability with respect to reduced hunter access, a diminishment that is clearly prohibited by the Proclamation and one that runs counter to public access improvements being sought by the State.

• By reducing hunter access to the Monument, the BLM adversely impacts the State's ability to achieve game harvest goals and significantly detracts from the BLM's ability to manage habitat. For example, the BLM's watershed plan for the Monument provides for 60 percent of the available forage to be reserved for game animals with 40 percent reserved for livestock grazing. Game harvest is a key tool in keeping game herds in balance with forage consumption goals. Reducing hunter access to the Monument compromises both the State's and the BLM's abilities to keep game animals in balance with the carrying capacity of the habitat. Access is key to game harvest success. Failure to protect this management concept forces grazing consumption goals to be born by domestic livestock and could easily result in reducing livestock AUMs.

• The DRMP/DEIS presents no evidence of any coordination with or concurrence by the State with regard to the advisability or scientific validity of road closures in the Monument. The BLM's stated goal to protect biological objects conflicts directly with and hinders the State's lawful mandate to manage game animals. The BLM's stated goal to provide access to the Monument for diverse activities, DRMP/DEIS at xxvi, is likewise compromised.

In addition to the problems with the BLM's transportation plan in the DRMP/DEIS stated above, the BLM also has failed to articulate scientifically based reasons for the road closures. The BLM has provided no discernable logic for its proposed road closures. The BLM cannot delineate game animal distribution, winter range, crucial winter range/habitat and lambing areas unless either the BLM is using maps provided and approved by the State of Montana or the BLM has developed its own maps through a public participation process. However, with the current DRMP/DEIS, a reader cannot determine the methodology, science or data used by the BLM to make its determination.

Therefore, my clients find the current DRMP/DEIS too lacking in pertinent information to provide meaningful comments. If there is to be meaningful public comment on the transportation plan, the BLM must be more forthcoming in addressing how game distribution and key habitat areas were delineated. In addition, those areas must have been delineated through a public process.

2320-131 Response The county commissioners for Blaine, Chouteau, Fergus, and Phillips Counties have identified county roads that provide public access routes to or within the Monument along

with documentation to verify the designations. For additional information see the Transportation section of Chapter 3 in the Proposed RMP/Final EIS including Table 3.19 that identifies the county roads.

Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). There are 65 miles of BLM roads providing access to private land that would be designated open yearlong and 2 miles (two roads) that would be designated closed.

One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument. The criteria used to develop the alternatives are included in Chapter 2 of the Proposed Final RMP/EIS (Table 2.29). These criteria are applicable to some of the BLM roads located in the Upper Missouri National Wild and Scenic River, the Cow Creek ACEC, and wildlife habitat in the Monument (several of the objects identified in the Proclamation). An example is the seasonal closure of certain roads for wildlife habitat security. For additional information see the Access and Transportation section of the Chapter 2.

Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, Level III and IV sites, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. About 293 miles would be open yearlong and 111 miles would be open seasonally. However, the majority would require permission from the private landowner before the public could travel with a motorized vehicle on these BLM roads. The BLM would reduce the number of parallel and spur roads (172 miles) and some roads in areas with important wildlife habitat (1 mile), in areas considered unsuitable due to erosion and slope (13 miles), and in other areas (15 miles). There are 201 miles proposed for closure.

Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry, hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security area and wildlife winter range areas.

The BLM makes every effort to ensure that information it presents in the RMP/EIS is accurate. One of the reasons for public review of a Draft RMP/EIS is to provide the public and other agencies with the opportunity to identify specific information or analyses it believes to be inaccurate so it can be corrected or updated. While occasionally inaccurate information may remain undetected even after agency and public review, such accidental occurrences are usually rare and should not involve information critical to a reasoned choice among alternatives.

The Preferred Alternative in the Proposed RMP/Final EIS includes several changes to the road system. The Heller Bottom road and Goat Trail would be open yearlong. However, not all roads, including some two-track roads, are open yearlong. Some spur roads are closed while others are open seasonally for big game retrieval (Map 5). Recreational activities associated with public motorized access such as hunting (includes lion hunting), sightseeing, watching wildlife, etc. would be limited to travel on 404 miles of BLM roads (67% of the existing roads). This includes 242 miles of two-track resource roads.

Group **Roads – General**

Montana Fish, Wildlife and Parks (MFWP) is responsible for fish and wildlife population management. Wildlife information for areas within the Monument was compiled or provided by BLM and MFWP biologists in three BLM offices and two MFWP Regions. Information on populations and distribution was collected by both agencies, and concurrence was made on all distribution and habitat maps. Early confusion between BLM and MFWP on winter range was responsible for some of the misleading winter range delineations in the Draft RMP/EIS. Additional inventory and consultation between agency biologists have better defined this habitat for the Proposed RMP/Final EIS. The wildlife habitat maps in Chapter 3 have been updated, including antelope winter range, elk winter range, and mule deer winter range. The maps also refer to the source of the information (Montana Fish, Wildlife and Parks).

Coordination with units of local government has occurred during development and preparation of the RMP/EIS. Area counties and the state were designated as cooperating agencies, and the tribal governments were consulted on development of the RMP. County and state representatives attended numerous RMP team meetings and participated in working groups, assisting in scoping and alternatives development for the RMP, along with providing review of internal working documents used to prepare both the Draft RMP/EIS and Proposed RMP/Final EIS. The process of coordination and consultation does not necessarily ensure, nor require, that all parties reach consensus on every aspect of the Proposed RMP.

2320-132 *Comment* *The DRMP/DEIS offers no correlation between the roads to be closed, the habitat to be secured and the wildlife to be protected ostensibly from the impacts of vehicle disturbance on the species of concern.*

2320-132 Response Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes parallel and spur roads (172 miles) and some roads in areas with important wildlife habitat (1 mile), in areas considered unsuitable due to erosion and slope (13 miles), and in other areas (15 miles). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.

The environmental consequences of the alternatives, including effects to wildlife, are addressed in Chapter 4 of the Draft RMP/EIS and Proposed RMP/Final EIS.

Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security areas and wildlife winter range areas.

2320-137 *Comment* *One of my main concerns with in the RMP is the road closures during the winter months which would inadvertently stop the hunting of mountain lions and the control of other predators in that area. I propose that the road be left open through the fall and winter, to allow for the control of predators and/or fur bearing animals. Then closed during March and April for the spring thawing, and then reopened the 1st of May to allow for normal livestock operations to resume. A general comment on the road closures: you want to create a Monument, so that all future generations can see it, yet you close all the roads so they can't see it. All public buildings and commercial have to allow for handicap access yet you close the handicap out of this Monument without reservation. You have more signs along the Missouri River to tell the floaters where they are, than you do roads to get you to the Missouri River. You construct more and more picnic areas and port-a-potties,*

and yet there is more toilet paper in the brush. We as stewards of the land have kept this a pristine environment for all these years and our so called preservationist create a Monument to protect it from us the ranches and recreationists and destroy it instead.

2320-137 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29).

The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. Under this alternative, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 in the Proposed RMP/Final EIS.

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

2320-138 Comment *I am a hiker, hunter, snowmobiler and avid user of the outdoor open country and very seldom if at all do I see any of the advocates of the listed proposals using any of the areas that I go to, so why should they be closed to the people that enjoy and use them.*

2320-138 Response Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes parallel and spur roads (172 miles) and some roads in areas with important wildlife habitat (1 mile), in areas considered unsuitable due to erosion and slope (13 miles), and in other areas (15 miles). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.

2320-139 Comment *I use the back country a lot. But not on foot or horse. I have to ride ATV's, motorcycle or snowmobile when I play.*

2320-139 Response The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.

2320-140 Comment *Being handicapped the only way I can hunt is by ATV. Closing roads will stop the only way I can use BLM lands.*

2320-140 Response The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. Individuals with disabilities could request a permit to travel on closed roads consistent with the Rehabilitation Act of 1973. Such access would be considered on a

case-by-case basis by the Monument Manager. If the need arises, the BLM could identify specific designated closed roads as access for individuals with disabilities.

2320-141 *Comment* *Most of the bottoms were a homestead and have a road or a trail to them. All roads and trails were a right that went with the homestead and should not be closed, regardless. There are still many people alive that were born and raised on those homesteads and have a right to visit their old home and the graves of their parents or grandparents also many children.*

2320-141 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use).

2320-142 *Comment* *There would be much private property that owners could not get to if your ambitioned goal of closing roads occurs.*

2320-142 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use).

2320-143 *Comment* *There are many other roads that are important to local people for hunting and picnicking. Many of the proposed closures in the Two Calf, Bullwhacker, Cow Creek, Antelope Creek and Woodhawk areas could have a serious impact on hunters' ability to access thee areas, and on the state's ability to control and generate harvest of big game animals.*

2320-143 Response The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.

2320-144 *Comment* *The use of scientific findings on road closures would have been very nice. Did you have counters on these roads to determine too much traffic? Do some of the two-track roads look like an interstate? I believe if there was any kind of science involved that there was more traffic in the 1970's than there is today.*

2320-144 Response The following specifications were used to determine which routes would be inventoried for the Monument transportation plan. Motorized travel is not considered cross-country (off-road) on BLM land when: (1) the motorized vehicle uses constructed roads that are maintained by the BLM (constructed roads are often characterized with cut and fill slopes); and (2) the motorized vehicle use is on clearly evident two-track routes with regular travel and continuous passage of motorized vehicles over a period of years. A two-track is where perennial vegetation is devoid or scarce, or where wheel tracks are continuous depressions in the soil yet evident to the casual observer and are vegetated. BLM roads include two-track routes under the resource road classification.

A two-person seasonal inventory crew collected data on 436 miles of BLM roads (a total of 759 miles for all roads) during the summer of 2002 for the east half of the Monument, and another seasonal crew in 2004 collected additional information on 44 miles of BLM roads (a total of 81 miles for all roads) in the west half. Information on another 125 miles

of BLM roads was obtained from existing data. The BLM roads in the Monument total 605 miles.

Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes parallel and spur roads (172 miles) and some roads in areas with important wildlife habitat (1 mile), in areas considered unsuitable due to erosion and slope (13 miles), and in other areas (15 miles). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.

The environmental consequences of the alternatives are addressed in Chapter 4 of the Draft RMP/EIS and Proposed RMP/Final EIS.

2320-145 *Comment* *I support the current access regulations. If a proven scientific reason exists for closure it should be documented and alternative routes established. The value of current access cannot be over stated. Game management, resource management and recreational interest, are all best served by existing roads. To close roads and concentrate usage in specific areas creates user conflicts and damaging the environment.*

2320-145 Response The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30).

Under the Preferred Alternative, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes parallel and spur roads (172 miles) and some roads in areas with important wildlife habitat (1 mile), in areas considered unsuitable due to erosion and slope (13 miles), and in other areas (15 miles). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.

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

2320-146 *Comment* *I have hunted and fished out in the Missouri Breaks every chance I get. Access and means of travel is necessary for both. Bow hunting is my passion. I do not road hunt, but roads are a necessary for game retrieval. If you do not have access for game retrieval you will never get any game out in bow season. Without spoiling it. I have to eat wild game, and hunt for that reason. Without roads to hunt on you cannot get to game in time to save the meat.*

2320-146 Response The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.

2320-147 *Comment* *I also hunt Mountain Lions in the Breaks, Mountain Lions play a huge role in deer and elk populations. To hunt Mountain Lions you have to have access to allot of land not only to cut their tracks but also to follow your dogs. Dogs can be lost in the Breaks very fast, and I have never seen anyone who can come close to keeping up with a dog on foot.*

Group		Roads – General
2320-147	Response	The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30).
2320-148	*Comment*	*I would not support landowner roads closed and the BLM roads beyond their property opened for them and their friends to use.*
2320-148	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). Some landowners grant permission to cross their private property while others do not. Under the Preferred Alternative, those BLM roads identified as dashed green lines show where the public may need permission from the private landowner to access BLM roads (Map 5 in the Proposed RMP/Final EIS).
2320-149	*Comment*	*The transportation plan has been developed from questionable science offered by the Wilderness Society to close roads based on misguided beliefs that game animals are adversely impacted by vehicle travel. There have been no BLM studies to validate that claim in the Monument and not one land owner in the monument supports the proposed road closures.* *Closing roads based on the level of maintenance provided by the BLM has no correlation to the objects to be protected and validates the notion that neither locals nor the county commissioners were consulted in any meaningful way about road closures. Road closures appear to be based on some mathematical formula of convenience rather than on coordination with county government and the people who know the area best. Closing 1/3 of the roads, seasonally restricting 1/3, and keeping open 1/3 of the roads is hardly a thoughtful approach to development of a transportation plan.* *The BLM must rework the entire transportation plan and follow the implementing guidance received from DOI. I believe the transportation plan must embrace the traditional use of the area that has resulted in a remarkable game recovery in the area and has allowed the necessary hunting access to enable proper game harvest in the Monument. Until or unless a more informed approach is taken to address the transportation plan, I recommend current management be implemented (Alternative A).*
2320-149	Response	The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt. Under the Preferred Alternative, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes parallel and spur roads (172 miles) and some roads in areas with important wildlife habitat (1 mile), in areas considered unsuitable due to erosion and slope (13 miles), and in other areas (15 miles). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.

Group		Roads – General
2320-150	*Comment*	*The arbitrary road closures proposed by the BLM fail to consider the local custom and tradition of lion hunting in the winter months. Travel on two track roads are crucial to successful lion hunting and enables important predator control to be effected that promotes game survival in the breaks. Far greater animal mortality occurs from lion predation than from all the vehicle traffic in the Breaks combined – and predation is not just limited to sick or old animals.*
2320-150	Response	The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. About 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes parallel and spur roads (172 miles) and some roads in areas with important wildlife habitat (1 mile), in areas considered unsuitable due to erosion and slope (13 miles), and in other areas (15 miles).
2320-151	*Comment*	*A wholesale closing of roads in the monument as is proposed by the BLM will drastically shift and concentrate vehicle traffic to the open roads and impact to the environment will be vastly greater. Concentrating the multiple recreation uses in the monument to selected areas will result in crowding, reduced visitor enjoyment, camp ground damage/crowding and worst of all, there is no correlation between road closures and the impact such forced crowding will have on the objects of the monument.*
2320-151	Response	Under the Preferred Alternative, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes parallel and spur roads (172 miles) and some roads in areas with important wildlife habitat (1 mile), in areas considered unsuitable due to erosion and slope (13 miles), and in other areas (15 miles). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures. Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security areas and wildlife winter range areas. The environmental consequences of the alternatives are addressed in Chapter 4 of the Draft RMP/EIS and Proposed RMP/Final EIS.
2320-152	*Comment*	*Close any roads/trails created by private landowners on public land since the designation of the monument.*
2320-152	Response	The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as a "limited" area consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. All motorized and mechanized vehicles must stay on roads. This type of transportation network is not a part of the travel plan for the area.
2320-153	*Comment*	*Closing a majority of the roads in the Monument I think could be a big mistake. Not only for my wife and I, but for the ranchers, farmers and the people who have developed the gas wells. I am sure we are not the only ones that enjoy the monument area from their campers like we do.*

Group		Roads – General
2320-153	Response	The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Under the Preferred Alternative, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes parallel and spur roads (172 miles) and some roads in areas with important wildlife habitat (1 mile), in areas considered unsuitable due to erosion and slope (13 miles), and in other areas (15 miles). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.
2320-154	*Comment*	*Require vehicles to stay on roads. Reduce road density.*
2320-154	Response	The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as a "limited" area consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. All motorized and mechanized vehicles must stay on roads. The BLM will provide uniformed law enforcement patrols of the Monument. The law enforcement program will stress public compliance through education and outreach to develop a sense of public ownership of the Monument. The BLM will respond to resource violations consistent with current law enforcement responsibilities within the Lewistown Field Office. Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Overall, about 216,700 acres of BLM land would be within 1/2 mile of a designated open BLM road (yearlong or seasonally). This is about 58% of the Monument.
2320-155	*Comment*	*Please work with local hunting organizations to gain a better understanding of how closing roads in this area will affect access to favored hunting areas. If there are to be road closures, please work with local hunting organizations to discuss alternate ways to access such hunting areas so that reasonable harvest levels can be maintained and so that public lands can be more fully utilized.*
2320-155	Response	The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt. Chapter 5 in the Draft RMP/EIS and Proposed RMP/Final EIS describes the public participation events that occurred during preparation of the RMP including scoping meetings and alternative development workshops. Many of these meetings and public comments addressed the roads in the Monument.

Group		Roads – General
		The road system could be modified if vehicle use traffic patterns or resource conditions change. Modifications to the road system would be based on the management guidance under the Preferred Alternative, including the factors listed in Table 2.38 in the Proposed RMP/Final EIS. Any changes would be addressed through a travel plan update with public participation and environmental review.
2320-156	*Comment*	*Why hasn't the BLM met with local hunting organizations and recreational user clubs to try alternative means of access to each area made inaccessible by one or more road closures? Also, has the BLM examined each of these road closures to identify the purpose for each individual road to be closed? Has the BLM published this information so that local area users can at least comment on the specific roads to be closed and the reasons for the closures?*
2320-156	Response	Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes parallel and spur roads (172 miles) and some roads in areas with important wildlife habitat (1 mile), in areas considered unsuitable due to erosion and slope (13 miles), and in other areas (15 miles). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures. Chapter 5 in the Draft RMP/EIS and Proposed RMP/Final EIS describes the public participation events that occurred during preparation of the RMP including scoping meetings and alternative development workshops. Many of these meetings and public comments addressed the roads in the Monument.
2320-157	*Comment*	*Once rationale is presented for each road/access, the public should be given the opportunity to comment and discuss them. There is no doubt that abundant user information on specific roads has not been available to or evaluated by BLM.*
2320-157	Response	Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes parallel and spur roads (172 miles) and some roads in areas with important wildlife habitat (1 mile), in areas considered unsuitable due to erosion and slope (13 miles), and in other areas (15 miles). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures. Chapter 5 in the Draft RMP/EIS and Proposed RMP/Final EIS describes the public participation events that occurred during preparation of the RMP including scoping meetings and alternative development workshops. Many of these meetings and public comments addressed the roads in the Monument.
2320-158	*Comment*	*Hunters have traditionally hunted on private lands in the Monument area that may now be made inaccessible by planned road closures. The BLM should change the Plan to make sure that private land owners can authorize others to continue to use area roads in order to have access to their private lands.*
2320-158	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use).
2320-159	*Comment*	*Protection and restoration of wildlife habitat and cultural resources should be the primary criterion when determining if a road should be open. The plan should create the barest minimum road network and all roads within the Monument should be closed unless*

designated open. To do otherwise will threaten the Monument's natural, historical and biological values.

2320-159 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29).

2320-160 Comment *Agree: Recreationists are significant users of the roads on Federal lands in the RMP/EIS area. The preferred alternative hits hunters, fishermen, campers, sightseers and other outdoor users particularly hard because it calls for closing nearly 200 miles of roadway. All alternatives except A appear to hurt recreationists.*

2320-160 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29).

The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.

2320-161 Comment *Disagree: Recreationists are significant users of the roads on Federal lands in the RMP/EIS area. The preferred alternative hits hunters, fishermen, campers, sightseers and other outdoor users particularly hard because it calls for closing nearly 200 miles of roadway. All alternatives except B appear to hurt recreationists.*

2320-161 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29).

The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30).

Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.

2320-162 *Comment* *Anybody who likes to hunt lions, if you look at that map and, you know, travel the roads that you were on last fall or last winter hunting, you're not going to be doing that if this plan goes through. That recreation is over.*

2320-162 Response The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.

2320-163 *Comment* *For hunting purposes, to shoot an animal and try to drag it up the sheer side of the cliffs that are 1,000 feet or something, it's impossible. A lot of these roads went down the tops of ridges.*

2320-163 Response The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.

2320-164 *Comment* *This draft plan is some of them steps that they're taking toward closing two thirds of the roads in the Monument, for allowing easements across BLM grounds to owners of their property that they own.*

2320-164 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use).

Under the Preferred Alternative, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes parallel and spur roads (172 miles) and some roads in areas with important wildlife habitat (1 mile), in areas considered unsuitable due to erosion and slope (13 miles), and in other areas (15 miles). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.

2320-165 *Comment* *We request that BLM review the status of roads that have historically provided access to public lands in and around the monument, but are now closed to public use. For such roads that have a history of public use, you should work with the county commissioners to have these roads reopened for public use and declared as county roads to the public land boundary.*

2320-165 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use).

Group		Roads – General
		Current guidance R.S. 2477 is contained in Washington Office Instruction Memorandum 2006-159: Non-Binding Determinations of R.S. 2477 Right-of-Way Claims. Briefly, this guidance states that the BLM does not have the authority to make binding determinations on the validity of R.S. 2477 right-of-way claims. The BLM may, however, make informal, non-binding determinations for its own land use planning and management purposes. A non-binding determination that the right-of-way exists is required before completing consultation with states or counties on any proposed improvements to a claimed R.S. 2477 right-of-way, i.e., any work beyond routine maintenance. A non-binding determination may also be appropriate before taking action to close or otherwise restrict the use of a claimed R.S. 2477 right-of-way. Such determinations must be based on the particular laws of each state in which a claimed right-of-way is situated. For additional information see the Lands and Realty section of Decisions Common to All Alternatives in Chapter 2.
2320-166	*Comment*	*I ask that you just use retrieval roads later in the day or in the middle of day.*
2320-166	Response	The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.
2320-167	*Comment*	*On the road issue I guess what would make the most sense, maybe, would be to urge BLM planning team to go back to the counties, maybe not start completely over, but get some genuine input from the four counties.*
2320-167	Response	Chapter 5 in the Draft RMP/EIS and Proposed RMP/Final EIS describes the public participation events that occurred during preparation of the RMP including county involvement, scoping meetings and alternative development workshops. Many of these meetings and public comments addressed the roads in the Monument.
2320-168	*Comment*	*If the hunter is down there, he walked all the way in there, and here comes the rancher because he gets to use it to maintain his fences or livestock. If I walked in for fourteen miles and put up a deer stand and here comes a four-wheeler I would be pretty upset, so they will be mad at me about that.*
2320-168	Response	For administrative purposes travel would be authorized off road and on closed roads for BLM, other federal agencies, state and county agencies, lessees and permittees. Administrative purposes would be limited to those activities necessary to administer the permit or lease.
2320-169	*Comment*	*We have some concerns about limited BLM roads. Triangle A shows game retrieval from April 1st to November 30th. Triangle B is closed from December 1st to August 31st. This does not make any sense because game retrieval is allowed from 10 am to 2 pm. We don't know how these times and definitions were determined or what they were based on. Hunters can get a ticket for wasting game if they can't go and get it. The map legend is inconsistent.*
2320-169	Response	The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30).

Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.

2320-170 *Comment* *So we just don't see a lot of evidence of two-track roads causing problems for wildlife.*

2320-170 Response Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security areas and wildlife winter range areas.

2320-172 *Comment* *Access to this monument – how are you going to enjoy it if you can't get into it? That's not easy for everybody.*

A good friend of mine's a handicapped war veteran. I think a special permit to let this guy off the roads with his four-wheel drive once in a while to pick up a deer or something is fine.

2320-172 Response The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). About 86% of the Monument would be within 1 mile of an open BLM road.

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

2320-173 *Comment* *Closing 2/3 of the roads and increasing boating restrictions in the monument is hardly an idea that was advanced by anybody I know, including county commissioners. Secretary Norton stated, "The transportation plan should be based on input from the locals who use the area." We wonder when the BLM plans to get our input.*

2320-173 Response The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30).

Chapter 5 in the Draft RMP/EIS and Proposed RMP/Final EIS describes the public participation events that occurred during preparation of the RMP including county involvement, scoping meetings and alternative development workshops. Many of these meetings and public comments addressed the roads in the Monument.

2320-174 *Comment* *There is a few old-timers left in the country, you know, that still ride horses and do different things, so one of them was the horse and wagon. Can we travel on horseback with a team and wagon?*

2320-174 Response The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as a "limited" area

consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. All motorized and mechanized vehicles must stay on roads. A wagon would be considered mechanized equipment and therefore would not be allowed as public travel on the 201 miles of closed BLM roads or to travel off a designated open road under the Preferred Alternative.

Horseback use can take place on any BLM land as it considered a dispersed recreation activity.

2320-175 *Comment* *If they do close the roads off would we be able to travel them like with a team and wagon, you know. They want us to go back to the old age, you know, so they, you know, they should let us travel old-time transportation.*

2320-175 Response The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as a "limited" area consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. All motorized and mechanized vehicles must stay on roads. A wagon would be considered mechanized equipment and therefore would not be allowed as public travel on the 201 miles of closed BLM roads or to travel off a designated open road under the Preferred Alternative.

2320-176 *Comment* *The little two-tracks that go a tenth of a mile to nowhere, or just a little road out to the edge of a cliff that you can look over and see what is there, we don't feel that all of those little ones are necessary.*

2320-176 Response Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.

2320-177 *Comment* *The two-track roads in this area are essential for access and game retrieval. Since I love to bow hunt, and that is generally in the warm months, like August 15th for antelope, it's essential to get game out before it spoils, and having to pack it out for miles and miles of deep canyons and large ravines would make it terribly hard to do so.*

2320-177 Response The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.

2320-178 *Comment* *I'm not going to comment on how many roads ought to be opened in the monument or how many should be closed, but that decision should be a public decision through the BLM, and not a decision made by a private landowner.*

2320-178 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being

degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29).

Chapter 5 in the Draft RMP/EIS and Proposed RMP/Final EIS describes the public participation events that occurred during preparation of the RMP including scoping meetings and alternative development workshops. Many of these meetings and public comments addressed the roads in the Monument.

2320-179 *Comment* *Why would anyone propose to close a road without talking to the people who live at the end of the road?*

2320-179 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use).

2320-180 *Comment* *I see in the Draft they have--they have it so you--so they can build roads. If they desire a road to go somewhere they can go build a new road but I can't touch a blade to a road that's already there.*

2320-180 Response The BLM reserves the option to build new roads if necessary to access blocks of BLM land. Each road segment would be assigned to one of three classifications and a maintenance level that reflects the appropriate management objectives. The classification or maintenance level could be changed if vehicle use patterns change or if resource damage occurs. The BLM may perform maintenance or upgrades to control erosion, or if not possible, either reroute or close the road for erosion control.

2320-181 *Comment* *The roads also are important for oil and gas development, and that would--if there are no roads that would about eliminate that.*

2320-181 Response Natural gas exploration and development would be considered a permitted activity with conditions attached authorizing what would be approved in regards to motorized travel and possible maintenance work.

Site-specific BMPs will be implemented for all surface-disturbing activities to minimize, to the extent possible, impacts to resources in the Monument. The effectiveness of these measures would be dependent on local site characteristics such as landform, soils, climate, natural disturbances, and other physical processes. Additional information on road maintenance was included in the Chapter 2 of the Proposed RMP/Final EIS.

2320-182 *Comment* *Road closures are a big concern. There is no evidence that these roads have affected our pristine area. Wildlife have adapted to the roads in the area which are used and needed for access to private property. Hunting, especially hunters with disabilities, recreation, losing cattle, fighting wildfires, and emergency services.*

No roads should be closed unless a local commissioner has traveled the road with BLM personnel to avoid closing roads with beneficial use or which access private property such as the proposed closure in the plan of the access road to the Anton Stulc Ranch on the Judith River.

2320-182 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use).

Group **Roads – General**

Chapter 5 in the Draft RMP/EIS and Proposed RMP/Final EIS describes the public participation events that occurred during preparation of the RMP including county involvement, scoping meetings and alternative development workshops. Many of these meetings and public comments addressed the roads in the Monument.

Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt. Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.

2320-183 *Comment* *You restrict, you restrict, you restrict, and pretty soon the wildlife population goes through the roof, and then when you see that all these wildlife populations have a significant negative impact on--on neighboring lands, and so I don't think we want to get into that scenario either, so we need to be able to have enough roads that are open to keep these game populations at manageable levels.*

2320-183 Response The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30).

Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security areas and wildlife winter range areas.

The environmental consequences of the alternatives, including effects to wildlife, are addressed in Chapter 4 of the Draft RMP/EIS and Proposed RMP/Final EIS.

2320-184 *Comment* *The wholesale closing of roads which cross State lands on or near the Monument is another road issue which needs to be clarified by the Monument Plan. In many cases these roads connect between landowners different deeded lands and have been used by ranchers and hunters since the homestead days.*

2320-184 Response The BLM has no authority or jurisdiction on state land. Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use).

2320-185 Comment *Impact on Hunting and Other Recreational Uses*

The plan also does not appear to address whether the BLM has given consideration to how the planned road closures will impact the Monument area's recreational users and wildlife management. While the plan notes that the road closures will impact recreational use, it does not address whether the BLM has given significant consideration to the

question of how the hunting community will obtain reasonably adequate alternative means to access valuable hunting locations. Again, this requires a careful analysis of each road closure, the reason for each specific road closure, an understanding of the types of hunting accessed from each road and an analysis of whether there are feasible alternative means of reaching that hunting location. We believe that the BLM should schedule meetings with leaders of a variety of the hunting groups whose members use the area of the Monument, to discuss with them their hunting sites and means of access.

2320-185 Response

Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29).

The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt. Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.

2320-186 Comment

We concur with most of these road BMPs, although we encourage BLM to consider incorporation of additional road BMPs into this Appendix G guidance as follows:

- Stream crossings should simulate natural stream grade and substrate as much as possible in fish bearing streams. Culverts will be properly sized to handle flood events, pass sediment and bedload and woody debris, and reduce potential for washout, and should be properly aligned with the stream channel and designed and placed to allow for fish migration. Undersized culverts will be replaced and culverts which are not properly aligned or which present fish passage problems and/or serve as barriers to fish migration will be adjusted. Bridges or embedded or open bottom culverts that simulate stream grade and substrate and that provide adequate capacity for flood flows, sediment, bedload and woody debris are recommended to minimize adverse fisheries effects of road stream crossings.

- Construction of stream crossings should occur during periods of low stream flow or in the dry where practicable to avoid spawning and incubation periods for important fish, and/or dewatering of the crossing site should occur. Special care will be taken to avoid or minimize impacts to the stream channel and to riparian vegetation during construction. Stream banks disturbed during construction will be revegetated. Operation of equipment within the channels of creeks and rivers only occurs if absolutely necessary and with proper permits and authorizations (e.g., Clean Water Act 404 permits, Montana DEQ 318 authorizations and 401 certification, Montana DFW&P 124 authorizations).

- Road maintenance (e.g., blading) should only be conducted: 1) when the road surface becomes too rough for the designated vehicle use; 2) when the surface becomes a safety hazard; or 3) when it is needed to improve road drainage by reducing road surface erosion and sediment delivery from roads to area streams. Where possible do not remove

Group		**Roads – General**
		vegetation growing in ditches draining insloped roads (since vegetation filters sediment). Unpaved roads should not be graded (bladed) in a manner that contributes to road erosion and sediment transport to streams and wetlands. Avoid routine general blading of ditch lines on insloped roads to maintain vegetative cover. Where necessary blade only the ditch segments where blockage problems occur.
		- Graded material should not be sidecast over the shoulder, and shoulders should not be widened to encroach upon and have adverse effects upon streams, wetlands, and riparian areas adjacent to roads.
2320-186	Response	Site-specific BMPs will be implemented for all surface-disturbing activities to minimize, to the extent possible, impacts to resources in the Monument. The effectiveness of these measures would be dependent on local site characteristics such as landform, soils, climate, natural disturbances, and other physical processes. Additional information on road maintenance was included in the Chapter 2 of the Proposed RMP/Final EIS.
Group		**Roads – 75% of the Monument within 1/2 Mile of a Road**
2321-01	*Comment*	*There are too many roads (excessive and unnecessary) if 75% of the BLM land has roads within 1/2 mile of each other. This could encourage illegal use of closed areas.*
2321-01	Response	Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Overall, about 216,700 acres of BLM land would be within 1/2 mile of a designated open BLM road (yearlong or seasonally). This is about 58% of the Monument.
2321-02	*Comment*	*If 75% of monument land has roads within 1/2 mile, can't maintain or protect the objects/values identified in the Monument designation and could negatively impact them.*
2321-02	Response	The BLM's vision is to manage the Monument in a manner that maintains and protects its biological, geological, visual and historic objects and preserves its remote and scenic character. The RMP will incorporate the Proclamation, multiple use and existing laws, while recognizing valid existing rights and authorizations, and providing diverse recreational opportunities.
		One of the goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while considering the surrounding regional recreation opportunities in northcentral Montana. The Monument is a relatively small but significant part of this region and cannot provide opportunities for all recreational activities on all BLM land while protecting the objects for which it was designated.
		Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM would reduce the number of BLM acres within 1/2 mile of a designated open BLM road from 263,000 acres to 216,700. This would be accomplished by closing 201 miles of roads to public motorized travel on 415 BLM road segments.
2321-03	*Comment*	*User-created roads (two-tracks) and roads to dry gas wells should be closed or eliminated to reduce the number of roads within 1/2 mile of each other. All roads within WSAs and the ACEC created since their designation should be closed. Sensitive wildlife*

habitat should be the determinate for determining a roads future use.

2321-03 Response A total of 435 miles of BLM roads are considered two-track resource roads. Under the Preferred Alternative, 201 miles on 415 BLM road segments would be closed to public motorized traffic. This includes 193 miles of two-track resource roads. This amounts to a 44% decrease in the miles of two-track resource roads available for public motorized travel on BLM land.

The Preferred Alternative in the Proposed RMP/Final EIS would reduce the number of BLM acres within 1/2 mile of a designated open BLM road to about 216,700 (58% of the Monument). About 33 miles of BLM roads would be closed from December 1 through March 31 in big game winter range and 81 miles would be closed from September 1 through November 30 to provide wildlife habitat security. In the Cow Creek ACEC, about 6 miles of BLM roads would be closed; 2 miles would be open yearlong and 1 mile would be open seasonally.

Any unauthorized route in the WSAs is closed under BLM's WSA IMP policy (handbook H-5550, July 1995) and is being addressed outside the scope of this RMP.

2321-04 Comment *I prefer to recreate where there are several square mile blocks without a road; not one every 1/2 mile.*

2321-04 Response Currently, almost every ridge line has some type of road. The greatest amount of traffic on these roads is associated with hunting during the fall.

The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally.

In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.

When implemented, this management plan would reduce the number of BLM acres within 1/2 mile of a designated open BLM road to 216,700 (58% of the Monument) and would provide several square miles of BLM land without a road.

2321-05 Comment *Roads within 1/2 mile of each other undermine/reduce the quality of experience for the visitor including the hunter.*

2321-05 Response The Preferred Alternative in the Proposed RMP/Final EIS would reduce the number of BLM acres within 1/2 mile of a designated open BLM road to 216,700 (58% of the Monument). This would be accomplished by closing 201 miles to public motorized travel on 415 BLM road segments.

In addition 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.

Group		Roads – 75% of the Monument within 1/2 Mile of a Road
2321-06	*Comment*	*Less roads means less maintenance costs for the BLM to seek funding.*
2321-06	Response	None of the 201 miles of roads that would be closed under the Preferred Alternative in the Proposed RMP/Final EIS have been maintained on a scheduled basis in the past. Spot maintenance may have occurred on the few roads. Therefore the proposed road closures would have little, if any, effect on the annual road maintenance budget. A total of 404 miles of BLM roads would be eligible for some type of maintenance work but only 16% (64 miles) would be scheduled for regular maintenance (Level 3 and 4 maintenance levels). This mileage is associated with collector roads, local roads, and single lane resource roads. For additional information on road maintenance see the Access and Transportation section of Chapters 2 and 4.
2321-07	*Comment*	*BLM needs to use the Friends of the Missouri Breaks transportation plan proposal which features less roads.*
2321-07	Response	The BLM considered the Friends of the Missouri Breaks transportation plan as a source of data and information during the preparation of the Draft RMP/EIS and Proposed RMP/Final EIS. That transportation plan was used when developing the range of alternatives and is reflected in Alternative E.
2321-08	*Comment*	*Some or all private landowner roads to BLM land should be open for public uses such as hunting, picnicking, etc. Private landowner roads that do not provide public access should be closed at the monument boundary.*
2321-08	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). There are 65 miles of BLM roads providing access to private land that would be designated open yearlong and 2 miles (two roads) that would be designated closed. Private property owners have the right to determine who can drive across their land whether it provides access to other private property, state land, or to BLM land. The BLM will respect private property rights. Landowner permission may be required for access to BLM roads. Some landowners grant permission to cross their private property while others do not.
2321-09	*Comment*	*Landowners should be able to authorize who can travel on BLM roads that provide access to their private land.*
2321-09	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). There are 65 miles of BLM roads providing access to private land that would be designated open yearlong and 2 miles (two roads) that would be designated closed. Private property owners have the right to determine who can drive across their land whether it provides access to other private property, state land, or to BLM land. The BLM will respect private property rights. Landowner permission may be required for access to BLM roads. Some landowners grant permission to cross their private property while others do not.

Group		Roads – 75% of the Monument within 1/2 Mile of a Road
2321-10	*Comment*	*Pages 100 and 121 state that private property within the Monument can only be accessed by the landowner for administrative purposes if the only access to their land is through BLM land. Unrestricted access to their private property should be given to the landowner or whomever he gives permission.*
2321-10	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). For administrative purposes travel would be authorized off road and on closed roads for BLM, other federal agencies, state and county agencies, lessees and permittees. Administrative purposes would be limited to those activities necessary to administer the permit or lease.
2321-11	*Comment*	*The plan for the Monument should include guaranteed access for private landowners and their heirs to their private land ownership within the boundaries of the Monument. This provision ought to be worded to assure that government officials cannot force landowners to sell their properties by closing the access roads to their property as has been done on other government lands claiming no right of way existed.*
2321-11	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). For administrative purposes travel would be authorized off road and on closed roads for BLM, other federal agencies, state and county agencies, lessees and permittees. Administrative purposes would be limited to those activities necessary to administer the permit or lease. The BLM will not pursue the acquisition of private land unless approached by a landowner or their representative. Conservation easements or fee acquisition (i.e., campsite) opportunities that are brought forward by private landowners will be considered if they enhance the values of the Monument and are within the BLM's staff and budgetary constraints.
2321-12	*Comment*	*In the preferred alternative 75% of the Monument is within 1/2 mile of a road. This road density is too high. There are currently too many roads in the Monument and some appear open just for the exclusive use of adjacent private landowners. Roads, which originate on or cross private lands without a formal public easement or right of way and then enter public land, should be closed to avoid privatizing a public road segment. Please reveal these situations and address these conflicts.* *Travel planning must recognize and protect the habitat of big game species now.* *Redundant roads can be closed while maintaining critical public access points into core areas of the Monument. Improving wildlife security habitat and walk-in hunting opportunities should be a Monument priority. Seasonal road management may be appropriate to provide larger blocks of undisturbed habitat and walk-in hunting opportunities during hunting season.*
2321-12	Response	The Preferred Alternative in the Proposed RMP/Final EIS would allow public motorized travel on 293 miles of roads open yearlong and 111 miles open seasonally. Of the 404 miles open yearlong or seasonally, about 124 miles (31% of the BLM road system) would not require landowner permission for access to these BLM roads.

Group **Roads – 75% of the Monument within 1/2 Mile of a Road**

County roads and state highways that cross Monument land also provide public access. We would rather show that some people could access the BLM land after receiving permission to cross private property, instead of showing no access at all. Motorized access for harvesting big game animals during the hunting season is just one of the reasons to have this option available. For additional information see the Transportation section of Chapter 3.

Under the Preferred Alternative 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.

The Preferred Alternative would also close 201 miles of BLM roads. This includes 37 miles that are considered parallel roads, 10 miles of redundant roads, and 135 miles of spur roads (1 mile or less). Overall, about 216,700 acres of BLM land would be within 1/2 mile of a designated open BLM road (yearlong or seasonally). This is about 58% of the Monument.

2321-13 *Comment* *It is unacceptable that there will be a mere 3% of the land that is more than a mile from a road. As someone who genuinely loves hiking in Montana's backcountry, I am disappointed at the absence of a long-term vision in the RMP.*

2321-13 Response The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally.

In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.

Overall, about 216,700 acres of BLM land would be within 1/2 mile of a designated open BLM road (yearlong or seasonally). This is about 58% of the Monument.

2321-14 *Comment* *A valid, scientific argument for road closures must be based on the following concepts: (1) Those objects mandated for protection by the Proclamation must all be identified and located. Wildlife are not objects. (2) Threats to those objects must be identified and validated either by study or documented past experience. Only those roads that offer documented/valid threats to specific objects should be slated for closure or seasonal restriction. Closures should be implemented only after all mitigating opportunities have been considered and/or failed. It is obvious the BLM has not followed either of these precepts.*

The proposed closure or seasonal restrictions of two-thirds of the roads in the Monument only serves to concentrate visitor use and will compound many times the current damage to the resource. User conflicts will vastly increase, camping areas will become more concentrated, and hunters will be forced into more concentrated hunting scenarios. Stress on game will be more focused than ever and hunter safety will become a significant issue. Road closures in the Monument will create significantly more problems than they will solve.

BLM enforcement of road closures during the hunting season will be problematic as hunters who have traditionally hunted the Monument area will not be willing to give up the hunting access they have cherished for so long. While the public may accept road

closures with documented scientific and logical validity, the majority of the BLM's proposed road closures lack credibility. The BLM should anticipate a major public protest, if not civil disobedience, if the proposed transportation plan is implemented in its present form.

Not only does the DRMP/DEIS present an incoherent transportation plan, the BLM's strategy of leaving one-third of the roads open, closing one-third of the roads, and seasonally restricting one-third of the roads is incomprehensible. Even more incredible, the roads slated for closure are identified based on the level of maintenance accorded them. For example, virtually all maintenance level I and II roads are slated for closure or seasonal restriction. The vast majority of the level I and II roads are two track roads. They do not require maintenance and in fact are best left unmaintained. Most of the use of these roads is during the hunting season when the vegetation is dead or dormant, the ground most likely frozen, and little environmental damage has ever been noted. It is essential to hunter access, game harvest success, and the ability to retrieve game that the BLM leave these two track roads open.

Revised Statute 2477 provides that "[t]he right of way for the construction of highways over public lands, not reserved for public uses, is hereby granted." "R.S. 2477 'is but an offer of the right of way for the construction of a public highway on some particular strip of public land, and can only become fixed when a highway is definitely established and constructed in some one of the ways authorized by the laws of the state in which the land is situated.' In other words, R.S. 2477 is merely an offer from the federal government that could be accepted by actions taken locally." Yeager v. Forbes, 78 P.3d 241 (Wyo. 2003) (quoting Richter v. Rose, 962 P.2d 583 (Mont. 1998)).

The Tenth Circuit has recently ruled that (1) the burden of proving the existence of an R.S. 2477 right of way in court lies on the claimant; (2) continuous use over a specified period of time would establish an R.S. 2477 right of way in most Western States; (3) mechanical construction generally is not required; and (4) whether a route connected identifiable destinations is relevant, but not determinative, to whether it is a valid R.S. 2477 right of way. Southern Utah Wilderness Alliance v. BLM, 425 F.3d 735 (10th Cir. 2005). As the Department of Interior has recognized, it "must look to the particular laws of each State in which a claimed right of way is situated." Dept. of Interior Memorandum (Departmental Implementation of Southern Utah Wilderness Alliance v. Bureau of Land Management (March 22, 2006)).

The Department of the Interior has determined that for the proper administration of Federal lands there must be "communication and cooperation between holders or claimants of R.S. 2477 rights of way and land managers, rather than unilateral action." Id. In addition, the Department of the Interior has set forth guidelines to determine whether an R.S. 2477 claim is valid. Id. "R.S. 2477 rights of way must be 'public highways.' . . . . in general, a public highway is a definitive route or way that is freely open for all to use." Id. The right of way must have existed before the public land was reserved for public use. Id. Lastly, "the establishment of a public right of way require[s] two steps: the landowner's objectively manifested intent to dedicate property to the public use as a right of way, and acceptance by the public." Southern Utah Wilderness Alliance v. BLM, 425 F.3d at 769. In Montana, acceptance is manifested by continuous public use over a specified period of time. See, e.g., Parker v. Elder, 758 P.2d 292, 293 (Mont. 1988); State ex rel Dansie v. Nolan, 191 P. 150, 153 (Mont. 1920). Depending on the year the road was established, the time period in Montana is either five or ten years.

The guidelines recently issued by then-Secretary Norton should be the guide for determining whether or not R.S. 2477 roads exist, and not the language put forth on page 24 of the DRMP/DEIS.

Group **Roads – 75% of the Monument within 1/2 Mile of a Road**

In addition, there are 81,000 acres of private land and 39,000 acres of State land within the Monument. Access to these lands cannot be closed. All roads to State and private land must remain open for public or permissive use to access private property or State property. Owners of the private land or whomever they give permission to should have unrestricted access to their private property.

Lastly, the DRMP/DEIS restricts travel by vehicle on the designated roads. The DRMP/DEIS keeps some of the roads designated as closed to vehicular traffic open to mountain biking and presumably all of the roads open to hiking. Foot traffic can have just as much, if not more, of an impact on wildlife than vehicles. The BLM cannot justify these closures. Therefore, the BLM's transportation plan fails to satisfy the requirements of NEPA and is illegal.

2321-14 Response

The BLM's vision is to manage the Monument in a manner that maintains and protects its biological, geological, visual and historic objects and preserves its remote and scenic character. The RMP will incorporate the Proclamation, multiple use and existing laws, while recognizing valid existing rights and authorizations, and providing diverse recreational opportunities.

One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. About 293 miles would be open yearlong and 111 miles would be open seasonally. A total of 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.

The BLM would reduce the number of parallel and spur roads (172 miles) and some roads in areas with important wildlife habitat (1 mile), in areas considered unsuitable due to erosion and slope (13 miles), and in other areas (15 miles). The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29)

Under the Preferred Alternative 404 miles of BLM roads (67%) would be open at least part of the year for public motorized use. For administrative purposes travel would be authorized off road and on closed roads for BLM, other federal agencies, state and county agencies, lessees and permittees. Administrative purposes would be limited to those activities necessary to administer the permit or lease.

The road system could be modified if vehicle use traffic patterns or resource conditions change. This process would include coordination with MFWP and monitoring of wildlife populations for stress, over-harvest, or disturbances during critical time periods. Modifications to the road system would be based on the management guidance under this alternative, including the factors listed in Table 2.29, and changes would be addressed through a travel plan update with public participation and environmental review.

The BLM does not have the authority to make binding determinations on the validity of R.S. 2477 right-of-way claims. The BLM may, however, make informal, non-binding determinations for its own land use planning and management purposes. A non-binding determination that the right-of-way exists is required before completing consultation with

states or counties on any proposed improvements to a claimed R.S. 2477 right-of-way, i.e., any work beyond routine maintenance. A non-binding determination may also be appropriate before taking action to close or otherwise restrict the use of a claimed R.S. 2477 right-of-way. Such determinations must be based on the particular laws of each state in which a claimed right-of-way is situated.

BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). There are 65 miles of BLM roads providing access to private land that would be designated open yearlong and 2 miles (two roads) that would be designated closed.

BLM roads to the boundary of state land would remain open for administrative travel including state leaseholders. These roads would also be open for public travel, if shown to meet Monument objectives. The BLM would coordinate with state agencies on roads open to the public that lead to or from state land. There are about 80 miles of BLM roads providing access to state land; 59 miles would be open yearlong, 13 miles open seasonally, and 8 miles closed.

2321-15 *Comment* *There are roads that crisscross the monument to a point where you can't be within a half a mile of a road. That is simply not true. A map is flat. The shortest distance between two points is a straight, flat line, and anyone who has been to the Breaks knows that that is not the terrain of the Breaks. If you had walked one square mile in the Breaks, you know that you've covered probably about five miles or more.*

2321-15 Response The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally.

In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.

Overall, about 216,700 acres of BLM land would be within 1/2 mile of a designated open BLM road (yearlong or seasonally). This is about 58% of the Monument.

2321-16 *Comment* *Sportsmen, you're going to be cut out of this thing. They're closing 200 miles of road. You know what those canyons are for. Those that have never been there, they're a thousand feet deep. Yeah, there's a half a mile to the other road when it's across a thousand foot canyon, if anybody ever goes there and looks at it.*

2321-16 Response The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally.

In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.

Overall, about 216,700 acres of BLM land would be within 1/2 mile of a designated open BLM road (yearlong or seasonally). This is about 58% of the Monument.

Group		Roads – River Access
2322-01	*Comment*	*Close existing roads in the river corridor and in the WSAs. Don't construct new roads.*
2322-01	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, 34 miles of BLM roads in the Upper Missouri National Wild and Scenic River (UMNWSR) would be closed to public motorized travel. Twelve additional miles would be seasonally closed to public motorized use. About 33 miles of BLM roads would be open yearlong. The majority of the closed roads are located downriver or east of the PN Bridge (Map 5, East Half Transportation Map). In the WSAs, about 27 miles of vehicles ways would be closed; 9 miles would be open yearlong and 15 miles would be open seasonally.
2322-02	*Comment*	*Keep all access roads open to the river because closure is an unnecessary restriction.*
2322-02	Response	The Proclamation states, the Secretary "shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects." One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29). These criteria were applicable to some of the BLM roads located in the Upper Missouri National Wild and Scenic River.
2322-03	*Comment*	*Close roads in the river corridor and the WSAs except for access to the ferry crossing.*
2322-03	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, 34 miles of BLM roads in the Upper Missouri National Wild and Scenic River (UMNWSR) would be closed to public motorized travel. Twelve additional miles would be seasonally closed to public motorized use. About 33 miles of BLM roads would be open yearlong. The majority of the closed roads are located downriver or east of the PN Bridge (Map 5, East Half Transportation Map). In the WSAs, about 27 miles of vehicles ways would be closed; 9 miles would be open yearlong and 15 miles would be open seasonally. The BLM roads to Level 1 recreation sites along the river would be designated open yearlong.
2322-04	*Comment*	*Please restrict/reduce the number of roads or the use of roads in the river corridor including the WSAs and the ACEC.*
2322-04	Response	The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29). These criteria were applicable to some of the BLM roads located in the Upper Missouri National Wild and Scenic River, WSAs, and Cow Creek ACEC. Under the Preferred Alternative in the Proposed RMP/Final EIS, 34 miles of BLM roads in the Upper Missouri National Wild and Scenic River (UMNWSR) would be closed to public motorized travel. Twelve additional miles would be seasonally closed to public motorized use. About 33 miles of BLM roads would be open yearlong. The majority of

		the closed roads are located downriver or east of the PN Bridge (Map 5, East Half Transportation Map). In the WSAs, about 27 miles of vehicles ways would be closed; 9 miles would be open yearlong and 15 miles would be open seasonally. In the Cow Creek ACEC, about 6 miles of BLM roads would be closed; 2 miles would be open yearlong and 1 mile would be open seasonally.
2322-05	*Comment*	*Close additional roads that have appeared in the river corridor, WSAs since their designation, those that are less that one-tenth of a mile long or those that go to dry gas wells.*
2322-05	Response	The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29). These criteria were applicable to some of the BLM roads located in the Upper Missouri National Wild and Scenic River and WSAs. Under the Preferred Alternative in the Proposed RMP/Final EIS, 34 miles of BLM roads in the Upper Missouri National Wild and Scenic River (UMNWSR) would be closed to public motorized travel. Twelve additional miles would be seasonally closed to public motorized use. About 33 miles of BLM roads would be open yearlong. The majority of the closed roads are located downriver or east of the PN Bridge (Map 5, East Half Transportation Map). In the WSAs, about 27 miles of vehicles ways would be closed; 9 miles would be open yearlong and 15 miles would be open seasonally.
2322-06	*Comment*	*Road access to this land could be closed under the current proposed BLM plan. The BLM is trying to close a privately maintained road that my family uses to access their land on the Judith River. They use this road to reach their hay crops and winter grazing as well as allowing access for hunting and fishing. My family has always been gracious to Montana hunters and fishermen. They are one of the few remaining landowners who grant permission to use their land for this purpose. They are good stewards of the land, and are vigilant in preserving our environment and the historical value of this land.* *I object to the proposed plan because it would affect the ability of my relatives to manage their property and it would limit their ability to share the hunting and fishing to friends and family. We have had family reunions that involve trips to the Judith River via that road. It has always been a highlight of our reunions.*
2322-06	Response	BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). There are 65 miles of BLM roads providing access to private land that would be designated open yearlong and 2 miles (two roads) that would be designated closed.
2322-07	*Comment*	*What opportunities has the BLM provided for persons with disabilities who want to experience the river during the summer months?*
2322-07	Response	The BLM would provide reasonable accommodations for individuals with disabilities consistent with the Rehabilitation Act of 1973. Accommodations would be considered on a case-by-case basis by the Monument Manager.
2322-08	*Comment*	*Eliminate roads reaching down to the wildest sections of the river and force vehicles to stay on roads as stated in the Proclamation. And reduce the density of roads within the Monument to protect wildlife and the wild feeling of the Monument.*

Group		Roads – River Access
2322-08	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, 34 miles of BLM roads in the Upper Missouri National Wild and Scenic River (UMNWSR) would be closed to public motorized travel. Twelve additional miles would be seasonally closed to public motorized use. About 33 miles of BLM roads would be open yearlong. The majority of the closed roads are located downriver or east of the PN Bridge (Map 5, East Half Transportation Map). Under the Preferred Alternative, 201 miles on 415 BLM road segments would be closed. This includes 37 miles that are considered parallel roads, 10 miles of redundant roads, and 135 miles of spur roads (1 mile or less). Overall, about 216,700 acres of BLM land would be within 1/2 mile of a designated open BLM road (yearlong or seasonally). This is about 58% of the Monument.
2322-09	*Comment*	*I am also concerned about the occurrence of roads and vehicular traffic which have crept into the river bottom over the years. The management plan should decisively prohibit vehicular access to the river except at established crossings and select areas of established recreational use. High density motorized use was never envisioned as a wise management direction in the formative deliberations. Limited access through a permit system would be far preferable to excessive development of hardened sites and the sacrifice of the perception of remoteness and solitude which is so important to the Upper Missouri experience.*
2322-09	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, 34 miles of BLM roads in the Upper Missouri National Wild and Scenic River (UMNWSR) would be closed to public motorized travel. Twelve additional miles would be seasonally closed to public motorized use. About 33 miles of BLM roads would be open yearlong. The majority of the closed roads are located downriver or east of the PN Bridge (Map 5, East Half Transportation Map). A portion of the 404 miles of open yearlong and seasonally BLM roads displayed on Map 5 for the Preferred Alternative does include public motorized access in the UMNWSR to Level 1 recreation areas.
2322-10	*Comment*	*BLM's Alternative F allows far too many vehicle routes to remain open (378 miles, page 100 DEIS) either year-round or part of the year. Those excessive routes will become a headache to future BLM managers because they will attract heavier vehicle traffic as the years go by.* *More routes should be closed in the Ervin Ridge-Bullwhacker-Cow Creek complex, because the wild and primitive recreational values of this complex need better protection from motor vehicles.* *Roads approaching Bullwhacker Creek should be closed so the wild character of that drainage can be kept intact.* *Roads penetrating Antelope Creek and Cow Creek WSA's should be closed, with the objective of pulling road intrusions back from the Missouri River and Cow Creek.*
2322-10	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed. Some of the road closures would be in the Ervin Ridge, Bullwhacker, and Cow Creek area. In the Antelope Creek WSA, about 4 miles of vehicle ways would be closed; 3 miles would be open yearlong and 5 miles would be open seasonally. In the Cow Creek WSA, about 10 miles of vehicle ways would be closed; 5 miles would be open yearlong and 10 miles would be open seasonally. In the Cow Creek

ACEC, about 6 miles of BLM roads would be closed; 2 miles would be open yearlong and 1 mile would be open seasonally.

Under the Preferred Alternative, 34 miles of BLM roads in the Upper Missouri National Wild and Scenic River (UMNWSR) would be closed to public motorized travel. Twelve additional miles would be seasonally closed to public motorized use. About 33 miles of BLM roads would be open yearlong. The majority of the closed roads are located downriver or east of the PN Bridge (Map 5, East Half Transportation Map).

2322-11 *Comment* *Eliminate roads to the wildest sections of the river.*

2322-11 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, 34 miles of BLM roads in the Upper Missouri National Wild and Scenic River (UMNWSR) would be closed to public motorized travel. Twelve additional miles would be seasonally closed to public motorized use. About 33 miles of BLM roads would be open yearlong. The majority of the closed roads are located downriver or east of the PN Bridge (Map 5, East Half Transportation Map).

2322-13 *Comment* *There are simply too many roads, too close together, throughout the Monument. Several of these should be converted to quiet hiking or biking trails. You should close the DeWeese road, the Lower Bullwhacker road, and Ervin Ridge road. There should be no roads unless completely necessary within the Wild and Scenic River corridor. I also call for adoption of the Friends of the Missouri Breaks proposed transportation plan. This has a much more sensible amount of roads - it provides plenty of access while keeping more of the Monument "remote and undeveloped" - just as the Proclamation directs.*

2322-13 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed. This includes 37 miles that are considered parallel roads, 10 miles of redundant roads, and 135 miles of spur roads (1 mile or less). This also includes 34 miles of roads in the Upper Missouri National Wild and Scenic River. Overall, about 216,700 acres of BLM land would be within 1/2 mile of a designated open BLM road (yearlong or seasonally). This is about 58% of the Monument.

The BLM considered the Friends of the Missouri Breaks transportation plan as a source of data and information during the preparation of the Draft RMP/EIS and Proposed RMP/Final EIS. That transportation plan was used when developing the range of alternatives and is reflected in Alternative E.

2322-14 *Comment* *The criteria used for the wilderness study process must be used to determine which roads will become part of the system. These will provide good basic motor access to the monument while leaving significant acreages free of the noise and disturbance of motors for the joys of backcountry hunting. Please do not legitimize any user-created tracks. Many, if not most, of these have been created by unauthorized use in recent times. ATVs are capable of, and are penetrating to the farthest corners of the monument. They have rendered most of the monument encumbered by the noise and intrusion of modern machines. In addition, legitimizing these tracks condones the unauthorized use that created them.*

2322-14 Response The following specifications were used to determine which routes would be inventoried for the Monument transportation plan. Motorized travel is not considered cross-country (off-road) on BLM land when: (1) the motorized vehicle uses constructed roads that are maintained by the BLM (constructed roads are often characterized with cut and fill slopes); and (2) the motorized vehicle use is on clearly evident two-track routes with regular travel and continuous passage of motorized vehicles over a period of years. A

two-track is where perennial vegetation is devoid or scarce, or where wheel tracks are continuous depressions in the soil yet evident to the casual observer and are vegetated.

A two-person seasonal inventory crew collected data on 436 miles of BLM roads (a total of 759 miles for all roads) during the summer of 2002 for the east half of the Monument, and another seasonal crew in 2004 collected additional information on 44 miles of BLM roads (a total of 81 miles for all roads) in the west half. Information on another 125 miles of BLM roads was obtained from existing data. The BLM roads in the Monument total 605 miles.

Under the Preferred Alternative in the Proposed RMP/Final EIS 201 miles on 415 BLM road segments would be closed. The 201 miles of closed BLM resource roads are the two-track (unimproved) roads. There are a total of 435 miles of two track resource roads. Under the Preferred Alternative this amounts to a 49% decrease in mileage or a 77% decrease in the number of unimproved resource roads available for public motorized travel. The closure pertains to any type of motorized public use (ATVs, 4x4 vehicles, etc.).

2322-15 *Comment* *Included with this letter is a copy of a core area analysis based on the transportation proposal that the Friends delivered to you in 2004. This "Citizen's Proposed Transportation System" provides adequate access to the Monument and protects core areas from the effects too many roads.*

2322-15 Response The BLM considered the Friends of the Missouri Breaks transportation plan as a source of data and information during the preparation of the Draft RMP/EIS and Proposed RMP/Final EIS. That transportation plan was used when developing the range of alternatives and is reflected in Alternative E.

2322-16 *Comment* *The management plan for the Bullwhacker area is proposing to authorize a loop road into a wild section of the Wild and Scenic River corridor. The section was designated as a wild section in 1976 because it had limited access.*

"The BLM's goal is to protect the surface features in the landscape that are identified in the Monument Proclamation." The statement relates to closing the lower reach of the Bullwhacker Road. MWF believes the road cannot be made passable without permanently defacing the geologic Breaks formations within the W&S corridor and remains inappropriate.

2322-16 Response Under the Preferred Alternative in the Proposed RMP/Final EIS this section of the Bullwhacker road would be open from September 1 through November 30. This section of road is important for big game harvest and game retrieval during the fall.

Group **Roads – Density**

2323-01 *Comment* *The BLM's travel management plan and high road density may not be consistent with protection of the objects and resources within the Monument. The BLM should reduce/minimize/decrease/limit road density to benefit the wildlife, hunters, hikers, wilderness values, and river users. This action would create fewer opportunities for land abuse.*

2323-01 Response Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes

135 miles on spur roads (averaging less than 1/2 mile). Overall, about 216,700 acres of BLM land would be within 1/2 mile of a designated open BLM road (yearlong or seasonally). This is about 58% of the Monument.

2323-02 *Comment* *Need to close all roads in the monument.*

2323-02 Response The Proclamation states, the Secretary "shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects." One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument.

Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29).

2323-03 *Comment* *Close or restrict certain roads to control spread of weeds, to help with game harvest opportunities, and to provide non-motorized areas. Don't allow new roads in the monument.*

2323-03 Response A reduction in the miles of designated open BLM roads would decrease the potential spread of noxious and invasive plants from motorized travel. The closure of 201 miles under the Preferred Alternative in the Proposed RMP/Final EIS would help with this issue and does reduce the density of roads on BLM land.

A seasonal restriction during the hunting season (September 1 to November 30) would only allow motorized travel on 81 miles of specific designated BLM roads from 10:00 a.m. to 2:00 p.m. to retrieve harvested game.

The BLM would reserve the option to build a new road if necessary to provide public motorized access to blocks of BLM land.

2323-04 *Comment* *Keep all roads open; keep current/existing road system (Alt A); allow more roads; oppose road closures.*

We do not feel the travel management plan is balanced enough to protect the reasons this monument was created.

2323-04 Response The Proclamation states, the Secretary "shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects." One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument.

Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry

airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29).

The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.

The BLM would reserve the option to build a new road if necessary to provide public motorized access to blocks of BLM land.

2323-05 *Comment* *Keep roads open for only specific purposes: hunting which includes game retrieval, private landowner use, permittees, fire control, emergency traffic (EMS), and handicapped/disability travelers.*

The roads that lead into private land should be closed except for grazing lease management, and other legitimate uses.

2323-05 Response The Proclamation states, the Secretary "shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects." One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument.

Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29).

The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.

BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). There are 65 miles of BLM roads providing access to private land that would be designated open yearlong and 2 miles (two roads) that would be designated closed. Travel off road and on closed roads would be allowed for any military, fire, search and rescue, or law enforcement vehicle used for emergency purposes.

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

2323-06 *Comment* *Roads associated with oil and natural gas activity should be closed to public use to prevent spread of invasive plant species or additional erosion. These roads should be used for administrative purposes, and then reclaimed back to their original contours.*

2323-06 Response Under the Preferred Alternative, the majority of existing roads to natural gas well roads would be closed to public motorized access (identified as spur roads) and any future new resource roads associated with natural gas operations would be closed to motorized public use, unless shown to meet management objectives through a site-specific environmental assessment.

2323-07 *Comment* *Close roads that can not be properly maintained.*

2323-07 Response Under the Preferred Alternative in the Proposed RMP/Final EIS there would be 293 miles of designated open BLM roads (293 miles open yearlong and 111 miles open seasonally). This includes 64 miles that would be included in Level 3 and 4 maintenance categories. These categories normally include annual maintenance work. The remaining 340 miles would be included in a Level 2 maintenance category and may receive spot maintenance work to correct a specific problem such as a washout or a slide. For additional information on the maintenance levels see the Access and Transportation section of Chapter 2.

2323-08 *Comment* *Roads are another major issue of concern. We support the conservation plan (Friends of the Missouri Breaks) proposal to limit the number of roads and urge the BLM to adopt that plan. The existing road density is too high.*

2323-08 Response The BLM considered the Friends of the Missouri Breaks transportation plan as a source of data and information during the preparation of the Draft RMP/EIS and Proposed RMP/Final EIS. That transportation plan was used when developing the range of alternatives and is reflected in Alternative E.

2323-09 *Comment* *Closure of roads will mean fewer people (locals, visitors, tourists, etc.) can enjoy any of the recreational benefits in the Breaks which in turn could impact the area's economy and tourism.*

2323-09 Response The Proclamation states, the Secretary "shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects." One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument.

Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29).

Group		Roads – Density
		The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.
2323-10	*Comment*	*The population of this state/nation is getting older, resulting in fewer with the physical capability of walking the distances they once were very capable of doing. In your road closures you are blocking those "out" while opening those areas for the physically able who spend more time "playing." Leave all vehicle roads "open to the taxpaying public or close the entire to all activities" including horse and foot travel.*
2323-10	Response	The Proclamation states, the Secretary "shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects." One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29). The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt. Individuals with disabilities could request a permit to travel on closed roads consistent with the Rehabilitation Act of 1973. Such access would be considered on a case-by-case basis by the Monument Manager. If the need arises, the BLM could identify specific designated closed roads as access for individuals with disabilities.
2323-11	*Comment*	*I oppose closing roads and imposing quasi-wilderness restrictions on the Missouri Breaks. The public needs to continue to have full existing access.*
2323-11	Response	The Proclamation states, the Secretary "shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects." One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry

airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29).

The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.

2323-12 *Comment* *Endorse Management Alternative C. We base this on the need to maintain adequate public access to the area. While the Montana Bowhunters Association generally supports road restrictions in wilderness areas, most of the area under consideration has already been subject to human activity. Extensive road closures have the potential to create large tracts of privatized public land for landowners maintaining road easements to private lands inside the Monument.*

2323-12 Response The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.

A total of 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Overall, about 216,700 acres of BLM land would be within 1/2 mile of a designated open BLM road (yearlong or seasonally). This is about 58% of the Monument.

2323-13 *Comment* *Limit the number of roads in the Monument to established routes that provide reasonable access. Wildlife and vehicular traffic are not compatible.*

2323-13 Response The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. Under this alternative, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 in the Proposed RMP/Final EIS.

Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security areas and wildlife winter range areas.

The environmental consequences of the alternatives, including effects to wildlife, are addressed in Chapter 4 of the Draft RMP/EIS and Proposed RMP/Final EIS.

2323-14 *Comment* *Please keep what we have left for access roads and trails open.*

Group		Roads – Density
2323-14	Response	The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as a "limited" area consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. A single-track trail system for motorized travel (ATVs, quads, motorcycles, etc.) is not authorized or permissible in the Monument. All motorized and mechanized vehicles must stay on roads; however, travel off road and on closed roads would be allowed for any military, fire, search and rescue, or law enforcement vehicle used for emergency purposes. The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30).
2323-15	*Comment*	*The preferred alternative nearly triples the length of allowed and maintained roadways above the alternative imposing the maximum limits on motorized travel. This preference will be license for motorized recreation enthusiasts to despoil thousands of acres of secure wildlife habitat in the enjoyment of their "sport."*
2323-15	Response	The Proclamation states the Secretary "shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects." One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument. The range of alternatives in the Draft RMP/EIS includes six alternatives for the transportation system in the Monument that address the Proclamation and BLM's goal. This range includes Alternative A (Current Management), which is the current designated road system. The range of alternatives varies from Alternative A, which would leave most roads open yearlong or seasonally, to Alternative E, which would close most of the roads in the Monument. The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. Under this alternative, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 in the Proposed RMP/Final EIS. Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security areas and wildlife winter range areas. The road system could be modified if vehicle use traffic patterns or resource conditions change. Modifications to the road system would be based on the management guidance under the Preferred Alternative, including the factors listed in Table 2.29 in the Proposed RMP/Final EIS. Any changes would be addressed through a travel plan update with public participation and environmental review. The environmental consequences of the alternatives, including effects to wildlife, are addressed in Chapter 4 of the Draft RMP/EIS and Proposed RMP/Final EIS.

Group		Roads – Density
2323-16	*Comment*	*I advocate for the closure, with active reclamation, of all roads not essential for needed access to private ranchlands or lease lands needing periodic maintenance of fencing, water developments. I also advocate for the posting of all remaining, essential roadways against any off-road traffic including that for the purpose of game retrieval*
2323-16	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29). Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures. For administrative purposes travel would be authorized off road and on closed roads for BLM, other federal agencies, state and county agencies, lessees and permittees. Administrative purposes would be limited to those activities necessary to administer the permit or lease. The BLM roads designated closed would either be allowed to reclaim naturally or selected segments may require ripping, scarifying and seeding with a native seed mix to control surface runoff. The Monument Manager could approve a different seed mixture to meet reclamation standards.
2323-17	*Comment*	*Wildlife, elk and bighorn sheep in particular, are negatively impacted by roads and motorized activities and so are most humans! In order to nurture healthy elk herds and to preserve hunting opportunities, we need fewer roads. Cut the road miles back for elk, bighorns and other wildlife, and for the quiet experience that hikers, backpackers, hunters and family's enjoy most.*
2323-17	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29). Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures. Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little

traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security areas and wildlife winter range areas.

The environmental consequences of the alternatives, including effects to wildlife, are addressed in Chapter 4 of the Draft RMP/EIS and Proposed RMP/Final EIS.

2323-18 *Comment* *You've made a good start on reducing the road mileage in the monument, and I want to congratulate you on the effort. However, there are still many miles of roads that remain open, yet have no public access. I would like to suggest to you that these roads be closed if an easement cannot be secured for public access. This action could be phased in over a period of 10 years. If the easement is not obtained, then the road is designated closed. The objective is to prevent the establishment of a select user group of the public's land and roads, based on contacts with those who control the access, and to gradually continue to reduce road density. A statement to this effect needs to be included in the RMP to establish the policy.*

2323-18 Response Private property owners have the right to determine who can drive across their land whether it provides access to other private property, state land, or to BLM land. The BLM will respect private property rights.

Landowner permission may be required for access to BLM roads. Some landowners grant permission to cross their private property while others do not. Under the Preferred Alternative, those BLM roads identified as dashed green lines show where the public may need permission from the private landowner to access BLM roads (Map 5 in the Proposed RMP/Final EIS).

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

2323-19 *Comment* *Current management directives seek to aggressively decommission non-beneficial or unclassified roads, reduce the existing backlog on road maintenance and reconstruction, and reduce the resource impacts of the current roads network. This maintenance effort is overstated and a more reasonable alternative would be to incorporate reasonable mitigation measures and convert roads to unrestricted-width or restricted-width trails to provide motorized recreation opportunities and then remove these roads from the roads inventory. We request that this reasonable alternative be included as part of the preferred alternative.*

2323-19 Response The Proclamation states the Secretary "shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects." One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument. The range of alternatives in the Draft RMP/EIS includes six alternatives for the transportation system in the Monument that address the Proclamation and BLM's goal. This range includes Alternative A (Current Management), which is the current designated road system. The range of alternatives varies from Alternative A, which would leave most roads open yearlong or seasonally, to Alternative E, which would close most of the roads in the Monument.

Group		Roads – Density
		The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as a "limited" area consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. A single-track trail system for motorized travel (ATVs, quads, motorcycles, etc.) is not authorized or permissible in the Monument. All motorized and mechanized vehicles must stay on roads. The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. Under this alternative, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Some roads designated as closed could be designated as limited to mechanized (e.g., mountain bike) use through site-specific planning and environmental review. Additional information is included in the BLM Road System section of Chapter 2 in the Proposed RMP/Final EIS.
2323-20	*Comment*	*I think that current roads should stay active and there should be some single track motorcycle trails allowed during non-hunting times of the year. This entire massive area of land currently has not a single motorcycle trail. I am not opposed to seasonal closures during hunting season but people should be able to explore the area by vehicle during the summer. As far as motorized traffic affecting wildlife this is a farce. During any summer evening in Montana you can drive on a major interstate and see large herds deer and antelope grazing right next to the interstate. Bullets, arrows, predation, starvation, and disease kill wildlife, not cars and motorcycles.*
2323-20	Response	The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as a "limited" area consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. A single-track trail system for motorized travel (ATVs, quads, motorcycles, etc.) is not authorized or permissible in the Monument. All motorized and mechanized vehicles must stay on roads; however, travel off road and on closed roads would be allowed for any military, fire, search and rescue, or law enforcement vehicle used for emergency purposes. The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. Roads that are designated open or limited (404 miles) would be open to all forms of motorized and mechanized use consistent with management objectives with the exception 2 miles of roads identified as backcountry airstrips.
2323-21	*Comment*	*GPS roads originating on private lands leading into the Monument, without any other public access. These roads must be closed. There are a number of these roads especially in the Armells/Two Calf area where the private landowner has created a two track into Monument lands which can only be used by the private land owner. These roads must be closed and cannot be used by the private landowner for outfitting and other commercial activity.*
2323-21	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use).

Private property owners have the right to determine who can drive across their land whether it provides access to other private property, state land, or to BLM land. The BLM will respect private property rights.

Landowner permission may be required for access to BLM roads. Some landowners grant permission to cross their private property while others do not. Under the Preferred Alternative, those BLM roads identified as dashed green lines show where the public may need permission from the private landowner to access BLM roads (Map 5 in the Proposed RMP/Final EIS).

2323-22 *Comment* *The EPA encourages the BLM to consider additional road closures and road removal in its preferred alternative, particularly closure and restoration of user created roads. We believe the preferred alternative should include additional road closures, and direction to close and obliterate roads not needed for management or public access, particularly roads which contribute to resource damages and that fragment wildlife habitat or threaten wildlife security. There is a need to close and obliterate roads to restore and maintain critical big-game deer, elk and antelope habitat and provide linkages between habitats. Roads that impact sensitive and listed wildlife species, and roads within wilderness study areas, and roads that impact riparian areas and streams should be prioritized for closure and obliteration to maximize ecological benefits. We recommend that road densities within crucial winter ranges and along migration corridors be reduced. It would be of interest to identify in the EIS the existing and future road density that would result following road closure and restoration of user-built roads.*

2323-22 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29).

The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. Under this alternative, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 in the Proposed RMP/Final EIS.

Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security areas and wildlife winter range areas.

The environmental consequences of the alternatives, including effects to wildlife (road densities), are addressed in Chapter 4 of the Draft RMP/EIS and Proposed RMP/Final EIS.

2323-23 *Comment* *Roads impair the ability of wildlife to fully use habitat, the research is quite clear on that. Cut road densities back to levels that match your goals and implement a public education campaign that explains the benefits of conservative road management.*

2323-23 Response Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security areas and wildlife winter range areas.

The environmental consequences of the alternatives, including effects to wildlife, are addressed in Chapter 4 of the Draft RMP/EIS and Proposed RMP/Final EIS.

2323-24 Comment *Your current proposal allows off road travel and does little to reduce road density. Please disallow off road travel and eliminate roads in the wild sections of the river corridor. Stop ongoing damage from erosion and importation of invasive nonnative plants.*

2323-24 Response The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as a "limited" area consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. All motorized and mechanized vehicles must stay on roads.

Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). One of the criteria used to close some two-track resource roads was soil erosion and slope condition. Under the Preferred Alternative, 13 miles would be closed based on this criterion. Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.

2323-25 Comment *The Wilderness Society (TWS) suggest that the BLM: (1) conduct a density analysis of the existing transportation network (this would need to include an analysis of all roads under the BLM's new, broader definition); (2) conduct a buffer analysis to examine the effect zone of the transportation network; and (3) conduct a core area analysis to identify habitat that remains unaffected by the transportation network. Attach. No. 4 at 1.*

After applying these analysis methods to the Monument, TWS found that wildlife populations [in the Monument] are threatened by landscape fragmentation. These are just some of the impacts associated with the BLM's transportation network in the Monument that must be, but are not, analyzed in the DEIS.

2323-25 Response The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. Under this alternative, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 in the Proposed RMP/Final EIS.

Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security areas and wildlife winter range areas.

The environmental consequences of the alternatives, including effects to wildlife (road densities), are addressed in Chapter 4 of the Draft RMP/EIS and Proposed RMP/Final EIS.

2323-26 *Comment* *Protect our hunting opportunities by managing the Monument for wildlife. Big game need cover and security. Designate large blocks of Monument land as "non-motorized game areas."*

2323-26 Response The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. Under this alternative, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 in the Proposed RMP/Final EIS.

Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security areas and wildlife winter range areas.

The environmental consequences of the alternatives, including effects to wildlife (road densities), are addressed in Chapter 4 of the Draft RMP/EIS and Proposed RMP/Final EIS.

2323-27 *Comment* *BLM is proposing to close 216 miles of roads and leave open, year-long or seasonally, 378 miles of roads. This seems like it would create a fairly high density of open roads, with almost all of the Monument lands being within 1 mile of a road. However, this is an illusion. Because much of the Monument is landlocked by private land with no legal access, most of these open roads are only available if the private landowner grants permission. The preferred alternative runs the risk of creating an elite class of public land users who can use the roads: those who have a personal relationship with the private landowners (as well as the private landowners themselves), and those who are allowed to use these roads at the whim of the landowners. This elite class will have special privileges to access the Monument while the general public can be and is prevented from using many of these roads. This situation should not be allowed to remain in perpetuity. BLM should set a deadline within 3 years(?) to negotiate easements on these roads. If an easement cannot be acquired in that time period, the road should be designated closed. If you made a commitment to obtain access within a reasonable period of time, and closed roads at the end of that time frame if you could not obtain an easement, I think you would also resolve the issue of outfitters having exclusive access to areas that are landlocked.*

2323-27 Response Private property owners have the right to determine who can drive across their land whether it provides access to other private property, state land, or to BLM land. The BLM will respect private property rights.

Landowner permission may be required for access to BLM roads. Some landowners grant permission to cross their private property while others do not. Under the Preferred Alternative, those BLM roads identified as dashed green lines show where the public may need permission from the private landowner to access BLM roads (Map 5 in the Proposed RMP/Final EIS).

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

2323-28 *Comment* *I would like to see the road density kept to a minimum to discourage the use of ATV's and their abusive use that continues to explode like a cancer on our public lands.*

2323-28 Response The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. Roads that are designated open or limited (404 miles) would be open to all forms of motorized and mechanized use consistent with management objectives with the exception 2 miles of roads identified as backcountry airstrips. Under this alternative, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 in the Proposed RMP/Final EIS.

2323-29 *Comment* *The planned closure of roads has no scientific validation. I challenge you to present a study that shows road density on this terrain or any other has any impact on wildlife numbers - or game harvest. Limit the hunter numbers not the roads.*

2323-29 Response Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.

Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security areas and wildlife winter range areas.

The environmental consequences of the alternatives, including effects to wildlife, are addressed in Chapter 4 of the Draft RMP/EIS and Proposed RMP/Final EIS.

2323-30 *Comment* *Finally, I am opposed to the closure of any of the existing roads within the Monument boundary. As a volunteer firefighter, I am well aware of the danger volunteers face when called as first responders to fires in this region. Closing existing roads makes this job more hazardous and places our lives in danger. I request that all existing roads within the Monument boundary be maintained.*

2323-30 Response Travel off road and on closed roads would be allowed for any military, fire, search and rescue, or law enforcement vehicle used for emergency purposes.

2323-31 *Comment* *Finally, I am opposed to the closure of any of the existing roads within the Monument boundary. As a volunteer firefighter, I am well aware of the danger volunteers face when called as first responders to fires in this region. Closing existing roads makes this job more hazardous and places our lives in danger. I request that all existing roads within the Monument boundary be maintained.*

Group		Roads – Density
2323-31	Response	Travel off road and on closed roads would be allowed for any military, fire, search and rescue, or law enforcement vehicle used for emergency purposes.
2323-32	*Comment*	*I believe the closure of 1/2 the roads is tremendous. I believe that this should be well thought and let the people decide by vote.*
2323-32	Response	The Proclamation states the Secretary "shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects." One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument. The range of alternatives in the Draft RMP/EIS includes six alternatives for the transportation system in the Monument that address the Proclamation and BLM's goal. This range includes Alternative A (Current Management), which is the current designated road system. The range of alternatives varies from Alternative A, which would leave most roads open yearlong or seasonally, to Alternative E, which would close most of the roads in the Monument. The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. Under this alternative, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 in the Proposed RMP/Final EIS. Chapter 5 in the Draft RMP/EIS and Proposed RMP/Final EIS describes the public participation events that occurred during preparation of the RMP including scoping meetings and alternative development workshops. Many of these meetings and public comments addressed the roads in the Monument.
2323-33	*Comment*	*Road closures have a very serious impact on the private property owners. There is absolutely no reason to close the traditional roads that have been in use for many decades. The BLM must comply with the management approach provided by the Secretary of the Interior.*
2323-33	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). Under the Preferred Alternative, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.
2323-34	*Comment*	*This proposal limits the number of roads in the Monument but places them strategically so that drivers are within reasonable walking distances of the major attractions. I view this as a fair way to allocate recreating resources and I urge the BLM to adopt the plan.*
2323-34	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads

in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29).

The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. Under this alternative, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 in the Proposed RMP/Final EIS.

2323-35 *Comment* *The placement of so many roads would unacceptably narrow the scope of recreation opportunities within the Monument. Low impact recreation, like backpacking, hiking and camping are most compatible with the "Primitive" Recreation Class identified by the BLM's Recreation Opportunity Spectrum (ROS). The ROS specifies that this setting is "characterized by a large-sized area of about 5,000 acres or more, lying at least 3 miles from the nearest point of motor vehicle access." Since the presence of a high density of roads, as proposed by the current draft RMP/EIS, violates this restriction, it errs by failing to analyze the impact of high road densities upon opportunities for low impact recreation occurring within the "Primitive" Recreation Class identified by the BLM's ROS.*

2323-35 Response The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. Under this alternative, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 in the Proposed RMP/Final EIS.

The environmental consequences of the alternatives, including effects to recreation, are addressed in Chapter 4 of the Draft RMP/EIS and Proposed RMP/Final EIS.

2323-36 *Comment* *Ungulates. Canfield et al (1999) recommend the following on ungulate winter range:*

1. Route winter-use facilities, trails, and/or roads away from ungulate wintering areas (this may include high-elevation areas used by some sex and age classes or during mild conditions).

2. Establish designated travel routes within area closures where recreation occurs on or across winter ranges (no off-road/trail use) to make human use of wintering areas as predictable as possible (if needed, use could be restricted to mid-day time frames, dogs could be restricted or excluded, and low speed limits could be imposed on snow machines). Examine routes to ensure that bedding and feeding areas are not separated, that open ridges are avoided, and that topography serves to buffer noise and disturbance.
3. Monitor ungulate use of areas that receive high-impact winter use by snowmobiles and/or skiers and identify and mitigate any potential conflicts.

Summer Range:

1. Route summer recreation facilities away from key foraging areas (drainage heads, mesic areas) and consider restrictions on existing roads or trails to minimize disruption of these important areas.

2. Establish designated routes within area closures to make human use of summer range as predictable as possible.

3. Reduce human intrusions (through road or trail restrictions and/or education) into areas where ungulates are limited to easily identified habitat areas (such as areas used by bighorn sheep or mountain goats) or where limited areas of habitat are either desirable or exceptionally productive.

Limit open road densities to zero in key areas and less than 1 mile per section elsewhere; reclaim roads that are closed and re-establish native vegetation to help keep travel violations to a minimum.

Lyon (1983) found that when route densities are as low as 1 mile/mile^2, which represents approximately 35 percent of the monument's occupied elk habitat, elk habitat effectiveness is reduced by 25 percent.

Recent literature on impacts of disturbance on elk calving ranges (Phillips and Alldredge 2000, Shively et al 2005) indicates that a conservative approach would be to close roads in the overall elk distribution during calving until elk calving areas are defined.

Additionally, lower road density on BLM will reduce elk numbers on nearby private land. The need to reduce elk numbers on private land is a significant management concern in Montana elk management plan for this region.

2323-36 Response

The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. Under this alternative, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 in the Proposed RMP/Final EIS.

Impacts from roads are well documented in the available scientific literature, in that roads impact all wildlife to some degree. The level of impact can be influenced by many factors, including type and size of road, season of use, frequency of use, type of vehicles using road, location of a road, and very important is the amount of traffic. As demonstrated by the healthy populations of elk, mule deer, and bighorn sheep, the current traffic level and location of traffic in relation to populations is not currently a major impact to population levels of these three species. It does not mean there is not an impact on these species, or that impacts from roads are not continuing to impact other species.

Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security areas and wildlife winter range areas.

The environmental consequences of the alternatives, including effects to wildlife (miles, density, and acres), are addressed in Chapter 4 of the Draft RMP/EIS and Proposed RMP/Final EIS.

2323-37 Comment

Each road that is closed puts more pressure on existing roads giving an excuse to close them.

2323-37 Response Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 on the reasons for the road closures.

2323-38 Comment *I think that all the roads should be left open year round whether they are on the map or not. I will name some of the roads were I hunt all the time and they are - Woodhawk, Sunshine, Deweese, Merzzel, Wood Hawk Bottom, Lower Two Calf, Power Plant, Wood Bottom, Macintosh, Ness Bottom, Middle Two Calf, Knox Ridge, Bakers Mountain, Middleton Ridge, and Armells Crossing. These roads are main transportation routes for me and many others in our community and should be left open year round for use and access.*

2323-38 Response The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. Under this alternative, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 in the Proposed RMP/Final EIS.

2323-39 Comment *The notion that certain road densities have adverse impact on wildlife and crucial habitat has never been validated by any credible studies done in the Missouri Breaks. The BLM appears to have accepted that premise without any data on vehicle use on monument roads slated for closure.*

2323-39 Response Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security areas and wildlife winter range areas.

The environmental consequences of the alternatives, including effects to wildlife, are addressed in Chapter 4 of the Draft RMP/EIS and Proposed RMP/Final EIS.

2323-40 Comment *The roads that are there are needed and need to be protected from further erosion.*

2323-40 Response The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. Under this alternative, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 in the Proposed RMP/Final EIS.

2323-41 Comment *They've also proposed enough new roads so you can drive to almost every place in that monument with a ten-minute walk. That's not okay.*

2323-41 Response The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. Under this alternative, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 in the Proposed RMP/Final EIS.

Group		Roads – Density
2323-42	*Comment*	*The roads should be also kept to a minimum, with elimination of all unauthorized trails and reduction of roads, so that all areas are at least one mile from a road. There are extensive trails that gas-guzzlers can utilize in other parts of the state.*
2323-42	Response	The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. Under this alternative, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). About 86% of the Monument would be within 1 mile of an open BLM road. Additional information is included in the BLM Road System section of Chapter 2 in the Proposed RMP/Final EIS. A single-track trail system for motorized travel (ATVs, quads, motorcycles, etc.) is not authorized or permissible in the Monument. The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as a "limited" area consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. All motorized and mechanized vehicles must stay on roads.
2323-43	*Comment*	*A road a mile apart in the Breaks is inaccessible. Have you ever gone and tried to climb up and down those hills? I mean, there's a reason why there's roads there.*
2323-43	Response	The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Under this alternative, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 in the Proposed RMP/Final EIS.
2323-44	*Comment*	*Science is pretty clear that roads have an impact on wildlife, and I would really like to see the agency define a vision or a future of what the wildlife situation might be there in terms of species mix, historical species, including bison, that could be maintained or restored to that area, and then manage road densities accordingly.*
2323-44	Response	Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security areas and wildlife winter range areas. The environmental consequences of the alternatives, including effects to wildlife, are addressed in Chapter 4 of the Draft RMP/EIS and Proposed RMP/Final EIS.
2323-45	*Comment*	*We believe in public access to our public lands. We want to see the public roads that are truly public roads not shut down so somebody can lease it out to outfitters and--and make a buck on it.*
2323-45	Response	Private property owners have the right to determine who can drive across their land whether it provides access to other private property, state land, or to BLM land. The BLM will respect private property rights.

Group		Roads – Density
		Landowner permission may be required for access to BLM roads. Some landowners grant permission to cross their private property while others do not. Under the Preferred Alternative, those BLM roads identified as dashed green lines show where the public may need permission from the private landowner to access BLM roads (Map 5 in the Proposed RMP/Final EIS). The BLM would coordinate with state agencies and county governments to improve public access to BLM land. Easements or fee acquisition opportunities would only be considered with willing landowners to enhance the values of the Monument and provide legal public access to or within the Monument, or additional public access to meet management objectives, including dispersed recreation use.
2323-46	*Comment*	*The use of motors to access most areas of the Monument should be severely restricted. The reduction of road densities would help to improve the overall health of the Monument in many ways. Unfortunately, motorized travel still plagues all areas of the Missouri River within the Monument.*
2323-46	Response	The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. Under this alternative, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 in the Proposed RMP/Final EIS. The environmental consequences of the alternatives, including effects to wildlife, are addressed in Chapter 4 of the Draft RMP/EIS and Proposed RMP/Final EIS.
Group		**Roads – Definition**
2324-01	*Comment*	*The number of seasonal road classifications (listed in the map legend) should be reduced.*
2324-01	Response	The six seasonal road designations were based on wildlife species and the associated road system criteria displayed in Table 2.26 in the Draft RMP/EIS. Under the Preferred Alternative in the Proposed RMP/Final EIS the number of road designations would be reduced to four.
2324-02	*Comment*	*Clarify the management objectives of roads associated with natural gas (energy) activities. There is no basis for opening such a road to other uses.* *The open designation of some BLM roads that either lead to a closed road crossing state land or are on the other side of a closed road crossing state land is a concern.*
2324-02	Response	New resource roads to natural gas operations would be closed for public access, unless shown to meet management objectives through a site-specific environmental assessment. BLM roads to the boundary of state land would remain open for administrative travel including state leaseholders. These roads would also be open for public travel, if shown to meet Monument objectives. The BLM would coordinate with state agencies on roads open to the public that lead to or from state land. There are about 80 miles of BLM roads providing access to state land; 59 miles would be open yearlong, 13 miles open seasonally, and 8 miles closed.

Group		Roads – Definition
2324-03	*Comment*	*Need to restrict the types of motorized vehicles (OHV, ATV, motor bikes, 4X4) that are allowed to travel on roads.* *We have concerns about continuing to allow roads and motorized recreation within wilderness study areas and other wildland and core wildlife habitat areas.*
2324-03	Response	We are seeing low levels of motorized travel on the BLM resource roads in the Monument. Under the Preferred Alternative in the Proposed RMP/Final EIS, 201 miles on 341 two-track (unimproved) resource roads would be closed to all types of vehicles used for public access. Roads that are designated open year long or seasonally limited (404 miles) would be open to all forms of motorized and mechanized use consistent with management objectives. The road system could be modified if vehicle use traffic patterns or resource conditions change. This process would include coordination with MFWP and monitoring of wildlife populations for stress, over-harvest, or disturbances during critical time periods. Modifications to the road system would be based on the management guidance under the Preferred Alternative, including the factors listed in Table 2.29 of the Proposed RMP/Final EIS, and changes would be addressed through a travel plan update with public participation and environmental review. Under the Preferred Alternative in the Proposed RMP/Final EIS, about 9 miles of BLM roads would be open yearlong; 15 miles would be open seasonally and 27 miles would be closed.
2324-04	*Comment*	*Restrict travel to only those roads needed for agricultural use and traditional uses.*
2324-04	Response	One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. About 293miles would be open yearlong and 111 miles open seasonally. The BLM would reduce the number of parallel and spur roads (172 miles) and some roads in areas with important wildlife habitat (1 mile), in areas considered unsuitable due to erosion and slope (13 miles), and in other areas (15 miles). There are 201 miles proposed for closure. For administrative purposes travel would be authorized off road and on closed roads for BLM, other federal agencies, state and county agencies, lessees and permittees. Administrative purposes would be limited to those activities necessary to administer the permit or lease.
2324-05	*Comment*	*Do not allow off road (cross country) travel to occur. Vehicles must stay on designated roads. Step up the enforcement effort for compliance.* *We are concerned about the adequacy of monitoring, policing and enforcement of motorized vehicle use and access restrictions, particularly motorized off-road uses.*

Group		Roads – Definition
2324-05	Response	The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." Under the Preferred Alternative in the Proposed RMP/Final EIS public motorized travel would be limited to the 404 miles of designated open and limited BLM roads (293 miles open yearlong and 111 miles open seasonally) (Map 5 in the Proposed RMP/Final EIS). The BLM will provide uniformed law enforcement patrols of the Monument. The law enforcement program will stress public compliance through education and outreach to develop a sense of public ownership of the Monument. The BLM will respond to resource violations consistent with current law enforcement responsibilities within the Lewistown Field Office.
2324-06	*Comment*	*The BLM's contention that a user created route qualifies as a road is illogical and illegal. The two-track (user created) routes should not be classified/categorized as a road. They should be closed and reclaimed. Closed roads should be closed to all uses and should not be available for game retrieval, the handicapped and administrative uses.*
2324-06	Response	The following specifications were used to determine which routes would be inventoried for the Monument transportation plan. Motorized travel is not considered cross-country (off-road) on BLM land when: (1) the motorized vehicle uses constructed roads that are maintained by the BLM (constructed roads are often characterized with cut and fill slopes); and (2) the motorized vehicle use is on clearly evident two-track routes with regular travel and continuous passage of motorized vehicles over a period of years. A two-track is where perennial vegetation is devoid or scarce, or where wheel tracks are continuous depressions in the soil yet evident to the casual observer and are vegetated. BLM roads include two-track routes under the resource road classification. A two-person seasonal inventory crew collected data on 436 miles of BLM roads (a total of 759 miles for all roads) during the summer of 2002 for the east half of the Monument, and another seasonal crew in 2004 collected additional information on 44 miles of BLM roads (a total of 81 miles for all roads) in the west half. Information on another 125 miles of BLM roads was obtained from existing data. The BLM roads in the Monument total 605 miles. There would be 201 miles (415 road segments) closed to public motorized use under the Preferred Alternative in the Proposed RMP/Final EIS. This includes 193 miles of two-track resource roads. The majority of the 201 miles of closed BLM roads would be allowed to reclaim naturally. For additional information see the Road Classification and Maintenance section of the Preferred Alternative in Chapter 2. Roads that are closed yearlong would not be available for game retrieval; about 81 miles of roads open seasonally would be available for game retrieval. Individuals with disabilities could request a permit to travel on closed roads consistent with the Rehabilitation Act of 1973. Such access would be considered on a case-by-case basis by the Monument Manager. For administrative purposes travel would be authorized off road and on closed roads for BLM, other federal agencies, state and county agencies, lessees and permittees. Administrative purposes would be limited to those activities necessary to administer the permit or lease.
2324-07	*Comment*	*Sign the open roads on the ground and display on the maps.*
2324-07	Response	The 404 miles designated open and limited BLM roads would be signed on the ground and the accompanying road number displayed on the Monument Travel Plan map that

would be prepared after completion of the RMP process and implementation begins. Existing traffic control and directional signs would be maintained. New signs would be added where monitoring indicates a need to enhance safety or prevent resource damage or visitor confusion. Roads open to motorized and mechanized travel would be signed (small road number signs). Closed roads would not be signed unless necessary to prevent resource damage.

2324-08 *Comment* *Outfitters and landowners should not be allowed to travel on roads unless the road is available for public use.*

2324-08 Response All 605 miles of BLM roads would be available for motorized travel associated with activities necessary to administer BLM permits and leases. For additional information see the Exceptions for Travel Off Road and on Closed Roads section under the Preferred Alternative in the Proposed RMP/Final EIS.

If a BLM road is closed to motorized public access, then that same road is also closed to the outfitter and his clients. Even if a landowner leases a ranch to an outfitter or gives them permission to cross private property, the road is closed to public use. The outfitter has to abide by the BLM stipulations in the authorized special recreation permit (SRP).

2324-09 *Comment* *Allow some public use on administrative roads (accessibility permits and game retrieval). Resource roads available for administrative use should be maintained by the principle user (whether grazing permittees, oil and gas, developers or BLM.*

2324-09 Response All 605 miles of BLM roads would be available for motorized travel associated with activities necessary to administer BLM permits and leases. About 81 miles that are open seasonally would be available for game retrieval. For additional information see the Exceptions for Travel Off Road and on Closed Roads section under the Preferred Alternative in the Proposed RMP/Final EIS.

Individuals with disabilities could request a permit to travel on the 201 miles of BLM roads closed consistent with the Rehabilitation Act of 1973. Such access would be considered on a case-by-case basis by the Monument Manager. If the need arises, the BLM could identify specific designated closed roads as access for individuals with disabilities. Game retrieval would be permissible on 81 miles of seasonally closed roads from September 1 through November 30 during the hunting season. For additional information see the Access and Transportation section of Chapter 2 in the Proposed RMP/Final EIS.

The BLM is responsible for maintenance of BLM roads; authorization would be required for maintenance by another party.

2324-10 *Comment* *The single track motorized trails are needed and should be a part of the transportation plan analysis.*

2324-10 Response No motorized single-track trails are permissible under the Proclamation issued in January 2001 and therefore, were not a part of the transportation plan in the RMP for the Monument. The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as a limited area consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. A single track trail system for motorized travel (ATVs, quads, motorcycles, etc.) is not authorized

or permissible in the Monument. All motorized and mechanized vehicles must stay on roads.

2324-11 *Comment* *Roads need to be properly maintained and adequate budget funding obtained.*

2324-11 Response Under the Preferred Alternative in the Proposed RMP/Final EIS there would be 404 miles of designated open BLM roads (293 miles open yearlong and 111 miles open seasonally). This includes 64 miles that would be included in Level 3 and 4 maintenance categories. These categories normally include annual maintenance work. The remaining 340 miles would be included in a Level 2 maintenance category and may receive spot maintenance work to correct a specific problem such as a washout or a slide. For additional information on the maintenance levels see the Access and Transportation section of Chapter 2.

2324-12 *Comment* *To be designated as a road, the route must be improved and maintained by mechanical means. The mere existence of user created two-track, ATV or jeep trials did not suffice. Any contention that a route is a road must be supported by proof of mechanical improvement and mechanical maintenance. The BLM may not change this definition.*

2324-12 Response Unimproved two-track routes are considered BLM resource roads. The following specifications were used to determine which routes would be inventoried for the Monument transportation plan. Motorized travel is not considered cross-country (off-road) on BLM land when: (1) the motorized vehicle uses constructed roads that are maintained by the BLM (constructed roads are often characterized with cut and fill slopes); and (2) the motorized vehicle use is on clearly evident two-track routes with regular travel and continuous passage of motorized vehicles over a period of years. A two-track is where perennial vegetation is devoid or scarce, or where wheel tracks are continuous depressions in the soil yet evident to the casual observer and are vegetated.

A two-person seasonal inventory crew collected data on 436 miles of BLM roads (a total of 759 miles for all roads) during the summer of 2002 for the east half of the Monument, and another seasonal crew in 2004 collected additional information on 44 miles of BLM roads (a total of 81 miles for all roads) in the west half. Information on another 125 miles of BLM roads was obtained from existing data. The BLM roads in the Monument total 605 miles. For additional information see the Transportation section of Chapter 3.

2324-13 *Comment* *BLM roads accessed from State closed roads or from private roads should be closed also.*

2324-13 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, there are several BLM roads extending from closed roads on state land. Through implementation, the BLM would coordinate with state agencies, including DNRC, to consider opening some roads on state land for public motorized travel.

Those BLM roads identified as dashed green lines on the transportation maps show where the public may need permission from the private landowner to access BLM roads (Map 5 in the Proposed RMP/Final EIS). Some landowners grant permission to cross their private property while others do not. We would rather show that some people could access the BLM land after receiving permission to cross private property, instead of showing no access at all. Motorized access for harvesting big game animals during the hunting season is just one of the reasons to have this option available.

2324-14 *Comment* *Need to state more clearly what the link (purpose and analysis) is between closed or restricted roads and the objects of the monument.*

Group		Roads – Definition
2324-14	Response	The Proclamation states the Secretary "shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects." The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29). These criteria are applicable to some of the BLM roads located in the Upper Missouri National Wild and Scenic River, the Cow Creek ACEC, and wildlife habitat in the Monument (several of the objects identified in the Proclamation). An example is the seasonal closure of certain roads for wildlife habitat security. For additional information see the Access and Transportation section of the Chapter 2.
2324-15	*Comment*	*Support bicycle use of the Breaks area. I was unable to find direct reference to bicycles in the RMP, although it possibly is in there. I would like to urge that bicycles be included as a valid form of personal transportation. Unlike horses, they do not erode trails, leave noxious seeds in their droppings, eat the plants, or require bales of foreign feed to be brought in to feed them. They are an almost ideal form of personal transport, leaving little trace of their passage, and being noiseless. As wheeled vehicles, I am concerned they will be considered inappropriate for a wilderness area, but I would urge you to look at the issue practically. They provide excellent access for those of us who can't hike 25 miles in a day anymore.*
2324-15	Response	Mountain bikes or bicycles would be able to travel any of the 404 miles of designated open BLM roads in the monument (yearlong or seasonal). Some of the 201 miles of closed roads could be designated as mountain bike routes through a separate site-specific planning and environmental review once the Record of Decision has been completed for the RMP. For additional information see the Access and Transportation section of Chapter 2 in the Proposed RMP/Final EIS.
2324-16	*Comment*	*Roads: I have no issue with closing roads; protection of wildlife should be a high priority. Primary access could be improved to allow access during inclement weather days and to allow visitation from mobility hampered individuals.*
2324-16	Response	The priority for upgrading BLM roads would focus on local and collector roads. Policy requires that a route analysis (traffic volume studies, feasibility, estimated costs, environmental analysis, etc.) be conducted on proposed road projects. Funding for any approved road projects would be allocated through the BLM Washington Office and our State Office in Billings. This would be the process, for example, to improve the road surface for inclement weather travel. As mentioned under the Access section of the Preferred Alternative in Chapter 2, individuals with disabilities could request a permit to travel on closed roads (201 miles) consistent with the Rehabilitation Act of 1973. Such access would be considered on a case-by-case basis by the Monument Manager. If the need arises, the BLM could identify specific designated closed roads as access for individuals with disabilities.
2324-17	*Comment*	*We request that your agency review the status of roads that have historically provided access to public lands in and around the monument, but are now closed to public use. For such roads that have a history of public use you should work with country commissions to have these roads re-opened for public use and declared as county roads to the public land boundary.*

2324-17 Response

It is not within BLM's authority to determine the status of a road that crosses private land. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM would coordinate with state agencies and county governments to improve public access to BLM land. Easements or fee acquisition opportunities would only be considered with willing landowners to enhance the values of the Monument and provide public access to or within the Monument, or additional public access to meet management objectives, including dispersed recreation use.

The BLM does not have the authority to make binding determinations on the validity of R.S. 2477 right-of-way claims. The BLM may, however, make informal, non-binding determinations for its own land use planning and management purposes. A non-binding determination that the right-of-way exists is required before completing consultation with states or counties on any proposed improvements to a claimed R.S. 2477 right-of-way, i.e., any work beyond routine maintenance. A non-binding determination may also be appropriate before taking action to close or otherwise restrict the use of a claimed R.S. 2477 right-of-way. Such determinations must be based on the particular laws of each state in which a claimed right-of-way is situated.

2324-18 *Comment*

I feel you have not responsibly addressed and dealt with OHVs within the Monument. While you are catering to other special interests you have chosen to ignore the growing demand for designated OHV trails. This would be easier to address and designate at this time than to fight the battle at a later date.

2324-18 Response

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

Under the Preferred Alternative in the Proposed RMP/Final EIS, any type of motorized vehicle would be able to travel on the BLM open roads but no public cross country travel would be allowed off of these designated roads.

2324-19 *Comment*

Closing roads in the Monument area is going to give a few privileged people access to the vast amount of scenic acres. If this is going to be for the public, then road closures should be decided on directly with the area land owners and the BLM. Together with good sound reasoning all parties could agree on what roads are necessary and what roads could be closed. Closing some roads could damage relationships with landowners and the general public.

2324-19 Response

Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). There are 65 miles of BLM roads providing access to private land that would be designated open yearlong and 2 miles (two roads) that would be designated closed.

The Preferred Alternative in the Proposed RMP/Final EIS would allow public motorized travel on 293 miles of roads open yearlong and 111 miles open seasonally. Of the 404 miles open yearlong or seasonally, about 124 miles (31% of the BLM road system) would not require landowner permission for access to these BLM roads.

Group		Roads – Definition
2324-20	*Comment*	*The prevailing trend of the past 35 ± years has been to close motorized recreation and access opportunities and not create any new ones. Additionally, roads or trails closed to motorized access are seldom, if ever, re-opened. The underlying objective of the Bureau of Land Management and Forest Service has been to restrict the public to a few major roads within public lands. We request that the cumulative negative effects of these policies be thoroughly evaluated so that a reasonable travel management decision is made. The evaluation of cumulative negative impacts should include all associated impacts such as social, economic, cultural, and the recreation needs of motorized visitors. It should also address the dilemma facing motorized recreationists after so many closures, i.e., Where can motorized visitors go when a functional network of roads and trails is eliminated? How can the public enjoy public lands when there is a lack of adequate access and recreational opportunities? Where can our children and grandchildren recreate?*
2324-20	Response	The Proclamation states the Secretary "shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects." One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. About 293 miles would be open yearlong and 111 miles would be open seasonally. The BLM would reduce the number of parallel and spur roads (172 miles) and some roads in areas with important wildlife habitat (1 mile), in areas considered unsuitable due to erosion and slope (13 miles), and in other areas (15 miles). There are 201 miles proposed for closure. The availability of 404 miles of designated open and limited BLM roads (67% of the road system) would provide many opportunities for motorized recreation. Under the Preferred Alternative, the BLM would coordinate with state agencies and county governments to improve public access to BLM land. Easements or fee acquisition opportunities would only be considered with willing landowners to enhance the values of the Monument and provide public access to or within the Monument, or additional public access to meet management objectives, including dispersed recreation use. Individuals with disabilities could request a permit to travel on closed roads consistent with the Rehabilitation Act of 1973. Such access would be considered on a case-by-case basis by the Monument Manager. If the need arises, the BLM could identify specific designated closed roads as access for individuals with disabilities. The environmental consequences section of the Draft RMP/EIS and Proposed RMP/Final EIS addresses the impacts from the six transportation plans discussed in Chapter 2. This includes the direct, indirect, and cumulative impacts.
2324-21	*Comment*	*The proposed action must not result in a disparity in the quantity of motorized recreational opportunities versus non-motorized recreational. The proposed action also must not result in a disparity in the quality of motorized recreational opportunities in comparison non-motorized recreational opportunities. Equal access laws also apply to motorized recreationists and provide for equal access to both an equal level of opportunities and an equal quality of opportunities. Our laws do not give non-motorized recreationists priority over motorized recreationists. Our laws also set the precedent that public facilities must be reasonably shared with one another.*

2324-21 Response

The Proclamation states the Secretary "shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects."

One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument.

Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. About 293 miles would be open yearlong and 111 miles would be open seasonally. The BLM would reduce the number of parallel and spur roads (172 miles) and some roads in areas with important wildlife habitat (1 mile), in areas considered unsuitable due to erosion and slope (13 miles), and in other areas (15 miles). There are 201 miles proposed for closure. The availability of 404 miles of designated open and limited BLM roads (67% of the road system) would provide many opportunities for motorized recreation.

2324-22 Comment

Site specific analysis was an important part of the 3-State OHV decision and was discussed many times in that document. The agency should commit the resources and has an obligation to evaluate the needs of OHV recreationists at a least the same level of detail as key wildlife and natural resource areas. Site specific analysis includes adequate identification and inventory of all existing motorized routes and adequate evaluation of the public's need for those routes.

2324-22 Response

The following specifications were used to determine which routes would be inventoried for the Monument transportation plan. Motorized travel is not considered cross-country (off-road) on BLM land when: (1) the motorized vehicle uses constructed roads that are maintained by the BLM (constructed roads are often characterized with cut and fill slopes); and (2) the motorized vehicle use is on clearly evident two-track routes with regular travel and continuous passage of motorized vehicles over a period of years. A two-track is where perennial vegetation is devoid or scarce, or where wheel tracks are continuous depressions in the soil yet evident to the casual observer and are vegetated.

A two-person seasonal inventory crew collected data on 436 miles of BLM roads (a total of 759 miles for all roads) during the summer of 2002 for the east half of the Monument, and another seasonal crew in 2004 collected additional information on 44 miles of BLM roads (a total of 81 miles for all roads) in the west half. Information on another 125 miles of BLM roads was obtained from existing data. The BLM roads in the Monument total 605 miles.

Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. About 293 miles would be open yearlong and 111 miles would be open seasonally. The BLM would reduce the number of parallel and spur roads (172 miles) and some roads in areas with important wildlife habitat (1 mile), in areas considered unsuitable due to erosion and slope (13 miles), and in other areas (15 miles). There are 201 miles proposed for closure.

2324-23 Comment

Current management trends are attempting to restrict public access to narrow corridors along major roads. This management trend is widespread among all agencies. If allowed

to continue, this trend will concentrate over 95% of the visitors to less than 10% of the area. The cumulative negative impact from concentrating visitors to narrow corridors will result in poor management of public lands and unreasonable access to public lands and recreational opportunities. We request the evaluation of the cumulative negative impacts from management goals that tend to concentrate visitors to narrow corridors and reduce recreation opportunities for motorized visitors. Other associated negative impacts that should also be evaluated include loss of dispersed recreation opportunities, reduced quality of recreation, loss recreation diversity, and unequal allocation of recreation opportunities.

2324-23 Response

If a visitor to the Monument wants to participate in recreational opportunity such as sightseeing from a vehicle, the motorized access could be provided along a designated open BLM road. Under the Preferred Alternative in the Proposed RMP/Final EIS, traveling portions of the 404 miles (67% of the road system) would provide many vista points and scenic overviews of this vast breaks landscape. Overall, about 216,700 acres of BLM land would be within 1/2 mile of a designated open BLM road (yearlong or seasonally). This is about 58% of the Monument.

2324-24 Comment

With the elimination of cross-country travel and millions of acres of area closures, motorized recreational opportunity can only be expressed as miles of roads and trails open to OHV visitors. Land area in acres cannot be used as a measure of motorized recreational opportunity. However, non-motorized recreational opportunities can be measured in acres of cross-country travel area available and miles of trails available. It is not equitable weigh motorized use on the same scale as non-motorized use. Non-motorized users are not held to the same standard as motorized use in that they are not confined to only trail access. Therefore, motorized recreational opportunities are limited to a set number of designated motorized routes while non-motorized recreational opportunities can include cross-country travel opportunities and are, therefore, unlimited. This distinction has not been adequately recognized and we request that this distinction and advantage be recognized in the analysis, formulation of motorized alternatives and decision-making.

2324-24 Response

The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes."

One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument.

Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. About 293 miles would be open yearlong and 111 miles would be open seasonally. The BLM would reduce the number of parallel and spur roads (172 miles) and some roads in areas with important wildlife habitat (1 mile), in areas considered unsuitable due to erosion and slope (13 miles), and in other areas (15 miles). There are 201 miles proposed for closure. The availability of 404 miles of designated open and limited BLM roads (67% of the road system) would provide many opportunities for motorized recreation.

2324-25 Comment

The Study prepared to address P.L. 105-359 (Improving Access to Outdoor Recreational Activities on Federal Land, prepared by Wilderness Inquiry, June 27, 2000) found and recommended the following areas of action:

Group		Roads – Definition
		1) Agencies must re-dedicate their efforts to achieve the goal of equal opportunities for access to outdoor recreation by persons with disabilities. *2) Agencies should conduct baseline assessments of existing facility and programmatic accessibility, and develop and implement transition plans for facilities and programs that are not now accessible to bring them into compliance.* *3) Increase accessibility related awareness and educational opportunities for agency personnel, service providers, and partners.* *4) Increase funding to federal land management agencies for accessibility.* *5) Increase accountability and oversight in implementing accessibility initiatives.* *6) Improve communications about opportunities for outdoor recreation to persons with disabilities.* *7) Clarify the balance between resource protection and accessibility.* *We request that the proposed action adequately address and comply with the recommendations of the Study conducted to address P.L. 105-359 including items 1 and 7.*
2324-25	Response	As mentioned under the Access section of the Preferred Alternative in Chapter 2, individuals with disabilities could request a permit to travel on closed roads (201 miles) consistent with the Rehabilitation Act of 1973. Such access would be considered on a case-by-case basis by the Monument Manager. If the need arises, the BLM could identify specific designated closed roads as access for individuals with disabilities. In addition, the Monument Level 1 recreation sites have been assessed and are in compliance with Americans with Disabilities Act (ADA) requirements.
2324-26	*Comment*	*The document and decision must clearly disclose on maps and tables and summaries all existing areas, and existing roads and trails that would be closed to motorized access and motorized recreationists. Summaries should include overall closures percentages. Otherwise public disclosure has not been adequately provided and the public will not be informed and the public including motorized recreationists will not be able to adequately participate and comment.*
2324-26	Response	No motorized single-track trails are permissible under the Proclamation issued in January 2001 and therefore, were not a part of the transportation plan in the RMP for the Monument. The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, these BLM lands are designated as a limited area consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. A single track trail system for motorized travel (ATVs, quads, motorcycles, etc.) is not authorized or permissible in the Monument. All motorized and mechanized vehicles must stay on roads. Under the Preferred Alternative in the Proposed RMP/Final EIS, 404 miles of BLM roads (67%) would be designated open for public motorized use sometime during the year (Table 2.38 and Map 5 in the Proposed RMP/Final EIS). The remaining BLM roads (201 miles or 33%) would be closed yearlong to motorized travel by the public. The current road system is addressed as Alternative A in the Draft RMP/EIS and Proposed RMP/Final EIS (Table 2.27 and Map 4 in the Proposed RMP/Final EIS).

Group		Roads – Definition
		The Summary Comparison of Alternatives and Summary Comparison of Environmental Consequences tables at the end of Chapter 2 display and compare the road system addressed by the six alternatives, including miles of road open yearlong, open seasonally, and closed.
2324-27	*Comment*	*Why are the extreme motorized closure alternatives presented and a middle of the road alternative based on existing routes plus new motorized routes needed to meet the public's need not presented? We are concerned that this demonstrates a significant predisposition in the current process.*
2324-27	Response	The Proclamation states the Secretary "shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects." One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument. The range of alternatives in the Draft RMP/EIS includes six alternatives for the transportation system in the Monument that address the Proclamation and BLM's goal. This range includes Alternative A (Current Management), which is the current designated road system. The range of alternatives varies from Alternative A, which would leave most roads open yearlong or seasonally, to Alternative E, which would close most of the roads in the Monument. The 404 miles of designated open and limited BLM roads under the Preferred Alternative in the Proposed RMP/Final EIS would provide a network of collector and local roads including 242 miles of two-track resource roads for motorized recreation. One of the issues for the Monument is the lack of public motorized public access. Under the Preferred Alternative in the Proposed RMP/Final EIS, there would be public motorized access for 124 miles (31% of the BLM road system open); landowner permission is not required for access to these BLM roads. The BLM would coordinate with state agencies and county governments to improve public access to BLM land. Easements or fee acquisition opportunities would only be considered with willing landowners to enhance the values of the Monument and provide public access to or within the Monument, or additional public access to meet management objectives, including dispersed recreation use.
2324-28	*Comment*	*A reasonable test of significance of impacts from motorized closures on motorized recreationists must be used. A reasonable test would include evaluation of indicators including:* *1. Where else can motorized recreationists go within a reasonable distance and with equal recreation value?* *2. Do motorized recreationists have an adequate selection of the recreational resources with the proposed motorized closure(s)?* *3. What is the balance of recreational opportunities in the area and region as demonstrated by the information developed from the outline shown in Table 1?* *4. Are the existing motorized recreational opportunities sufficient for the needs of the public?* *5. Are there documented user conflict and can the recreational resources be reasonably shared?*

6. What are the cumulative effects of this motorized closure combined with all other motorized closures?

2324-28 Response

The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes."

One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument.

Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. About 293 miles would be open yearlong and 111 miles would be open seasonally. There are 242 miles of two-track resource roads that are designated open to public motorized traffic. Most of these routes would require high clearance vehicles. The BLM would reduce the number of parallel and spur roads (172 miles) and some roads in areas with important wildlife habitat (1 mile), in areas considered unsuitable due to erosion and slope (13 miles), and in other areas (15 miles). There are 201 miles proposed for closure. The availability of 404 miles of designated open and limited BLM roads (67% of the road system) would provide many opportunities for motorized recreation.

The environmental consequences section of the Draft RMP/EIS and Proposed RMP/Final EIS addresses the impacts from the six transportation plans discussed in Chapter 2. This includes the direct, indirect, and cumulative impacts. Most of the public land administered by BLM adjacent to or near the Monument are included in a limited area designation where motorized wheeled cross-country travel is prohibited (motorized travel on roads is allowed).

2324-29 Comment

Motorized closures are being enacted incrementally and without adequate disclosure and consideration of the cumulative effects. Travel plans are created or revised every 10 years. If 25 to 50% of the existing motorized recreational opportunities are closed in each successive travel plan (a typical range), then over the course of 3 travel planning cycles or about 30 years in a given area, only 13 to 42% of the original motorized recreational opportunities will remain at the end of the third cycle. This trend is being ignored at all levels including the actions listed in Table 2. The draft Resource Management Plan for the Upper Missouri River Breaks does not adequately recognize and address this trend. The national planning policy does not recognize and address this trend. Therefore, this cumulative effect is being effectively ignored and that failure to notice will result in the ultimate loss of any meaningful motorized recreational opportunities and the creation of de facto wilderness from large blocks of multiple-use lands. We ask that this significant negative cumulative effect on motorized recreationists be adequately recognized, evaluated and mitigated at all levels starting with this project.

2324-29 Response

The Proclamation states the Secretary "shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects." One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument.

Under the Preferred Alternative in the Proposed RMP/Final EIS, 404 miles of BLM roads (67%) would be designated open for public motorized use sometime during the year (Table 2.38 and Map 5 in the Proposed RMP/Final EIS). The remaining BLM roads (201

miles or 33%) would be closed yearlong to motorized travel by the public. There are 242 miles of two-track resource roads that are designated open to public motorized traffic. Most of these routes would require high clearance vehicles.

The environmental consequences section of the Draft RMP/EIS and Proposed RMP/Final EIS addresses the impacts from the six transportation plans discussed in Chapter 2. This includes the direct, indirect, and cumulative impacts. Most of the public land administered by BLM adjacent to or near the Monument are included in a limited area designation where motorized wheeled cross-country travel is prohibited (motorized travel on roads is allowed).

2324-30 *Comment* *We request a corrective action and over-arching mitigation plan that will undo the significant impact that all cumulative motorized access and motorized recreational closures has had on motorized recreationists over the past 35 years. We also request a monitoring program be provided by an unbiased third-party to assure that this correction occurs within our lifetime.*

2324-30 Response This resource management plan deals only with the BLM land specifically designated under the 2001 Proclamation as a Monument. The implementation and monitoring process for the Monument involves four major steps: planning; implementing; monitoring; evaluating and adjusting as necessary through planning. Planning involves a great amount of time and resources to identify issues and management opportunities to address those issues. During the planning process, the scope of the issue is identified and management goals, objectives and actions are defined to address the issues. Once the planning process is completed, decisions are implemented, monitored, and evaluated over a period of time to determine if goals are being met and if management actions are achieving the desired objective or standard. Results of monitoring are documented and communicated to appropriate parties, and management objectives and actions are modified based on results, if necessary.

The BLM will review monitoring results on a periodic basis, and any management objectives or actions that may need to change or be adjusted will be open to public review and comment before decisions are made through an environmental review process. Appendix H provides more information on implementation and monitoring.

2324-31 *Comment* *1. Why are motorized recreationists the only ones to lose ground in every action?*

2. Where does the public go to replace the motorized access and motorized recreation that will be closed?

3. What is the cumulative effect on the public of this motorized access and motorized recreational closure combined with all other motorized access and motorized recreation closures in the state?

4. The development of a plan to mitigate the significant impacts on the public from the loss of motorized access and motorized recreational opportunities from the proposed action and the combined cumulative effect of all other actions in the state.

5. There are no compelling reasons to close as many motorized access and motorized recreational opportunities as proposed. It is simply contrary to the public need in the area and the way that the public uses the area. Closing 36% of the existing routes is simply not acceptable.

6. Alternative B better represents the public's need for motorized access and motorized recreations in the Breaks area.

7. Additionally, there are compelling reasons to maintain and enhance the existing level of motorized access and motorized recreation in the project area beyond those included as either Alternative A or B as discussed in detail in our attached comments. Alternative F is contrary to the needs of 95+% of the public.

2324-31 Response

One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument.

Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. About 293 miles would be open yearlong and 111 miles would be open seasonally. The BLM would reduce the number of parallel and spur roads (172 miles) and some roads in areas with important wildlife habitat (1 mile), in areas considered unsuitable due to erosion and slope (13 miles), and in other areas (15 miles). The availability of 404 miles of designated open and limited BLM roads (67% of the road system) would provide many opportunities for motorized recreation (Table 2.38 and Map 5 in the Proposed RMP/Final EIS).

The remaining BLM roads (201 miles or 33%) would be closed yearlong to motorized travel by the public. There are 242 miles of two-track resource roads that are designated open to public motorized traffic. Most of these routes would require high-clearance vehicles.

The environmental consequences section of the Draft RMP/EIS and Proposed RMP/Final EIS addresses the impacts from the six transportation plans discussed in Chapter 2. This includes the direct, indirect, and cumulative impacts. Most of the public land administered by BLM adjacent to or near the Monument are included in a limited area designation where motorized wheeled cross-country travel is prohibited (motorized travel on roads is allowed).

2324-32 Comment

In order to adequately meet the needs of the widest cross-section of public visitors we ask that the planning address:

- *Backcountry Discovery routes for dual-sport motorcycles, and OHV's similar to the Oregon Backcountry Discovery route, Great Western Trail in Utah, and the Silver State Trail in Nevada are greatly needed by motorized recreationists in Montana. There are many opportunities to designate these sorts of routes in the Upper Missouri River Breaks project area but the current alternative does not do that. We ask that a network of backcountry routes be included in the final alternative so that the majority of the public can visit and enjoy the monument.*
- *The public including motorized recreationists have a great need for all existing routes including those required for access to private lands, vistas, overlooks, historic features, and areas of interest in the Upper Missouri River Breaks. Too many of these routes were not included in Alternative F and we request that they be added back into the preferred plan.*
- *Connections for existing routes in the Upper Missouri River Breaks area to produce motorized loops are greatly needed by motorized recreationists in Montana.*

- *The monument plan should be balanced based on meeting the needs of over 95% of the public for motorized access and motorized recreational opportunities as documented in our attached comments. The current plan does not have this balance.*

2324-32 Response

Motorized single-track trails are not allowed under the Proclamation issued in January 2001 and therefore, were not a part of the transportation plan in the RMP for the Monument. The breaks topography limits the availability of loop roads in the Monument. Spur roads down ridge lines provide the majority of the motorized routes.

One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument.

Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. About 293 miles would be open yearlong and 111 miles would be open seasonally. However, the majority would require permission from the private landowner before the public could travel with a motorized vehicle on these BLM roads. The BLM would reduce the number of parallel and spur roads (172 miles) and some roads in areas with important wildlife habitat (1 mile), in areas considered unsuitable due to erosion and slope (13 miles), and in other areas (15 miles). There are 201 miles proposed for closure.

The 404 miles of designated open and limited BLM roads under the Preferred Alternative in the Proposed RMP/Final EIS would provide a network of collector and local roads including 242 miles of two-track resource roads for motorized recreation. The other 162 miles of BLM open road have been improved at one time and have either a single or double-lane driving surface.

Resource roads normally are spur roads that provide point access and connect to local or collector roads. They carry very low volume and accommodate only one or two types of use. The location and design of these roads are governed by environmental compatibility and minimizing Bureau costs, with minimal consideration for user cost, comfort, or travel time. This includes two-track roads. Most resource roads would be assigned to a Level 2 maintenance category. This level is assigned to roads where the management objectives require the road to be opened for limited traffic. Typically, these roads are passable by high-clearance vehicles.

Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). There are 65 miles of BLM roads providing access to private land that would be designated open yearlong and 2 miles (two roads) that would be designated closed.

2324-33 *Comment*

It seems to me, Alternative F (Preferred Alternative) travel plan required by the Proclamation to protect the objects of the Monument does not have any indication that the plan "protects the objects" of the Monument, no rhyme or reason to "protect the objects" and certainly no list of biological, geological or historical objects listed in the Proclamation. How can a transportation plan that addresses the actions, including road closures or travel restrictions necessary to protect the objects identified in this Proclamation, contain no list of objects to work with? The Draft does not list the objects, tangible or intangible. Here is a list of the tangible objects: Biological: mule deer; elk;

antelope; bighorn sheep; sage grouse; prairie dogs; sparrow hawk; ferruginous hawk; peregrine falcon; golden eagle; forty-eight fish; goldeye; drum; sauger; walleye; northern pike; channel catfish; small mouth buffalo; six paddlefish populations; blue sucker; shovel nose sturgeon; sicklefin; sturgeon club; pallid sturgeon. Geological: Bullwhacker Creek area; Upper Missouri River; Arrow Creek; Antelope Creek; Judith River. Historical: Lewis & Clark Historical Trail; Nez Perce National Historical Trail; Cow Creek Island Area of Critical Environmental Concern; grotesque figures.

2324-33 Response

The Proclamation states the Secretary "shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects."

The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29). These criteria are applicable to some of the BLM roads located in the Upper Missouri National Wild and Scenic River, the Cow Creek ACEC, and wildlife habitat in the Monument (several of the objects identified in the Proclamation). An example is the seasonal closure of certain roads for wildlife habitat security. For additional information see the Access and Transportation section of the Chapter 2.

2324-34 Comment

GPS roads less than 1/10 mile in length, suggest closing. Attachment U is a picture of an example of roads 1/10 mile in length, created just to look over the top of the hill. Roads must be closed.

2324-34 Response

Short spur roads was one of the criteria (see pages 94 and 95 of the Draft RMP/EIS) used to determine BLM road closures for public motorized use. Under the Preferred Alternative in the Proposed RMP/Final EIS, 135 miles of spur roads would be closed.

2324-35 Comment

The USDI, BLM published in September 1981 Wilderness Management Policy (Attachment AA). I have included the title page and page 9, 10 and 11 in this presentation. In Chapter II. Management Policy for BLM-Administered Wilderness, which states Prohibition of Certain uses: "Except where subject to existing private rights, where necessary to meet minimum requirements for the administration of the wilderness area for the purposes of the Act or as specifically provided for elsewhere in these policies, there shall be no temporary road, no use of motor vehicles, motorized equipment, or motor boats, no landing of aircraft, no other forms of mechanical transport and no structures or installation within wilderness areas. There shall be no commercial enterprise or permanent road, except where subject to existing private rights or as specifically provided for in this policy."

2324-35 Response

No BLM land in the Monument has been designated as wilderness by Congress. The six wilderness study areas are protected and managed under the BLM's Interim Wilderness Policy (published in July 1995). For additional information see the Wilderness Study Area section of Chapter 2 of the Proposed RMP/Final EIS.

2324-36 Comment

The draft RMP/EIS identifies three classifications for roads (i.e., collector roads, local roads, resource roads) and five maintenance levels (page 92), but does not discuss or disclose the existing condition of roads within the Monument.

Information regarding conditions of existing roads within the Monument, including road segments contributing to water quality and fisheries problems should be disclosed in the draft RMP/EIS. Are the roads within the Monument in good condition with adequate, well maintained road BMPs that avoid drainage and erosion problems, stable road stream crossings, properly sized culverts, and culverts that pass fish at all life stages and during fish spawning periods? Is sediment production and transport resulting from poorly drained or maintained roads an issue on Monument lands?

Group		Roads – Definition
2324-36	Response	The BLM roads in the Monument total 605 miles. A two-person seasonal inventory crew collected data on 436 miles of BLM roads (a total of 759 miles for all roads) during the summer of 2002 for the east half of the Monument, and another seasonal crew in 2004 collected additional information on 44 miles of BLM roads (a total of 81 miles for all roads) in the west half. Information on another 125 miles of BLM roads was obtained from existing data. Information collected for the roads included the number of lanes (two-track, single lane, etc.), surface type (natural unimproved, gravel surface, etc.), width, and improvements (culverts, cattleguards, etc.). The road information along with wildlife habitat data, erosion and slope factors, recreation data and the criteria included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29) was used to develop the six alternatives addressed in the RMP/EIS. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. About 293 miles would be open yearlong and 111 miles would be open seasonally. All of the seasonal are for wildlife habitat security and big game winter range. The BLM would reduce the number of parallel and spur roads (172 miles) and some roads in areas with important wildlife habitat (1 mile), in areas considered unsuitable due to erosion and slope (13 miles), and in other areas (15 miles). There are 201 miles proposed for closure.
2324-37	*Comment*	*We are concerned about lack of information and disclosure of the condition of existing roads in regard to erosion, drainage, BMP adequacy and road maintenance. The RMP/EIS should disclose road drainage/BMP conditions on the existing BLM road network, and identify roads which cannot be adequately maintained within agency budgets and capabilities, particularly roads that may have poor drainage or erosive conditions that may be contributing to water quality and fisheries impacts, and roads which fragment and adversely impact important wildlife habitat.*
2324-37	Response	The BLM roads in the Monument total 605 miles. A two-person seasonal inventory crew collected data on 436 miles of BLM roads (a total of 759 miles for all roads) during the summer of 2002 for the east half of the Monument, and another seasonal crew in 2004 collected additional information on 44 miles of BLM roads (a total of 81 miles for all roads) in the west half. Information on another 125 miles of BLM roads was obtained from existing data. Information collected for the roads included the number of lanes (two-track, single lane, etc.), surface type (natural unimproved, gravel surface, etc.), width, and improvements (culverts, cattleguards, etc.). The road information along with wildlife habitat data, erosion and slope factors, recreation data and the criteria included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29) was used to develop the six alternatives addressed in the RMP/EIS. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. About 293 miles would be open yearlong and 111 miles would be open seasonally. All of the seasonal restrictions are for wildlife habitat security and big game winter range. The BLM would reduce the number of parallel and spur roads (172 miles)

and some roads in areas with important wildlife habitat (1 mile), in areas considered unsuitable due to erosion and slope (13 miles), and in other areas (15 miles). There are 201 miles proposed for closure.

2324-38 *Comment* *We note that it is difficult to effectively restrict motorized access and protect public lands with simple gated road closures. Road rip-seed-slash (obliteration or full road recontour) is a more effective, and thus, preferred method of road closure. The draft RMP/EIS indicates that most closed roads would be "reclaimed naturally" (page 100). We interpret this to mean that nothing would be done in most cases to revegetate closed roads or restore natural landscapes. We advise removing and restoring stable drainage ways during road removal to address water quality concerns. It is important that adequate attention be directed to culvert removal and ripping, scarifying, and seeding disturbed areas with native seed where "natural reclamation" may take an unduly long time. We also note that adequate budgets need to be provided to close and obliterate roads and restore natural drainages and restore and revegetate natural landscapes.*

2324-38 Response The 201 miles of BLM roads that would be closed to public motorized travel under the Preferred Alternative in the Proposed RMP/Final EIS are mostly unimproved two-track resource roads. Many of these roads provide administrative use for permittees and leasees. For administrative purposes travel would be authorized off road and on closed roads for BLM, other federal agencies, state and county agencies, lessees and permittees. Administrative purposes would be limited to those activities necessary to administer the permit or lease. If a segment of a closed road provides access to a facility and becomes impassable, maintenance could be authorized on a case-by-case basis.

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

2324-39 *Comment* *BLM should adopt the road definition used in the original Wilderness Study process mandated by FLPMA. Put simply, a road cannot be established by the mere passage of vehicles but, rather, is constructed and regularly maintained by equipment with regular and continuous use.*

From the standpoint of wildlife habitat security alone the Citizen's proposal for 100 miles of open roads compared to the BLM preferred alternative of 377 miles of open roads is highly beneficial.

2324-39 Response The following specifications were used to determine which routes would be inventoried for the Monument transportation plan. Motorized travel is not considered cross-country (off-road) on BLM land when: (1) the motorized vehicle uses constructed roads that are maintained by the BLM (constructed roads are often characterized with cut and fill slopes); and (2) the motorized vehicle use is on clearly evident two-track routes with regular travel and continuous passage of motorized vehicles over a period of years. A two-track is where perennial vegetation is devoid or scarce, or where wheel tracks are continuous depressions in the soil yet evident to the casual observer and are vegetated. BLM roads include two-track routes under the resource road classification.

A two-person seasonal inventory crew collected data on 436 miles of BLM roads (a total of 759 miles for all roads) during the summer of 2002 for the east half of the Monument, and another seasonal crew in 2004 collected additional information on 44 miles of BLM roads (a total of 81 miles for all roads) in the west half. Information on another 125 miles of BLM roads was obtained from existing data. The BLM roads in the Monument total 605 miles.

Group		Roads – Definition
		Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. About 293 miles would be open yearlong and 111 miles would be open seasonally. All of the seasonal restrictions are for wildlife habitat security and big game winter range.
2324-40	*Comment*	*To be deemed a road, a route must be "improved and maintained by mechanical means." Id. Legally, the mere existence of two-track ATV or jeep trails created solely by the passage of motorized vehicles does not suffice.*
2324-40	Response	With the exception of the wilderness inventory process under Section 603 of the Federal Land Policy and Management Act the BLM does not have formal, standardized definition of a road. The following specifications were used to determine which routes would be inventoried for the Monument transportation plan. Motorized travel is not considered cross-country (off-road) on BLM land when: (1) the motorized vehicle uses constructed roads that are maintained by the BLM (constructed roads are often characterized with cut and fill slopes); and (2) the motorized vehicle use is on clearly evident two-track routes with regular travel and continuous passage of motorized vehicles over a period of years. A two-track is where perennial vegetation is devoid or scarce, or where wheel tracks are continuous depressions in the soil yet evident to the casual observer and are vegetated. BLM roads include two-track routes under the resource road classification.
2324-41	*Comment*	*Unless constructed and regularly maintained by equipment all two-track resource roads should be closed to motorized vehicles. Instead, trailheads should be established so that folks on foot or horseback can access the wilder portions of the Monument, such as Bullwhacker, Cow Creek, Ervin Ridge, and Woodhawk.*
2324-41	Response	The 201 miles of BLM roads that would be closed to public motorized travel under the Preferred Alternative in the Proposed RMP/Final EIS are mostly unimproved two-track resource roads. The 242 miles of designated open two-track resource roads would be assigned a Level 2 maintenance category (spot maintenance to correct a problem but the entire road is not bladed). This level is assigned to roads where the management objectives require the road to be opened for limited traffic. Typically, these roads are passable by high-clearance vehicles and include two-track roads. Under the Preferred Alternative in the Proposed RMP/Final EIS, Level 2 campsites in the uplands would be park and explore sites where people could walk from designated parking areas.
2324-44	*Comment*	*Our organization realizes that not every "ridgeline road" should continue to be traveled, but the proposal to seasonally restrict or close 387 additional miles is unacceptable. With the goal for the BLM road system to provide reasonable access, provide diverse recreation and protect the objects for which these goals are not being met. A road system should not be arbitrarily based on what percentage of roads are within one mile of an open road, but based on where resource objectives are not being met.*
2324-44	Response	The Preferred Alternative in the Proposed RMP/Final EIS would allow public motorized travel on 293 miles of roads open yearlong and 111 miles open seasonally. Of the 404 miles open yearlong or seasonally, about 124 miles (31% of the BLM road system) would not require landowner permission for access to these BLM roads.

The 201 miles closed are mostly two-track resource roads (193 miles) where the closures were determined by using the criteria listed in Table 2.26 in the Draft RMP/EIS and Table 2.29 in the Proposed RMP/Final EIS. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM would reduce the number of parallel and spur roads (172 miles) and some roads in areas with important wildlife habitat (1 mile), in areas considered unsuitable due to erosion and slope (13 miles), and in other areas (15 miles). Road density was not one of the criteria. Road density is part of the analysis and discussion in the environmental consequences section of the document, Chapter 4.

2324-45 *Comment* *The BLM has repeatedly excluded two tracks as roads prior to the Proclamation, which states there are to be no off-road vehicle use in the Monument. Why have you now included off-road as "roads"?*

2324-45 Response Motorized single-track trails are prohibited but the two track roads are a part of the Monument transportation plan. The following specifications were used to determine which routes would be inventoried for the Monument transportation plan. Motorized travel is not considered cross-country (off-road) on BLM land when: (1) the motorized vehicle uses constructed roads that are maintained by the BLM (constructed roads are often characterized with cut and fill slopes); and (2) the motorized vehicle use is on clearly evident two-track routes with regular travel and continuous passage of motorized vehicles over a period of years. A two-track is where perennial vegetation is devoid or scarce, or where wheel tracks are continuous depressions in the soil yet evident to the casual observer and are vegetated. BLM roads include two-track routes under the resource road classification.

2324-46 *Comment* *The BLM has the responsibility to make certain that all of the planned road closures are absolutely necessary. How will the planned road closures affect the ability to fight fires? How will they affect hunters? The BLM should have meetings with the Montana Outfitters and Guide Association to closely examine each and every road closure one at a time. The BLM should also hold a few meetings with Non Resident hunters to see how the closures will affect them. I am a Non Resident hunter who has hunted on private land that is intermingled with BLM lands. Will I be able to travel on the public land roads to have access to the private land that I hunt? BLM land is owned by all the citizens of the United States and all of them should have access to these lands.*

2324-46 Response Any emergency activity involving motorized vehicles would be allowed on closed roads and off road. Travel off road and on closed roads would be allowed for any military, fire, search and rescue, or law enforcement vehicle used for emergency purposes.

The retrieval of harvested big game animals would be permissible on specific designated seasonal roads (81 miles under the Preferred Alternative in the Proposed RMP/Final EIS). For additional information see Map 5 and the Access and Transportation section of Chapter 2 in the Proposed RMP/Final EIS.

The development of the management plan for the Monument included many opportunities for public involvement from scoping through alternative development and comments on the Draft RMP/EIS. For additional information on the public involvement process see Chapter 5 of the Proposed RMP/Final EIS.

Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). There are 65 miles of BLM roads providing access to private land that would be designated open yearlong and 2 miles (two roads) that would be designated closed.

Group		Roads – Definition
2324-47	*Comment*	*Road System Criteria pg. xxv. The panel on page xxv denoting Road System Criteria indicates some weak indicators of management direction. As commented upon earlier in this letter, the use of the words "some" and "could" must be defined further. For example, "Bighorn Sheep Lambing Areas- For some (emphasis added) resource roads that are located within bighorn sheep lambing areas, a seasonal closure will be implemented from April 15 to June 15." No assurances are indicated in this and throughout this direction that protective measures are assured. Considering that resource roads are of the lowest priority on the maintenance schedule and/or importance, a statement reflective that ALL resource roads will be closed in bighorn sheep lambing areas unless they meet specific criteria would go a long way towards assuring Montana hunters that the BLM is doing all it can to protect this nationally significant bighorn sheep herd. The same statement can be made for the other categories: Greater Sage grouse, Big-game Winter range, Designated Sensitive Species, and Bald Eagle.*
2324-47	Response	Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security areas and wildlife winter range areas. The road system could be modified if vehicle use traffic patterns or resource conditions change. This process would include coordination with MFWP and monitoring of wildlife populations for stress, over-harvest, or disturbances during critical time periods. Modifications to the road system would be based on the management guidance under the Preferred Alternative, including the factors listed in Table 2.29 in the Proposed RMP/Final EIS, and changes would be addressed through a travel plan update with public participation and environmental review.
2324-48	*Comment*	*Roads* • *All roads that originate on private lands are currently informal, undesignated roads (the exception being the road to the Walling's property); these roads should be considered closed unless designated open for specific uses. BLM roads designated open in the travel plan cannot be legally defined as open if the road crosses private land and landowner permission is required for public travel. Roads that originate on private lands and extend into the Monument without providing public access should be closed unless it can be determined within three years that they provide a specific beneficial use to the general public.* • *Commercial recreation services should only be allowed on roads that provide public access. Although the number of commercial permits for vehicle tours is unlimited, the number of trips allowed per day is appropriately restricted to two in the Preferred Alternative.* • *The Bullwhacker Road should be closed where it drops down to the Missouri River. No public roads are appropriate in the National Wild and Scenic River Corridor.* • *All Monument roads should be closed unless designated open.* • *All roads within Wilderness Study Areas that have been created since they were designated should be closed. All public roads within the Areas of Critical Environmental Concern created since they were designated should also be closed.* • *Critical and sensitive wildlife habitat should be the determining factor when deciding if a closed road will be designated open.* • *Travel Planning within the document lacks consistency of management. Reasoning for specific travel decisions on specific roads remains non-transparent. The final needs to contain a panel of explanations or the full Travel Plan be revisited.*

2324-48 Response

Under the Preferred Alternative, those BLM roads identified as dashed green lines show where the public may need permission from the private landowner to access BLM roads (Map 5 in the Proposed RMP/Final EIS). Landowner permission may be required for access to BLM roads. Some landowners grant permission to cross their private property while others do not.

Private property owners have the right to determine who can drive across their land whether it provides access to other private property, state land, or to BLM land. The BLM will respect private property rights.

Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). There are 65 miles of BLM roads providing access to private land that would be designated open yearlong and 2 miles (two roads) that would be designated closed.

All unauthorized roads in any WSA are closed to motorized access.

Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security areas and wildlife winter range areas.

The road system could be modified if vehicle use traffic patterns or resource conditions change. This process would include coordination with MFWP and monitoring of wildlife populations for stress, over-harvest, or disturbances during critical time periods. Modifications to the road system would be based on the management guidance under the Preferred Alternative, including the factors listed in Table 2.29 in the Proposed RMP/Final EIS, and changes would be addressed through a travel plan update with public participation and environmental review.

The BLM roads in the Monument total 605 miles. A two-person seasonal inventory crew collected data on 436 miles of BLM roads (a total of 759 miles for all roads) during the summer of 2002 for the east half of the Monument, and another seasonal crew in 2004 collected additional information on 44 miles of BLM roads (a total of 81 miles for all roads) in the west half. Information on another 125 miles of BLM roads was obtained from existing data. Information collected for the roads included the number of lanes (two-track, single lane, etc.), surface type (natural unimproved, gravel surface, etc.), width, and improvements (culverts, cattleguards, etc.).

The criteria used to develop the alternatives are included in Chapter 2 of the Draft RMP/EIS (Table 2.26) and the Proposed RMP/Final EIS (Table 2.29). Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. About 293 miles would be open yearlong and 111 miles would be open seasonally. All the seasonal restrictions are based on wildlife habitat security and big game winter range. The BLM would reduce the number of parallel and spur roads (172 miles) and some roads in areas with important wildlife habitat (1 mile), in areas considered unsuitable due to erosion and slope (13 miles), and in other areas (15 miles). There are 201 miles proposed for closure.

Group		Roads – Definition
2324-49	*Comment*	*Alt E states that closed roads will be open for individuals with disabilities. This is wrong. When a road is closed, it should be closed. Exceptions invite abuse. Moreover, accommodation for disabilities is not meant to provide more access for disabled persons, only reasonably equal access. The Act states its purpose as providing "a clear and comprehensive national mandate for the elimination of discrimination against individuals with disabilities." The ADA Act guarantees disabled people access to employment, public accommodations, transportation, public services and telecommunications. Toilet facilities, interpretive walks, interpretive signs are appropriate places for accommodating disabled people by putting in appropriate facilities. Opening closed areas to vehicles is not. In addition, legally defined disability does not include, among other things, chemical addiction, obesity, natural aging process or lack of physical strength unless due to disease.* *The Americans With Disabilities Act does not require that "closed" roads be made available for those with disabilities. "A primary goal of the ADA is the equal participation of individuals with disabilities in the 'mainstream' of American society."(II-3.4000). Surely a Monument, designated to maintain or restore the natural landscape, does not need to add "extra" roads where many driving choices already exist. The multiple roads in the Monument are sufficient for all people.*
2324-49	Response	None of the alternatives in the Draft RMP/EIS or Proposed RMP/Final EIS would just open all closed roads for individuals with disabilities. Individuals with disabilities could request a permit to travel on closed roads consistent with the Rehabilitation Act of 1973. Such access would be considered on a case-by-case basis by the Monument Manager. If the need arises, the BLM could identify specific designated closed roads as access for individuals with disabilities.
2324-50	*Comment*	*The need for any road closures to protect wildlife in the Monument is highly suspect. The Montana FWP is required by law to manage game species throughout Montana. At no time has the FWP asked the BLM to close roads in the Monument area because of the adverse impact vehicle travel has had on wildlife.*
2324-50	Response	Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security areas and wildlife winter range areas. Montana Fish, Wildlife and Parks (MFWP) is responsible for fish and wildlife population management. The State of Montana is a cooperating agency with BLM for preparing the management plan for the Monument. As a cooperating agency MFWP has provided the BLM wildlife habitat data and input on the transportation plan. The road system could be modified if vehicle use traffic patterns or resource conditions change. This process would include coordination with MFWP and monitoring of wildlife populations for stress, over-harvest, or disturbances during critical time periods. Modifications to the road system would be based on the management guidance under the Preferred Alternative, including the factors listed in Table 2.29 of the Proposed RMP/Final EIS, and changes would be addressed through a travel plan update with public participation and environmental review.
2324-53	*Comment*	*The BLM's decision to close roads appears to be based in part on the level of maintenance these roads have been given in the past. Virtually all of the Level 1 and 2 roads (little or no maintenance) are slated for closure/seasonal restriction to the public.*

Such rationale has no connection in meeting the needs of the monument and appears to be simply an excuse to close hundreds of miles of road. Moreover, most of the roads classed as Level I or 2 are two-track roads and require little if any maintenance. In fact, grading these two track roads would only destroy the natural cover on the road and contribute to needless erosion. Occasional vehicle travel is the best way to maintain these roads and allowing them to stay open is in keeping with the traditional uses of the area.

2324-53 Response The 201 miles closed are mostly two-track resource roads (193 miles) where the closures were determined by using the criteria listed in Table 2.26 in the Draft RMP/EIS and Table 2.29 in the Proposed RMP/Final EIS. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM would reduce the number of parallel and spur roads (172 miles) and some roads in areas with important wildlife habitat (1 mile), in areas considered unsuitable due to erosion and slope (13 miles), and in other areas (15 miles).

2324-54 Comment *The closure of most state roads in the monument needs further research. The BLM has contended that state law defines state sections as either being opened or closed to public access. We have been advised that the reason state roads have been closed is that state lease holders have requested those closures because they couldn't control the public and feared they would be held liable for off road damage, spread of weeds, etc. That needs to be investigated. While the monument maps shows most state roads as being closed, enforcement of those road closures has never been done and unless there is some reciprocal agreement between state and federal, who is going to police the state roads in the monument? State policy on signing those closed roads is also unknown. BLM policy will be that unless a road is designated opened, it is closed.*

2324-54 Response The information displayed on Map 3 in the Draft RMP/EIS for roads on state land was provided by the Department of Natural Resources and Conservation. The State of Montana is responsible for the enforcement of any restrictions or signing efforts applicable to state land.

2324-55 Comment *We believe a case could be made that the BLM's road closure plan to protect biological objects, i.e. game animals, improperly infringes on Montana FWP's ability to manage game animals – of which hunter harvest is a key to that ability. By closing a vast amount of hunter access into the monument the BLM is greatly reducing the ability to harvest game animals.(Walk in hunting is a non starter in the rough terrain of the Breaks and retrieval of big game animals, such as elk, without the benefit of a vehicle is virtually impossible.) Even FWP allows game retrieval on block management areas that in some cases includes BLM land. We believe the RMP's road closure plan violates the Proclamation provision that states: "Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of Montana with respect to fish and wildlife management." The BLM certainly has license to manage habitat but to close roads to protect big horn sheep lambing areas or reduce stress on animals by reducing the ability to access the area to hunting appears to violate the Proclamation and usurps FWP ability to continue to manage game in the monument.*

2324-55 Response Montana Fish, Wildlife and Parks (MFWP) is responsible for fish and wildlife population management. The State of Montana is a cooperating agency with BLM for preparing the management plan for the Monument. As a cooperating agency MFWP has provided the BLM wildlife habitat data and input on the transportation plan.

Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Under the Preferred Alternative, there would be roads

designated open to public travel in wildlife habitat security areas and wildlife winter range areas.

The road system could be modified if vehicle use traffic patterns or resource conditions change. This process would include coordination with MFWP and monitoring of wildlife populations for stress, over-harvest, or disturbances during critical time periods. Modifications to the road system would be based on the management guidance under the Preferred Alternative, including the factors listed in Table 2.38, and changes would be addressed through a travel plan update with public participation and environmental review.

Game retrieval would be allowed on 81 miles of seasonally closed roads from September 1 through November 30 during the hunting season. For additional information see the Access and Transportation section of Chapter 2 and Map 5 in the Proposed RMP/Final EIS.

2324-56 *Comment* *The RMP fails to explain the process and rationale used to determine game winter range and crucial habitat. Closing or seasonally restricting roads to protect winter range has little meaning in the Missouri Breaks. The level of vehicle traffic in these areas is unknown, the impact of this unknown vehicle traffic on game animals is likewise unknown; yet, many miles of roads are being closed under these faulty assumptions. If vehicle traffic has truly adversely impacted game animals in the past, both the BLM and FWP have had ample opportunity to impose necessary restrictions years ago. The truth is, vehicle traffic has not adversely impacted game animals in the past and there is little reason to think there will be any marked increase in the future. The majority of winter travel in the monument is from locals with little or no tourist travel noted.*

2324-56 Response The affected environment section, Chapter 3, includes information for wildlife habitat in the Monument. Montana Fish, Wildlife and Parks (MFWP) is responsible for fish and wildlife population management. The State of Montana is a cooperating agency with BLM for preparing the management plan for the Monument. As a cooperating agency MFWP has provided the BLM wildlife habitat data and input on the transportation plan.

Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security areas and wildlife winter range areas.

The road system could be modified if vehicle use traffic patterns or resource conditions change. This process would include coordination with MFWP and monitoring of wildlife populations for stress, over-harvest, or disturbances during critical time periods. Modifications to the road system would be based on the management guidance under the Preferred Alternative, including the factors listed in Table 2.29, and changes would be addressed through a travel plan update with public participation and environmental review.

2324-57 *Comment* *On most BLM land the policy has been that if the public can access an open BLM road, the public may travel the road no matter what the federal leasee desires. There is a consistency problem between state and federal policies on road closures that needs to be addressed.*

2324-57 Response

The Preferred Alternative in the Proposed RMP/Final EIS would allow public motorized travel on 293 miles of roads open yearlong and 111 miles open seasonally. Of the 404 miles open yearlong or seasonally, about 124 miles (31% of the BLM road system) would not require landowner permission for access to these BLM roads. If a BLM road is designated open, the road is open to everyone.

The State of Montana is responsible for the enforcement of any restrictions or signing efforts applicable to state land.

2324-58 Comment

The proposed closure or seasonal restriction of 2/3 of the monument roads clearly is contradicted by the BLM's published transportation goal depicted on page 28 RMP that states that the goal is to provide access to state and federal land.

2324-58 Response

The Preferred Alternative in the Proposed RMP/Final EIS would allow public motorized travel on 293 miles of roads open yearlong and 111 miles open seasonally. Of the 404 miles open yearlong or seasonally, about 124 miles (31% of the BLM road system) would not require landowner permission for access to these BLM roads.

The 201 miles closed are mostly two-track resource roads (193 miles) where the closures were determined by using the criteria listed in Table 2.26 in the Draft RMP/EIS and Table 2.29 in the Proposed RMP/Final EIS. Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM would reduce the number of parallel and spur roads (172 miles) and some roads in areas with important wildlife habitat (1 mile), in areas considered unsuitable due to erosion and slope (13 miles), and in other areas (15 miles).

2324-59 Comment

Curiously, the RMP goes to great length to portray crucial wildlife habitat and game animal distributions. Yet, there is no discussion as to how this crucial habitat was identified and no connection is made as to how the roads selected for closure will resolve the adverse impact these roads are perceived to have on these game populations. Again, closing roads based on their maintenance level represents little connectivity to the purported need to protect habitat and any direct connection would at best be only a random occurrence.

2324-59 Response

The affected environment section, Chapter 3, includes information for wildlife habitat in the Monument. Montana Fish, Wildlife and Parks (MFWP) is responsible for fish and wildlife population management. The State of Montana is a cooperating agency with BLM for preparing the management plan for the Monument. As a cooperating agency MFWP has provided the BLM wildlife habitat data and input on the transportation plan.

Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security areas and wildlife winter range areas.

The road system could be modified if vehicle use traffic patterns or resource conditions change. This process would include coordination with MFWP and monitoring of wildlife populations for stress, over-harvest, or disturbances during critical time periods. Modifications to the road system would be based on the management guidance under the Preferred Alternative, including the factors listed in Table 2.29, and changes would be addressed through a travel plan update with public participation and environmental review.

Group		Roads – Definition
2324-60	*Comment*	*Why would anybody propose to close a road without talking to the people who live at the end of the road?*
2324-60	Response	The road closures deal with public motorized access, not administrative use by the landowners. Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). There are 65 miles of BLM roads providing access to private land that would be designated open yearlong and 2 miles (two roads) that would be designated closed.
2324-61	*Comment*	*All resource roads are limited to administrative traffic. That statement is not totally true, because everybody has used all of the roads for administrative purposes, and the public in general has used these roads. There has been no definition or enforcement of violations.*
2324-61	Response	The information in Tables 2.22 and 2.23 on page 92 of the Draft RMP/EIS created some confusion about motorized travel on resource roads and this was clarified in the Proposed RMP/Final EIS. For administrative purposes travel would be authorized off road and on closed roads for BLM, other federal agencies, state and county agencies, lessees and permittees. Administrative purposes would be limited to those activities necessary to administer the permit or lease. If a segment of a closed road provides access to a facility and becomes impassable, maintenance could be authorized on a case-by-case basis.
2324-63	*Comment*	*Prohibiting motorized vehicles. In a way this goes back to number one because what about where ranchers should be able to go out and be within the scope of their easement for stock grazing. That's a reference to the rights-of-way based on the Mining Act of 1866.*
2324-63	Response	For administrative purposes travel would be authorized off road and on closed roads for BLM, other federal agencies, state and county agencies, lessees and permittees. Administrative purposes would be limited to those activities necessary to administer the permit or lease. This includes livestock permittees building or maintaining fences, delivering salt or supplements, moving livestock, or checking wells or and pipelines as part of the implementation of a grazing permit or lease
2324-64	Comment	*Open road designations on State Land follow criteria established in policy which includes: "Roads on State Land should not be designated open if they require access via a private road not usable by the public." This would apply to many road segments within the Monument. Close review of Map 3 - Alternative F reveals many open road segments that either lead to a closed road crossing State Lands or in several cases are designated open on the other side of a closed road crossing State Lands. In both cases, the open designation on BLM roads could encourage trespass by motorized vehicles over closed State Lands. As open, public access is established, BLM, working with the Trust Land Division of DNRC, should develop a list of road segments that are recommended to be opened for public access across State Land and to formally seek this change in status through the State Land Board as required by State law and rule.* *We are concerned that the seasonal road closures may not cover an adequate period to winter to allow for necessary protection of big game and suggest that BLM consider extending the seasonal road closure period beyond March 31.*

Group		Roads – Definition
2324-64	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, there are several BLM roads extending from closed roads on state land. Through implementation, the BLM would coordinate with state agencies, including DNRC, to consider opening some roads on state land for public motorized travel. Alternative E in the Draft RMP/EIS considered a seasonal closure from December 1 through May 15 for big game winter range. Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer).

Group		Roads – Specific Roads Identified
2325-01	*Comment*	*The Bullwhacker road should be closed to public use from where it begins a steep descent from the uplands into the river corridor to the Gist place.*
2325-01	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, this segment of the road would be closed from December 1 through August 31. Although this segment of the road can be challenging to drive on, it is an important road for big game harvest and game retrieval during the fall hunting season (September 1 to November 30).
2325-02	*Comment*	*There should be public access to BLM land on the north end of Bullwhacker Road from the Cow Island Road. The Bullwhacker road is a public road and why does map show the Ervin Ridge Road as public access through some private land but not to the public land boundary?*
2325-02	Response	The portion of the Bullwhacker road on the north is on private land (Map 5). Also, two sections of the Ervin Ridge road are on private land.
2325-03	*Comment*	*The Bull Creek road is a county road from US Highway 191 to the Missouri River.*
2325-03	Response	The map in the Proposed RMP/Final EIS was corrected. The map now shows the Bull Creek road as a county road to the Missouri River.
2325-04	*Comment*	*The 79 Trail road should not be closed to public use.*
2325-04	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). The 79 Trail road would be open.
2325-05	*Comment*	*More roads should be available for hunting in the Fargo Coulee area.*
2325-05	Response	The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt. This includes some roads in the Fargo Coulee area.

Group		Roads – Specific Roads Identified
2325-06	*Comment*	*The Goat Trail road (Birch Creek Hill) should be left open for travel when the McClelland/Stafford Ferry is closed.*
2325-06	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). The Goat Trail road would be open.
2325-07	*Comment*	*Keep the Stafford Ferry Bottom road to the Knox family homestead open.*
2325-07	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use).
2325-08	*Comment*	*Keep the Dauphine Rapids road (east of Stafford Ferry) open.*
2325-08	Response	The Preferred Alternative in the Proposed RMP/Final EIS would allow changes in road designations in the future if there is a need for recreational activity and access at Stafford Ferry on the south side. The road system could be modified if vehicle use traffic patterns or resource conditions change. Modifications to the road system would be based on the management guidance under this alternative, including the factors listed in Table 2.38, and changes would be addressed through a travel plan update with public participation and environmental review.
2325-09	*Comment*	*We see on your UMRBNM, East Half Transportation Map, you have our road marked closed. Our land is Lots 3, 4, 6, and 8 of Section 6, Township 22 North, Range 23 East, M.P.M. which by the NRCS contains 187 acres in Fergus County, Montana.* *This road does go all the way down to the land, which is the road that we use. We need to keep this access open.*
2325-09	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use).
2325-10	*Comment*	*Keep an unnumbered road in the Antelope Creek WSA open as an "A" seasonal restriction another 2 miles as shown on the attached map. The reason for keeping it open is simply better access to a large area for hunting. Hunters are only able to walk a few miles before it gets to be an ordeal to drag an animal back to the truck.*
2325-10	Response	Only vehicle ways identified in the original wilderness inventory (1977) for Antelope Creek are eligible as existing open BLM roads. In the Antelope Creek WSA, about 3 miles of vehicle ways would be open yearlong and 5 miles would be open seasonally. Any new roads or extensions of existing roads are considered unauthorized and must be closed immediately to public motorized use. A portion of the route shown on the map in the Draft RMP/EIS is an unauthorized route and is no longer shown on the map. This vehicle way would be closed to enhance opportunities for visitors seeking solitude in the Antelope Creek WSA.
2325-11	*Comment*	*I would like to keep the short road segments circled on the map open. These roads connect private land parcels to each other. The private land (of) these roads is open to public use all year.*

2325-11 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use).

Only vehicle ways identified in the original wilderness inventory (1977) for Antelope Creek are eligible as existing open BLM roads. Several routes shown on the map in the Draft RMP/EIS are unauthorized routes and are no longer shown on the map.

2325-12 *Comment* *My family and I have enjoyed camping, hunting, fishing and floating the Judith River that is now part of the Monument. Motorized vehicle access utilizing existing roads, crossing both private and Monument land, is essential to my family being able to enjoy this great treasure. The closest county road is more than two miles away from these treasured spots and very often is ten miles away. The current road system on the eastern side paralleling the Judith River (usually within a couple hundred yards) affords excellent river access for nearly ten miles of Judith river.*

Limiting access and/or closing of existing roadways would effectively put a stop to my family's enjoyment of the Judith River and it's adjoining land because of our inability to carry camping equipment, fishing and hunting equipment, and float tubes over such great distances.

2325-12 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use).

2325-13 *Comment* *As to the BLM road system I feel that you need to stay with the Alternative A or current management. I personally use two roads in particular that by your maps will be closed for accessing a well in the corner of a State land section 36 that has problems with the overflow and I go down to make sure the overflow is working properly or if I have to unplug it occasionally.*

These two roads are as follows: the S 1/2 of Section 36 and the other is SW 1/4 of Section 25, S 1/2 of Section 26, NE 1/4 of Section 35 and NW 1/4 of Section 36, all in 21N-21E.

2325-13 Response BLM roads to the boundary of state land would remain open for administrative travel including state leaseholders. However, these roads would be closed for public travel. This includes the two BLM roads accessing the NW 1/4 of Section 36 (T21N, R21E).

2325-14 *Comment* *See maps submitted for Square Butte Block Management Area.*

2325-14 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). Other changes in the Square Butte Block Management Area were made based on the public comments.

2325-15 *Comment* *Make every effort to reopen the Bullwhacker Road. This is a major road into the area and has quite a historical background. It appears to me that any road with a historical background like this would be of very historical value and would fall under any legal terms that would not permit it to remain open. They should also remain open if they have been maintained with public funds. Take the issue to court if necessary. This should have been accomplished at the moment the private landowner shut down the road across his*

land. If need be, reconstruct the road around his property and deny him permission to access his land from this newly constructed road.

2325-15 Response This portion of the Bullwhacker road is private land (Map 3). The BLM reserves the option to build new roads if necessary to access blocks of BLM land.

2325-16 Comment *Don't close the Bullwhacker Road where it drops down to the Missouri River. Leave all the roads that are there open but no new roads should be built.*

2325-16 Response Under the Preferred Alternative in the Proposed RMP/Final EIS this segment of the road would be closed from December 1 through August 31. Although this segment of the road can be challenging to drive on, it is an important road for big game harvest and game retrieval during the fall hunting season (September 1 to November 30).

2325-17 Comment *In particular, please close the DeWeese Road. That act of vandalism should not be part of the system.*

2325-17 Response The DeWeese road was documented as an improved cherry stem road during the BLM wilderness inventory work in 1977 and 1978 and is recorded as such in the original Woodhawk WSA file located in the Lewistown Office. Under the Preferred Alternative in the Proposed RMP/Final EIS, the DeWeese road would be open yearlong to the cherry stem portion of the road. The cherry stem would be open seasonally.

2325-18 Comment *I understand that a roadway was recently widened and graded in the Dog Creek Wilderness Study Area with a bulldozer. Enforcement of road restrictions will likely be necessary for the first few years, especially.*

2325-18 Response There was a section of vehicle way #1 in the Dog Creek South WSA that received unauthorized spot maintenance work. The surface disturbance is being allowed to reclaim naturally.

The BLM will provide uniformed law enforcement patrols of the Monument. The law enforcement program will stress public compliance through education and outreach to develop a sense of public ownership of the Monument. The BLM will respond to resource violations consistent with current law enforcement responsibilities within the Lewistown Field Office.

2325-19 Comment *The road from Qunells should be improved for access. This is a road my family has used to get to the river, get out of the river, and supply floaters and haul out garbage from family floaters. I would like to be able to continue to use this road to enjoy the river and for some to have fishing access.*

2325-19 Response The Chouteau County Commissioners have identified the county road only as far as the ranch buildings for the Qunell property. The BLM road shown on Map 5 in the Proposed RMP/Final EIS would be designated open with landowner permission required to the campground fence.

2325-20 Comment *In particular, the Bullwhacker Road should be closed where it descends to the river.*

2325-20 Response Although this segment of the road can be challenging to drive on, it is an important BLM resource road for big game harvest and game retrieval during the fall hunting season September 1 through November 30. Under the Preferred Alternative in the Proposed RMP/Final EIS this segment of the road would be closed from December 1 through August 31.

2325-21	*Comment*	*GPS roads leading to dry gas wells, no other amenities. Suggest these roads be closed. Map "Bullwhacker Area" from Draft Alternative F (Preferred Alternative) with an overlay of gas wells drilled since 1965 shows a dry gas well located at the end of most every road (Draft Alternative F) map. These roads have no use now and should be closed (Alternative S).*
2325-21	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded. Some of these roads in the Bullwhacker area provide access to areas used for dispersed recreation.
2325-22	*Comment*	*I am not for locking up any land that has value in generating income for the State coffers, or recreation for our hunters, fishermen, campers, or other outdoor users.*
2325-22	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, those BLM roads providing access to private land would be designated open yearlong to motorized travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). BLM roads to the boundary of state land would remain open for administrative travel including state leaseholders. These roads would also be open for public travel, if shown to meet Monument objectives. The BLM would coordinate with state agencies on roads open to the public that lead to or from state land. There are about 80 miles of BLM roads providing access to state land; 59 miles would be open yearlong, 13 miles open seasonally, and 8 miles closed. The 404 miles of designated open BLM roads under the Preferred Alternative would provide a network of collector and local roads including 242 miles of two-track resource for public motorized recreation.
2325-23	*Comment*	*The only "road in the Bullwhacker which is maintained and meets the definition of 'road' leads from the Cow Island Trail to the Gist Ranch. Even this road is passable only under dry conditions. There is no right-of-way document [for this road] and the route across private land requires 'good-will' access." Id. at 5. It therefore makes sense for the BLM to close this lone road at the ridge overlooking the Missouri River and, in its place, create a trailhead (this is a logical destination point because the section of the road beyond the ridge is signed as dangerous, being steep and subject to continual erosion and possible sloughing).*
2325-23	Response	Although this segment of the road can be challenging to drive on, it is an important BLM resource road for big game harvest and game retrieval during the fall hunting season September 1 through November 30. Under the Preferred Alternative in the Proposed RMP/Final EIS this segment of the road would be closed from December 1 through August 31.
2325-24	*Comment*	*A right-of-way could be obtained for the Bullwhacker road to remove the trespass on private land.*

2325-24 Response This portion of the Bullwhacker Road is private land. Private property owners have the right to determine who can drive across their land whether it provides access to other private property, state land, or to BLM land. The BLM will respect private property rights.

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

2325-25 Comment *If the roads I have circled and some more are not left open it means more pressure on our private land and private roads.*

2325-25 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use).

2325-26 Comment *The (lands that) are known as the Bullwhacker, comprising some of the wildest country remaining in all the Great Plains, must be managed so as to retain its wild character.*

2325-26 Response Based on the public comments received on the Draft RMP/EIS for the Bullwhacker area, the BLM reviewed and compared the previous inventory with the current road system, natural gas wells in the area, and other developments. Approximately 46,000 of BLM land in the Monument are within the original Bullwhacker inventory unit (MT-065-255) and another 3,000 acres are just west of the Monument (within the Lewistown Field Office). The Bullwhacker unit was inventoried in the late 1970s as part of the Montana Wilderness Inventory Process. In 1980 it was determined that Bullwhacker, while meeting the size criteria of wilderness characteristics, had too many man-made structures, such as roads from oil and gas developments. The inventory identified 45 vehicle ways, 57 reservoirs, gas lines, and 44 live or dry gas wells (BLM 1980). Since the original inventory the area has seen an increase in the number of roads and natural gas exploration and development. While the area is remote it still has numerous roads and impacts created by natural gas operations. This comparison showed an additional 34 miles of roads, eight new natural gas wells, two additional active natural gas wells, and another seven miles of natural gas pipelines since the 1979/1980 inventory.

2325-29 Comment *Road Classification and Maintenance pg. xxv. Bullwhacker Road is listed as a local road within this section. Currently access through private land within the Monument is in question and there are other concerns regarding Bullwhacker Road.*

At one time Blaine County received gas-tax reimbursement based on mileage of the Bullwhacker Road and the connection creating a continuous route across the mouth of Bullwhacker Creek across the Gist Homestead to the Ervin Ridge Road inside the Wild and Scenic corridor. Bullwhacker Road is mostly passable until a point where it begins to descend into the coulee on Bullwhacker Creek approximately at the boundary of the W&S River boundary; Map 3 - Side A shows this as a seasonally open road that connects to Ervin Ridge Road.

MWF questions the appropriateness of using this portion of the road anytime year round; it is highly eroded, very dangerous and not amenable to any effective maintenance without changing the very nature of the landscape. The existence of the sign which is posted at the approximate place suggested for the terminus confirms our fears, "Caution

Dangerous Washout. Do Not Proceed." Given that this road enters into a "Wild and Scenic "section of the Missouri where man-made intrusions are inappropriate and the provision in the previous section of the RMP which directs road management directions that states ". . . The BLM will reduce (roads) . . . in areas considered unsuitable due to erosion slope and if geological formations, cultural sites or riparian areas are being degraded."

MWF strongly suggests that Bullwhacker Road be closed to motorized travel at the aforementioned point and a parking area placed for non-motorized entry into the W&S area. This section meets all criteria listed in BLM's own directives; to become usable, substantial changes to the geological formations through which it would traverse would be necessary and would negatively impact the surrounding area.

Relevant Legal Ramifications of Bullwhacker and other Monument Roads Bullwhacker Road along with Ervin Ridge Road and Mabee Road are likely candidates for being designated public roads under RS2477 and the Montana State Curative Statute. Roads that satisfy the definitions held in these statutes are vulnerable to court imposed open designation. It would be appropriate for this information to be reflected in the Preferred Alternative.

2325-29 Response Although this segment Bullwhacker road can be challenging to drive on, it is an important BLM resource road for big game harvest and game retrieval during the fall hunting season September 1 through November 30. Under the Preferred Alternative in the Proposed RMP/Final EIS this segment of the road would be closed from December 1 through August 31.

Current guidance is contained in Washington Office Instruction Memorandum 2006-159: Non-Binding Determinations of R.S. 2477 Right-of-Way Claims. Briefly, this guidance states that the BLM does not have the authority to make binding determinations on the validity of R.S. 2477 right-of-way claims. The BLM may, however, make informal, non-binding determinations for its own land use planning and management purposes. A non-binding determination that the right-of-way exists is required before completing consultation with states or counties on any proposed improvements to a claimed R.S. 2477 right-of-way, i.e., any work beyond routine maintenance. A non-binding determination may also be appropriate before taking action to close or otherwise restrict the use of a claimed R.S. 2477 right-of-way. Such determinations must be based on the particular laws of each state in which a claimed right-of-way is situated. For additional information see the Lands and Realty section of Decisions Common to All Alternatives in Chapter 2.

2325-30 Comment The Bullwhacker road should not be open to the public where it enters the Wild and Scenic Corridor.

2325-30 Response Although this segment of the road can be challenging to drive on, it is an important BLM resource road for big game harvest and game retrieval during the fall hunting season September 1 through November 30. Under the Preferred Alternative in the Proposed RMP/Final EIS this segment of the road would be closed from December 1 through August 31.

2325-33 Comment Open more access roads for fishing, such as Willow Coulee on the Salem Road near Great Falls. It makes it a lot easier for older people and handicapped people to get out and enjoy the scenery and go fishing and boating.

2325-33 Response This area is outside of the Monument. The Widow Coulee road is a fishing access site under the management of Montana Fish, Wildlife and Parks.

Group		Roads – Specific Roads Identified
2325-34	*Comment*	*The two road closures slated for Ratherford Ridge north of our corrals in the Middle pasture should remain open as we take friends and family out to view Big Horn Sheep and Elk. The short road past the Stafford Ferry landing should also remain open for camping, parking for hunters and fishermen. The Knox family also needs clarification on the existence of the road going to our private land off the county road on Stafford Ferry Bottom. A road does exist there and it needs to remain open. Also any roads that access private land should remain open. I am asking for current management (Alternative A) on the roads issue.*
2325-34	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, those BLM roads providing access to private land would be designated open yearlong to motorized travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use).
2325-35	*Comment*	*Of particular concern are roads that cross BLM on the way to private land. Some examples of this category are as follows: The road to Heller Bottom, the 79 road, the road to the Allison Bottom, the Goat Trail, the Ervin Ridge road, and the Powerline Trail to Brow Ridge. I have probably missed some, but the central point is that any road accessing private land should not be encumbered by a closure.*
2325-35	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, those BLM roads providing access to private land would be designated open yearlong to motorized travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use).
2325-36	*Comment*	*It is very important to us that roads in the Armells, Two Calf and Sand Creek areas stay open so that we may properly manage our cattle business as well as our environmental obligations to the land we depend on and treasure.*
2325-36	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, those BLM roads providing access to private land would be designated open yearlong to motorized travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). For administrative purposes travel would be authorized off road and on closed roads for BLM, other federal agencies, state and county agencies, lessees and permittees. Administrative purposes would be limited to those activities necessary to administer the permit or lease. This includes livestock permittees building or maintaining fences and water facilities, delivering salt or supplements, moving livestock, checking wells and pipelines, or other activities directly associated with the implementation of a grazing permit or lease.
2325-37	*Comment*	*It has been a large part of my family's recreation to drive to an area we own on the Missouri River. This place has been a site for many family gatherings and camping trips. There are many great spots to fish, camp, and swim in this area. To close the road to this spot would be ridiculous because it's a sparsely used road that is less than even a half a mile long.*
2325-37	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, those BLM roads providing access to private land would be designated open yearlong to motorized travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use).
2325-38	*Comment*	*There are a few closures that would adversely affect our ranch and that is the closure at the head of Fargo Coulee and the closure for the Middle Two Calf area.*

2325-38 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, those BLM roads providing access to private land would be designated open yearlong to motorized travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use).

For administrative purposes travel would be authorized off road and on closed roads for BLM, other federal agencies, state and county agencies, lessees and permittees. Administrative purposes would be limited to those activities necessary to administer the permit or lease. This includes livestock permittees building or maintaining fences and water facilities, delivering salt or supplements, moving livestock, checking wells and pipelines, or other activities directly associated with the implementation of a grazing permit or lease.

2325-39 Comment *An example of how inaccurate the data is, is the fact that the PN Bridge Road on which I live is not even routed in its appropriate spot. The Alternative F map actually shows the PN Bridge Rd. running on what is really Tobin Lane. According to this map there is no PN Bridge Road running past my residence. This is inaccurate.*

2325-39 Response The maps in the Proposed RMP/Final EIS have been corrected.

2325-40 Comment *Under Alternative F you are proposing to seasonally close a road on State land in Township 22 N Range 16 E section 36 that between myself and my neighbors gets used every day of the fair weather months for work. To close this road would make it impossible to get the work done. This is just one example of many roads used in this area to keep the local economy moving.*

2325-40 Response The BLM has no authority or jurisdiction on state land or roads. Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use).

2325-41 Comment *One of the issues that is proposed is to close the Heller Bottom road and various other roads. The proposal for our property is while the bighorn sheep are birthing. I have traveled that road as have a lot of people during this time. If our driving on those roads diminishes their reproduction why are they transplanting them out of our area?*

2325-41 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, those BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use).

Currently in the Missouri Breaks area we do not see motorized use (vehicle travel) at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Under the Preferred Alternative, there would be roads designated open to public travel in wildlife habitat security areas and wildlife winter range areas.

2325-42 Comment *We need our road to be able to spray weeds and keep noxious weeds out, plant a garden if so desired or just go and spend as much time as we want on the land.*

2325-42 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private

landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). There are 65 miles of BLM roads providing access to private land that would be designated open yearlong and 2 miles (two roads) that would be designated closed.

2325-43 *Comment* *Why close down motorized access to youth, senior citizens, disabled and al people of the USA to this stretch of land? I know it is not the private landowners idea, which were unjustly annexed into the monument, as they have held a lifelong open door policy to their land and very much welcome any opportunity to educate and recreate. The landowners have had this policy for years – it is called hospitality and it does not cost the BLM or government a single dollar.*

2325-43 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. The BLM would reduce the number of parallel and spur roads and some roads in areas with important wildlife habitat, in areas considered unsuitable due to erosion and slope, and where unique geologic formations, cultural sites or riparian areas are being degraded.

The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. Under this alternative, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Additional information is included in the BLM Road System section of Chapter 2 in the Proposed RMP/Final EIS.

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

2325-44 *Comment* *The following roads are recommended to remain open year round because they do represent important traditional hunting and recreational use by local citizens and enhance the ability of FWP to manage game animals in the monument area:*

Fergus County Roads

(1) All roads, trails, and two tracks in the Upper, Middle, and Lower Two Calf drainages as bounded by the DY Trail road, the Knox Ridge road, and the Lower Two Calf road.

(2) All roads, trails and two tracks that originate from and including the MaBee road and the Armells Creek crossing that enables travel to and connection with the Knox Ridge road.

(3) All roads, trails and two tracks originating from and including the Woodhawk Bottom road.

(4) All roads, trails, and two tracks originating from and including the Heller Bottom road.

(5) All roads, trails and two tracks originating from and including the Woodhawk trail road, Sunshine Ridge road, DeWeese road, and Middleton Ridge road. Not included would be roads in the Woodhawk WSA.

(6) The two track road one quarter mile west of the Stafford Ferry road that connects from the Stafford Ferry road to the Missouri River. This is a favored access road to the river enjoyed by many local residents for camping and fishing.

(7) The 79 road originating from the PN road and extending to the Stulc ranch on the Judith River.

Chouteau County/ Blaine County Roads

(1) The road originating from the Lloyd road north of Stafford Ferry and traversing westward to the Judith Landing, locally known as the Goat Trail should remain open.

(2) The Ervin Ridge road originating from the Lloyd road and extending eastward to the Cow Creek ACEC should remain open.

2325-44 Response

The Preferred Alternative in the Proposed RMP/Final EIS would provide public motorized travel on 293 miles of roads designated open yearlong and 111 miles designated open seasonally. In addition, 81 miles of seasonally open BLM roads would be designated as big game retrieval roads during the hunting season (September 1 through November 30). Hunters would only be able to drive on these resource roads from 10 a.m. to 2 p.m. each day to retrieve their wildlife harvest, but not as access to hunt.

Under the Preferred Alternative, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). There are 65 miles of BLM roads providing access to private land that would be designated open yearlong and 2 miles (two roads) that would be designated closed.

The Woodhawk Bottom Road would be open yearlong to the campground and river access.

The Heller Bottom Road, Woodhawk Trail, and Goat Trail would be open yearlong.

The Sunshine Ridge Road would be open yearlong to the boundary road for the Woodhawk WSA. The boundary road would be open seasonally (closed from September 1 through November 30 with game retrieval allowed from 10:00 a.m. to 2:00 p.m.).

The DeWeese Road would be open yearlong to the cherry stem road in the Woodhawk WSA. The cherry stem road would be open seasonally (closed from September 1 through November 30 with game retrieval allowed from 10:00 a.m. to 2:00 p.m.).

The Middleton Ridge Road would be open seasonally (closed from September 1 through November 30 with game retrieval allowed from 10:00 a.m. to 2:00 p.m.).

The Ervin Ridge Road would be open yearlong to the east end of the Ervin Ridge WSA. The road eastward from this point would be open from September 1 through November 30 to provide access for hunting opportunities (closed from December 1 through August 31).

2325-45 Comment

Several roads on our grazing lease are to be closed. We were never consulted on these closures. Two of the roads provide us with our only access to water line and tanks. These need to be left open.

2325-45 Response For administrative purposes travel would be authorized off road and on closed roads for BLM, other federal agencies, state and county agencies, lessees and permittees. Administrative purposes would be limited to those activities necessary to administer the permit or lease. This includes livestock permittees building or maintaining fences and water facilities, delivering salt or supplements, moving livestock, checking wells and pipelines, or other activities directly associated with the implementation of a grazing permit or lease.

2325-46 Comment *As a landowner in Sec 19 and 20 T22N and R22E I am concerned that the plan shows proposed BLM road closures (red lines) in section 20 and section 30 that are used by me to access my land. In addition to proposed state lands road closures in adjoining sections and private landowner access issues this is unacceptable.*

2325-46 Response The BLM has no authority or jurisdiction on state land or roads. Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). This includes the two BLM roads in sections 20 and 30.

2325-47 Comment *Road access report through our property on Bullwhacker Road:*

- *2005 – 369 people (calendar attached with daily count during hunting season)*
- *2004 – 520 people (calendar attached with daily count during hunting season)*

We believe this is the best possible solution considering the problems we have had in the past. Almost all of the problems we have had in the past have been eliminated. The program worked very efficiently. This program might be used as a model by the BLM with other private land holders in the Monument to provide the public access where none exists.

2325-47 Response Private property owners have the right to determine who can drive across their land whether it provides access to other private property, state land, or to BLM land. The BLM will respect private property rights. Under the Preferred Alternative, those BLM roads identified as dashed green lines show where the public may need permission from the private landowner to access BLM roads (Map 5 in the Proposed RMP/Final EIS).

Numerous landowners do grant permission to reach BLM land and the Montana Dept of Fish, Wildlife, & Parks has several Block Management Area (BMA) agreements in place for public access during the hunting season. Currently 29% of the BLM road system provides public access to the Monument where landowner permission is not required to access BLM roads. However, the presence of these BMAs have provided increased access and therefore increased motorized vehicle use during the big game hunting season.

2325-48 Comment *According to the definitions in the legend there is a road that comes up from Harry Liddle's private property that goes through the Hay Coulee allotment that according to the legend is an open BLM road that runs through our private property in Milk River Bill. How can this be an open BLM road when it is not even a main road and access through our private property is not allowed without permission? Access to that road is very restricted due to the private property and the weather conditions at the time which makes travel impossible at times. The definition according to the legend is land owner permission required for access to go through our private property. It also leads to the Three Mile Ridge Road where it is landowner permission required for access to BLM land. We would just like to know the reason why it was determined that the road through*

Hay Coulee is an open BLM road when it is less accessible than the Three Mile Ridge Road?

2325-48 Response

The Three Mile Ridge Road although not part of the Monument is a legal public access road on BLM land northward from the Cow Island Road. The Milk River Bill Road from the Three Mile Ridge Road eastward to the Anchor Ranch private property is also legal public motorized access outside of the Monument.

The BLM road east of the private land would be designated open for motorized travel with landowner permission so that folks given permission to cross the Anchor Ranch could also travel on this part of the Milk River Bill Road. If this segment of the road on BLM is closed, no public travel would be allowed.

2325-49 Comment

The Bullwhacker Road is the primary access to over a hundred thousand acres of BLM land, public land. That road was constructed before Montana became a state, and it's been used by the public for 130 years. Unfortunately a little bit of the road crosses private land, and a couple of years ago that road was closed for public access. And the best I know today the BLM has taken no action to reopen that access to a hundred thousand acres of public land.

2325-49 Response

Private property owners have the right to determine who can drive across their land whether it provides access to other private property, state land, or to BLM land. The BLM will respect private property rights.

Landowner permission may be required for access to BLM roads. Some landowners grant permission to cross their private property while others do not. Under the Preferred Alternative, those BLM roads identified as dashed green lines show where the public may need permission from the private landowner to access BLM roads (Map 5 in the Proposed RMP/Final EIS).

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

2325-50 Comment

Montana Wildlife Federation is working to open the Bullwhacker Road that Warren Illi mentioned. That is 20 miles into a hundred thousand acres of public land. Montana Wildlife Federation has been actively seeking that that public road be reopened to the public to we can access our public land.

2325-50 Response

Private property owners have the right to determine who can drive across their land whether it provides access to other private property, state land, or to BLM land. The BLM will respect private property rights.

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

2325-51 Comment

We also have 160 acres, two parcels of--actually 320 acres right on the river which is landlocked between our deeded land and the river through BLM. That is one of the road closures that they plan. Okay. If they plan this road closure and limit the boating how are we going to access those 320 acres?

Group		Roads – Specific Roads Identified
2325-51	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). There are 65 miles of BLM roads providing access to private land that would be designated open yearlong and 2 miles (two roads) that would be designated closed.
2325-52	*Comment*	*There is a road that goes from Judith Landing Road east across the old Pavlovick Place, up Birch Creek, across a small portion of State land, up what's called Birch Creek Hill, through the Sanford Place, the Husar Place, and the Moravec Place, and joins up with the Stafford Ferry Road that goes between Winifred and Chinook. The road starts on private land, intersects Montana State lands and some BLM lands, and ends on private lands. It is a road that saves my neighbors and I a lot of miles when traveling to help each other, especially during branding, shipping, and fire seasons.*
2325-52	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, those BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). The Goat Trail road would be open yearlong.

Group		Roads – 400 Miles Open
2326-01	*Comment*	*The 400 miles of open roads is too much/excessive/unacceptable and needs to be reduced.*
2326-01	Response	The Preferred Alternative in the Proposed RMP/Final EIS would allow public motorized travel on 293 miles of roads open yearlong and 111 miles open seasonally. Under current management (Alternative A) there would be 524 miles open yearlong and 68 miles open seasonally. The Preferred Alternative would reduce the miles of open roads by 32%.
2326-02	*Comment*	*Of particular concern to me is the agency's recommended proposal for almost 400 miles of roads and 6 airstrips in the Monument. The majority of these roads and airstrips were not intended or planned by the agency to be permanent, maintained travel ways or public landing facilities, and the majority of them are totally unnecessary, as well as detrimental to the realization of the intent of the Monument designation. They exist primarily because of a free-for-all attitude towards public lands on behalf of a segment of users, as well as lack of planning and enforcement on the behalf of the Bureau of Land Management.*
2326-02	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, there would be 293 miles of BLM roads open yearlong and 111 miles open seasonally for public motorized travel. From this total mileage there would be 280 miles (dashed green roads on Map 5) or 69% that would require landowner permission before reaching the BLM road. The remaining 124 miles would provide public motorized access; where landowner permission is not required to access BLM roads. About 111 miles out of the 404 (27%) may only have motorized public travel (purple roads on Map 5) during a portion of the year (open seasonally). There would be 340 miles that would only receive minimal maintenance to repair a problem (Level 2 Maintenance) and the remaining 64 miles are improved BLM roads that could be maintained annually (Level 3 and 4 Maintenance). For additional information, see the Access and Transportation section of the Preferred Alternative in Chapter 2.

Group		**Roads – 400 Miles Open**
2326-03	*Comment*	*Reconsider your proposal to sanction nearly 400 miles of roads, leaving 97% of the monument within one mile of a road. That is simply too many roads for a national monument. Instead, please adopt the transportation plan submitted by the Friends of the Missouri Breaks National Monument. It will protect important wildlife habitat and secure public access throughout the Monument. Please ensure that all roads within the Monument are closed unless designated open. Protection and restoration of wildlife habitat, cultural resources, and the ability to participate in quiet, reflective and low impact recreation should be the primary criterion when determining if a road should be open. To do otherwise will threaten the Monument's natural, historical and biological values.*
2326-03	Response	Under the Preferred Alternative in the Proposed RMP/Final RMP there would be 293 miles of BLM roads open yearlong for public motorized travel. This equates to 58% of the Monument being within one-half mile of a BLM road that would be open to traffic any time during the year. Only 124 miles provide public motorized access in the Monument; landowner permission is not required for access to these BLM roads. Currently in the Breaks area we do not see or have data that motorized use (vehicle travel) is at levels that are significantly impacting wildlife. Many of the roads receive very little traffic due to limited public access, condition of the road, and seasonal weather changes (wet spring or dry hot summer). Most of the vehicle use occurs during the fall for hunting. The road system could be modified if vehicle use traffic patterns or resource conditions change. This process would include coordination with MFWP and monitoring of wildlife populations for stress, over-harvest, or disturbances during critical time periods. Modifications to the road system would be based on the management guidance under the Preferred Alternative, including the factors listed in Table 2.29, and changes would be addressed through a travel plan update with public participation and environmental review. The RMP team considered the Friends of the Missouri Breaks transportation plan as a source of data and information during the preparation of the Draft RMP/EIS and Proposed RMP/Final EIS. That transportation plan was used when developing the range of alternatives and is reflected in Alternative E.
Group		**Roads – Legal**
2327-01	*Comment*	*Illegal and unnecessary roads need to be eliminated (closed) and reclaimed.*
2327-01	Response	The unauthorized routes in the WSAs would be closed to motorized travel and allowed to reclaim naturally. Temporary signs may be placed at the beginning points of these roads to advise the public of the closure. A total of 201 miles BLM roads would be closed to public motorized use under the Preferred Alternative in the Proposed RMP/Final EIS. Table 2.29 in Chapter 2 lists the road criteria (for example erosion problems, parallel roads, spur roads, redundant roads, etc.) used to make these determinations. Natural reclamation of the closed roads with weed management would be the priority action followed by scarifying and seeding if desired revegetation can not be established.

Group		Roads – Legal
2327-02	*Comment*	*Do not make road restrictions so stringent that you can't travel the roads.*
2327-02	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS there would be 404 miles of designated open BLM roads (293 miles open yearlong and 111 miles open seasonally). This includes 64 miles that would be included in Level 3 and 4 maintenance categories. These categories normally include annual maintenance work. The remaining 340 miles would be included in a Level 2 maintenance category and may receive spot maintenance work to correct a specific problem such as a washout or a slide. For additional information on the maintenance levels see the Access and Transportation section of Chapter 2.
2327-03	*Comment*	*Allow or restrict motorized travel only to legal or legally made roads.*
2327-03	Response	The following specifications were used to determine which routes would be inventoried for the Monument transportation plan. Motorized travel is not considered cross-country (off-road) on BLM land when: (1) the motorized vehicle uses constructed roads that are maintained by the BLM (constructed roads are often characterized with cut and fill slopes); and (2) the motorized vehicle use is on clearly evident two-track routes with regular travel and continuous passage of motorized vehicles over a period of years. A two-track is where perennial vegetation is devoid or scarce, or where wheel tracks are continuous depressions in the soil yet evident to the casual observer and are vegetated. A two-person seasonal inventory crew collected data on 436 miles of BLM roads (a total of 759 miles for all roads) during the summer of 2002 for the east half of the Monument, and another seasonal crew in 2004 collected additional information on 44 miles of BLM roads (a total of 81 miles for all roads) in the west half. Information on another 125 miles of BLM roads was obtained from existing data. The BLM roads in the Monument total 605 miles. Under the Preferred Alternative in Chapter 2 of the Proposed RMP/Final EIS, 201 miles on 415 BLM road segments would be closed to public motorized travel. This includes 135 miles on spur roads (averaging less than 1/2 mile). Overall, about 216,700 acres of BLM land would be within 1/2 mile of a designated open BLM road (yearlong or seasonally). This is about 58% of the Monument.
2327-04	*Comment*	*OHV use on open roads is a valid and legal use within the monument.*
2327-04	Response	ATVs, motorbikes, vehicles, and mountain bikes would all share and travel on the 404 miles of designated open BLM roads under the Preferred Alternative in the Proposed RMP/Final EIS.
2327-05	*Comment*	*BLM should not consider two-track (user created) roads as legal routes for motorized travel. These are illegally made roads to encourage motorized travel and should be closed.*
2327-05	Response	The following specifications were used to determine which routes would be inventoried for the Monument transportation plan. Motorized travel is not considered cross-country (off-road) on BLM land when: (1) the motorized vehicle uses constructed roads that are maintained by the BLM (constructed roads are often characterized with cut and fill slopes); and (2) the motorized vehicle use is on clearly evident two-track routes with regular travel and continuous passage of motorized vehicles over a period of years. A two-track is where perennial vegetation is devoid or scarce, or where wheel tracks are continuous depressions in the soil yet evident to the casual observer and are vegetated. BLM roads include two-track routes under the resource road classification.

Group		Roads – Legal
		A two-person seasonal inventory crew collected data on 436 miles of BLM roads (a total of 759 miles for all roads) during the summer of 2002 for the east half of the Monument, and another seasonal crew in 2004 collected additional information on 44 miles of BLM roads (a total of 81 miles for all roads) in the west half. Information on another 125 miles of BLM roads was obtained from existing data. The BLM roads in the Monument total 605 miles. The two-track routes are classified as BLM resource roads. The maintenance level for a two-track route is either a Level 1 (closed road) or a Level 2 (spot corrective maintenance work).
2327-06	*Comment*	*Reduce the number of two-track roads.*
2327-06	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, the existing 435 miles of two-track BLM resource roads would be reduced to 242 miles which equates to a 44% decease in mileage.
2327-07	*Comment*	*The BLM should restore the damage caused by illegally made tracks and roads. The serious problem of weeds is only going to get worse and more expensive to resolve if restoration is not part of the RMP.*
2327-07	Response	A total of 201 miles of BLM roads would be closed to public motorized use under the Preferred Alternative in the Proposed RMP/EIS. Table 2.29 in Chapter 2 lists the road criteria (for example erosion problems parallel roads, short spur roads, redundant roads, etc.) used to make these determinations. Natural reclamation of the closed roads with weed management would be the priority action followed by scarifying and seeding if desired revegetation can not be established.
2327-08	*Comment*	*A major area of concern deals with the matter of roads within the Monument. On the south side I have found ever increasing incursions from ATVs into well posted WSA boundaries. I realize this will be one of the most difficult issues for your agency to enforce but given the delicate quality of the soil and the fragile characteristics of the plants, if you can't get a handle on this 'go anywhere' practice, we will increasingly see scars which during the wet periods will give way as the land erodes. As you are so aware of, the number of roads is extremely dense. It's hard to maintain any claim to solitude when no area is further than a half mile from the nearest road/track. From a management viewpoint it must be a nightmare.*
2327-08	Response	The unauthorized routes in the WSAs will be closed to motorized travel and allowed to reclaim naturally. Temporary signs may be placed at the beginning points of these illegal roads to advise the public of the closure. This action is outside the scope of the RMP and will be accomplished under the 1995 Interim Management Policy (IMP) for BLM Wilderness Study Areas. There are 201 miles of BLM roads that would be closed to public motorized use under the Preferred Alternative in the Proposed RMP/Final EIS. This action would result in the existing 435 miles of two-track BLM resource roads to be reduced to 242 miles which equates to a 44% decease in mileage and in turn, a decrease in road density in the Monument.
2327-09	*Comment*	*Off-road violations often occur due to lack of monitoring, policing and enforcement of motorized vehicle access restrictions. Information about illegal motorized off-road uses within the Monument, and the ability of the BLM to police and enforce restrictions on motorized uses is lacking in the draft RMP/EIS. How many motorized off-road violations*

has the BLM enforced within the Monument? Are there adequate funds for enforcement and for monitoring off-road vehicle use? Are there adequate funds to allow inspections to identify resource impacts?

2327-09 Response

There are very few motorized travel restrictions under current management guidelines (Alternative A). These guidelines allow motorized travel on existing roads (592 miles). Until the travel plan which would identify only designated open roads under the Preferred Alternative is implemented, the likelihood of violations would and has been very minimal.

The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." According to the Proclamation, the Monument is designated a limited area consistent with 43 CFR 8340. A limited area means an area restricted at certain times, in certain areas, and/or to certain vehicular use, such as no off-road travel. There has been little evidence of off road travel occurring, probably because of the number of roads located on the BLM land that are open under the current management guidelines (Alternative A).

Monitoring efforts for the Monument would be considered a part of the implementation plan that begins after the Record of Decision has been issued.

2327-10 Comment

Information about illegal off-road motorized uses in the Monument, and policing and enforcement of motorized vehicle access restrictions, and the ability of the BLM to police and enforce motorized use restrictions within the Monument is lacking in the draft RMP/EIS, and should be provided in the final RMP/EIS.

2327-10 Response

There are very few motorized travel restrictions under current management guidelines (Alternative A). These guidelines allow motorized travel on existing roads (592 miles). Until the travel plan which would identify only designated open roads under the Preferred Alternative is implemented, the likelihood of violations would and has been very minimal.

Decisions from an RMP would be implemented over a period of years depending on budget and staff availability. Enforcement and education to protect the values of the Monument will be part of this implementation. Funding levels affect the timing and implementation of management actions and project proposals, but do not affect the decisions made in an RMP.

2327-11 Comment

Should BLM have decided to adhere to the direction of Clinton's Proclamation, most of the e-roads and all of the e-strips would be closed (as they should be), and more of the designated vehicle legal routes would be seasonally restricted to prevent excessive damage. E-roads and e-strips lead to erosion, the introduction of noxious weeds, wildlife habitat fragmentation, and excessive noise and pollution. In addition, their sanctioning is contrary to the intent of the Monument Proclamation.

2327-11 Response

The Proclamation states, "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." In addition, the Secretary "shall prepare a transportation plan that addresses the actions, including road closures or travel restrictions, necessary to protect the objects." The Proclamation does not direct that most roads and backcountry airstrips should be closed.

One of BLM's goals is to manage legal and physical access to and within the Monument to provide opportunities for diverse recreation activities (motorized and non-motorized) while protecting the features of the Monument.

Group		Roads – Legal
		Under the Preferred Alternative in the Proposed RMP/Final EIS, the BLM's objectives would be to retain roads to access areas commonly used for dispersed recreation (hunting, geological areas, and trailheads), recreation sites (fishing reservoirs, scenic overlooks and historic homesteads), gas well sites, major range improvement projects, and backcountry airstrips. About 293 miles would be open yearlong and 111 miles open seasonally. The BLM would reduce the number of parallel and spur roads (172 miles) and some roads in areas with important wildlife habitat (1 mile), in areas considered unsuitable due to erosion and slope (13 miles), and in other areas (15 miles). There are 201 miles proposed for closure.
2327-12	*Comment*	*Preferred alternative is only slightly a modification to the status quo, if you consider that the BLM is allowing (by not enforcing) illegal use of the current, user generated road system.*
2327-12	Response	The following specifications were used to determine which routes would be inventoried for the Monument transportation plan. Motorized travel is not considered cross-country (off-road) on BLM land when: (1) the motorized vehicle uses constructed roads that are maintained by the BLM (constructed roads are often characterized with cut and fill slopes); and (2) the motorized vehicle use is on clearly evident two-track routes with regular travel and continuous passage of motorized vehicles over a period of years. A two-track is where perennial vegetation is devoid or scarce, or where wheel tracks are continuous depressions in the soil yet evident to the casual observer and are vegetated. BLM roads include two-track routes under the resource road classification. A two-person seasonal inventory crew collected data on 436 miles of BLM roads (a total of 759 miles for all roads) during the summer of 2002 for the east half of the Monument, and another seasonal crew in 2004 collected additional information on 44 miles of BLM roads (a total of 81 miles for all roads) in the west half. Information on another 125 miles of BLM roads was obtained from existing data. The BLM roads in the Monument total 605 miles. Under the Preferred Alternative in the Proposed RMP/Final EIS, the existing 435 miles of two-track BLM resource roads would be reduced to 242 miles which equates to 44% decease in mileage.
2327-13	*Comment*	*Special Privileges for the Disabled. When determining reasonable accommodation, disability is a legal term. It does not include all infirmities or weaknesses such as old age. Accommodation for disability does not mean creating new opportunities for access, it means providing an equal opportunity to the disabled. The disabled have an equal opportunity to access the Monument by the transportation system. Creating more access to the disabled by opening "closed" roads violates the spirit of providing equal access for the disabled. If the disabled may use "closed" roads then why discriminate against people who may be stiff with age, weak from the flue or overweight. Creating special privilege for the disabled is discrimination.*
2327-13	Response	Individuals with disabilities could request a permit to travel on closed roads consistent with the Rehabilitation Act of 1973. Such access would be considered on a case-by-case basis by the Monument Manager. If the need arises, the BLM could identify specific designated closed roads as access for individuals with disabilities.

Group		Roads – Camping
2328-01	*Comment*	*The idea of allowing people to drive cross country 300 feet on either side of an established road (600 feet from centerline) does not comply with Proclamation language and must be reduced significantly. It may cause unintended damage and create new roads. BLM must ensure that motorized access within 300 feet either side of an established road does not damage sensitive resources such as cultural sites, streams, wetlands or areas with rare or sensitive plants. A coordinated effort to identify designated camping sites along the upland road system is much preferred to the proposed system of allowing off-road travel 300 feet either side of a road*
2328-01	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, outside of the WSAs, motorized or mechanized vehicles may park adjacent to a road to provide a reasonable safe distance for the public to pass. However, parking must be within 50 feet of a road. Parking would be encouraged at previously used sites. In the WSAs, motorized or mechanized vehicles may only park immediately adjacent to a vehicle way or cherry stem road.
2328-02	*Comment*	*Allow vehicle parking within 100 feet of a roadway (not 300 feet) for camping purposes.*
2328-02	Response	The range of alternatives in the Draft RMP/EIS addressed several options for allowing vehicles to park off roads in the Monument. This range included distances from 10 feet to 300 feet and also immediately adjacent to a road. Based on the Proclamation, motorized and mechanized vehicle use is prohibited off road, except for emergency or authorized administrative purposes. Under the Preferred Alternative in the Proposed RMP/Final EIS, outside of the WSAs, motorized or mechanized vehicles may park adjacent to a road to provide a reasonable safe distance for the public to pass. However, parking must be within 50 feet of a road. Parking would be encouraged at previously used sites. In the WSAs, motorized or mechanized vehicles may only park immediately adjacent to a vehicle way or cherry stem road.
2328-03	*Comment*	*Keep the upper road in Woodhawk Bottom open yearlong all the way to the end. (Shown on attached map). This would provide some additional access for people in vehicles to access the river for fishing or dispersed camping. There are very few opportunities for someone to just take a vehicle and access the river for fishing and camping. Vehicles on the road may be a disturbance for float camps, but it appears to be far enough away from the shoreline as to have minimal disturbance. Floaters are never going to have a totally pristine trip no matter what you do, and this short piece of road is not going to be a significant disturbance to float camps.*
2328-03	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, the main Woodhawk Bottom road would be changed from a seasonal restriction (open from April 15 to December 1) to a designated open BLM road yearlong. The seasonal restriction was implemented in the Woodhawk Watershed Plan. The roads to the upper floater campsite and the Gus Nelson Historic Homestead would remain closed to public motorized travel but available for administrative travel.
2328-04	*Comment*	*Keep an unnumbered road in the Cow Creek ACEC open yearlong or an "A" seasonal restriction another 4 or 5 miles as shown on the attached map. The road does not need to make a loop connection with the Cow Camp Road. The reason for keeping it open is simply better access to a large area for hunting. Hunters are only able to walk a few miles before it gets to be an ordeal to drag an animal back to the truck.*

Group		Roads – Camping
2328-04	Response	Access for this road in the ACEC is provided through the Cow Creek WSA.
2328-05	*Comment*	*Eliminate the x yards on either side of a road - that is license to create ever "folding" 2 tracks.*
2328-05	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, outside of the WSAs, motorized or mechanized vehicles may park adjacent to a road to provide a reasonable safe distance for the public to pass. However, parking must be within 50 feet of a road. Parking would be encouraged at previously used sites. In the WSAs, motorized or mechanized vehicles may only park immediately adjacent to a vehicle way or cherry stem road.
2328-06	*Comment*	*I am particularly distressed by the exception that would let folks drive 300 feet off a road to camp. That's way too far. Something like 50 feet would be appropriate - enough to get off the road and maneuver into a level spot without tracking up the countryside.*
2328-06	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, outside of the WSAs, motorized or mechanized vehicles may park adjacent to a road to provide a reasonable safe distance for the public to pass. However, parking must be within 50 feet of a road. Parking would be encouraged at previously used sites. In the WSAs, motorized or mechanized vehicles may only park immediately adjacent to a vehicle way or cherry stem road.
2328-07	*Comment*	*The public has a need for more motorized access to dispersed camping spots in the project area including access for RV's trailers, and tent camping.*
2328-07	Response	The 162 miles of single-lane or double-lane BLM roads that would be designated open could provide the opportunity for RV or trailer motorized travel to dispersed (Level 4) campsites on BLM land. Under the Preferred Alternative in the Proposed RMP/Final EIS, outside of the WSAs, motorized or mechanized vehicles may park adjacent to a road to provide a reasonable safe distance for the public to pass. However, parking must be within 50 feet of a road. Parking would be encouraged at previously used sites. In the WSAs, motorized or mechanized vehicles may only park immediately adjacent to a vehicle way or cherry stem road.
2328-08	*Comment*	*The draft RMP/EIS allows motorized access within 300 feet of designated routes to access campsites (page 101). We recommend that such off-road motorized campsite access be limited to areas where motorized access does not damage ecologically sensitive resources. EPA encourages locating campground facilities, and concentrated public recreational uses away from ecologically sensitive resources. We believe motorized access to camping sites in ecologically sensitive areas should be restricted even if they are within 300 feet of designated routes. We encourage the BLM to identify and designate camping sites that avoid sensitive areas and/or to encourage camping or concentrated public use in areas that are more resilient and can more easily recover from impacts and/or accommodate public use with less impacts, and to restrict camping in or near ecologically sensitive areas. We also encourage BLM to consider including additional management direction language such as,* *"Campground facilities and concentrated public recreational use areas will be located away from ecologically sensitive areas and located in areas that are more resilient and can more easily recover from impacts and/or accommodate public use with less impacts."*

Group		Roads – Camping
2328-08	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, outside of the WSAs, motorized or mechanized vehicles may park adjacent to a road to provide a reasonable safe distance for the public to pass. However, parking must be within 50 feet of a road. Parking would be encouraged at previously used sites. In the WSAs, motorized or mechanized vehicles may only park immediately adjacent to a vehicle way or cherry stem road. The BLM would consider developing Level 1 campsites, but they would only be constructed at the beginning of public access roads into the Monument. These sites could include interpretive kiosks. Level 2 campsites would be park and explore sites where people could walk from designated parking areas. Level 3 sites would be pullout sites immediately adjacent to a road. Fire rings would be the only allowable development at these sites. For additional information on upland campsites (Levels 1 through 4) see the Uplands Special Recreation Management Area section of Chapter 2.
2328-09	*Comment*	*To avoid confusion regarding camping distances from roads, I recommend reducing the distance from 300 feet to 200 feet to be in harmony with DNRC.*
2328-09	Response	The range of alternatives in the Draft RMP/EIS addressed several options for allowing vehicles to park off roads in the Monument. This range included distances from 10 feet to 300 feet and also immediately adjacent to a road. Based on the Proclamation, motorized and mechanized vehicle use is prohibited off road, except for emergency or authorized administrative purposes. Under the Preferred Alternative in the Proposed RMP/Final EIS, outside of the WSAs, motorized or mechanized vehicles may park adjacent to a road to provide a reasonable safe distance for the public to pass. However, parking must be within 50 feet of a road. Parking would be encouraged at previously used sites. In the WSAs, motorized or mechanized vehicles may only park immediately adjacent to a vehicle way or cherry stem road.
2328-11	*Comment*	*Why is it 300 feet from a direct road or route? What or how was this determination made or what information was it based on? 300 feet seems like a lot of distance from a main road for camping. There has been no monitoring of campers in the past as far as distance, littering or open pit fires during extremely volatile weather conditions. We recommend that there be designated places to camp with rules applied similar to national campgrounds. Maybe charging a fee also, to possibly encourage more respect for the Monument area. This way all rules and regulations apply to everyone.*
2328-11	Response	The range of alternatives in the Draft RMP/EIS addressed several options for allowing vehicles to park off roads in the Monument. This range included distances from 10 feet to 300 feet and also immediately adjacent to a road. Based on the Proclamation, motorized and mechanized vehicle use is prohibited off road, except for emergency or authorized administrative purposes. The adjoining CMR National Wildlife Refuge allows vehicle parking 100 yards (300 ft) off their designated road system for camping purposes. Under the Preferred Alternative in the Draft RMP/WIS the BLM wanted the camping policy along the Monument's designated BLM open roads to be consistent with the refuge policy, especially during the fall hunting season. Under the Preferred Alternative in the Proposed RMP/Final EIS, outside of the WSAs motorized or mechanized vehicles may park adjacent to a road to provide a reasonable safe distance for the public to pass. However, parking must be within 50 feet of a road.

Group		**Roads – Camping**
		Parking would be encouraged at previously used sites. In the WSAs, motorized or mechanized vehicles may only park immediately adjacent to a vehicle way or cherry stem road.
2328-12	*Comment*	*Vehicles will be allowed to drive 100 yards on both sides of the road, even though the proclamation expressly states motorized and mechanized vehicle use will be prohibited off-road.*
2328-12	Response	The range of alternatives in the Draft RMP/EIS addressed several options for allowing vehicles to park off roads in the Monument. This range included distances from 10 feet to 300 feet and also immediately adjacent to a road. Based on the Proclamation, motorized and mechanized vehicle use is prohibited off road, except for emergency or authorized administrative purposes. Under the Preferred Alternative in the Proposed RMP/Final EIS, outside of the WSAs, motorized or mechanized vehicles may park adjacent to a road to provide a reasonable safe distance for the public to pass. However, parking must be within 50 feet of a road. Parking would be encouraged at previously used sites. In the WSAs, motorized or mechanized vehicles may only park immediately adjacent to a vehicle way or cherry stem road.
2328-13	*Comment*	*In addition to the road standard vehicles are going to be allowed to drive a hundred miles off--a hundred yards off both sides of the road even though the Proclamation expressly states motorized and mechanized vehicle use will be prohibited off road. How will this enhance the wildlife and the remote character of the area?*
2328-13	Response	The range of alternatives in the Draft RMP/EIS addressed several options for allowing vehicles to park off roads in the Monument. This range included distances from 10 feet to 300 feet and also immediately adjacent to a road. Based on the Proclamation, motorized and mechanized vehicle use is prohibited off road, except for emergency or authorized administrative purposes. Under the Preferred Alternative in the Proposed RMP/Final EIS, outside of the WSAs, motorized or mechanized vehicles may park adjacent to a road to provide a reasonable safe distance for the public to pass. However, parking must be within 50 feet of a road. Parking would be encouraged at previously used sites. In the WSAs, motorized or mechanized vehicles may only park immediately adjacent to a vehicle way or cherry stem road.
Group		**Fire Use and Suppression**
3050-01	*Comment*	*Fires must be suppressed; loss of property and wildlife occurs when they are not suppressed. Please explain how the BLM will adequately protect private property and grazing lands from wildland fires.*
3050-01	Response	Under the Preferred Alternative, fire suppression is provided for under all circumstances. Line officers, fire managers and incident commanders are given the flexibility to apply a wide range of appropriate management responses, based on firefighter and public safety, resources at risk, weather, fuel conditions and expected effectiveness of control measures. Fires that threaten life or personal safety hold the highest priority for full suppression, followed by those that are threatening economically valuable property or structures, followed by those that threaten only wildland resources (which includes public grazing

resources). Private property is high on the list of priorities for protection, trumped only by life-safety and significant public infrastructure (e.g. large power transmission lines). When such high priority values are threatened more resources and more aggressive tactics will be used during fire suppression, as weighed against the likelihood of success.

3050-02 *Comment* *Public health risks resulting from both wildland and prescribed fires must be addressed. The Clean Air Act and Clean Water Act must be adhered to.*

3050-02 Response Wildland fires are not subject to regulation under the Clean Air Act and the Clean Water Act because, by definition, they are unplanned and outside the control of decision-makers. Ninety-eight percent of all fires are controlled at initial attack, before becoming an escaped wildland fire. The two percent of fires that escape initial attack to become wildland fires typically occur under extreme weather conditions or when initial attack resources are scarce, or both. For this reason they can be neither predicted nor controlled and so do not fall under the jurisdiction of these federal laws.

Prescribed fires are implemented under permit and only with approval from the Montana Department of Environmental Quality (DEQ). Montana DEQ must certify that Best Available Control Technology is used to ensure adequate smoke dispersal to mitigate the effects on human health, based on the direction and strength of winds and the presence of other air pollution sources on the day of ignition. If local conditions are such that air quality standards would expect to be exceeded, then the prescribed burn is delayed until conditions are right.

Prescribed burns generally do not have adverse impacts on streams because, by design, fire intensity and severity is much less than under wildland fire conditions. Prescribed fires are designed to mimic the natural disturbance level that has occurred over millennia. Therefore, any increase in nutrient inputs after prescribed fire should be within the historic range of variation for a given site.

3050-03 *Comment* *The historic and natural role of fire as part of the landscape and ecosystem should be recognized and a policy developed to permit some natural fire in the Monument. Apply prescribed fire judiciously in sagebrush so as to not reduce sage grouse nesting and winter habitats.*

3050-03 Response The Preferred Alternative does not include any provisions for wildland fire, in which lightning-caused fires are allowed to burn and are managed for resource benefit. The interspersion of non-federal land throughout most of the Monument precludes such an approach. The historic role of fire will be restored to the Monument primarily through the use of planned human ignitions under prescribed conditions and locations.

3050-04 *Comment* *Suppression of wildfire should be by the least destructive methods available; we would be gravely concerned if fire suppression with heavy equipment were allowed into the steeper topography of the Breaks. Waterbars and other treatments should be rehabilitated, and no permanent roads should be created as a result. The BLM should assure that prescribed fire or wildland fire suppression efforts be conducted in a manner that minimizes potential non-point source pollution of surface waters.*

3050-04 Response All fire breaks created during wildland fire suppression, whether bladed by machinery or dug by hand, are rehabilitated by pulling in berms, establishing waterbars and re-establishing grade as part of suppression operations and costs. Additional rehabilitation and stabilization, such as seeding, may also occur if needed. These policies are standard procedures that apply to all wildland fire suppression operations, irrespective of monument or other designation.

Group		Fire Use and Suppression
3050-05	*Comment*	*Information should be provided in the final RMP/EIS as to BLM's participation in the Montana/Idaho Airshed Group and the Smoke Management Program consistent with EPA's Interim Air Quality Policy on Wildland and Prescribed Fires.*
3050-05	Response	The BLM's participation in the Montana/Idaho Airshed Group applies to all uses of fire, irrespective of location inside or outside the Monument. This information is discussed in Chapter 2 of the Proposed RMP/Final EIS under Decisions Common to All Alternatives, Fire Management.
3050-06	*Comment*	*Prescribed fire may stimulate weed growth or reduce existing vegetation enough to allow noxious weeds to become established. Herbicide treatments before or after prescribed fire and seeding with native species should be evaluated during site-specific analysis.*
3050-06	Response	The potential impact of a proposed project on noxious weeds must be addressed as a standard element in every site-specific project analysis.
3050-07	*Comment*	*We encourage improved public education to increase understanding of the value of fire as a natural disturbance process.*
3050-07	Response	The BLM can pursue such public education programs without working through the RMP planning process. The BLM, along with other federal land management agencies, includes fire ecology education as one part of its community assistance for fire mitigation, education and prevention. Opportunities may exist to include fire ecology and fuels issues in interpretative displays that may be created for the Monument.
3050-08	*Comment*	*The controlled burns in the area have been far more detrimental to the elk habitat and bedding areas than any use of existing roads will ever be.*
3050-08	Response	The BLM has no evidence that prescribed fire has harmed elk habitat. Prescribed fire in the Monument is planned and conducted under consultation and coordination with local wildlife biologists from BLM, MFWP and USFWS, as well as private landowners. Fire has functioned as a natural disturbance process for millennia in the Missouri Breaks area and, as witnessed by members of the Lewis and Clark expedition, elk populations flourished in the Breaks under a natural fire regime.
3050-09	*Comment*	*During a wildland fire the Incident Commander should have full authority to direct the use of any mechanical equipment or fire apparatus on all private, state and federal land without consulting with agency administrators for approval and concurrence.*
3050-09	Response	Incident Commanders do not have carte blanche authority in any situation, but are required to work under the direction of the local decision-maker, whether county commissioner, DNRC land manager, Monument Manager, or BLM Field Manager. Often decision-making authority is delegated to a fire management officer or fire warden, but it is not relinquished completely. When a fire goes to extended attack and an Incident Management Team assumes command of the fire, the extent and limitations of the Incident Commander's authority and responsibilities are specified in the Delegation of Authority document, signed by all parties. This situation applies to all lands in the state, whether federal, state, or private.
3050-10	*Comment*	*The WSAs should be managed for their primitiveness and yet, there is no alternative that prohibits prescribed fire in the WSAs. The DEIS needs to clearly define how, where and when prescribed fire will benefit the objects protected by the Proclamation.*

Group		Fire Use and Suppression
3050-10	Response	Under "primitive" conditions (i.e., pre-European settlement) prescribed fire, defined as deliberate human ignition, was regularly practiced in the Missouri River Breaks area. The reduction or lack of prescribed fire within the last 125 years is a disruption of the historic fire regime that existed under primitive conditions. The Draft RMP/EIS states that the primary purpose of prescribed fire use in the Monument is the reintroduction of a natural disturbance that maintained ecosystem health and productivity in the past. The specifics of how, where and when are beyond the scope of an RMP, and must be addressed during site-specific NEPA analysis. The interim management policy (IMP) for lands under wilderness review does allow prescribed fire. The IMP requires that the BLM will conduct all prescribed fire and suppression activities in accordance with fire management activity plans and subsequent operational plans for all WSAs, using caution to avoid unnecessary impairment of the area's suitability for preservation as wilderness. Any future prescribed burning would require additional, site-specific planning.
3050-11	*Comment*	*Our fire department needs to be reimbursed for expenses we incur from Monument use.*
3050-11	Response	Reimbursement for fire suppression activities in the Monument is governed by the Cooperative Fire Management Agreement between BLM, NPS, USFWS, USFS, BIA, and DNRC (aka the 6-Party Agreement), initial attack agreements and memoranda of understanding (MOUs) signed between BLM, DNRC and counties that fall within the Monument. Assistance provided by any cooperating agency during initial attack in the first burning period (generally the first 8-12 hours) is not reimbursable, unless a responsible party for a human-caused fire is identified and charged for suppression costs. When initial attack response on BLM land is documented by rural fire departments, the activities are counted as an in-kind match towards the 10 percent match required for federally funded Rural Fire Assistance. During extended attack, requested resources are reimbursed by the managing agency according to pre-existing contracts and prevailing practices. Federal managers have no authority to prohibit local and county resources from fighting a fire within the local agency's jurisdiction; however, their suppression costs are not reimbursable unless the local resources are specifically requested and assigned to the fire suppression effort by the managing agency. Emergency medical services and search and rescue operations occur under the authority of the county sheriff. The BLM often assists in such activities when so requested by the sheriff, but holds no authority to conduct such operations independently. The BLM has no authority or mechanism to reimburse such activities whether they occur within the Monument or not.
3050-12	*Comment*	*We want to be able to get in to fight a fire, and not encounter a locked gate. We want all major roads, airstrips, and trails left open. When roads, airstrips, and trails are closed they deteriorate.*
3050-12	Response	Locked gates are common encounters in wildland fire fighting, especially on private land. Fire response vehicles typically carry bolt cutters to deal with such obstructions. The BLM has no authority to prevent locked gates on roads that cross private land, and will use locks to implement seasonal road closures. Emergency access, such as when responding to fires, is always allowed.

Group		**Fire Use and Suppression**
		The decision on which and how many roads, trails, and airstrips to close or retain cannot be based solely on emergency response concerns. Multiple use management and the values identified in the Proclamation must also be considered.
3050-13	*Comment*	*Talking about fire again, it says if there's a bald eagle nest around, we're going to put it out. But I don't know. Are they registered or have an address?*
3050-13	Response	Bald eagle nests and other critical wildlife habitats (e.g., sage-grouse leks, elk wallows, bighorn sheep lambing areas) are often known and recorded by BLM or MFWP personnel. Insofar as that information is available to an Incident Commander, the presence of such habitats is considered in managing a wildland fire.
Group		**ACECs**
4050-01	*Comment*	*There is no evidence from the Draft RMP/EIS that the BLM fulfilled its obligations or gave any thought to designating new areas of critical environmental concern (ACECs) or made protecting the Cow Creek ACEC a priority. The preferred alternative, including the transportation plan and airstrips, will adversely affect the ACEC.* *In order to protect the Cow Creek ACEC, the Final RMP/EIS must permanently close the two airstrips, except for emergency use. Further, to protect the cultural, historic, geologic and paleontological resources, the Final RMP\EIS must close the ACEC to motorized use. Finally, provided that the oil and gas leases issued for the lands within the ACEC are determined to be valid, any permits for oil and gas development must be required to be issued with nondiscretionary No Surface Occupancy stipulations and require immediate restoration to protect the unique resources of the Cow Creek ACEC.* *The BLM should address the acreage discrepancy in its descriptions of Cow Creek ACEC. The Upper Missouri National Wild and Scenic River Management Plan Update, 1993, page 17 and the draft RMP, page 381, indicate that Cow Creek ACEC contains 19,746 acres; but on page 182 of the draft RMP, it is described as containing only 18,800 acres.*
4050-01	Response	During scoping for the Monument RMP one potential ACEC nomination was received for greater sage-grouse habitat. When asked for further clarification on this nomination the nominator withdrew this nomination from further consideration. No other areas were nominated for ACEC consideration. This information has been included in the Proposed RMP/Final EIS, Appendix F. As discussed under the section Impacts from the Alternatives in the Draft RMP/EIS the designation of the Cow Creek ACEC would not change under any of the alternatives (pg. 201). Management would protect the resources for which the area was designated; the Nez Perce National Historic Trail, the Cow Island Trail, and paleontological values (Draft RMP/EIS, pg. 201). Additional information is included in Chapter 4 of the Proposed RMP/EIS with respect to the road closures, VRM Class I designation, and management of the Nez Perce National Historic Trail. There are no airstrips within the Cow Creek ACEC. However, the Cow Creek and Left Coulee airstrips are near the boundary of the ACEC. There is one oil and gas lease parcel (M013827) within the Cow Creek ACEC but no exploration or development is reasonable foreseeable for this lease parcel. Under the Preferred Alternative this lease parcel would be subject to the conditions of approval for bighorn sheep, streams, visual resources, and soils/slopes.

Group		ACECs
		The Cow Creek ACEC was designated through the West HiLine RMP (BLM, 1988). There are about 18,800 acres inside the unit. Although the majority of the area is public land, 4,000 acres of the creek bottom is privately owned. The Cow Creek ACEC includes approximately 14,270 acres of BLM land. The acreage figures have been corrected in the Proposed RMP/Final EIS.

Group		Wild and Scenic River
4100-01	*Comment*	*The monument proclamation specifically mentions Judith River and Arrow Creek for the outstanding values, yet the draft RMP declares them unsuitable for Wild and Scenic designation for no good reason. This is a flawed analysis that should be revisited.*
4100-01	Response	The Judith River was previously addressed in the Judith-Valley-Phillips RMP (BLM 1994a). It was eligible but determined non-suitable due to a lack of public land ownership and public access. The interdisciplinary planning team identified no unique, rare, or exemplary features for Arrow Creek, and it was not included in this study as an eligible river.
4100-02	*Comment*	*Wild and Scenic (W&S) Rivers (Cow Creek, Eagle Creek and Dog Creek) pg. xv. The inventoried 66 streams and found these three streams eligible for inclusion in the National W&S system, but then choose not to recommend them. These three watercourses exemplify the very nature of this Monument's character qualifying them for protective measures and BLM should reconsider its decision.*
4100-02	Response	Cow Creek, Eagle Creek, and Dog Creek were determined to be eligible but were not recommended as suitable under the Preferred Alternative. The BLM considered 13 factors to determine if eligible rivers should be recommended for addition to the National Wild and Scenic River System. See Appendix P of the Proposed RMP/Final EIS for a complete analysis of the factors and the recommendation for each of the eligible rivers.
4100-03	*Comment*	*To deny creeks in the area of the Upper Missouri protection under Wild and Scenic Rivers would be a detriment to the wilderness experience. Please allow this pristine area to remain so.*
4100-03	Response	Cow Creek, Eagle Creek, and Dog Creek were determined to be eligible but were not recommended as suitable under the Preferred Alternative. The BLM considered 13 factors to determine if eligible rivers should be recommended for addition to the National Wild and Scenic River System. See Appendix P of the Proposed RMP/Final EIS for a complete analysis of the factors and the recommendation for each of the eligible rivers.
4100-04	*Comment*	*The Missouri River does not meet the criteria for a wild and scenic river. Can you explain to us how the BLM can designate this river as "wild and scenic" even though this river does not meet the criteria?*
4100-04	Response	The Upper Missouri was designated a National Wild and Scenic River in 1976 via Public Law 94-486 and is managed pursuant to the provisions of the Wild and Scenic Rivers Act.
4100-05	*Comment*	*We encourage the BLM to recommend wild and scenic river status for the three eligible Missouri River tributaries (i.e., Cow Creek, Eagle Creek, and Dog Creek), and at a minimum ask that the eligible stream segments be managed to protect their outstanding remarkable values (page 46).*

Group		Wild and Scenic River
4100-05	Response	Cow Creek, Eagle Creek, and Dog Creek were determined to be eligible but were not recommended as suitable under the Preferred Alternative. The BLM considered 13 factors to determine if eligible rivers should be recommended for addition to the National Wild and Scenic River System. See Appendix P of the Proposed RMP/Final EIS for a complete analysis of the factors and the recommendation for each of the eligible rivers.
4100-06	*Comment*	*The BLM's application of the suitability standard for Cow, Eagle, and Dog Creeks is arbitrary because it considers factors well beyond the 8 enumerated in the WSRA. The BLM repeatedly contends that the suitability determination is simply an analysis of whether they "should" designate the rivers. By adopting this vague approach the BLM is transforming the straightforward objective suitability standard outlined in the WSRA (8 factors to be considered) into an amalgam of subjective criteria. The BLM is standing in Congress' shoes, rejecting rivers as unsuitable on purely political grounds.*
4100-06	Response	The BLM followed procedures as established by BLM Manual 8351, Wild and Scenic Rivers – Policy and Program Direction for Identification, Evaluation and Management (12/22/93). Refer to 8351.33, A, 1-8. Number eight allows for additional factors beyond the seven required by section 4 (a) of the Wild and Scenic Rivers Act. The BLM used guidance developed by the Interagency Wild and Scenic Rivers Council for the additional factors. The council was established in 1995 to improve interagency coordination in administering the Wild and Scenic Rivers Act. The council consists of representatives of the four wild and scenic rivers administering agencies (Bureau of Land Management, National Park Service, U. S. Fish and Wildlife Service, and U. S. Forest Service).
4100-07	*Comment*	*What steps is the BLM taking to actually "enhance" the River's values as required by the WSRA?*
4100-07	Response	The Upper Missouri National Wild and Scenic River (UMNWSR) will be managed to protect and preserve the remarkable scenic, recreational, geological, fish and wildlife, historic, cultural, and other values as directed by Congress in the Wild and Scenic Rivers Act and the amendment for the Upper Missouri. The BLM's goal is to manage these lands for a variety of sustainable visitor experiences in mostly primitive and natural landscapes. This goal would allow BLM to provide dispersed and developed recreation opportunities and ensure that visual quality characteristics reflect a predominantly primitive or natural landscape while providing a diversity of visitor experiences. Under the Preferred Alternative in the Proposed RMP/Final EIS, there would be a limit of 23 special recreation permits for commercial recreational use on the Missouri River and related land in the UMNWSR. One-time permits could be issued on a case-by-case basis primarily for institutions and organized groups that meet BLM's definition of commercial use. Permits help the BLM manage river use to prevent damage to BLM land and water resource values and to prevent social conflicts. The BLM would not develop an allocation system for visitor use on the Missouri River but would monitor conditions and develop management actions, as necessary, to reduce impacts to resource and social conditions. To protect and enhance the value of quiet and solitude, under the Preferred Alternative the wild and scenic segments from Holmes Council Island to Fred Robinson Bridge (river miles 92.5 to 149) would have a seasonal restriction from June 15 to September 15. Motorized watercraft traveling downstream at a no-wake speed would be allowed on Thursday through Saturday. On Sunday through Wednesday motorized watercraft travel would not be allowed. Personal watercraft and floatplanes would not be allowed on this segment of the river yearlong. See Chapter 2 of the Proposed RMP/Final EIS, Table 2.22, for a complete description of motorized use on the Upper Missouri River.

Under the Preferred Alternative, about 76% of the UMNWSR would lie within VRM Class I and 22% within VRM Class II; 2% would be within VRM Classes III and IV. In the UMNWSR 33 miles of BLM roads would be open yearlong, 12 miles would be open seasonally, and 34 miles would be closed.

4100-08 *Comment* *It would be inaccurate for the BLM to maintain (as it has on other occasions and insinuated in this case) that some adverse effects to the River's ORVs are acceptable, so long as they do not "substantially affect the ORVs."*

4100-08 Response The BLM is directed to protect and enhance values without limiting other uses that do not substantially interfere with public use and enjoyment of those values. Refer to 16 USC 1281 (a) for a complete description of Wild and Scenic River administrative responsibilities.

4100-09 *Comment* *The BLM's inventory for eligible rivers in the Monument is arbitrary and should be reexamined because: (1) they misapplied the outstandingly remarkable standard; (2) they only looked at river related values; (3) they failed to recognize outstanding remarkable ecological values; and (4) they mistakenly excluded the Marias River from the inventory.*

First, the standard. The BLM states that to be deemed an ORV the values must be a "unique, rare, or exemplary feature that is significant at a comparative regional or national scale." The BLM cites no authority for the proposition and we are not aware of any in the WSRA or the Agency's 1982 Guidelines.

Second, in conducting their eligibility inventory, the BLM only looked to see if the river possessed "river related values." According to the BLM, values are only river related if: (1) they are located in the river or on its immediate shore lands; (2) contribute substantially to the functioning of the river ecosystem; and/or (3) owe their existence to the presence of the river. In taking this approach, the BLM failed to take into account other potentially outstanding values that may exist just outside the immediate shore line, i.e., values on lands adjacent to or nearby the river area.

Third, the BLM failed to recognize the relevance of ecological values. As a result, the BLM inappropriately overlooked two important waterbodies: Judith River and Arrow Creek.

Finally, the BLM's eligibility inventory mistakenly excluded the Marias River from the eligibility inventory.

". . . The Marias River is within the West HiLine planning area and could be addressed in any future wild and scenic river studies." This is not a logical or legally sufficient reason to drop the Marias from further the eligibility report.

4100-09 Response Regarding the standard for ORVs, BLM followed procedures as established by BLM Manual 8351, Wild and Scenic Rivers – Policy and Program Direction for Identification, Evaluation and Management (12/22/93). Refer to 8351.31. In conjunction with the Policy and Program Direction, BLM followed guidance developed by the Interagency Wild and Scenic Rivers Council. The council was established in 1995 to improve interagency coordination in administering the Wild and Scenic Rivers Act. The council consists of representatives of the four wild and scenic rivers administering agencies (Bureau of Land Management, National Park Service, U. S. Fish and Wildlife Service, and U. S. Forest Service).

Council guidelines for determining eligibility state, "all values should be directly river-related." That is, they should:

1. Be located in the river or on its immediate shore lands (generally within 1/4 mile on either side of the river);
2. Contribute substantially to the functioning of the river ecosystem; and/or
3. Owe their location or existence to the presence of the river.

Regarding the Judith River and Arrow Creek, the Judith River was previously addressed in the Judith-Valley-Phillips RMP (BLM 1994a). It was eligible but determined non-suitable for designation 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.

The interdisciplinary planning team determined unique, rare, or exemplary features were not present in Arrow Creek, and it was not included in this study as an eligible river.

Only river segments within the boundary of the Monument were considered. The Marias eligibility study will be conducted as part of the Malta Resource Management Plan which began in 2006.

4100-10 *Comment* *All eligible stream segments within the Monument should be recommended for inclusion to insure lasting protection. One of many benefits is that this will help ensure that they will continue to flood, necessary for reestablishing riparian vegetation, including cottonwoods.*

4100-10 Response Cow Creek, Eagle Creek, and Dog Creek were determined to be eligible but were not recommended as suitable under the Preferred Alternative. The BLM considered 13 factors to determine if eligible rivers should be recommended for addition to the National Wild and Scenic River System. See Appendix P of the Proposed RMP/Final EIS for a complete analysis of the factors and the recommendation for each of the eligible rivers.

4100-11 *Comment* *The DEIS does a cursory, inadequate analysis of eligible Wild and Scenic Rivers. Alternative F should be rejected in favor of Alternative E.*

4100-11 Response The BLM followed procedures as established by BLM Manual 8351, Wild and Scenic Rivers – Policy and Program Direction for Identification, Evaluation and Management (12/22/93). Refer to 8351.31. In conjunction with the Policy and Program Direction, BLM followed guidance developed by the Interagency Wild and Scenic Rivers Council. The council was established in 1995 to improve interagency coordination in administering the Wild and Scenic Rivers Act. The council consists of representatives of the four wild and scenic rivers administering agencies (Bureau of Land Management, National Park Service, U. S. Fish and Wildlife Service, and U. S. Forest Service).

4100-12 *Comment* *The final RMP should include a new and accurate inventory of rivers for possible inclusion in the Wild and Scenic River System. It should also recommend Cow Creek, Eagle Creek and Dog Creek for inclusion in the Wild and Scenic River System and at a minimum, these high quality watercourses, along with the Marias River, should be managed to ensure protection of their remarkable values.*

4100-12 Response Cow Creek, Eagle Creek, and Dog Creek were determined to be eligible but were not recommended as suitable under the Preferred Alternative. The BLM considered 13 factors to determine if eligible rivers should be recommended for addition to the National Wild and Scenic River System. See Appendix P of the Proposed RMP/Final EIS for a complete analysis of the factors and the recommendation for each of the eligible rivers.

Group **Wild and Scenic River**

Only river segments within the Monument were considered. The Marias eligibility study will be conducted as part of the Malta Resource Management Plan which began in 2006.

Group **WSAs, ACECs, Wild and Scenic Rivers**

4150-01 *Comment* *Manage Wilderness Study Areas, Areas of Critical Environmental Concern and the Wild and Scenic River corridor to protect, enhance and restore their natural values. All public roads created in these areas since their designation should be closed.*

4150-01 Response The BLM's Wilderness Study Areas are managed according to the Interim Management Policy for Lands Under Wilderness Review (IMP), which requires they be managed to maintain their wilderness values until Congress acts to make them wilderness areas or to release them from study. The BLM manages all Areas of Critical Environmental Concern to preserve their individual and unique values. Management for the Upper Missouri National Wild and Scenic River is designed by three different management designations (recreational, wild and scenic) and the BLM works to maintain the natural values of the river and viewshed where it has management control (the BLM has no management authority concerning private land which is most prevalent in the recreational sections).

Any unauthorized route in the WSAs is closed under BLM's WSA IMP policy and is being addressed outside the scope of this RMP. Several miles of vehicle ways are open to public motorized travel. Any public motorized travel from an existing road or cross-country travel is not permissible and unauthorized. Some existing vehicle ways that are currently open would be closed under the Preferred Alternative in the Proposed RMP/Final EIS. In the WSAs, about 27 miles of vehicles ways would be closed; 9 miles would be open yearlong and 15 miles would be open seasonally.

In the Cow Creek ACEC, about 6 miles of BLM roads would be closed; 2 miles would be open yearlong and 1 mile would be open seasonally.

About 34 miles of BLM roads in the Upper Missouri National Wild and Scenic River (UMNWSR) would be closed to public motorized travel. Twelve additional miles would be seasonally closed to public motorized use. About 33 miles of BLM roads would be open yearlong. The majority of the closed roads are located downriver or east of the PN Bridge.

Group **Wilderness**

4250-01 *Comment* *There is a need to protect the Monument's wilderness study areas and other wildlands and core wildlife habitat areas to preserve and restore its wild, undeveloped character. The BLM's wilderness study areas should be treated essentially as wilderness by managing only for non-motorized uses. Prohibiting motorized vehicle use would preserve and enhance these areas' qualities. BLM must educate the public and Congress about the importance of these unique lands. Proper management of the WSAs is paramount if future generations are to experience these few remaining wild places. Not doing so is a breach of trust and BLM's mission to the public.*

4250-01 Response The BLM is mandated under FLPMA, Section 603, and the Interim Management Policy

for Lands Under Wilderness Review to manage the Wilderness Study Areas (WSA) in the Monument so as not to impair their primitive character or the suitability of these areas for preservation as wilderness.

During the Missouri Breaks Wilderness Suitability Study/EIS process, an inventory was conducted and public meetings were held with regard to leaving open, or closing specific vehicle routes (ways) within each of the WSAs. Vehicle ways are two-track routes that could be closed on a seasonal basis. Specific vehicle ways, or portions of them, are currently being considered for permanent closure in the Proposed RMP/Final EIS. Many of the primary vehicle access points within WSAs, called cherry-stemmed roads, were also considered for closure during the suitability process; consequently some of these were not included within the WSA boundaries. Cherry-stem roads should not be confused with boundary roads because most of the WSAs have a road or two defining their outer perimeters.

Management of the WSAs is based upon what is known as the "non-impairment" standard or rule. A temporary use may be allowed under the non-impairment rule, if such use can easily and immediately be terminated upon wilderness designation by Congress. However, when the use, activity, or facility is terminated, the wilderness values must not have been degraded so far as to significantly constrain Congress's prerogative regarding the area's suitability for preservation as wilderness. The Lewistown Field Office is required to act immediately upon learning of violations of the non-impairment rule, and has consistently done so in the past.

4250-02 *Comment* *The Upper Missouri River Breaks Monument should have as much land as possible designated as wilderness and the BLM should continue protection of roadless areas whether recommended to Congress for wilderness legislation or not. This area has unique and substantial value as wilderness, and is best suited to enjoyment without the use of roads, off road-vehicles, and certainly not six airstrips as outlined in the draft proposal. Places of silence and solitude are disappearing rapidly, and this is a special opportunity for us to protect these qualities.*

We encourage the BLM to include adequate recommendations for wilderness to protect the unique values and provide a higher level of natural resource protection within the Monument.

The BLM should continue protection of roadless areas, whether recommended to Congress for wilderness designation or not.

4250-02 Response Some existing vehicle ways in the wilderness study areas (WSAs) that are currently open for motorized travel would be closed under the Preferred Alternative in the Proposed RMP/Final EIS. In the WSAs, about 27 miles of vehicles ways would be closed; 9 miles would be open yearlong and 15 miles would be open seasonally. The Ervin Ridge backcountry airstrip in the Ervin Ridge WSA would be closed. This is the only airstrip within the six WSAs.

The BLM conducted a wilderness inventory for the area now included in the Monument in the Montana Wilderness Inventory (1980). A final suitability study and environmental impact statement completed by the BLM (1987) recommended wilderness designation for a portion of the Cow Creek and Antelope Creek Wilderness Study Areas (WSA). All WSAs will be managed according to the Interim Management Policy and Guidelines for Lands Under Wilderness Review (IMP) until such time as Congress acts upon the

recommendations—only Congress can designate or release these lands.

The Monument does not officially designate "roadless areas." However, the BLM as a matter of policy used its general management authority under Sections 302 and 202 of FLPMA to include in any wilderness review certain other roadless areas (1) areas smaller than 5000 acres that were not islands, (2) areas less than 5000 acres that had wilderness characteristics in association with contiguous roadless lands managed by another agency, and (3) lands placed under BLM administration after the wilderness inventory was conducted in 1978-1980. The WSAs and Cow Creek ACEC have low road densities; they will be protected so as to remain in this state in accordance with the IMP and other BLM policy.

4250-03 *Comment* *Inventory additional lands in the Monument to access and protect their wilderness qualities, especially in the Bullwhacker area because of its wild character and how it is discussed in the Proclamation. The Proclamation discussed the Bullwhacker area as some of the wildest county on all the Great Plains, which contradicts the BLM's 1980 inventory language.*

Particular concern should be given to WSAs that were determined not qualified (suitable) for wilderness because of primitive roads. More pristine or less disturbed areas such as wilderness study areas often provide the key refuge areas and population strongholds for threatened and endangered and sensitive species. BLM has plenty of authority under FLPMA and the Monument Proclamation to protect the wilderness character of lands outside of the WSAs. Future public use of the Monument will be enhanced by giving full protection to wilderness values wherever they are found, with Bullwhacker as a top priority.

4250-03 Response The BLM's authority to designate new WSAs expired when Section 603(a) of the Federal Land Policy and Management Act (FLPMA) lapsed on October 21, 1993. Section 603 directed the Secretary of the Interior to review those roadless areas of five thousand acres or more and roadless islands of the public lands, identified during the inventory as having wilderness characteristics described in the Wilderness Act.

The Utah Wilderness Lawsuit Settlement of 2003, while not affecting Montana BLM directly, curtailed the agency's ability to inventory additional public lands for Wilderness Study Area (WSA) status. The BLM was also directed to rescind its Wilderness Inventory Handbook (H-6310-1), and to refrain from establishing, managing, or to otherwise treat public lands as WSAs. However, current WSA management will be unaffected by the directive.

The BLM cannot inventory and recommend the Bullwhacker area as a WSA. However, BLM may still inventory lands for resource and other values, including wilderness characteristics, and consider this information in the Monument RMP pursuant to Section 201 of FLPMA.

The Montana Wilderness Inventory (1980) for the Miles City and Lewistown Districts of the BLM found a lack of wilderness characteristics in the Bullwhacker's 40,000 acre area, and dropped it from further consideration as potential wilderness. The BLM reviewed and compared the previous inventory with the current road system, natural gas wells in the area, and other developments. Since the original inventory the area has seen an increase in the number of roads and natural gas exploration and development. While the area is remote it still has numerous roads and impacts created by natural gas operations. This comparison showed an additional 34 miles of roads, eight new natural gas wells, two

additional active natural gas wells, and another seven miles of natural gas pipelines since the 1980 inventory. For additional information, please refer to the Wilderness Characteristics section of Chapter 3 in the Proposed RMP/Final EIS.

4250-04 *Comment* *Would WSAs released from consideration for the NWPS be managed as other lands within the Monument? The DEIS identifies the WSAs and ACECs as objects of interest and then concludes that if Congress releases the WSAs from that status, then their landscapes will be managed like other surrounding BLM land. There is no explanation of how these landscapes will be magically transformed from an object of interest with heightened restrictions into a landscape without those restrictions.*

4250-04 Response The WSAs not designated as wilderness by Congress will subsequently be managed in accordance with guidance for adjacent BLM land unless otherwise specified in the Proposed RMP/Final EIS. BLM Handbook 8550-1, Interim Management Policy (IMP) for Lands Under Wilderness Review describes the policies under which WSAs will be managed until such time that Congress designates them as wilderness or releases them for other purposes. Congressionally mandated studies led to recommendations from the Secretary of the Interior to the President, and from the President to Congress. In the case of the Monument, 9,600 acres of the Antelope Creek WSA and 21,590 acres of the Cow Creek WSA were determined to be suitable for inclusion in the National Wilderness Preservation System (NWPS). See Table 2.3 in the Draft RMP/EIS and Table 2.4 in the Proposed RMP/Final EIS.

If Congress determines that these areas are to be included in the NWPS, BLM would prepare wilderness management plans for them. Wilderness management is more, not less restrictive than IMP guidance for WSAs (BLM Manual 8560, Management of Designated Wilderness Areas), but lands within the WSAs, when they are eventually released, would be managed in a balanced manner so that the resources and their various values ". . . are considered in a combination that will best serve the needs of the American people . . . that takes into account the long-term needs of future generations for both renewable and nonrenewable resources." (Interim Management Policy and Guidance for Lands Under Wilderness Review, BLM Manual 8550-1, Page i).

The Proclamation states, "[f]or the purpose of protecting the objects identified above, the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or authorized administrative purposes." Additionally, it directs BLM to develop a transportation plan, and that the Secretary of the Interior shall manage development on existing leases within the Monument, subject to valid existing rights, so as not to create any new impacts that would interfere with the proper care and management of the objects protected by the Proclamation.

4250-05 *Comment* *Four of the six WSAs were deemed unsuitable for inclusion in the NWPS and must be managed under the BLM's multiple-use mandate. Why does BLM manage WSAs essentially as Wilderness when Congress has not yet passed legislation to include them in the NWPS?*

4250-05 Response In the Federal Land Policy Management Act (FLPMA), Congress gave BLM its first unified, comprehensive mandate on how the public lands should be managed. FLPMA established a policy of retaining the public lands in Federal ownership, and it directed the BLM to manage them under the principles of multiple use and sustained yield. Management decisions for the public lands are made through land-use planning processes that consider all potential uses of each land area, including wilderness.
Under FLPMA, wilderness preservation is part of BLM's multiple-use mandate, and

wilderness values are recognized as part of the spectrum of resources values considered in the land-use planning process. Section 603(c) specifically directed the BLM, for the first time, to carry out a wilderness review of the public lands. For the six wilderness study areas, during the period of review of such areas and until Congress has determined otherwise, the Secretary shall continue to manage such lands in a manner so as not to impair the suitability of such areas for preservation as wilderness (Interim Management Policy and Guidance for Lands Under Wilderness Review (IMP), BLM Handbook H-8550-1, Page 2).

There are six different practical effects of provisions in FLPMA with respect to "interim management" of the lands under wilderness review:

(1) The general standard for interim management is that lands under wilderness review must be managed so as not to impair their suitability for preservation as wilderness. It is referred to as the non-impairment standard. It applies to all uses and activities except those specifically exempted from this standard by FLPMA (such as grandfathered uses).
(2) Permitted activities in WSAs (except grandfathered and valid existing rights) are temporary uses that create no new surface disturbance, nor involve permanent placement of structures.
(3) Those grazing, mining, and mineral leasing uses that existed on October 21, 1976, (the date FLPMA was approved) may continue in the same manner and degree as on that date, even if this would impair wilderness suitability.
(4) Lands under wilderness review may not be closed to appropriation under the mining laws in order to preserve their wilderness character.
(5) Valid existing rights must be recognized.
(6) All lands must be managed to prevent unnecessary or undue degradation.

4250-06 *Comment* *One of the most significant impacts to the WSAs is noise associated with motorized watercraft, oil and gas drilling, cars and ATVs, and aircraft (both from private and military planes and the airstrips). Yet, nowhere in the DEIS are such impacts addressed. With respect to aircraft, the DEIS notes only that use of the backcountry airstrip in the Ervin Ridge WSA will continue and that "use levels of this airstrip are unknown at the present time." DEIS at 330. Where is the impacts analysis? What about the visual impacts? Will new roads and oil and gas operations impact the WSAs' primitive values?*

4250-06 Response The impacts to the six WSAs are addressed in Chapter 4 of the Draft RMP/EIS and Proposed RMP/Final EIS. Under the Preferred Alternative in the Proposed RMP/Final EIS the Ervin Ridge airstrip would be closed. This would enhance the WSA values. Under the Preferred Alternative, about 27 miles of vehicle ways in the six WSAs would be closed; about 9 miles would be open yearlong and 15 miles open seasonally. Not seeing numerous roads from the air or ground would improve the scenic quality value of the WSAs and ultimately enhance visitor satisfaction and experience when seeking pristine or primitive environments.

A portion of four lease parcels totaling 1,441 acres exists within the Ervin Ridge WSA. Solitude and other opportunities for a wilderness experience would be lost if these leases are developed. However, it is reasonably foreseeable no new natural gas wells would be drilled on these leases due to the condition of approval for VRM Class I areas.

4250-07 *Comment* *Designate some wilderness in the few areas where it is left. Although I like riding bicycles, there are places where mountain biking shouldn't be allowed either.*

4250-07	Response	The BLM is committed to protecting the natural characteristics of the Wilderness Study Areas (WSAs) within the Monument. The Proclamation prohibits all motorized and mechanized off road activities (e.g. mountain bicycles), except for emergency or authorized administrative purposes. Additionally, the Interim Management Policy for Lands Under Wilderness Review (IMP) allows mechanized and mechanical means of transportation on existing roads or vehicle ways. However, no new, permanent recreational ways, trails, structures, or installations are allowed in the WSAs.
4250-08	*Comment*	*The Draft RMP fails to prioritize protection of the Monument's wilderness values.* *The Monument lands have significant wilderness values, which are recognized in the Monument Proclamation but are not sufficiently addressed or protected in the Draft RMP.* *BLM should provide for management of WSA lands released from study that is sufficiently protective of their wilderness character to preserve these special values.* *Protection of Wilderness Character. We are extremely concerned by the Draft RMP's failure to identify lands with wilderness characteristics as a separate resource value.* *BLM must consider alternatives for managing lands within the Monument to protect their wilderness characteristics.* *BLM should consider designating new Wilderness Study Areas.* *In light of the recent ruling and subsequent action of the parties, the BLM can and should continue to designate new WSAs in this planning process. Further, if BLM fails to fulfill these obligations, it risks violating both FLPMA and NEPA, and jeopardizing the validity of this entire planning process.* *BLM must consider other management alternatives for protecting lands with wilderness characteristics.* *BLM should include protection of lands with wilderness characteristics in the RMP's management alternatives and thoroughly analyze this issue throughout the planning process. To ensure that wilderness values receive proper and sufficient attention as a critical aspect of land management in preparation of the RMP, BLM must inventory for lands with wilderness characteristics (including those lands identified by the Montana Wilderness Association and particularly in the Bullwhacker area), consider alternatives for protecting lands with wilderness characteristics with appropriate management prescriptions (such as VRM Class I designations and limitations or exclusion of motorized recreation) and address wilderness characteristics as a separate and unique issue in the planning process in each section of the RMP, as described in detail above.*
4250-08	Response	The Interim Management Policy for Wilderness Lands Under Review (IMP) does provide management guidance for protection of the six Wilderness Study Areas in the Monument, and the Upper Missouri National Wild and Scenic River Management Plan Update (1993) prioritizes protection of wilderness values along the river. The BLM's authority to designate new WSAs expired when Section 603(a) of the Federal Land Policy and Management Act (FLPMA) lapsed on October 21, 1993. Section 603 directed the Secretary of the Interior to review those roadless areas of five thousand acres or more and roadless islands of the public lands, identified during the inventory as having wilderness characteristics described in the Wilderness Act.

Group **Wilderness**

The Utah Wilderness Lawsuit Settlement of 2003, while not affecting Montana BLM directly, curtailed the agency's ability to inventory additional public lands for Wilderness Study Area (WSA) status. The BLM was also directed to rescind its Wilderness Inventory Handbook (H-6310-1), and to refrain from establishing, managing, or to otherwise treat public lands as WSAs. However, current WSA management will be unaffected by the directive.

Public comment on the Draft RMP/EIS stated that BLM should take another look at the Bullwhacker area for wilderness study status or for wilderness characteristics. Though the BLM can no longer inventory for, and designate wilderness study areas, the BLM can manage areas for wilderness characteristics.

Based on the public comments received on the Draft RMP/EIS for the Bullwhacker area, the BLM reviewed and compared the previous inventory with the current road system, natural gas wells in the area, and other developments. Approximately 46,000 of BLM land in the Monument are within the original Bullwhacker inventory unit (MT-065-255) and another 3,000 acres are just west of the Monument (within the Lewistown Field Office). The Bullwhacker unit was inventoried in the late 1970s as part of the Montana Wilderness Inventory Process. In 1980 it was determined that Bullwhacker, while meeting the size criteria of wilderness characteristics, had too many man-made structures, such as roads from oil and gas developments. The inventory identified 45 vehicle ways, 57 reservoirs, gas lines, and 44 live or dry gas wells (BLM 1980). Since the original inventory the area has seen an increase in the number of roads and natural gas exploration and development. While the area is remote it still has numerous roads and impacts created by natural gas operations. This comparison showed an additional 34 miles of roads, eight new natural gas wells, two additional active natural gas wells, and another seven miles of natural gas pipelines since the 1979/1980 inventory.

Based on the public comments on the Draft RMP/EIS, the Monument was also reviewed to identify areas with wilderness characteristics based on:

- At least 5,000 contiguous acres of BLM land without roads.
- The imprint of people's work must be substantially unnoticeable.
- An outstanding opportunity for solitude or primitive and unconfined type of recreation.

Though there were no areas greater than 5,000 acres without roads, 14 areas were identified with roads that did not completely separate the area. However, most of these areas contain numerous roads within them. Two of the larger areas are within Bullwhacker. The BLM interdisciplinary team reviewed these areas and concluded that most of the areas had too many developments to be considered for their wilderness characteristics under current management (e.g., roads, natural gas development, range improvements, etc.). The few areas that had a small amount of roads were thin, long polygons, which limited the opportunities for solitude and primitive and unconfined recreation (in some areas, less than a mile in width).

Identifying areas with wilderness characteristics is based on what currently is on the ground, and not what could be in the future under different management alternatives. Alternative E in the Draft RMP/EIS and Proposed RMP/Final EIS emphasizes the natural condition and places the most limitations on visitors and other activities. Subtle forms of resource management and monitoring would minimize intervention into natural processes. The Monument would be managed for opportunities for solitude and primitive and unconfined types of recreation.

Group		Wilderness
4250-09	*Comment*	*The Monument does not fit the wilderness definition because there are numerous roads, gas wells, and livestock grazing improvements like fences and water impoundments, which need motorized travel for maintenance.*
4250-09	Response	The BLM currently manages the Monument under the Congressional mandate of multiple-use and sustained yield, which includes wilderness landscapes. However, the Monument does not have designated wilderness areas. Six wilderness study areas (WSAs) in the Monument were identified in the Montana Wilderness Inventory (BLM 1980). A final suitability study and environmental impact statement completed by the BLM (BLM 1987) recommended wilderness designation for a portion of two WSAs. All the WSAs will be managed according to the Interim Management Policy (IMP) and Guidelines for Lands Under Wilderness Review – July 1995 (BLM Manual H-8550-1) until such time as Congress acts upon the recommendations. Only Congress can designate or release these lands. The BLM will prepare a wilderness management plan for any areas designated as wilderness by Congress. The WSAs not designated as wilderness by Congress will subsequently be managed in accordance with guidance for adjacent BLM land unless otherwise specified in the Proposed RMP/Final EIS.
4250-10	*Comment*	*In wilderness study areas does the Wilderness Act apply because the Wilderness Act also has a savings provision about valid pre-existing rights.*
4250-10	Response	The Wilderness Act of 1964 does not apply to lands within the Monument. However, the Federal Land Policy and Management Act of 1976 (FLPMA), Section 603, directs the BLM to manage lands under wilderness review, or wilderness study areas (WSA), under the non-impairment standard until such time that Congress designates them as wilderness or releases them for other purposes. The Interim Management Policy for Lands Under Wilderness Review (IMP) was a consequence of FLPMA, Section 603, and is used by BLM to implement specific decisions with regard to maintaining the WSA's natural characteristics. Under the IMP, permitted activities in WSAs (except grandfathered and valid existing rights) are temporary uses that create no new surface disturbance, nor involve permanent placement of structures. Those grazing, mining, and mineral leasing uses that existed on October 21, 1976, (the date FLPMA was approved) may continue in the same manner and degree as on that date, even if this would impair wilderness suitability.
4250-11	*Comment*	*There should be no water developments in the WSA's.*
4250-11	Response	The water developments that exist or are still maintained in the WSAs are considered legitimate livestock management uses that were grandfathered on October 21, 1976 and addressed in the Interim Management Policy for Lands Under Wilderness Review (IMP). Under the IMP, those grazing, mining, and mineral leasing uses that existed on October 21, 1976, (the date FLPMA was approved) may continue in the same manner and degree as on that date, even if this would impair wilderness suitability. New water developments may be allowed for the purpose of enhancing wilderness values. Such water developments must meet the criteria specific in the IMP.
4250-12	*Comment*	*Hiking in some of the Wilderness Study areas this past summer I was amazed to see cattle grazing in these areas. This is not in accordance with how WSAs are mandated to be managed. Enforcing the WSA management guidelines in these areas is a must if they are ever to be designated as wilderness.*

Group		Wilderness
4250-12	Response	The WSAs' management in the Monument allows for livestock grazing as a traditional use, which is "grandfathered" on October 21, 1976 into the Interim Management Policy for Lands Under Wilderness Review (IMP).
4250-13	*Comment*	*Alternative F: "Non-motorized, non-mechanized game carts allowed off-road except in WSAs." Game carts should not be allowed in WSAs.*
4250-13	Response	Game carts are not allowed off vehicle ways and cherry stem roads in the WSAs under the Interim Management Policy for Lands Under Wilderness Review (IMP) General Policy, Number 11, Motor Vehicles, Aircraft and Mechanical Transport.

Group		Economics
5000-01	*Comment*	*The costs of complying with the DRMP and DEIS would significantly impact the local tax base due to decreased ranch values and income, loss of natural resource jobs, decreased revenue from mineral and natural gas operations, lower private property values due to reduced access, and BLM land acquisitions. As has repeatedly happened in the past, restricting natural resource use would negatively impact the State, counties, and funding for emergency services, local roads and schools, which are already struggling. People may seek a different way of life outside of our community, causing our schools to lose funding because of fewer pupils and lower tax valuation of our community. How is the government going to address this reduction in economic activity and the resulting effects on the tax base and schools? Any management plan must address the financial ramifications to the State and Local governments.*
5000-01	Response	Reductions in natural resource development under the Preferred Alternative should be limited to reduced natural gas production, with few implications for the local tax base and schools. As detailed in the Economics section of Chapter 4 in the Proposed RMP/Final EIS, changes to ranching operations are expected to be minor and to not reduce livestock numbers or animal unit months (AUMs). While it is expected that local tax revenue from natural gas operations will decrease slightly under the Preferred Alternative (compared to current management), total natural gas revenue to local governments and schools would decline by approximately $2,000. Compared to current management, under the Preferred Alternative revenue to Blaine County government and school districts may decline by $6,000, while revenue to Fergus County government and school districts may actually increase by $4,000. Natural gas revenues to other counties do not change in the Preferred Alternative (compared to current management). Regarding property values, the Preferred Alternative has been revised to leave roads to private lands open yearlong, so there should be no access-related effects on private property values. Oil and gas may still be developed on private land. The Monument designation itself may have reduced the feasibility of oil and gas development on private land due to the withdrawal of adjacent federal lands from leasing. However, this effect is due to the Monument designation and not the alternatives. As noted in the comment, the Preferred Alternative may result in BLM land acquisitions from willing private sellers. However, the BLM is not anticipating large private land acquisitions. In the event of BLM land acquisitions, it is possible that the Payment in Lieu of Taxes (PILT) payments to the counties would not increase. Therefore the counties could lose revenues equivalent to the property tax revenues from acquired

acreage. Private lands intermingled with the Monument are primarily grazing lands, and property taxes on grazing lands within the study area in 2005 were approximately $1.40 per acre according to the Montana Department of Revenue. The tax effects of BLM land acquisitions could thus be approximately $1.40 per acquired acre.

5000-02 *Comment* *There's literally 10,000 to 12,000 head of cattle that are affected by this. When you look at the economic impact of this on very conservative terms, right now actually the cattle generate far more than this, but there's $500-700 a head per year that's put into our local economy. Those dollars in our state just out of that Monument area, there's $25-42 million dollar worth of revenue that comes out of there to support families, to support our schools, to maintain roads, to provide emergency services, all of those things.*

5000-02 Response As noted in the Livestock Grazing section of Chapter 3 of the Proposed RMP/Final EIS, there are approximately 38,000 animal unit months (AUM) of forage annually harvested in the Monument on 113 allotments. This supports at most 10,000 to 12,000 head of cattle, with an estimated 6,300 head substantially supported on Monument forage during the summer months. The number of AUMs harvested annually is not expected to change due to the Preferred Alternative, nor is the number of cattle in the Monument. As is the case for BLM land managed outside of the Monument, changes in livestock numbers may result from adjustments necessary to meet Standards for Rangeland Health and to implement Guidelines for Livestock Grazing Management. These adjustments, however, are not due to the Monument or the Preferred Alternative, but rather are required management standards on all Montana BLM land.

Regarding the value of livestock grazing in the Monument, as noted in the comment the average value per head of cattle is approximately $500 to $700. The Monument partially supports 6,000 to 12,000 head of cattle, with a total value of $3.6 to $7.2 million. As ranchers spend their income and also purchase local goods and services to support their ranching operations, output in economic sectors related to ranching also increases. The total economic output in the five-county study area supported by cattle that graze some of the year in the Monument is approximately $7 to $14 million. It should be noted that this is not the value of Monument forage, as alternative forage or replacement feed would be possible for some or all of these cattle.

The true economic value of the Monument forage is the cost to ranchers of alternative feed sources. As noted in the Economics section of Chapter 4 in the Proposed RMP/Final EIS, based on the cost of private pasture or grass hay substitute, the value of Monument forage to ranchers is approximately $15 to $25 per AUM. Assuming the availability of substitute forage, the total economic value of the 38,000 AUMs of forage in the Monument is thus equivalent to approximately $570,000 to $950,000 annually.

5000-03 *Comment* *Two economists from the University of Montana were commenting about the tax revenue the State has collected which has put the State in a surplus tax position. They also went on to comment that the increase in revenue was due primarily to taxes collected from the extraction of natural resources. This money was generated from the sale of timber, mining/mineral taxes, oil and gas leases, income taxes collected from the higher wages paid for people that are employed in these industries and the local businesses that supply the various industries with the items/material that are required to keep things happening. Tourism generated some income to the State, but not in the amounts necessary to shoulder the burden if all the above mentioned people and groups are eliminated from the use of these public lands which results in the loss of income to the State. People that are on a fixed income cannot afford to have a loss to State income. We can't afford any more taxes to keep the many social and required programs that the State funds. Please keep us in mind when these decisions are made.*

Group		Economics
5000-03	Response	Tax revenue to the State of Montana from BLM land and minerals in the Monument includes mineral royalties, rents, and bonuses as well as grazing fees and oil and gas production taxes, while revenue from private land intermingled with the Monument includes property taxes and personal income tax. The Preferred Alternative would allow continued use of natural resources in the Monument, and this use would continue to provide revenues to the state. Examining impacts by state revenue source indicates that only revenue from oil and gas leases is likely to be affected by the Preferred Alternative. There are no expected impacts to the number of animal unit months (AUM) harvested within the Monument due to the Preferred Alternative, so there should be no change in state revenues related to grazing or ranching. Property tax revenues are not expected to decline as access to and use of private land intermingled with the Monument is not limited. In fact, as discussed in the Economics section of Chapter 4 in the Proposed RMP/Final EIS, the designation of the Monument (all alternatives) may actually lead to increased local property values due to increased demand for property near natural amenities. However, the Preferred Alternative is expected to slightly reduce revenues from oil and gas production through conditions of approval applied to drilling permits. Compared to current management (Alternative A), the Preferred Alternative is expected to reduce total oil and gas disbursements to the State of Montana by approximately $5,000, which is significantly less than 0.01% of 2005 Montana State Revenue.
5000-04	*Comment*	*The BLM's economic analysis is deficient because it provides no data to indicate that the BLM actually did any analysis showing the impact that the alternatives would have on ranching. By increasing restrictions on livestock grazing on the Monument, the BLM would be making it more difficult for ranchers to operate a viable ranching operation, thereby effectively forcing these ranchers to sell their private property within the Monument. Such an action would decrease the tax base for the local communities and result in severe economic hardship. Additionally, the DRMP/DEIS fails to contain any analysis of the economic impacts of changing the Visual Resource Management ("VRM") classes. While acknowledging that the various alternatives could compel supposedly "minor adjustments in [ranchers'] operations" and increase costs or reduce income to ranchers, the BLM makes no attempt to quantify the amount of lost forage or associated economic costs, or even to provide a comparison of the relative costs associated with implementing different alternatives on ranchers and the local small communities. The BLM should balance the economic and historic contributions of grazing against the harm that will be caused by any impacts to grazing. Clearly, the BLM has failed to follow NEPA's requirement to "assess and discuss the secondary [socio-economic] effects of the project in question."*
5000-04	Response	The number of cattle in the Monument and the number of animal unit months (AUM) harvested annually is expected to change by less than 0.1% due to the Preferred Alternative. The potential restrictions on livestock grazing outlined in the Livestock Grazing section of Chapter 4 of the Proposed RMP/Final EIS are primarily based on the Standards for Rangeland Health and Guidelines for Livestock Grazing Management, and are applicable on all BLM grazing land, not just those located in the Monument. Management guidance in the alternatives that is specific to the Monument is the visual resource management (VRM) classification and the necessity to protect objects of the Monument. However, while the VRM classification may result in some limitations on proposed new livestock facilities, no restrictions on current operations, including maintenance of existing facilities, are expected. Furthermore, protection of objects of the Monument, such as sage-grouse, are expected to result in less than 0.1% reduction in available AUMs. Therefore, there are no foreseen restrictions on grazing that would make it more difficult for ranchers to operate their ranches under current procedures.

Group		Economics
5000-05	*Comment*	*Under NEPA, the BLM, when preparing an EIS, must include an adequate economic analysis. See, 40 C.F.R. §§ 1508.8 and 1508.14. This economic analysis must take into consideration the impacts on the communities that will be affected by the action. The draft makes no attempt to quantify potential impacts to grazing and makes no comparison of the economic costs among the alternatives regarding grazing. The draft does not consider how minor adjustments in ranch operations would impact the economic viability of permit holders. All the BLM did was regurgitate some local economic data. The BLM never analyzed how its plan would impact the local economy as the BLM is required to do by law. What will this cost to taxpayers and individuals whose livelihood depends on resource use? Every single industry, community, and school that was affected by this was supposed to see how this was economically going to impact them. None of that work has been done. And so our local fire departments, our local schools, our local cities need time to find out how this is going to affect them.*
5000-05	Response	Under the National Environmental Policy Act (NEPA) (40 C.F.R. §§ 1508.8 and 1508.14) the BLM is required to estimate the direct and indirect economic effects resulting from the range of alternatives being considered. Although there is no specific congressional directive in NEPA to analyze in an EIS what economic impacts would be to individual industries, communities, and schools, if there are large impacts then these should be analyzed. However, the draft economic analysis determined that, with the exception of natural gas development, the Preferred Alternative would not significantly change resource use in the Monument and would therefore have little impact on the local economy. The Proposed RMP/Final EIS provides additional information regarding the impact of the Preferred Alternative. As far as impacts to local communities and schools, the Proposed RMP/Final EIS endeavors to analyze economic impacts on as local a level as possible. Impacts to the oil and gas industry are expected to be the only measurable source of negative economic impact, and these are now presented by county (in the draft RMP/EIS these were presented for the entire five-county study area). Potential positive impacts of the Preferred Alternative are discussed qualitatively and may include increases in property values and tourism revenue. The local component of school funding is based on enrollment, local property values, and royalties and taxes on oil and gas production. There are no anticipated changes to population due to the Preferred Alternative, so there is no expected impact to local school funding due to changes in enrollment. Regarding private property values, the Preferred Alternative has been revised so that roads to private land would remain open year-round, so there should be no transportation-related effects on private property values. Additionally, there should be little to no effect on the value of ranch properties as the number of animal unit months (AUM) or livestock in the Monument are expected to vary by less than 0.1% due to the Preferred Alternative. Compared to current management (Alternative A), the Preferred Alternative is expected to result in two fewer natural gas wells being developed in Blaine County and one more well being developed in Fergus County. As a proportion of royalties and local oil and gas production taxes goes to the county, the reduction in production would result in less Blaine County revenue and more Fergus County revenue. As noted in the Economics section of Chapter 4 of the Proposed RMP/Final EIS, total county oil and gas revenues in the study area are expected to decline by $3,000 and total school district revenues are expected to increase by $1,000. Due to two fewer wells being drill in Blaine County, revenues to this county are expected to decline by $5,000 and school district revenues by $1,000.

Group		Economics
5000-06	*Comment*	*The local economy is heavily dependent on mineral leasing, oil and natural gas production dollars, and taxation of land. The BLM has failed to provide any economic analysis of how the local economy and private property owners in the Monument will be affected by reduced oil and gas development. Alternatives C through F would all negatively impact natural gas exploration and development (see DRMP/DEIS at 341), thereby decreasing the tax revenue for these local communities and the school districts. The inclusion of private lands within the Monument has also had negative impacts to those holding private property in the Monument, and those economic impacts will be more severe under the BLM's proposal. As gas companies have become hesitant to lease these private lands within the Monument due to the risk of frequent road blocks and the possibility of lawsuits, the Monument boundary has forced a financial bias against landowners whose private land was illegally included in the Monument. The loss of this economic benefit to this relatively poor region must be considered in the formulation of the Monument management plan, including the loss of future economic development.*
5000-06	Response	The RMP/EIS estimates the number of current and future production wells under each management alternative. The economic analysis then addresses the effects of the management alternatives on the local economy and estimates the effects on local output, income, employment, and tax revenues to all levels of government (see the Economics section of Chapter 4 in the Proposed RMP/Final EIS). Under the Preferred Alternative, total tax revenue impacts to local county governments and school districts is estimated to decline by $5,000 (county revenue is expected to decrease by $3,000 while school district revenue is expected to increase by $1,000 since the number of wells in Fergus County is actually expected to increase under the Preferred Alternative.) Mineral resources on private land intermingled with the Monument may have been affected by the withdrawal of adjacent federal lands in the Monument from leasing. If the withdrawal of adjacent lands results in private parcels being too small for feasible natural gas development and these parcels would have been otherwise developable, then impacts may be felt on private land intermingled with and surrounding the Monument. However, this effect is due to the Monument designation and not the alternatives. In the Reasonable Foreseeable Development (RFD) analysis conducted by the BLM, three RFD fee wells (privately owned land with federal mineral rights) were identified. All three wells would be allowed under each alternative. Rights-of-way requirements are common to all alternatives.
5000-07	*Comment*	*The DRMP/DEIS fails to contain any analysis of the economic impacts of changing the Visual Resource Management ("VRM") classes. The change in the VRM designations would increase costs to livestock producers, who could be forced to forego range improvements in many instances or install more costly range improvements in other instances. Decreasing the number of range improvements that could be installed could decrease forage availability and increase other management costs. Yet, the BLM fails to provide any analysis on the economic impact of these changes, and instead characterizes these changes as "only an inconvenience to livestock grazing facility installation." Id. at 276. This problem could be fixed by exempting ranching operations from the VRM requirements.*
5000-07	Response	The visual resource management (VRM) classifications are not expected to require changes to current operations. As discussed in the Livestock Grazing section of Chapter 4 in the Proposed RMP/Final EIS, routine maintenance of existing structures would not be affected by the VRM classifications so long as maintenance does not substantively change the design or surface area of a structure. New surface-disturbing projects, however, may require modifications that reduce the visual impact of the project on the landscape. Such

		modifications may increase the cost of new range improvement projects. While the number of affected improvements and potential cost increases are not known, the total impact on ranchers is likely limited since existing operations are not affected.
5000-08	*Comment*	*It is widely recognized that grazing permits have value which is capitalized into the value of a ranch. See L. Allen Torell & John P. Doll, Public Land Policy and the Value of Grazing Permits, 16 W. J. AG. ECON. 174, 175 (1991). Increasing restrictions on livestock grazing on the Monument decreases the value of the permit, and thereby the value of the ranch to which the permit is attached which, in turn, could impact property tax values. Moreover, the preference right itself is often subject to taxation. See Frank J. Falen & Karen Budd-Falen, The Right to Graze Livestock on the Federal Lands: The Historical Development of Western Grazing Rights, 30 IDAHO L. REV. 505, 511 (1993-1994). A decrease in the value of the preference right will therefore decrease the amount of taxes that are generated.*
5000-08	Response	As noted in the Livestock Grazing section of Chapter 4 in the Proposed RMP/Final EIS, the total number of animal unit months (AUM) harvested and livestock in the Monument is expected to change by less than 0.1% under the Preferred Alternative. The visual resource management (VRM) classifications may lead to minor increases in costs to implement new range improvement projects, but since current ranching operations could continue without restriction, the effects of VRM regulations on property values is expected to be limited. Furthermore, grazing lands are taxed at a very low property tax rate (an average of $1.40 per acre in 2005 throughout the study area), so any potential reductions in property values would have limited tax revenue repercussions.
5000-09	*Comment*	*It says on page 340 that Monument grazing only provides 1% of the nutritional needs for cattle in the study area. It turns out the study area is five counties. This relevant fact needs to be put in the same paragraph and not elsewhere in the document. It could be very confusing to someone from out of the area and they may conclude from this that forage in the Monument is not an important issue. It is, I assure you, an extremely important issue. Changes in forage availability would create a measurable effect on our ranch economically.*
5000-09	Response	This section of the Draft RMP/EIS has been revised to indicate the relative importance of Monument forage to the five-county study area, to individual counties, and to local ranchers. For additional information, see the Economics section of Chapter 4 in the Proposed RMP/Final EIS.
5000-10	*Comment*	*The BLM's RMP would place an increased burden on county emergency services. As indicated in the DRMP/DEIS, the local county sheriffs' departments conduct emergency services on the Monument. DRMP/DEIS at 27. However, the BLM did not provide any economic analysis of the additional economic burden to local governments for providing county emergency services to the Monument under the different alternatives.*
5000-10	Response	The Draft RMP/EIS alternatives do not directly increase the burden on county emergency services. Local governments currently provide emergency services within the Monument and they would continue to do so under the Proposed RMP/Final EIS alternatives. If visitation to the Monument were to increase due to management under an alternative, then the use of local emergency services within Monument would likely increase. As the effect of each alternative on Monument visitation is unknown, it is not possible to estimate the associated effect on demand for local emergency services. As stated in the Preferred Alternative (see the Recreation section of Chapter 2) user fees levied by the BLM could be used to compensate local jurisdictions for emergency services provided on the Monument.

Group		Economics
5000-11	*Comment*	*The Preferred Alternative F says it emphasizes more opportunities for visitors, but it closes existing roads and airstrips and further restricts boating. These closures plus limited special recreation permits will reduce the hunters, fishermen, and motorized boat users visiting our area which will lower the local tax base and cause loss of revenue to local landowners and business owners. Outfitters would also be negatively affected and may go out of business. Fewer outfitters means less local employment/income and even fewer visitors to the area. This is a part of our state where we live, work and should not be treated as a barren wasteland with no people.*
5000-11	Response	The number of special recreation use permits issued for the Missouri River would be limited in the Preferred Alternative. However, as indicated on page 301 of the Draft RMP/EIS, limiting the special recreation use permits only affects the number of commercial operators on the river and in the uplands and does not limit the number of commercial trips and user days. Therefore commercial operators with permits may run as many trips on the river or in the uplands as demand allows, so the number of visitors recreating with commercial outfitters should not be affected. Additionally, existing outfitters with special recreation use permits would retain their permits and should not be negatively affected. However, if visitor use levels increase or patterns of use change in the future, it may be necessary for the BLM to consider such actions as issuing additional permits, decreasing the number of permits, adjusting use areas, or incorporating conditions limiting visitor use days. Although some roads and airstrips would be closed and motorized boating restricted, it is not known if the change in access would affect visitor numbers as access would continue throughout the year in areas of the Monument. Additionally, by closing some areas to motorized use, additional non-motorized recreational opportunities are created. The Preferred Alternative in the Proposed RMP/Final EIS would close 201 miles of roads, of which most are either short spurs less than 1/2 mile in length or are parallel/redundant roads. An additional 111 miles of roads currently accessible yearlong would be restricted to seasonal use. Despite these road closures, under the Preferred Alternative, approximately 90% of the Monument would be within 1 mile of an open (yearlong or seasonally) road. The effects of road closures on visitor numbers may negatively affect motorized users, but may benefit non-motorized recreationists. Additionally, although the Preferred Alternative in the Proposed RMP/Final EIS would close four airstrips and seasonally restrict use of one airstrip, five airstrips would remain open yearlong. As the number of users of airstrips is limited, limiting the number of airstrips could only negligibly affect visitor use numbers. Finally, the transportation plan was created with an emphasis on retaining motorized access to recreation sites, which should limit the effects on access for motorized recreationists.
5000-12	*Comment*	*The negative social and economic impact experienced by motorized recreationists when motorized recreational opportunities do not exist in nearby public lands must be adequately evaluated and considered in the decision-making. This is especially significant now that fuel is over $2.00 per gallon. These impacts include the complete loss of recreational opportunities and the cost of having to travel farther and farther in search of fewer and fewer motorized recreational opportunities in times of increasing travel costs. We request the evaluation of the economic cost of fewer motorized recreation opportunities on motorized recreationists and the significant cumulative negative effect of all travel management decisions that contribute to these social and economic impacts on motorized recreationists.*
5000-12	Response	The Preferred Alternative provides continued access to the Monument for all types of motorized recreation. Although the mileage of open motorized roads would decrease, access for motorized recreation, including OHV use, would continue on open roads in the

Monument. As motorized recreational opportunities would continue to exist in the Monument, it is not expected that the Preferred Alternative would require motorized recreationists to travel farther in search of recreational opportunities. Regarding motorized travel off of designated open roads, the Proclamation specifically prohibits such use of the Monument. Therefore, enhancing opportunities for off-road recreation is not the purpose of the Monument and is not within the management authority of the BLM.

Regarding motorized boat use, although motorized boating in the Preferred Alternative in the Proposed RMP/Final EIS would not be allowed on Sunday through Thursday on the lower section of the river during the summer season, motorized access will continue on sections of the river in the Monument during all seasons. Effects on motorized users should be limited as their use level is limited during the seasonally restricted period of June 15 to September 15 (seasonal restrictions apply only to some sections of the river). According to BLM Boat Registration data, only approximately 10% of boaters utilize a motorized watercraft during the summer months (see the Draft RMP/EIS, page 170). Additionally, motorized boaters may actually benefit from the Preferred Alternative as the seasonal restriction would be delayed by two weeks to allow motorized boaters to boat the river in the first two weeks of June, which is a popular time for angling.

5000-13 *Comment* *The economic analysis is completely devoid of any quantitative or qualitative costs and benefits to the State and local governments from imposition of the DRMP. The DRMP would require ranchers to take additional actions to manage livestock grazing on the Monument, would impose a number of enforceable restrictions on natural gas operators, requires more funding for public lands, and would require additional services, such as county emergency services, to be provided by local governments. The economic analysis section does note that the costs of managing the Monument may change under the RMP; however, there is no assessment of any impact to State or local governments. Clearly, this fails to meet the requirements of the Unfunded Mandates Reform Act (UMRA).*

5000-13 Response The Unfunded Mandates Reform Act requires that the Federal government pay the costs incurred by state, local, or tribal governments when complying with certain requirements under federal statutes and regulations. As the RMP alternatives do not directly require additional expenditures from local or state governments, it is not an unfunded mandate. Additional funding required for management of the Monument would be provided by the federal government to the BLM, the federal agency responsible for managing the Monument.

Additional expenditures by local governments may be necessary if a management alternative leads to increased visitation to the Monument. Increased Monument visitation may lead to increased demand for emergency services, which are provided by local jurisdictions. This is an indirect consequence, however, of the Monument RMP. Additionally, the Preferred Alternative notes that the BLM could utilize user fees to compensate local jurisdictions for emergency services provided in the Monument.

As described in the Economics section of Chapter 4 in the Proposed RMP/Final EIS, tax revenues for state and local governments may be slightly impacted due to a reduction in oil and gas production under the Preferred Alternative compared to current management. Examining impacts by revenue source indicates that only revenue from oil and gas leases is likely to be affected by the Preferred Alternative. Expected impacts to the number of animal unit months (AUM) harvested in the Monument due to the Preferred Alternative are less than 0.1%, so there should be little to no change in state or local revenues related to grazing or ranching. Property tax revenue should remain the same or could even potentially increase due the protected natural amenities of the Monument.

However, the Preferred Alternative is expected to slightly reduce revenues from oil and gas production through conditions of approval applied to drilling permits. Compared to current management, the Preferred Alternative is expected to reduce total oil and gas related revenues to the State of Montana by $5,000 and to county governments in the five-county area by $3,000.

5000-14 *Comment*

Missing from the BLM's DEIS is an analysis of the economic benefit derived from adopting an alternative (like Alternative E) that emphasizes resource protection and preservation above all other more destructive uses (i.e., oil and gas drilling, airstrips, motorized access). The Paul Polzin model of emphasis on resource extraction as the only driver of Montana's economy is outdated as Montana has changed from the resource extraction economy of the past to a more diverse economy. The failure to recognize this biases the draft RMP and does little to correct the misconception that the Monument is creating economic hardships in Blaine, Phillips, Fergus, and Choteau counties.

Preserving natural and historical values and wild land areas will provide the greatest long-term benefit to the local economy and need to be recognized as an economic asset to the local and national economy. The loss of pristine areas will undercut future economic growth in our vital border communities and tourist venues as economic development is directly related to proximity to protected wild areas. To recognize these "lifestyle economics" the analysis should include such benefits as adjacent property value increases, expanded recreational opportunities, and the economic values associated with living in a close proximity to a variety of amenities that make the area a special place to live.

The draft misses important economic trends such as the declining employment and income importance of traditional extractive industries. It also fails to emphasize the substantial recognized research showing a positive correlation between protected public lands and economic prosperity. Protected public landscapes are and will increasingly be an economic driver.

5000-14 Response

The Proposed RMP/Final EIS has been revised to include more discussion of potential benefits of Alternative E, which emphasizes resource protection and preservation. However, as discussed below and in the Economics section of Chapter 4, the remote location of the Monument and the fact that the baseline condition (Alternative A) provides resource protection suggests that the incremental benefits of additional resource protection provided by Alternative E may be restricted.

The Preferred Alternative reduces the number of roads, airstrips, and restricts oil and gas drilling on federal lands to areas with existing leases. These actions are expected to fulfill the purpose of the Monument, which is to protect the historical, biological, and geological objects of interest in the Upper Missouri River Breaks area. As noted in the Proclamation, the "area remains remote and nearly as undeveloped as it was in 1805." With the exception of potential development of 34 additional natural gas wells and supporting infrastructure that would disturb 73 acres of the Monument (less than 0.02 percent, see page 240 of the Draft RMP/EIS), there would be very limited additional development of the area under the Preferred Alternative

Regarding the "lifestyle economics" of wildland preservation, various economic studies have shown that the preservation of natural landscapes often leads to increased local economic growth and increased value of neighboring properties due to enhanced scenic and recreational values (Sonoran Institute, 2004; Phillips, 2000, etc). Additionally, regions with protected natural landscapes often experience increased population growth, which also increases economic growth and property values. Land in and around the

Monument is valued for both its scenery and its recreational value, particularly for hunting big game.

Prior to the Monument designation, the Monument area was already being recognized as a valued natural area, as evident by the fact that land in the area was being purchased by individuals seeking a rural vacation or retirement home. Purchase of land for vacation or retirement homes tends to raise local property values. Due to the enhanced protection of the landscape provided by the Monument designation combined with the national attention generated, it is expected that property values may be further increased in the area under all alternatives.

However, the differential effect of the various alternatives on property values is difficult to evaluate. Some studies have indicated that the more protected public lands are, the greater the effect on local property values. All alternatives are designed to provide for the "proper care and management of the objects to be protected." For example, the Preferred Alternative would prohibit surface disturbance within the line of sight/sound (or 300 feet whichever is closer) of developed recreation areas (Level 1, 2, or 3) and undeveloped recreation areas receiving concentrated public use. Additionally, no surface-disturbing activities would be allowed in visual resource management (VRM) Class I areas. Alternative E would further restrict development and use. As noted throughout the RMP, it is generally not known how additional protections would influence the biological resources of the Monument, recreational use, or related economic benefits to residents and visitors. It is therefore unknown if alternatives more restrictive of development (such as Alternative E) would measurably alter property values or other economic values.

Likewise, it is unclear what the effects on economic growth would be of alternatives such as Alternative E that are more restrictive of development. Several studies have indicated that rural areas proximate to protected public lands leads to increased local economic growth (Lewis and Plantinga, 2000; Lorah, 2000). Economic growth can be fueled by increased tourism, or by population growth fueled by workers or retirees attracted by local amenities and scenery. The magnitude of the effect of preserved natural areas to serve as an engine of economic growth depends largely on the proximity to metropolitan areas and the associated services and transportation infrastructure. The largest urban area in the vicinity of the Monument is Billings, and it has a population under 100,000 and is over 100 miles distant. The lack of a proximate urban center may limit the potential of the Monument to serve as an economic growth engine for the local community.

Regarding recreation, the economic benefits to recreationists and the local economy of the numerous opportunities in the Monument are considerable. The Preferred Alternative provides different recreational opportunities than Alternative E (which more highly restricts development of the Monument) since recreation use is more restricted under Alternative E: user days for boaters would be limited, no new campsites would be added along the river, no motorized watercraft use would be allowed on miles 0 to 149 of the river, and no commercial motorized tours of upland areas would be allowed. These actions may favor certain types of recreation and limit other types. Additionally, it is likely that there would be negative economic impacts on the local recreation industry at least in the near future as such recreation opportunities as fall hunting by motorized boaters would be eliminated. In the more distant future, there could be a net economic benefit if the number of visitors floating the Missouri River were to increase due to the non-motorized status of the river.

5000-15 *Comment* *The positive economic impact that OHV riders, jetboat users, and other motorized recreationists produce for the rural communities should be examined. A common theme with the public and local and state governments has been the need for more economic development in the area and they are searching for ways to expand and enhance the local*

economy. OHV recreation is a significant part of the existing economy and any reduction in motorized recreational opportunities will hurt the local economy. Additionally, the enhancement of OHV and other motorized recreational opportunities in the project area will provide a badly needed enhancement of the overall local economy as well.

5000-15 Response Under the Preferred Alternative, there would continue to be numerous opportunities for motorized recreation in the Monument. The Preferred Alternative does reduce the mileage of motorized roads in the upland areas of the Monument, but approximately 90% of the Monument would still be within 1 mile of an open (yearlong or seasonally) road. The majority of road closures are parallel/redundant roads or short spur roads. Additionally, road closures may benefit upland recreationists preferring a more quiet and natural experience. Hunters may also benefit as road closures reduce impacts to wildlife and may therefore result in increased hunting opportunities if the wildlife population rises.

It should be noted that the Proclamation states that "the Secretary shall prohibit all motorized and mechanized vehicle use off road, except for emergency or administrative purposes." While use of OHVs on existing roads is allowed in the Monument, it is not within the authority of the BLM to enhance off-road recreation in the Monument since all travel off of designated roads is prohibited by the Proclamation.

Regarding motorized boating, the Preferred Alternative in the Proposed RMP/Final EIS has been revised to increase summer motorized boating opportunities. Specifically, in the Preferred Alternative, motorized watercraft could travel downstream from Holmes Council Island to the Fred Robinson bridge on certain days of the week during the seasonally restricted period (June 15 to September 15) and may travel all days the remainder of the year. Personal watercraft, on the other hand, would be limited to river miles 0 to 3 year-round. As the use of the river by any motorized watercraft is limited, potential negative economic effects should also be limited. Additionally, there are potential opportunities associated with creating time periods when sections of the river are non-motorized since this may attract more non-motorized boaters and enhance their recreational experience. Finally, the Preferred Alternative shifts seasonal restrictions on motorized boating two weeks later. By enabling motorized boats to travel upstream and downstream until June 15 on all sections of the river, motorized boaters would have more opportunities during the popular spring angling season.

In summary, limiting road mileage and motorized use of the river may result in economic benefits to some users and economic harm to other users. A non-motorized stretch of river would benefit river floaters who prefer not be impacted by the sight, sound, and smell of motorized watercraft, but would harm motorized recreationists who would otherwise boat the river during restricted periods (the degree of harm depends on the availability of substitute recreation locations or seasons). Likewise, road closures may benefit hikers and hunters seeking a more primitive experience while potentially harming motorized users. Furthermore, the net effect on visitor numbers is uncertain, so the local economic impact on businesses is also not known.

5000-16 Comment *Will the creation of this Monument really increase any recreational opportunities that aren't currently there? We are assured in the Draft Management Plan that the Monument will provide tourism, hunting, and other forms of recreation while bolstering the local economy. I ask you how.*

5000-16 Response The Preferred Alternative in the Proposed RMP/Final EIS emphasizes providing visitors with opportunities to experience the Monument. The Preferred Alternative would increase opportunities for boaters preferring to use the river without motorized use, create more opportunities for hunters seeking non-motorized experiences, and would enable

motorized boat anglers to use the river the first two weeks of June during a relatively high demand fishing season. However, other than increasing spring motorized boat opportunities, the Preferred Alternative would limit motorized boating.

The alternative may also add some additional Level 1 and Level 2 campsites along the river, but would limit the number of commercial operators. The Preferred Alternative would close some roads and airstrips in the Monument, but would keep open those roads accessing recreation areas. Recreational opportunities may therefore increase for some user groups and decrease for others. In general, however, the Preferred Alternative may increase the diversity and quality of recreational opportunities provided in the Monument by protecting the resources of the Monument and creating more primitive (less developed) recreation areas both in the uplands and the river.

In summary, the Preferred Alternative does not eliminate the opportunity to pursue any recreational opportunities. Vehicle tours, hiking, horseback rides, motorized boating, floating, etc. would continue to be allowed at various locations in the Monument. The BLM may assist gateway communities in providing visitor information and encourage private sector initiatives as a means of developing river visitor opportunities.

5000-17 Comment *The social-economic impacts of reduced resource development in or near rural communities have not been adequately addressed in the RMP/EIS. The writers need to revisit this issue and come back with a better plan that more adequately protects local communities. At a minimum I support Alternative B.*

5000-17 Response Reductions in resource development under the Preferred Alternative should be minor, with few implications for the local tax base and schools. Resource use is not expected to change substantially under the Preferred Alternative. As detailed in the Economics section of Chapter 4 in the Proposed RMP/Final EIS, changes to ranching operations are expected to be minor and to not reduce livestock numbers or animal unit months (AUM) in excess of 0.1%. While it is expected that local tax revenue from mineral and natural gas operations would decrease slightly under the Preferred Alternative (compared to current management), total oil and gas revenues to local governments and schools would decline by approximately $2,000. Compared to current management, under the Preferred Alternative revenue to Blaine County government and school districts may decline by $6,000, while revenue to Fergus County government and school districts may actually increase by $4,000.

Regarding property values, the Preferred Alternative has been revised so that roads to private land would remain open year-round, so there should be no access-related effects on private property values. Oil and gas may still be developed on private land. The Monument designation itself may have reduced the feasibility of oil and gas development on private lands due to the withdrawal of adjacent Monument lands from leasing. However, both of these effects on private oil and gas leasing are due to the Monument designation and are not due to the alternatives. Additionally, as noted in the Economics section of Chapter 4, property values near the Monument may actually rise under all alternatives due to demand for real estate near protected natural amenities.

All alternatives may result in BLM land acquisitions from willing private sellers. However, the BLM is not anticipating large private land acquisitions. In the event of BLM land acquisitions, it is possible that the Payment in Lieu of Taxes (PILT) payments to the counties would not increase. Therefore the counties could lose revenues equivalent to the property tax revenues from acquired acreage. Private lands intermingled with the Monument are primarily grazing lands, and property taxes on grazing lands within the study area in 2005 were approximately $1.40 per acre according to the Montana

Department of Revenue. The tax effects of BLM land acquisitions could thus be approximately $1.40 per acquired acre.

5000-18	*Comment*	*A study comparing the economic differences of cattle grazing versus human utilization may indeed show a greater financial contribution by managing for recreational purpose. Not just hunters but a cross section of individuals traveling through the CMR by boat, horseback, on foot or on the primary roads by vehicle.*
5000-18	Response	Under the Proclamation establishing the Monument, "Laws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument." Livestock grazing will continue to be governed by a number of laws and regulations that apply to grazing on all public land administered by the BLM. As all alternatives are to include grazing, an analysis of the economic benefits of grazing versus human utilization is therefore not necessary to determine the consequences of the alternatives.
5000-19	*Comment*	*These small towns have lost most of their businesses and are dying a slow death.*
5000-19	Response	Employment figures for the five-county area containing and surrounding the Monument indicate an increase in overall employment between 1991 and 2004 of 11 percent. The distribution of this employment growth between the towns and surrounding rural areas is not easily distinguished in published statistics.
5000-20	*Comment*	*I do not feel that the social and economic impacts that will result from any of the alternatives have been adequately addressed in the draft and believe that you must revisit this issue and develop a plan that better addresses these impacts. Alternative B comes the closest to doing this, but I feel even it could be bettered.*
5000-20	Response	The baseline for the social and economic impact analysis is current management of the Monument. Alternative A, which would continue all aspects of current management, is therefore an alternative with no social and economic impacts. The economic analysis compares the economic outcome of management Alternatives B through F relative to the economic outcome of Alternative A. In the Proposed RMP/Final EIS, the methodology and data utilized to assess economic impacts is presented in more detail (see the Economics section of Chapter 4). Additionally, the economic impacts estimates are presented at a more local level.
5000-21	*Comment*	*How does the BLM propose to compensate the local (county) road departments to do maintenance on the roads surrounding the Monument? Is the BLM going to continue to do their improved roads at the BLM areas and let the public fight poor roads (gumbo) to get out to the better BLM roads (Cow Island Trail is a good example), or is improvement of roads to lead to the Monument planned for improvements also?*
5000-21	Response	As stated in Chapter 2 in the Access section, one of BLM's goals "is to provide access to state and federal land and reasonable access for private landowners while protecting the features of the Monument." The BLM would coordinate with state agencies and county governments to improve public access to BLM land. Easements or fee acquisition opportunities would only be considered with willing landowners to enhance the values of the Monument and provide public access to or within the Monument, or additional public access to meet management objectives, including dispersed recreation use. However, while the BLM transportation plan designates maintenance levels for BLM roads it does not include plans for maintenance of non-BLM roads.

Group		Economics
5000-22	*Comment*	*The monument doesn't just affect the landowners but all surrounding towns, people, and schools. The tax dollars won't be there to help, forcing people out of the towns and also closing schools. The people who are pushing for this national monument do not understand the way of life that has been here for the past 100 years.*
5000-22	Response	Examining impacts by tax revenue source indicates that only revenue from oil and gas leases is likely to be affected by the Preferred Alternative. Expected impacts to the number of animal unit months (AUM) harvested in the Monument due to the Preferred Alternative are less than 0.1%, so there should be little to no change in state or local revenues related to grazing or ranching As described in the Economics section of Chapter 4 in the Proposed RMP/Final EIS, however, tax revenues for state and local governments may be slightly impacted due to a reduction in oil and gas production under the Preferred Alternative compared to current management. Compared to current management, the Preferred Alternative is expected to reduce total oil and gas related revenues to county governments in the five-county area by $3,000 and increase revenues to schools in the area by $1,000. (Fergus County school districts are projected to receive $2,000 more while Blaine County schools are projected to receive approximately $1,000 less in natural gas production related revenue.)
5000-23	*Comment*	*The positive economic benefit to communities all across this nation must be considered. Large amounts of money are spent in preparation for trips to this area and to ignore this revenue and impact shows a complete disregard by the BLM in addressing this issue. We have seen this action before in many of the DEIS processes with this agency and also the Forest Service. Large amounts of time and energy are spent on the environment and wildlife issues with little focus on the economics.*
5000-23	Response	The Missouri Breaks is a unique area that draws recreationists and tourists from around the country. Both the visitors and the local region benefit economically from this tourism. As noted in the RMP/EIS, the Preferred Alternative would create some additional recreational opportunities while restricting others. However, as noted in the Draft RMP/EIS, people floating the Missouri Breaks in non-motorized watercraft comprise the majority of non-local Monument visitors, and this recreational opportunity may be enhanced by the Preferred Alternative through the seasonal restriction of motorized boating.
5000-24	*Comment*	*A recent study by David Sunding, an associate professor of natural resource economics, David Zilberman, a UC Berkeley professor of agriculture and resource economics, and graduate student Aaron Swoboda to the California Resource Management Institute found that the economic impacts from designation and preservation of special plant and animal habitat areas continue to cost society hundreds of millions of dollars because of delays, court fees and opportunities forgone. Sunding's report, released Feb. 20, found that agencies had underestimated the actual economic and social impact by seven to 14 times.* *Certainly, natural resource decisions cannot and should not be made entirely on economic impacts. However, NEPA requires that both economic and environmental facts should be considered in the final land management decisions. The U.C. Berkeley study displays the fact that the full economic and social facts and impacts are not being adequately considered by the federal land management agencies. We request adequate evaluation of the economic and social impacts of this proposed action be considered in the analysis and decision-making. Additionally, we request that the cumulative negative impact resulting from inadequate evaluation of economic and social impacts in past actions are considered in the analysis and decision-making and that an adequate mitigation plan be included as part of this action to compensate for past cumulative negative impacts.*

Group		Economics
5000-24	Response	The economic analysis by David Sunding, Aaron Swoboda, and David Zilbermann was a study of critical habitat designation under the Endangered Species Act, as indicated by its title: "The economic costs of critical habitat designation: framework and application to the case of California vernal pools." Designation of critical habitat for an endangered species results in very different management requirements than the designation of a National Monument. The economic analysis in the Draft RMP/EIS and Proposed RMP/Final EIS assesses impacts due to the proposed management alternatives, including cumulative impacts. Although there may be costs incurred due to legal action, these are not costs due to implementation of the management alternatives.
5000-25	*Comment*	*This land, by prior agreement, has been used by Montanans for grazing and the loss of use would be a great loss for those who have spent years in the process of creating their ranches and a great loss of overall economy. It must be remembered that each domestic animal is a taxpayer in this state.*
5000-25	Response	The Preferred Alternative is not expected to affect the number of animal unit months (AUM) harvested nor the number of livestock in the Monument by more than 0.1%. Therefore, there should be little to no change in taxable ranching output due to the Preferred Alternative.
5000-26	*Comment*	*Alternative B is economically sound, but to make a region unstable will not only affect the local communities but also the State as a whole.*
5000-26	Response	As noted in the Economics section of Chapter 4 in the Proposed RMP/Final EIS, current management direction and the alternatives provide essentially the same opportunities for economic growth, employment and unemployment, payments in lieu of taxes, gas road taxes, and county property taxes. That is, the current direction and alternatives to it are not expected to significantly influence these economic factors.
5000-27	*Comment*	*The Montana Petroleum Association recommends that a more complete and updated economic analysis be included in the Final RMP/EIS; that access to state and private minerals be clarified and any foreseen restrictions clearly stated; and that to ensure proper recognition of valid existing lease rights, the BLM adopt the management of oil and gas resources as depicted in Alternative A.*
5000-27	Response	The Economics section of Chapter 4 in the Proposed RMP/Final EIS utilizes up-to-date natural gas prices and tax information. The section also clarifies that under all management alternatives, applications for rights-of-way (pursuant to existing policies and practices) would continue to be considered as necessary for adequate access to private and state land to develop minerals. The Proclamation directs the Secretary of the Interior to "manage development on existing oil and gas leases with the monument subject to valid existing rights, so as not to create any new impacts that would interfere with the proper care and management of the objects protected by this proclamation." The Preferred Alternative recognizes valid existing rights while providing for protection of the objects of the Monument.
5000-28	*Comment*	*More information is needed to illustrate how the projected federal revenue disbursements were calculated for the various alternatives. The reader is not able to evaluate the adequacy of the estimated royalties in the Economics section of Table 2.39 on page 138 or the "Changes in Royalties" in Table 4.36 on page 341.*
5000-28	Response	The Economics section of Chapter 4 in the Proposed RMP/Final EIS has been revised to provide more detailed information regarding the distribution of the federal royalty disbursements to state and local government.

Group		Economics
5000-29	*Comment*	*In Chapter 3 - Affected Environment, on page 195 in the Federal Mineral Revenue Disbursements section, fifth paragraph on page 196 beginning "Market conditions for natural gas . . ." the Draft RMP/EIS states "No detailed information was available on the amount of revenue local entities receive these [royalties and tax revenues] sources." This is not correct. The federal revenue (royalty) disbursements to the state and the state's distribution of a part of those disbursements to the counties where production occurred is available from the Montana Department of Revenue.*
5000-29	Response	The Minerals Management Service does not report royalty revenues distributed to counties, and after 2001, did not report royalty revenue collection by county. The Montana Department of Revenue was contacted to provide the royalty revenue distributed back to each production county. According to the Department of Revenue, for the time period reported in the Draft RMP/EIS, there was no disbursement of royalties back to the counties. However, currently under Montana State Law, 25% of the royalty revenue is disbursed back to the counties. County disbursements for natural gas, oil, and coal are presented in the Proposed RMP/Final EIS for 2004 to 2006 in the Economics section of Chapter 3.
5000-30	*Comment*	*In Chapter 3 - Affected Environment, on page 195 in the Federal Mineral Revenue Disbursements section, second paragraph beginning "Mineral revenues on ...", the sentence "The 50% distributed to the State of Montana is sent directly to the Office of Public Instruction for public school use in each county" is not correct. The correct distribution of federal mineral disbursements to Montana is stated at Montana Code Annotated 17-3-240 - Federal mineral leasing funds, and 17-3-241- Mineral impact account. The state's share of federal mineral leasing funds are deposited in the state general fund except starting in 2002 a variable portion was distributed to the counties from which the federal minerals were produced.*
5000-30	Response	The Economics section of Chapter 3 in the Proposed RMP/Final EIS has been revised in accordance with current mineral revenue distributions to the state, local government, and school districts.
5000-31	*Comment*	*The need in the Draft RMP/EIS for more recent economic figures, particularly for the price of natural gas, is illustrated by the increase in taxes received on relatively stable production in Blaine County.* *Quarter Ending Dec 31 '04 June 30 '04 Dec 31 '03* *Blaine $1,103,000 $951,408 $839,490* *As requested above regarding the calculations of federal mineral (royalty) disbursements, inclusion of and methodology for calculating the Montana oil and gas production taxes in the economics of the alternatives' Reasonably Foreseeable Development Scenarios is essential. Without such inclusion, the Draft RMP/EIS economics are deficient.*
5000-31	Response	The revised Economics section of Chapters 3 and 4 in the Proposed RMP/Final EIS utilizes the most updated natural gas production and price figures as of December 2006.
5000-32	*Comment*	*The economic analysis in the Draft RMP/EIS underestimates revenues to the State and to the counties. State oil and gas production taxes are omitted, yet are available. More recent data on production levels and values are needed. The methodology used to calculate federal royalties for the alternatives' Reasonably Foreseeable Development is not evident.*

Group		Economics
5000-32	Response	Revenues from oil and natural gas production due to royalties and the state production tax are included in the revised Economics section of Chapter 4 in the Proposed RMP/Final EIS. The methodology utilized to derive the revenues is also described in further detail.
5000-33	*Comment*	*More recent federal natural gas revenue disbursements are needed to show the increase in value of the production as well as changes in volumes of production for the "study area counties" in Table 3.31 on page 196. 2001 disbursements included in the Draft RMP/EIS should be updated either with data from the Minerals Management Service or from the Montana Department of Revenue which is the agency that receives the state's share of federal disbursements.*
5000-33	Response	Production data on natural gas was not available by county from the Minerals Management Service or the Montana Department of Revenue. However, the federal royalty disbursements for natural gas, oil, and coal to the State of Montana and the distributions to the county are now available and are presented in the Economics section of Chapter 3 in the Proposed RMP/Final EIS for 2004 to 2006.
5000-34	*Comment*	*What happens to the local communities? We are supposed to furnish the emergency services even though our services are volunteer. Volunteer services can only be stretched so far. Also, what about our schools and the taxes realized from the families? PILT funds do not support the schools. Also, there was a recent article that our federal government was looking to save money by cutting the amount of the PILT funds. What happens to our local and county governments with so much land not bringing in any revenue to those that still have responsibilities in the area?*
5000-34	Response	As noted in the revised Economics section of Chapter 4, the Draft RMP/EIS alternatives do not directly increase the burden on county emergency services. Local governments currently provide emergency services within the Monument and would continue to do so under the RMP alternatives. If visitation to the Monument were to increase due to management under an alternative, then the use of local emergency services within the Monument would likely increase. As the effect of each alternative on Monument visitation is unknown, it is not possible to estimate the associated effect on demand for local emergency services. As stated in the Preferred Alternative (see the Recreation section of Chapter 2) user fees levied by the BLM could be used to compensate local jurisdictions for emergency services provided in the Monument. As far as impacts to local communities and schools, the Proposed RMP/Final EIS endeavors to analyze economic impacts on as local a level as possible. Impacts to the oil and gas industry are expected to be the only estimated source of negative economic impact, and these are now presented by county (in the Draft RMP/EIS these were presented for the entire five-county study area). Impacts are limited to less than $2,000 in local county government and school revenue in the study area. Potential positive impacts are discussed qualitatively and may include increases in property values and tourism revenue. The local component of school funding is based on enrollment, local property values, and royalties and taxes on oil and gas production. No changes to population are anticipated due to the Preferred Alternative, so there is no expected impact to local school funding due to changes in enrollment. Regarding private property values, the Preferred Alternative has been revised so that roads to private land would remain open year-round, so there should be no transportation-related effects on private property values. Additionally, there should be little to no effect on the value of ranch properties as there are no expected effects of the Preferred Alternative on the number of animal unit months

(AUM) or livestock in the Monument. The Preferred Alternative does reduce the projected Reasonable Foreseeable Development (RFD) wells by one, which would result in reduced school funding in the study area by an estimated $1,000, or less than 0.01%.

5000-35 *Comment* *The adoption of the proposed alternative will likely cause irrevocable economic harm to the rural communities that surround the Monument. It will certainly inhibit potential economic benefits that the area could receive from increased tourism enticed by the Monument.*

5000-35 Response The Missouri Breaks is a unique area that draws recreationists and tourists from around the country. Both the visitors and the local region benefit economically from this tourism. As noted in the RMP/EIS, the Preferred Alternative would create some additional recreational opportunities while restricting others. However, as noted in the Draft RMP/EIS, people floating the Missouri Breaks in non-motorized watercraft comprise the majority of non-local Monument visitors, and this recreational opportunity may be enhanced by the Preferred Alternative through the seasonal restriction of motorized boating.

5000-36 *Comment* *In the long-run, a partnership approach to the resources found in the breaks that maintains the long-term economic sustainability of agricultural operations in the area will result in an overall resource equilibrium that is, in my mind, far superior to a set of policies that result in economic failure of the agricultural community in the area surrounding the monument. Added cost pressures incurred by agricultural operations due to poor government policy decisions could result in agricultural operations being forced to sell out.*

5000-36 Response The use of the Monument for ranching will continue to be governed by Standards for Rangeland Health and Guidelines for Livestock Grazing Management, which are applicable on all BLM grazing lands, not just those located in the Monument. Management guidance in the alternatives that is in addition to the Standards and Guidelines is primarily the visual resource management (VRM) classification and the necessity to protect objects of the Monument. However, while the VRM classification may result in some limitations on proposed new livestock facilities, no restrictions on current operations, including maintenance of existing facilities, are expected. Furthermore, anticipated impacts of grazing related to the proper management and care of the objects of the Monument are limited to less than 0.1% of animal unit months (AUM). Therefore, there are no foreseen restrictions on grazing that would make it difficult for ranchers to operate their ranches under current procedures and maintain the long-term economic sustainability of their operations.

5000-37 *Comment* *Page 228 lines 25-30 quote numbers that correspond to tourism jobs. There must be a citation or reference for the numbers. This is important information and the numbers are questionable, therefore, it needs a citation to allow the reader to find the primary source of the data.*

5000-37 Response No tourism job numbers are quoted on page 228 of the Draft RMP/EIS. Page 196 of the Draft RMP/EIS states that a 2004 study by the University of Montana Travel Research Program found that 6% of all Montana jobs are related to tourism. The Draft RMP/EIS then notes that if this pattern is also true for the study area, there would then be approximately 1,480 jobs in the tourism industry in the study area. Based on updated data from the University of Montana, the Proposed RMP/Final EIS estimates the number of tourism related jobs in the study area at 1,980 jobs.

Group **Economics**

5000-39 *Comment*

The economic analysis in the RMP fails to take give enough weight or even to take into account at all the benefits of the Monument lands and the added value of protecting them, while at the same time it overstates the potential benefits from natural gas development. The next three key points of my comments address specific aspects of the way that the BLM must conduct economic analysis in the RMP/EIS in order to meet its legal obligations, as most recently described by the court in MWA v. Fry. For each of these issues, I will first focus on the need for an improved economic analysis, followed by my comments on improving the economic impact analysis beyond the current focus on recreation and natural gas production.

The National Monument is publicly owned by all Americans. The scope of the economic analysis must look beyond the employment and income impacts on local communities to include equity considerations for all Americans, including the non-market benefits to local communities.

The BLM focused solely on a narrow "regional accounting stance" and has ignored the equity considerations to Americans outside the region, from protection of wildland resources. While it is important to estimate local employment impacts, often the job gains of one community are offset by job losses in another community. There is no net gain to American society when allocation of public resources simply transfers economic activity from one location of the country to another (Loomis 1993). Since the National Monument is owned by all Americans, the RMP/FEIS must take a national accounting stance that includes an analysis of the benefits and costs associated with each management alternative.

To provide an analytic framework for a benefit cost analysis, economists have developed the total economic valuation concept that includes non-market benefits (Randall and Stoll 1983, Peterson and Sorg 1987, Loomis and Walsh 1992). This approach allows the BLM to generate information on the non-market benefits of protecting the wild landscape and the non-resource extractive values of the monument. Unfortunately, despite 30 years of economic research, the RMP/FEIS failed to utilize a total economic valuation framework when evaluating land management alternatives.

The flawed economic analysis violates NEPA, which applies to the economic as well as environmental analyses included in an EIS. Thus, an EIS that relies on misleading economic information or fails to include all relevant costs in its economic analysis violates NEPA, because it does not provide decision-makers and the public a valid foundation on which to judge proposed projects.

I have included a copy of my University of Denver Law Review article (Morton 1999) which establishes a framework for accounting for the total economic benefits of public land management decisions.

Morton (1999) lists seven categories of wildland benefits: direct use, community, scientific, off-site, biodiversity conservation, ecological services and passive use benefits. Loomis and Richardson (2000) add educational benefits as an eighth category. I will briefly cover some of the benefits below, while referring the agency to the attached publications for more details.

The following are the types of issues that should be included in the economic analysis. BLM should conduct these inquiries, as well as other relevant questions:

- *What happens to sage grouse populations when surface disturbance is allowed within 1/4 mile of a lek versus 2 miles from a lek – and how does that change in populations affect wildlife benefits, passive use benefits, and recreation benefits for visitors?*

- *How do hunting, biodiversity and passive use benefits change when surface disturbance is allowed in critical winter range for big game wildlife?*
- *How much does erosion increase and how do watershed protection benefits change when drilling and road construction are allowed on steep slopes?*
- *How do direct use recreation benefits change when drilling is allowed near recreation sites?*
- *How does the increase noise and loss of scenic landscapes affect the quality of, and hence the willingness to pay for, recreation in the Monument.*
- *What is the impact on air quality, visual resources and scenic beauty of not requiring Best Available Control Technologies (BACT) to reduce the emissions of nitrogen oxide from gas compressors?*
- *What is the impact on wildlife populations, hunter satisfaction and local economic impacts from allowing more drilling with larger compressor stations that have larger footprints and destroy more habitat than less drilling and the use of smaller compressors?*

The BLM has not sufficiently analyzed the economic benefits from protecting objects (amenities) listed in the Proclamation.

The management plan for the Monument must consider the increasing importance of industries and economic sectors that rely on these public lands, but not necessarily on the extraction of natural resources. As the population of the entire country grows, the presence of undeveloped lands becomes more and more important. Indeed, much recent research has concluded that the presence of protected public lands strengthen Western rural economies by meeting growing needs for clean water, wildlife habitat and recreation opportunities.

The DRAFT RMP/EIS states that "Employment can be viewed as a key economic indicator" which is true (page 186). But employment is by no means the only indicator of economic performance or the health of communities. The economy of the Monument area (as well as Montana and the entire Rocky Mountain region) is characterized by many indicators that must be considered in the economic analyses performed by the BLM. These include the growing importance of non-labor income from investments and retirement; increasing employment in high technology, knowledge-based, and service industries; the important role that recreation and tourism plays in providing jobs and income; and the rise of small businesses and other entrepreneurial endeavors. Other features of the Western economy include the decline in extractive industries (see table 1), the increase in public awareness and appreciation of the environmental and recreation amenities of their home counties, and the diversification of rural economies.

The Draft RMP/EIS analysis shows "transfer payments" for the five-county area, but does not separate these into their components. It should be noted that transfer payment income includes retirement income (which is earned in prior work) along with income support payments such as Medicaid, welfare and unemployment. These data are readily available and the DRAFT RMP/EIS analysis should make this distinction. The income support category is consistently a small portion of total non-labor income and therefore a small portion of total personal income. Income support is only 6% of total personal income in the five-county Monument area and only 4 percent of total personal income in Montana. It is important for a complete analysis of non-labor income to make a distinction between income support and other forms of non-labor income. Table 2 shows non-labor income, broken into its components, as a percentage of total personal income for the five counties

in the Monument area. Non-labor income is the largest portion of total income in the area and the great majority of this is retirement and investment income.

Energy potential is improperly exaggerated. Existing leases within the Monument area considered "to have moderate to high potential for oil and gas occurrence" (page 469). However, extensive drilling over decades on lands now comprising the Monument—139 wells—has resulted in very little hydrocarbon production, with only 15 producing commercial quantities. Only three gas wells are currently producing within the Monument and no oil has been discovered. The draft RMP provides no new information upon which to base its optimistic statement which is counter to the history of development within the Monument and current assessments of viable natural gas reserves. As noted on page 474, the success rate of wells drilled in the Monument is just 10.8%.

The high potential areas estimated in the RMP are really areas with high potential to drill marginal wells. That is very different than areas with the potential to drill high producing wells. None of the wells in the monument are wells with high production potential, and the graph below, which shows actual production from an existing well, drives home this point. It appears that the BLM has exaggerated the energy potential, while the benefits of protecting the Proclamation objects have been ignored. The BLM must re-assess its exaggerated portrayal of energy potential in the monument using methods well ground in economics.

5000-39 Response

The economic analysis in Chapter 4 has been revised in the Proposed RMP/Final EIS to more comprehensively include both market and non-market effects of the management options. For example the analysis now qualitatively discusses the potential effects of the management alternatives on property values due to increased protection of the landscape, effects on visitor consumer surplus, effects on the growth of the regional economy, and potential existence values to people across the nation of protecting the landscape from development.

As noted in the comment, local economic impacts are often not national economic impacts as economic activity may be transferred from one region to another. However, the economic impacts evaluated in Chapter 4 are related to natural gas production. Due to the current high demand for natural gas production in the United States, it is likely that these impacts are a net economic impact to the nation.

Regarding the discussion of transfer payments in Chapter 3, the Proposed RMP/Final EIS includes a more detailed breakdown and discussion of transfer payments. Regarding energy potential, the BLM conducted an analysis of the resources and past drilling in the Monument to estimate the number of Reasonable Foreseeable Natural Gas wells. As noted in Appendix O, the average chance of success over the entire period of drilling in the Monument is 10.8%. However, Appendix O also states that chances of success have significantly risen in the last few decades due to improved technology and increase knowledge of the mineral resources in the area. The estimated success rate used in the analysis is based on the rates of success from the past 20 years and is estimated at 35%.

Responses to specific questions raised:

1. What happens to sage-grouse populations when surface disturbance is allowed with 1/4 mile of a lek versus 2 miles from a lek – and how does that change in populations affect wildlife benefits, passive use benefits, and recreation benefits for visitors?

The Wildlife section of Chapter 4 has been revised to incorporate more analysis of the differential effects of the alternatives.

Based on available scientific studies, most of sage-grouse nesting occurs within 2 miles of lek sites, with a lesser majority of nesting occurring within 1/4 mile of the lek. Limiting surface disturbance within 2 miles year round would permanently protect a larger percentage of nesting habitat and year round habitat, and would protect more sage-grouse. Protecting all habitat within 1/4 mile while seasonally restricting activity within 2 miles would protect less nesting and year round habitat, but would protect the core habitat and provide seasonal protection from construction on the rest of the acreage. While there are only 2 leks known in the Monument, 16 leks are within 2 miles of the Monument, with only 4 of those within 1/4 mile. Outside of the timing window and outside the 1/4 mile exclusion area, this would allow construction within sage-grouse nesting and year round habitat. This has the potential to create infrastructure and traffic within important habitat. The Preferred Alternative is more restrictive than existing restrictions and would provide greater benefits and protection than is currently in place, but fewer benefits than no surface disturbance within 2 miles year round.

Any long-term benefit to the sage-grouse population would result in economic benefits to hunters and wildlife viewers. Several locations with sage-grouse habitat have developed wildlife viewing tours and parking areas specifically for viewing sage-grouse courtship rituals, so clearly sage-grouse can result in recreation benefits to visitors and local communities. Additionally, the enhanced protection could increase passive use values (existence values), which is the benefit accruing to people who value the species but may never see the birds or otherwise directly benefit from their existence. However, as biological benefits are unknown, it is difficult to predict the economic benefits to birders or other recreationists and to passive use values.

Based on the limited number of sage-grouse leks in the Monument and the relatively limited number of recreationists visiting the uplands to view wildlife, the current economic benefit to visitors of additional sage-grouse protection may be limited. The limited number of sage-grouse leks in the Monument also limits the cost of additional protection. However, the sage-rouse does have high public appeal and due to its rarity it will likely have increasing value both in terms of passive use (existence) value and for wildlife viewers.

2. How do hunting, biodiversity and passive use benefits change when surface disturbance is allowed in critical winter range for big game wildlife?

See the Economics section of Chapter 4 in the Proposed RMP/Final EIS.

3. What is the impact on wildlife populations, hunter satisfaction and local economic impacts from allowing more drilling with larger compressor stations that have larger footprints and destroy more habitat than less drilling and the use of smaller compressors?

It is unlikely that there would be compressors in the Monument. As noted in the Economics section of Chapter 4 in the Proposed RMP/Final EIS, the effects of surface disturbance on species, hunter satisfaction, and local economic impact are not known but may offset the benefits of drilling.

4. How much does erosion increase and how do watershed protection benefits change when drilling and road construction are allowed on steep slopes?

The alternatives do not differ in their restrictions regarding drilling and road construction on steep slopes. As stated in Chapter 2, the goal of the BLM in all alternatives is to

"maintain or improve soil health and productivity to provide an ecosystem supporting plant and animal species."

5. How do direct use recreation benefits change when drilling is allowed near recreation sites?

In the Preferred Alternative, no surface disturbance is allowed within the line of sight/sound or 300 feet (whichever is closer) of developed recreation areas (Level 1, 2, or 3 sites) or undeveloped recreation areas receiving concentrated public use (see page 456 of the Draft RMP/EIS). Additionally, no surface disturbance is allowed in a VRM Class I area and all surface-disturbing activities in VRM Class II, III, and IV areas will utilize 1) proper site selection, 2) reduction of soil and vegetative disturbance, 3) choice of color, and 4) over time, return the disturbed area to a seamless natural landscape (page 456 of the Draft RMP/EIS.)

For a discussion of potential recreational benefits of restricting drilling, see the Economics section of Chapter 4 in the Proposed RMP/Final EIS.

6. What is the impact on air quality, visual resources and scenic beauty of not requiring Best Available Control Technologies (BACT) to reduce the emissions of nitrogen oxide from gas compressors?

The BLM does require BACT to meet noise, air quality, and scenic considerations. There are no compressors currently in the Monument. There is, however, a 1400 hp compressor station three miles outside of the Monument on private land that annually passes the state air quality requirements.

7. How does the increase noise and loss of scenic landscapes affect the quality of, and hence the willingness to pay for, recreation in the Monument?

See the Economics section of Chapter 4 in the Proposed RMP/Final EIS.

5000-40 *Comment* *An economic argument is worth considering relative to the BLM insistence on maintaining a high road density in the Monument, and thereby degrading wildlife habitat and opportunities for traditional hunting experiences. We suggest this be included in the draft RMP.*

5000-40 Response A discussion of the tradeoffs to hunters for road access is included in the revised Economics section of Chapter 4 in the Proposed RMP/Final EIS. The Preferred Alternative attempts to strike a balance between providing access for hunters and reducing road density to protect wildlife habitat and traditional hunting experiences. Several roads have been seasonally restricted to eliminate traffic in big game winter range and to provide habitat security during the fall hunting season. Further restrictions would improve habitat, but would also reduce hunter access and thereby potentially reduce the opportunities available to some hunters. The Preferred Alternative increases opportunities for traditional hunting through seasonal and year-round road closures. Road closures may displace road hunters but may attract more traditional hunters.

5000-41 *Comment* *In the "travel and tourism" section of the draft RMP, the extreme rarity of "opportunities such as floating the wild and scenic segments of the Missouri River" is noted (page 196). The potential economic benefits of offering opportunities to float – free of motorized watercraft – in the UMRBNM, down the only undeveloped section of the Missouri River, is not examined in the draft RMP. River recreation has increased markedly in recent years. And the vast majority of that use is floaters and paddlers. But by continuing to allow a river use to be motorized, the BLM prevents the floating experience from truly*

being just that. The Wilderness Society believes that a largely motor free river in the UMRBNM would be touted internationally as a "floaters' paradise," greatly increasing boater interest and related business opportunities for the local and regional economy. As part of its watercraft management analyses, the BLM should consider both the potential costs and benefits of boating related alternatives in the draft RMP.

5000-41 Response The revised Economics section of Chapter 4 in the Proposed RMP/Final EIS incorporates a discussion of the tradeoffs to recreationists and the local recreation industry of motorized use of the Missouri River. As noted in this section, floaters are expected to benefit from restricting motorized use during the high use summer floating periods (due to desiring a more primitive experience without noise), but such restrictions are expected to negatively affect motorized users. The potential economic benefits of further restricting motorized use depend on such factors as the number of additional floaters that would be attracted to the Monument, the additional benefit (consumer surplus) to each floater, the additional number of outfitter trips taken, and the additional costs to motorized boaters (in terms of reduced consumer surplus) and related economic sectors.

5000-42 Comment *The draft RMP needs to incorporate economic data correlating protected public landscapes with regional prosperity. It also needs to weigh economic "lost opportunities," particularly associated with motorized watercraft and backcountry recreational airstrip options.*

5000-42 Response The revised Economics section of Chapter 4 in the Proposed RMP/Final EIS incorporates the results from several economic studies that indicate regional job and income growth in the West is often higher in areas with protected public landscapes. Also noted in the chapter, however, is that the relationship between protected public landscapes and economic growth depends greatly on location in terms of proximity to an urban center and topographic variety (e.g. mountains and associated skiing and hiking recreation).

The revised Economics section of Chapter 4 discusses the potential tradeoffs in opportunity and economic benefit between highly developed recreation areas and more primitive recreation areas for both upland and river recreation. Due to uncertainty regarding the effects of the alternatives on the number of visitors and their enjoyment of the Monument, no firm conclusions are drawn regarding the net economic effects of different levels of development and primitiveness.

5000-43 Comment *Another economic point absent in the draft RMP relates to backcountry recreational airstrips. Sanctioning six airstrips in the Monument has environmental and economic costs. Economic costs include extra expenses and liabilities for the public. There is also a cost to gateway communities. Promoting airstrips in the Monument means that some users will simply bypass gateway communities such as Lewistown, Winifred, or Havre. This will be an economic cost which should be explored in the draft RMP. Related to that point, it's noteworthy that the draft RMP states that a Monument objective is for "visitor services related to the Monument to be located in the surrounding communities rather than within the Monument" (page x).*

5000-43 Response There is limited use of the backcountry airstrips in the Monument so the potential impact on gateway communities of continued access to airstrips is minimal. Additionally, it is not known if the visitors currently accessing the Monument via airplane would still visit the Monument if plane access were not allowed, indicating that gateway communities might not receive increased visitation if airstrips were closed. Regarding costs to the public of retaining airstrips, the Preferred Alternative would result in four airstrips being closed and one being reduced to seasonal use only, so compared to current management there would be fewer environmental impacts.

Group		Economics
5000-44	*Comment*	*If this land is locked up the impact will affect small businesses. Why should I pay taxes on land I cannot use?*
5000-44	Response	The Monument would be managed for multiple public uses, including hunting, grazing, recreation, and some oil and gas development, under the Preferred Alternative. As is the case now, federal tax dollars would continue to be utilized to manage the Monument by the BLM.
5000-45	*Comment*	*I train and raise horses as a hobby and have sold horses from North Carolina to Idaho. I believe that the Breaks country is a great place to use those horses as they are in demand all over the nation as they have been exposed to rough country. It would have far reaching results to limit access I have to the Breaks country.*
5000-45	Response	The Monument would continue to be accessible to horseback riding and training under all alternatives. While the number of miles of open roads varies by alternative, motorized access to the Breaks country would continue to be available in each alternative.
5000-46	*Comment*	*The BLM should prepare a comprehensive economic analysis, from both regional and national perspectives, comparing the costs of nominal additional gas production against the benefits of a unique and still largely undeveloped public landscape containing the myriad values for which the Monument was established.*
5000-46	Response	The Proclamation establishing the Monument stated that "The establishment of this monument is subject to valid existing rights. The Secretary of the Interior shall manage development on existing oil and gas leases with the monument subject to valid existing rights, so as not to create any new impacts that would interfere with the proper care and management of the objects protected by this proclamation." The Draft RMP/EIS provided a range of alternatives that address natural gas exploration and development consistent with the Proclamation. See the updated analysis in the Economics section of Chapter 4 in the Proposed RMP/Final EIS. Regulations for implementing the National Environmental Policy Act state that "[f]or purposes of complying with the Act, the weighing of the merits and drawbacks of the various alternatives need not be displayed in a monetary cost-benefit analysis and should not be when there are important qualitative considerations" (40 CFR 1502.23). This RMP/EIS is analyzing many qualitative considerations in all of the alternatives; therefore, no cost-benefit analysis is necessary.
5000-47	*Comment*	*It says in here that for 2001 the state got $448,000 in revenue off of oil and gas in Blaine County. I think that's a pretty good chunk of money. And then we're talking about no new drilling and so on. For a little school district, we get probably four to $5,000 a year on natural gas in our little school District 14. So I would think it's a very important thing.*
5000-47	Response	Compared to current management (Alternative A), the Preferred Alternative is expected to result in one fewer Reasonable Foreseeable Development (RFD) well in the five county area. The number of RFD wells in Blaine County is expected to decrease by two, while the number of RFD wells in Fergus County is actually expected to increase by one well. Tax revenue implications for the school districts, the county and the state are presented in the Economics section of Chapter 4 in the Proposed RMP/Final EIS. For Blaine County, the projected decreased revenue for school districts is $2,000, or approximately 0.01% of the $16.6 million in total school funding in the county for 2004-2005.
5000-48	*Comment*	*Next to us was 300,000 just leased natural gas development. That's $900,000 that was just injected into that economy. If you do the simple math, that's 1.2 million dollars that has just been lost because of this Monument. There should be another $300,000 a year*

injected into the adjacent land area to help cover the cost and expenses that we incur there to help our communities and so on. So there is $400,000 a year being lost within these hastily drawn boundaries.

5000-48 Response The Proclamation establishing the Monument withdrew lands from mineral leasing, subject to valid existing rights. There are nearly 43,000 acres covered by valid existing oil and gas leases. The impact of withdrawing federal lands within the Monument from mineral leasing is due to the designation of the Monument and must be included in all of the management alternatives proposed and evaluated by the BLM. As there are no differential impacts between alternatives relating to the withdrawal of federal lands from mineral leasing, the number of Reasonable Foreseeable Development (RFD) wells that would have been drilled on these lands, and the resulting economic impact from the designation, is not analyzed in the RMP/EIS.

5000-49 Comment *We believe that in reference to ranching as an important part of the economy in the Monument, the economic study of the area is not accurate and is outdated. There needs to be new evaluations. Being a cattle ranch owner with the majority of our grazing leases in the monument area which also includes some of our private property in and surrounding the Monument area, we believe that ranching represents predominantly the past, present and future history, culture and economy for the Monument.*

5000-49 Response The relative importance and growth trends of economic sectors are discussed in the Economics section of Chapter 3 in the Proposed RMP/Final EIS. The contribution of ranching to the local economy is noted as providing a high level of economic output and employment in the study area. It is also noted in Chapter 3 that the Monument has a relationship to the local ranching industry through the provision of grazing lands.

5000-50 Comment *There's 40,000 acres of school land that's now becoming worthless under these plans as far as generating revenue for the schools in the State of Montana. Your taxes are going to have to pick that up, because those school lands suddenly become totally useless if you start restricting the use and turning people down.*

5000-50 Response There are nearly 39,000 acres of state land intermingled with the Monument. Access to and use of these state lands is not being altered by the proposed management alternatives, so it should not affect the value of the land. The protection of the natural resources and scenic amenities of the Monument surrounding the state lands may actually enhance their property value. Withdrawing surrounding federal lands from mineral leasing may cause mineral extraction on state lands to be more costly or possibly infeasible, but this is a potential effect of the Monument designation and not of the proposed management alternatives.

5000-51 Comment *Where in the plan does it state that federal grazing will not affect deeded acres in grazing? What about the devaluation of property due to these restrictions?*

5000-51 Response As with all BLM grazing lands, grazing in the Monument will continue to be monitored in order to meet Standards of Rangeland Health and implement Guidelines for Livestock Grazing Management. Management guidance in the alternatives that is specific to the Monument is primarily the visual resource management (VRM) classification and the necessity to protect objects of the Monument. However, while the VRM classification may result in some limitations on proposed new livestock facilities, no restrictions on current operations, including maintenance of existing facilities, are expected. Furthermore, anticipated impacts of grazing related to the proper management and care of the objects of the Monument are limited to less than 0.1% of animal unit months (AUM). Given that there are no foreseen restrictions on grazing that would make it difficult for ranchers to operate their ranches under current procedures, there should be little to no

impact on deeded acres in grazing and property value.

5000-52	*Comment*	*Hunting and other recreation has huge economic impact on this area. In fact, in 2002 the U.S. Fish & Wildlife Service did a study on the CMR, which is right next door to this monument. It showed that the total expenditure from recreational visitors was well over $11.5 million.*
5000-52	Response	The numerous recreation opportunities in the Missouri Breaks area contribute to the area economy. As noted in the Economics section of Chapter 3, a study by the University of Montana's Institute for Tourism and Recreation Research (ITRR) indicates that approximately 7.5% of the employment in the study area may be attributable to non-resident travel and tourism.
5000-53	*Comment*	*The economic analysis in the EIS, specifically page 195. Production taxes – and I'm only talking about production taxes, not royalty income – is the third largest revenue source to the state of Montana, and it gets a page; not even a page, about a half a page. And then just look down there on page 195, or maybe it's 196, in that little graph and look at those three years that you chose to analyze, 2000, 2001, 1999. That was kind of the bottom of the oil and gas production in Montana. But if you'll notice, 2001 is just starting to pick up, and I would submit to you that it's now 2006, and I've got 2005 revenue figures sitting on my desk I'd be glad to share with you. I think that needs to be updated.*
5000-53	Response	In 2005, the Oil and Gas Production Tax provided $73.7 million or 6% of total Montana State Revenue according to the biennial report of the Montana Department of Revenue. As noted in the Economics section in Chapter 4 of the Proposed RMP/Final EIS, the price of natural gas has fluctuated widely in the past decade, and may continue to fluctuate. The impacts of the alternatives assessed in Chapter 4 are calculated using a price of $5.35 per MCF. This price is based on data estimated by the Montana State Revenue and Transportation Interim Committee (RTIC), which collects and forecasts natural gas price data in order to estimate state revenue. The RTIC price is forecasted to average $5.35 between 2003 and 2009. Regarding the value of federal royalty payments to study area counties presented in the Draft RMP/EIS Economics section of Chapter 3, for the period 1999 to 2001 federal royalties were not directly distributed back to the counties of production by the State of Montana. However, Montana law now requires the state to distribute 25% of federal royalty disbursements received by the state to the county of production. Distributions of natural gas, oil, and coal royalties to study area counties are presented in the Proposed RMP/Final EIS for the years 2004 to 2006.
5000-54	*Comment*	*The BLM also did not complete any economic analysis on the impacts of changing the Visual Resource Management classification, the impacts of the inclusion of private land or the impacts that the BLM's decision would have on local services such as emergency services. The question is why hasn't the BLM completed the necessary economic analysis.*
5000-54	Response	The Livestock Grazing section of Chapter 4 in the Proposed RMP/Final EIS has been revised to include a more detailed discussion of the effects of the visual resource management (VRM) classifications. As noted in this section, the VRM classifications are not expected to require changes to current operations. Routine maintenance of existing structures would not be affected by the VRM classifications so long as maintenance does not substantively change the design or surface area of a structure. New surface-disturbing projects, however, may require modifications that reduce the visual impact of the project on the landscape. Such modifications may increase the cost of new range improvement projects. While the number of affected improvements and potential cost increases are not known, the total impact on ranchers is likely limited since existing operations are not affected.

Regarding private land intermingled with the Monument, the Preferred Alternative has been revised so that roads to private land would remain open yearlong with the exception of two roads. There should be no access-related effects on private property. Oil and gas-related impacts of the alternatives should also be limited as applications for rights-of-way (pursuant to existing policies and practices) will continue to be considered as necessary for adequate access to private land to develop minerals. While the Monument designation itself may also have reduced the feasibility of oil and gas development on private land due to the withdrawal of adjacent federal minerals from leasing, this potential impact is due to the Monument designation and not to the alternatives. Additionally, effects on ranches in the Monument area should be very limited as the number of animal unit months (AUM) harvested annually is not expected to change due to the Preferred Alternative, nor is the number of cattle in the Monument.

As noted in the revised Economics section of Chapter 4, the Draft RMP/EIS alternatives do not directly increase the burden on county emergency services. Local governments currently provide emergency services within the Monument and they would continue to do so under the alternatives. If visitation to the Monument were to increase due to management under an alternative, then the use of local emergency services within the Monument would likely increase. As the effect of each alternative on visitation is unknown, it is not possible to estimate the associated effect on demand for local emergency services. Furthermore, as stated in the Preferred Alternative (see the Recreation section of Chapter 2) user fees levied by the BLM could be used to compensate local jurisdictions for emergency services provided in the Monument.

5000-55 *Comment* *The American taxpayers, those people that you talked about tonight, outside of the area and outside of Montana, through payment in lieu of taxes, have $1.31 per acre in Fergus County. I went to the Fergus County Assessor's Office and looked at two parcels of land that are in the Monument. One of those pays twenty-one cents an acre and another one pays forty-nine cents.*

5000-55 Response Property taxes paid on grazing lands in the five-county study area averaged $1.40 per acre in 2005 according to the biennial report of the Montana Department of Revenue. Payment in Lieu of Taxes (PILT) payments in the five-county study area average approximately $0.60 per acre (see the Economics section of Chapter 3 of the Proposed RMP/Final EIS).

5000-56 *Comment* *The other thing, looking at the basic half million acres that's affected, when we have gone and looked at other counties that are doing oil and gas exploration and development that same area would be $16,000,000 just in tax revenue. That's not income to the people that are living there. That's not income from local businesses. That's tax revenue. That's called tax relief. That's called funding for our schools, for our fire departments, for our ambulances. Those things were not addressed in this Draft.*

5000-56 Response The Proclamation establishing the Monument withdrew lands from mineral leasing, subject to valid existing rights. As there are nearly 43,000 acres covered by valid existing oil and gas leases. The impact of withdrawing federal lands within the Monument from mineral leasing is due to the designation of the Monument and must be included in all of the management alternatives proposed and evaluated by the BLM. As there are no differential impacts between alternatives relating to the withdrawal of federal lands from mineral leasing, this is not analyzed in the RMP/EIS.

5000-57 *Comment* *The potential environmental and economic value of a largely motor-free river in the Monument, not only today but for generations to come, has not been considered.*

Group		Economics
5000-57	Response	The value of a largely-motor free river, as in Alternative E, is discussed in the Economics section of Chapter 4. As noted in the Proposed RMP/Final EIS, the net non-market economic effect of each alternative on river recreationists by limiting motorized use of the river may result in economic benefits to non-motorized users and economic harm to motorized users. Economic benefits in this sense refer to level of satisfaction or utility, not a monetary benefit. A non-motorized stretch of river would benefit river floaters who prefer to not be impacted by the sight, sound, and smell of motorized watercraft, but may harm motorized recreationists who would otherwise boat the river during restricted periods. The degree of harm depends on the availability and quality of substitute recreation locations or seasons. The local economic benefits of a motor-free river depend on the associated change in the number of visitors to the area. A motor-free river may increase the number of non-motorized visitors but would decrease the number of motorized visitors.
5000-58	*Comment*	*The Missouri is a large enough river, one of the few in Montana, to support motorized recreation. While the "purist" canoe people have many options, they probably don't return very often to the Missouri. If motorized transportation was available more of the public could utilize the river and add to the recreational income of the area.*
5000-58	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, motorized transportation on the Upper Missouri River would be available in the Monument year round on river miles 0 to 92.5 (Fort Benton to Holmes Council Island), and available three days a week on river miles 92.5 to 149. Motorized watercraft use would be restricted from June 15 to September 15 to downstream travel at a no-wake speed on river miles 52 to 84.5 and 92.5 to 149, but at all times of the year different motorized boating experiences would be available on the river. However, personal watercraft and floatplanes would only be allowed on river miles 0 to 3 near Fort Benton. Additionally, the Preferred Alternative shifts the restrictions on motorized boating to two weeks later in the spring, providing more access for motorized boaters during a popular angling time. The summer is currently a relatively low motorized use season, with more motorized boats accessing the river during the spring and fall hunting and fishing seasons. As noted in the Economics section of Chapter 4 in the Proposed RMP/Final EIS, the effects on the local economy of reduced restrictions on motorized use depend on the associated change in the number of visitors to the area and their expenditures. Additional opportunities for summer motorized use of the Upper Missouri River in the Monument may increase the number of non-motorized visitors but would decrease the number of motorized visitors to the area.

Group		Communities
5052-01	*Comment*	*Commercial activities should take place in gateway communities outside the Monument, not on Monument property.*
5052-01	Response	None of the alternatives propose commercial development within the Monument. Alternatives B, C, D and F would encourage private sector initiatives as a means of developing visitor use opportunities but these initiatives would not result in permanent facilities in the Monument. Under Alternative A, similar initiatives may result in permanent facilities. Alternative E would not encourage private sector initiatives as a means of developing visitor use opportunities.

Group		Communities
5052-02	*Comment*	*Having a place like the Monument, which attracts visitors who want to experience this fabulous area, is an essential element to the future economic well-being of nearby communities. I will certainly return to the Breaks and support the small businesses of Lewistown, Malta, and Havre if this jewel is protected adequately.*
5052-02	Response	The economies of Chinook, Big Sandy, Fort Benton, Lewistown, Loma, Winifred and Zortman are discussed in the Economic Section of Chapter 3 in the Proposed RMP/Final EIS.
5052-03	*Comment*	*Establish a field office in Winifred. The soon-to-be-abandoned post office building would be an ideal location. Put a wrap-around porch and parking for the building and upgrade it. It would be a BLM presence there.*
5052-03	Response	Coordination with gateway communities is described for each alternative in Chapter 2 of the Proposed RMP/Final EIS under Recreation, Gateway Communities. The Preferred Alternative states that the BLM would partner with gateway communities to provide visitor information and would encourage private sector initiatives as a means of developing river visitor use opportunities.
5052-04	*Comment*	*Coordination with gateway communities should be reciprocal. Communities that make the effort should receive the benefits. Gateway communities should be encouraged to develop their own airstrips and keep primitive strips out of the Monument.*
5052-04	Response	None of the alternatives propose commercial development within the Monument. Alternatives B, C, D and F would encourage private sector initiatives as a means of developing visitor use opportunities but these initiatives would not result in permanent facilities in the Monument. Under Alternative A, similar initiatives may result in permanent facilities. Alternative E would not encourage private sector initiatives as a means of developing visitor use opportunities.
5052-05	*Comment*	*I believe, if we take all the cattle off of this Monument. It will affect Winifred, Roy, Big Sandy, a lot of other areas, but those are just to name a few.*
5052-05	Response	The Proclamation did not identify a need to single out livestock grazing within the Monument for review, analysis or change. The Proclamation states: "Laws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument."

Group		Private Land
5053-01	*Comment*	*Private property owners should have the right to access and farm and graze on their lands. It is important that the plan does not interfere with private land owners' access and the access of leaseholders. In leaving private land within the boundary of the Monument many access problems develop. How can the BLM block off parts of private property, thus penalizing the private landowner? The owner may have access to their property, but not their family or friends.*
5053-01	Response	Under the Preferred Alternative in the Proposed RMP/Final EIS, BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). Applications for

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

5053-02 *Comment* *Private ownership and land rights must be protected. The RMP/EIS is supposed to apply to BLM land, but it will impact adjacent landowners and interfere with adjoining private property rights.*

5053-02 Response About 80,000 acres of private land are intermingled with the Monument. The BLM has no jurisdiction over private land or private minerals, and these lands and minerals are not part of the Monument. This is addressed in Chapter 1 in the Proposed RMP/Final EIS and on the maps included with the document. The brochure for the Monument and the Upper Missouri River Boaters' Guide also include information on respecting private land and property rights and that landowner permission is required for access to private property.

5053-03 *Comment* *The Draft RMP/EIS states that management of federal surface and minerals "has no bearing" on adjacent state or private mineral activity (p. 161). This is contrary to the history of oil and gas activity in the area given elsewhere in the document, where it is stated that exploration and production has been delayed by the lack of infrastructure, as well as by price factors. If the federal minerals are restricted in the manner of their development, as the Proclamation provides, then that is likely to lessen the activity on adjacent state or private minerals. Oil and gas development, in particular, requires large scale infrastructure development; therefore, federal management activity does have a bearing on adjacent state and private activity.*

Oil companies are shying away from leases in or near the Monument. The landowners have the right to this income if they choose, but they aren't even being able to have this right. Right now in the last two months 300,000 acres of lands have been leased for oil and gas south of Winifred, south of the Monument. And the one thing they made clear is they've got to stay away from that Monument.

5053-03 Response About 80,000 acres of private land are intermingled with the Monument. The BLM has no jurisdiction over private land or private minerals, and these lands and minerals are not part of the Monument. The oil and gas lease stipulations and conditions of approval discussed in the RMP/EIS only apply to federal minerals. These restrictions do not apply to private minerals adjacent to or intermingled with federal minerals. However, without the availability of federal minerals, leasing potential for state and fee minerals may be reduced in areas where the nonfederal minerals are not sufficient to be economically developed independent of the federal minerals.

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

5053-04 *Comment* *On the BLM website it says "Lands and interests in lands within the proposed monument not owned by the US shall be reserved as a part of the monument upon acquisition and title thereto by the US." If I'm reading this right, it looks like this land would be taken by condemnation if a deal couldn't be reached with the landowner. "Private land" should remain private.*

A willing seller may sell to whomever they wish, but if their property is included in the Monument boundaries, surely this will decrease the value for a private sale and encourage owners to take the best deal they can, which, of course, would be the federal government. These purchases continue to erode the tax base of the local district. This effect is felt mostly by the schools in the area.

Group		Private Land
5053-04	Response	The BLM will not pursue the acquisition of private land unless approached by a landowner or their representative. Conservation easements or fee acquisition (i.e., campsite) opportunities that are brought forward by private landowners will be considered if they enhance the values of the Monument and are within the BLM's staff and budgetary constraints. Any land exchange proposal would include an environmental review including an analysis of the tax base and changes to property taxes and PILT payments.
5053-05	*Comment*	*Take out the 81,000 acres belonging to private landowners, along with appurtenant water rights, and redraw the boundaries. Retract your statements that it was included because the land is targeted for purchase and make darn sure that if a plan is enacted to manage resources that it does not limit or adversely affect these landowners.*
5053-05	Response	The Monument was established on January 17, 2001, when President Clinton issued a Proclamation under the provisions of the Antiquities Act of 1906. About 80,000 acres of private land are intermingled with the Monument. The BLM has no jurisdiction over private land, and these lands are not part of the Monument. The BLM does not have the authority to adjust the boundary of the Monument. The BLM will not pursue the acquisition of private land unless approached by a landowner or their representative. Conservation easements or fee acquisition (i.e., campsite) opportunities that are brought forward by private landowners will be considered if they enhance the values of the Monument and are within the BLM's staff and budgetary constraints.
5053-06	*Comment*	*Protected objects or interests on private land should be removed from consideration in the plan. Within the Draft RMP/EIS, Appendix B Significant Objects, page 381-386, the BLM has included a number of areas in which special considerations will be taken for protection, but do not fit the criteria of the Antiquities Act language. Many of the listed objects are on private land, State land and a combination private, State and Federal ownership. The Significant Objects that are not solely Federal ownership should be removed from this appendix and the rest of document.*
5053-06	Response	The list of objects was revised to exclude any reference to private land and the text was clarified that the objects and management only applies to BLM land.
5053-07	*Comment*	*The BLM has taken private property without compensation because of the inclusion of the 81,000 acres of private land and the fact that the Draft RMP/EIS states that there will be no future oil and gas leasing on land within the Monument. The individuals owning this property have not been compensated and the government has precluded them from using their full rights. This is an uncompensated taking of private property in violation of the Montana and United States Constitutions.*
5053-07	Response	About 80,000 acres of private land are intermingled with the Monument. The BLM has no jurisdiction over private land or private minerals, and these lands and minerals are not part of the Monument. Applications for rights-of-way will be considered for reasonable access to private land and as necessary for adequate access across BLM land to private minerals for exploration, development, and production (e.g., access roads and pipelines).

Group		Private Land
		The oil and gas lease stipulations and conditions of approval discussed in the Draft RMP/EIS and Proposed RMP/Final EIS only apply to federal minerals. These restrictions do not apply to private minerals adjacent to or intermingled with federal minerals.
5053-08	*Comment*	*To the surrounding areas, it will not benefit one bit. Get the deeded land out of anything to do with this Monument. This was forced on us and now no one will listen.*
5053-08	Response	The Monument was established on January 17, 2001, when President Clinton issued a Proclamation under the provisions of the Antiquities Act of 1906. About 80,000 acres of private land are intermingled with the Monument. The BLM has no jurisdiction over private land, and these lands are not part of the Monument. The BLM does not have the authority to adjust the boundary of the Monument.
5053-09	*Comment*	*Please consider courtesy to the very people who have kept the Missouri River Breaks in pristine condition and give the deeded land owners total control of their land as one experiences in cities and ranches anywhere. The ranchers are the ones who know this land and have kept it in the condition it's presently in. They should not be "held hostage" by groups that are paid to spout about pristine condition. How arrogant to tell the people who know the land that now they need to be with the whims of such organizations.*
5053-09	Response	About 80,000 acres of private land are intermingled with the Monument. The BLM has no jurisdiction over private or state land, and these lands are not part of the Monument. Applications for rights-of-way will be considered for reasonable access to private land and as necessary for adequate access across BLM land to private minerals for exploration, development, and production (e.g., access roads and pipelines). BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). There are 65 miles of BLM roads providing access to private land that would be designated open yearlong and 2 miles (two roads) that would be designated closed.
5053-10	*Comment*	*There is no need to make the Upper Missouri River a Monument and stretch the boundary including 81,000 deeded acres. The Wild & Scenic River bank to bank works just fine.*
5053-10	Response	The Monument was established on January 17, 2001, when President Clinton issued a Proclamation under the provisions of the Antiquities Act of 1906. About 80,000 acres of private land are intermingled with the Monument. The BLM has no jurisdiction over private or state land, and these lands are not part of the Monument. The BLM does not have the authority to adjust the boundary of the Monument.
5053-12	*Comment*	*Significant private inholdings can become a problem. They must be compatible with Breaks goals or finally purchased.*
5053-12	Response	About 80,000 acres of private land are intermingled with the Monument. The BLM has no jurisdiction over private, and these lands are not part of the Monument. The BLM will not pursue the acquisition of private land unless approached by a landowner or their representative. Conservation easements or fee acquisition (i.e., campsite) opportunities that are brought forward by private landowners will be considered if they enhance the values of the Monument and are within the BLM's staff and budgetary constraints. Land and Water Conservation Funds may be used for land acquisitions (either fee or conservation easement).

Group		Private Land
5053-14	*Comment*	*The BLM's proposal to maintain private property within a Monument designation is in direct violation of the Antiquities Act which specifically excludes private property within an area designated as a Monument.*
5053-14	Response	The Monument was established on January 17, 2001, when President Clinton issued a Proclamation under the provisions of the Antiquities Act of 1906. Under the Antiquities Act, the President of the United States is authorized to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments. About 80,000 acres of private land are intermingled with the Monument. The BLM has no jurisdiction over private land and these lands are not part of the Monument.
5053-15	*Comment*	*The land involved belongs to private property owners and the State of Montana. The land involved should be left as is.*
5053-15	Response	About 80,000 acres of private land and 39,000 acres of state land are intermingled with the Monument. The BLM has no jurisdiction over private or state land, and these lands are not part of the Monument.
5053-16	*Comment*	*It is simply illegal and wrong for the BLM to continue with a designation of an area for the Monument that includes 81,000 acres of private land.* *This continued practice by the BLM and this Draft RMP/EIS, which includes the private land, has caused and continues to cause ranchers damages. This designation has lessened the value of their private property and could be used as a means of extortion because the BLM could condition a necessary permit or special use on acquiring private property. The BLM said it is only interested in willing seller transactions. How can it be "willing" when the BLM can use its position in either subtle or not so subtle means to pressure ranchers or other land owners into selling their private land that has been included in the designation?*
5053-16	Response	About 80,000 acres of private land are intermingled with the Monument. The BLM has no jurisdiction over private land, and these lands are not part of the Monument. The BLM will not pursue the acquisition of private land unless approached by a landowner or their representative. Conservation easements or fee acquisition (i.e., campsite) opportunities that are brought forward by private landowners will be considered if they enhance the values of the Monument and are within the BLM's staff and budgetary constraints. BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). Applications for rights-of-way will be considered for reasonable access to private land and as necessary for adequate access across BLM land to private minerals for exploration, development, and production (e.g., access roads and pipelines).
5053-18	*Comment*	*The Missouri River Breaks have been referred to many times as "an extremely fragile environment" and many times in the same sentence been referred to as "virtually unchanged since Lewis and Clark." Both these statements I believe are true, which implies that it had very good management without a Monument designation, or even a Wild and Scenic Missouri River designation. But even though we are now saddled with those designations, it is implied that the private lands are not included in the Monument which I believe is a hypocritical statement. Because when you are completely surrounded by the Monument you are included in the Monument.*

Group		Private Land
5053-18	Response	The Monument was established on January 17, 2001, when President Clinton issued a Proclamation under the provisions of the Antiquities Act of 1906. Under the Antiquities Act, the President of the United States is authorized to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments. About 80,000 acres of private land are intermingled with the Monument. The BLM has no jurisdiction over private land, and these lands are not part of the Monument.
5053-19	*Comment*	*By creating contemporary "scared areas" where private ownership is either prohibited or increasingly restricted, the environmental lobby and Federal agencies wage a war on individual freedom. When the State deprives individuals of private property, it strips them of the freedom to take care of themselves.*
5053-19	Response	The Monument was established on January 17, 2001, when President Clinton issued a Proclamation under the provisions of the Antiquities Act of 1906. About 80,000 acres of private land are intermingled with the Monument. The BLM has no jurisdiction over private land, and these lands are not part of the Monument. The BLM will not pursue the acquisition of private land unless approached by a landowner or their representative.
5053-20	*Comment*	*Were the ranchers paid for the private land that was taken away from them.*
5053-20	Response	The Monument was established on January 17, 2001, when President Clinton issued a Proclamation under the provisions of the Antiquities Act of 1906. Under the Antiquities Act, the President of the United States is authorized to declare by public proclamation historic landmarks, historic and prehistoric structures, and other objects of historic or scientific interest that are situated upon the lands owned or controlled by the Government of the United States to be national monuments. About 80,000 acres of private land are intermingled with the Monument. The BLM has no jurisdiction over private land, and these lands are not part of the Monument.
5053-21	*Comment*	*The land that I took my students on is private property and is included in the national Monument. My question is, will the loss of tax revenue (if private property is taken out) inhibit me from taking my students out to learn and experience the ranching way of life?*
5053-21	Response	About 80,000 acres of private land are intermingled with the Monument. The BLM has no jurisdiction over private land, and these lands are not part of the Monument. The BLM will not pursue the acquisition of private land unless approached by a landowner or their representative. The BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use).
5053-22	*Comment*	*BLM needs to immediately remove all private lands from the Monument. Start paying the taxes owed to our schools. Put the established roads back on the map. Allow the river to be used year round to all boaters, specifically from the PN bridge to Robinson Bridge. BLM land is public ground, let the public use it and have access to it, so all people can benefit. Allow more access to the river for fishing. Keep the airstrips open for firefighting, etc. Extinguish all fires with any means possible. And finally be fair with the landowners*
5053-22	Response	The Monument was established on January 17, 2001, when President Clinton issued a Proclamation under the provisions of the Antiquities Act of 1906. About 80,000 acres of

private land are intermingled with the Monument. The BLM has no jurisdiction over private or state land, and these lands are not part of the Monument. The BLM does not have the authority to adjust the boundary of the Monument.

5053-23 *Comment* *I am not in favor of reducing the size of the Monument. Correct me if I am wrong, but I understand there is no private property involved. Some ranches may be surrounded by BLM administered public land which may be leased, but no private land is involved. I would be in favor of accommodating the leaseholders of public lands to a certain extent, but I would expect their stewardship of the lands meet the standards which promote preservation and access by the rest of us. I think we've all seen the abuse of too many cattle trashing the cottonwood groves and fouling the riverbanks. We've all seen the insensitive landowner who considered public land which they lease off limits to the public. They simply look at the cheaply leased land as their own. That just can't happen any more.*

5053-23 Response About 80,000 acres of private land are intermingled with the Monument. The BLM has no jurisdiction over private land, and these lands are not part of the Monument.

Livestock grazing will continue to be managed through the Lewistown District (Lewistown and Malta Field Offices) Standards for Rangeland Health and Guidelines for Livestock Grazing Management (BLM 1997).

5053-24 *Comment* *When you put my private ground in there, you devalue it and you have a leverage position against me that I don't enjoy. It also makes it cumbersome to sell it because you get an easement through and you think the wild and scenic might have been impossible. But I'll tell you on designation of a Monument, it is impossible, flat out. And there's so much land we have within that, unless you have something existing, you're done. So it does devaluate and I'm concerned about that.*

5053-24 Response The Monument was established on January 17, 2001, when President Clinton issued a Proclamation under the provisions of the Antiquities Act of 1906. About 80,000 acres of private land are intermingled with the Monument. The BLM has no jurisdiction over private or state land, and these lands are not part of the Monument.

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

BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). Applications for rights-of-way will be considered for reasonable access to private land and as necessary for adequate access across BLM land to private minerals for exploration, development, and production (e.g., access roads and pipelines).

5053-25 *Comment* *Why is it that 81,000 acres of private land must be included within the monument? The BLM has drawn arbitrary boundaries to include this private land, but has yet to explain what impact the boundaries have, or address the concerns of those affected as roads are closed and property rights such as mineral rights and grazing rights are infringed upon.*

5053-25 Response The Monument was established on January 17, 2001, when President Clinton issued a Proclamation under the provisions of the Antiquities Act of 1906. About 80,000 acres of

private land are intermingled with the Monument. The BLM has no jurisdiction over private or state land, and these lands are not part of the Monument. The BLM does not have the authority to adjust the boundary of the Monument.

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

BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use).

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

5053-26 *Comment* *BLM needs to incorporate in this document some type of education program that says, you know, these are their lands -- they're private or they're grazing leases.*

5053-26 Response About 80,000 acres of private land are intermingled with the Monument. The BLM has no jurisdiction over private or state land, and these lands are not part of the Monument. This is addressed in Chapter 1 in the Proposed RMP/Final EIS and on the maps included with the document. The brochure for the Monument and the Upper Missouri River Boaters' Guide also include information on respecting private land and property rights and that landowner permission is required for access to private property.

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

Group		Private Land
5053-27	*Comment*	*This type of project, where there's 81,000 acres of private land in here that these landowners are at risk of losing access to their own land, 40,000 acres of school trust land that's leased that these people are losing their rights to, plus all the other BLM land in the state, this is setting a precedent for how BLM land will be handled, this is going to create a conflict and a resentment.*
5053-27	Response	About 80,000 acres of private land and 39,000 acres of state land are intermingled with the Monument. The BLM has no jurisdiction over private and state land or minerals, and these lands and minerals are not part of the Monument. Applications for rights-of-way will be considered for reasonable access to private land and as necessary for adequate access across BLM land to private minerals for exploration, development, and production (e.g., access roads and pipelines). BLM roads providing motorized access to the boundary of private land would remain open for public, private landowner and administrative travel with the exception of two roads (one road is impassable and the other road is currently limited to administrative use). There are 65 miles of BLM roads providing access to private land that would be designated open yearlong and 2 miles (two roads) that would be designated closed. BLM roads to the boundary of state land would remain open for administrative travel including state leaseholders. These roads would also be open for public travel, if shown to meet Monument objectives. The BLM would coordinate with state agencies on roads open to the public that lead to or from state land. There are about 80 miles of BLM roads providing access to state land; 59 miles would be open yearlong, 13 miles open seasonally, and 8 miles closed. The oil and gas lease stipulations and conditions of approval discussed in the RMP/EIS only apply to federal minerals. These restrictions do not apply to private minerals adjacent to or intermingled with federal minerals.
5053-28	*Comment*	*At the present time I am guardian for a lady. She is handicapped and I guess has quite a few problems. I need that income off of that 3700 acres to keep her in some way that will benefit her, and this Monument--all 3700 acres are inside the Monument--will effectively keep me from keeping the type of income that I should get to take care of her both physically and mentally.*
5053-28	Response	About 80,000 acres of private land are intermingled with the Monument. The BLM has no jurisdiction over private land or private minerals, and these lands and minerals are not part of the Monument. Applications for rights-of-way will be considered for reasonable access to private land and as necessary for adequate access across BLM land to private minerals for exploration, development, and production (e.g., access roads and pipelines The oil and gas lease stipulations and conditions of approval discussed in the RMP/EIS only apply to federal minerals. These restrictions do not apply to private minerals adjacent to or intermingled with federal minerals.
5053-29	*Comment*	*The Commissioners would also request the BLM to write the State Director and the Secretary of the Interior and ask them to do everything in their power with the assistance of the President to remove the 81,000 acres of private land within the Monument.*
5053-29	Response	The Upper Missouri River Breaks National Monument is one of many monuments managed by BLM that has privately owned land adjacent to or intermingled with public

Group		**Private Land**
		land. The BLM has much experience in managing scattered land ownership patterns throughout the West and have sought to be a good neighbor to private landowners. The proclamations for these monuments have been careful to specify that the private land is not part of them. In the majority of cases, the intermingled land ownership has not been an issue for landowners or for BLM. The BLM has no jurisdiction over private land and recognizes that private land is not part of the Monument.
5053-30	*Comment*	*When President Clinton signed the Proclamation making the Government land in our area the Upper Missouri River Breaks National Monument we were never notified or asked that 320 acres of our private property including a 130-acre grain field, which is farmed every year, could be in the boundary.* *We had always been told that the Monument rules and regulations are for Government land only and will not affect private property and that should be written in the first paragraph of the Resource Management Plan.*
5053-30	Response	About 80,000 acres of private land and 39,000 acres of state land are intermingled with the Monument. The BLM has no jurisdiction over private or state land and minerals, and these lands are not part of the Monument. This is addressed in Chapter 1 in the Proposed RMP/Final EIS and on the maps included with the document. The oil and gas lease stipulations and conditions of approval only apply to federal minerals. These restrictions do not apply to private and state minerals adjacent to or intermingled with federal minerals.
Group		**State Land**
5060-01	*Comment*	*There is 40,000 acres of State land that's included in the Monument. That land will be slowly strangled as far as anybody coming in and willing to lease it. No private individual will lease something that is surrounded with no right to gain entry. State land is supposed to generate revenue for the public schools of the State of Montana. Their potential is not going to be realized and education needs that money. What will the effect be on these State of Montana lands?*
5060-01	Response	About 39,000 acres of state land minerals are intermingled with the Monument. The BLM has no jurisdiction over state land and minerals, and they are not part of the Monument. Applications for rights-of-way will be considered for reasonable access to state land and as necessary for adequate access across BLM land to state minerals for exploration, development, and production (e.g., access roads and pipelines). The BLM roads that lead to the boundary of state land would remain open for administrative travel including state leaseholders.
Group		**Health and Safety – Emergency Services**
5151-01	*Comment*	*It falls on the landowners in the area to help support the extra services that will be needed in the Monument area. The requirements of the plan will cause taxes to be raised to the very people that the plan is trying to restrict and use their private land. This will place a very large strain on the services needed in the area such as fire, ambulance and rescue.* *The BLM did not provide any economic analysis of the additional economic burden to local governments for providing county emergency services to the Monument under the different*

alternatives. All emergency personnel need to be reimbursed for expenses incurred from Monument use.

5151-01 Response The BLM would encourage and sustain collaborative partnerships, volunteers and citizen-centered public service with gateway communities to provide visitor information. Fees associated with a special area permit to boat the Missouri River could be used to support county emergency services. The cost of the permit would be established through a business plan based on the cost of operating the permit system, special costs related to management of the area, comparability with other agencies and similar special areas, and fairness and equity among all users. Development of the business plan would address the disbursement of any fees and would involve the Central Montana RAC and an opportunity for public involvement.

An increase of 5% per year in visitor use is assumed for boaters on the Missouri River and for recreation in the uplands under all of the alternatives. This increase is based on registered boaters on the Missouri River over a number of years. Information on visitor use in the uplands is incomplete or unavailable. While the alternatives would provide different recreation opportunities for the public (e.g., motorized or non-motorized activities) it was assumed the level of visitor use would not vary by alternative. With an increase in visitor use there could be an increase in the number of search and rescue operations or other emergency services.

5151-02 Comment *There are circumstances where exceptions should be made to allow for motorized travel in the Monument beyond the limits provided, such as rescue or emergency operations, and administrative functions carried out by both the BLM and the ranchers within the Monument.*

5151-02 Response Under the Preferred Alternative in the Proposed RMP/Final EIS, travel off road and on closed roads would be allowed for any military, fire, search and rescue, or law enforcement emergency purposes. For administrative purposes travel would be authorized off road and on closed roads for BLM, other federal agencies, state and county agencies, lessees and permittees. Administrative purposes would be limited to those activities necessary to administer the permit or lease.

Also, there would be no restrictions for any military, fire, search and rescue, or law enforcement watercraft used for emergency purposes on the Upper Missouri National Wild and Scenic River. This includes the use of motorized watercraft by the public for emergency purposes and the landing and take-off of floatplanes for safety reasons, such as avoiding inclement weather. Administrative use of motorized watercraft would occur during the seasonal restrictions on the river. Livestock grazing permittees would be allowed upstream travel to administer their grazing permit with prior notification to the BLM. Prior notification would be verbal for unplanned situations or by a letter from BLM to the permittee for activities known in advance. Prior notification allows the BLM to inform boaters at launch points that administrative use may be occurring along specific sections of the river and to respond to boaters' questions concerning administrative use.

5151-03 Comment *How is the BLM going to deal with the local populous on matters that the Monument will change, i.e. more people, more problems, emergency medical support, fire fighting support, people going through private land, etc.?*

5151-03 Response Decisions from an RMP would be implemented over a period of years depending on budget and staff availability. Enforcement and education to protect the values of the Monument would be part of this implementation. The BLM would also encourage and sustain collaborative partnerships, volunteers and citizen-centered public service with gateway communities to provide visitor information.

Group		**Health and Safety – Emergency Services**
5151-04	*Comment*	*From the field office (in Winifred) establish some emergency services (fire engine, ambulance).*
5151-04	Response	While the BLM does not have an office in Winifred, BLM would encourage and sustain collaborative partnerships, volunteers and citizen-centered public service with gateway communities to provide visitor information. Fees associated with a special area permit to boat the Missouri River could be used to support county emergency services. The cost of the permit would be established through a business plan based on the cost of operating the permit system, special costs related to management of the area, comparability with other agencies and similar special areas, and fairness and equity among all users. Development of the business plan would involve the Central Montana RAC and include an opportunity for public involvement.
5151-05	*Comment*	*MWF also agrees with the philosophy that a sense of ownership will inspire public compliance to Monument rules and regulations. BLM plans to have uniformed law enforcement officers on the ground and on the water in the Monument. MWF suggests that MOUs be pursued with state and local law enforcement agencies and FWP wardens so that responsibilities for enforcement can cross over between the agencies.*
5151-05	Response	The BLM would encourage and sustain collaborative partnerships, volunteers and citizen-centered public service with gateway communities to provide visitor information about the Monument. Montana Fish, Wildlife and Parks wardens, County Sheriffs' Departments, U.S. Fish and Wildlife Service officers and BLM law enforcement officers would all have jurisdiction in the Monument. These agencies would continue to work together to establish enforcement priorities in the Monument.
5151-06	*Comment*	*BLM must include provisions to protect our heritage, and there is a need to address the impact the Monument will have on community services such as fire, ambulance, and law enforcement.*
5151-06	Response	An increase of 5% per year in visitor use is assumed for boaters on the Missouri River and for recreation in the uplands under all of the alternatives. This increase is based on registered boaters on the Missouri River over a number of years. Information on visitor use in the uplands is incomplete or unavailable. While the alternatives would provide different recreation opportunities for the public (e.g., motorized or non-motorized activities) it was assumed the level of visitor use would not vary by alternative. With an increase in visitor use there could be an increase in the number of search and rescue operations or other emergency services.
Group		**Social**
5200-01	*Comment*	*I believe the federal government and the BLM have not listened to and most importantly have not acted on the advice of the people that live in this area. The farmers, ranchers and residents have been bulldozed over and a way of life is being destroyed. I have a great deal of respect for the folks who have been stewards of this land for decades. They know the resource issues. It's getting harder and harder for them to make a living on the land.*
5200-01	Response	The BLM sponsored four series of public participation opportunities in the five-county study area (in Winifred, Lewistown, Big Sandy, Fort Benton, Havre, Chinook, Malta and Hays) to obtain information and ideas from local publics. These meetings occurred in 2002 (scoping open houses), 2003 (alternative development workshops), 2004 (scoping and

alternative development for the 12 West HiLine oil and gas leases), and 2006 (comments on the Draft RMP/EIS). In addition, Blaine, Chouteau, Fergus and Hill Counties and the State of Montana are cooperating agencies in this RMP process and are represented on the planning (core/interdisciplinary (ID)) team along with representatives of the Central Montana Resource Advisory Council. All core/ID team meetings are open to the public.

The description of social effects to local populations has been expanded in Chapters 3 and 4 of the Proposed RMP/Final EIS. This additional social discussion focuses more on local culture and lifestyles.

5200-02 *Comment* *Please leave commercial development out of the Monument. It would be a crime against the next 7 generations to come.*

5200-02 Response None of the alternatives propose commercial development within the Monument. Alternatives B, C, D and F would encourage private sector initiatives as a means of developing visitor use opportunities but these initiatives would not result in permanent facilities in the Monument. Under Alternative A, similar initiatives may result in permanent facilities. Alternative E would not encourage private sector initiatives as a means of developing visitor use opportunities.

5200-03 *Comment* *The farming and ranching culture and tradition of the area affected by the Monument has not been adequately addressed. This area was settled in the early 1880's and has a long history of ranching and this culture and tradition should be protected according to NEPA laws. I would like to know who the oral histories (pg 141) were given by and to point out that the lifestyles have changed to a certain extent but our individuality, fierce independence, love of the land, our country and foremost our families remain the same as in the earlier days. Many of us still work our cattle on horseback in ways that were handed down to us through the generations and many local people have a favorite hunting area they have been utilizing for several generations of their family. This goes hand in hand with our continued access to roads in this area. We and our ancestors have done a good job of taking care of the land. It provides a good tax base for our local schools.*

5200-03 Response The description of social effects to local populations has been expanded in Chapters 3 and 4 of the Proposed RMP/Final EIS. This additional social discussion focuses more on local culture and lifestyles.

5200-04 *Comment* *I ask you to consider the effects your plan will have on the people who have been good stewards of these lands for the past several hundred years. Do not cause harm to others to please others in the country who have never had anything to do with the area, and for the most part never will.*

5200-04 Response The public lands administered by the BLM belong to all citizens of the United States and thus the social effects to all individuals and groups interested in the Monument must be assessed. The description of local publics and the potential effects (as well as all other publics) has been expanded in Chapters 3 and 4 of the Proposed RMP/Final EIS.

5200-05 *Comment* *It is not right to subject those of us with financial and historical interest in this area to the whims of those that would take from us at no cost to them.*

5200-05 Response The public lands administered by the BLM belong to all citizens of the United States and thus the social effects to all individuals and groups interested in the Monument must be assessed. The description of potentially affected local publics and the potential effects (as well as all other publics) has been expanded in Chapters 3 and 4 of the Proposed RMP/Final EIS.

Group		Social
5200-06	*Comment*	*No study was done with the counties considering specific communities, local customs, culture and traditions that would be affected.*
5200-06	Response	The description of social effects to local populations (as well as all other populations) has been expanded in Chapters 3 and 4 of the Proposed RMP/Final EIS and now focuses more on local culture and lifestyles.
5200-07	*Comment*	*The more restrictions put on the land (VRM classes, stubble height requirements, road closures, private lands issues, land acquisitions, water rights) the more of an impact it has on our farmers and ranchers and the local customs and culture of our community. We/they have to deal with all of these in addition to ranching.*
5200-07	Response	The description of effects to local populations (as well as all other populations) has been expanded in Chapters 3 and 4 of the Proposed RMP/Final EIS. This discussion includes the effects of BLM actions on ranchers and focuses more on local culture and lifestyles.
5200-08	*Comment*	*I would like you to challenge the majority of the writers that are in favor of this Monument to see if they have ever set foot on any portion of the Monument or if it will affect their lives when they are told they can no longer ranch within the Monument boundaries. This is a direct link to the cultural issues and traditions that are supposed to protect our heritage.*
5200-08	Response	The public lands administered by the BLM belong to all citizens of the United States and thus the social effects to all individuals and groups interested in the Monument must be assessed. The description of potentially affected local publics and the potential effects (as well as all other publics) has been expanded in Chapters 3 and 4 of the Proposed RMP/Final EIS.
5200-09	*Comment*	*We need language written into the Management Plan to guarantee protection to the local cultural heritage of farming, ranching, recreating and continued access within the Monument.*
5200-09	Response	As described in Chapter 1 of the Proposed RMP/Final EIS, planning criteria guide and direct the preparation of the Monument plan. The criteria were developed based on applicable laws and regulations, agency guidance and the results of public comment. The criteria include the following: • The Monument RMP/EIS will emphasize the protection and enhancement of the Monument's natural resources and emphasize the BLM's mission to serve the diverse outdoor recreation demands of visitors while helping them to maintain the sustainable conditions needed to conserve their lands and their recreation choices. • The lifestyles and concerns of area residents, including grazing and ranching, will be recognized in the plan. • The Monument RMP/EIS will include a transportation plan that addresses transportation and access, and will identify where better access is warranted, where access should remain as it is, and where less access is appropriate to protect Monument resources. • The management of grazing is regulated by laws and regulations other than the Monument Proclamation. The plan will incorporate the Standards for Rangeland Health and Guidelines for Livestock Grazing Management as established in recently implemented watershed and/or activity plans.
5200-10	*Comment*	*Under NEPA the BLM is required to preserve the local cultural heritage. The local cultural heritage for the area surrounding the Monument is cattle ranching and farming. In the DEIS the BLM acknowledges that "ranching is an important part of the history, culture,*

and economy of the study area" (page 184). Despite this statement, the BLM does not consider the impact of its decision upon the rural, agricultural customs and traditions, or the culture of the individual permittees or the entire region. Nowhere in the DRMP and DEIS has the BLM indicated that it is striving to preserve this local cultural heritage.

5200-10 Response The planning criteria developed for the Monument plan, based on applicable laws and regulations, agency guidance and the results of public comment, include the following: The lifestyles and concerns of area residents, including grazing and ranching, will be recognized in the plan. For additional information, see Chapter 1 of the Proposed RMP/Final EIS, Planning Criteria section.

In addition, the description of effects to local populations (as well as all other populations) has been expanded in Chapters 3 and 4 of the Proposed RMP/Final EIS. This discussion includes the effects of BLM actions on ranchers and focuses more on local culture and traditions.

5200-11 Comment *Why should you (or the federal government) care about the well being of the Monument area? Is it your livelihood? Your survival? Or your passion? If you care so deeply about it, live there, experience what the Breaks has to offer, not only on a nice summer day, but over the course of a few years.*

5200-11 Response The public lands administered by the BLM belong to all citizens of the United States and thus the effects to all individuals and groups interested in the Monument must be considered. The description of effects to local populations (as well as all other populations) has been expanded in Chapters 3 and 4 of the Proposed RMP/Final EIS. This discussion includes the effects of BLM actions on ranchers and focuses more on local culture and lifestyles.

5200-12 Comment *We believe in our small communities, our schools. We are going to take a stand for our way of life and protect our future.*

5200-12 Response The description of effects to local populations (as well as all other populations) has been expanded in Chapters 3 and 4 of the Proposed RMP/Final EIS. This discussion includes the effects of BLM actions on ranchers and focuses more on local culture and lifestyles.

5200-13 Comment *I would some day like to take over the farm and ranch operation from my father. I hope the Monument doesn't stop me from that goal. I love this area and cannot think of anybody that would take better care of it than the people like myself who grew up here and make a living off the land.*

5200-13 Response The Proclamation designating the Monument applies to "all lands and interests in lands owned or controlled by the United States within the boundaries of the area described on the map . . . ." The BLM has no jurisdiction over private land.

The Proclamation further states that "laws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument."

One of the management goals of this RMP/EIS, as stated in Chapter 1, under Vision and Management Goals, is to "manage these BLM lands in a manner that provides current and future generations with the social and economic benefits compatible with the Proclamation."

Group		Social
5200-14	*Comment*	*I want my kids to grow up like I did and don't want it to change. I think the BLM wants to change it. If the cattle numbers or water rights are reduced our kids won't be able to stay here. They will be forced to leave the area and possibly the state to make a living. It breaks my heart to think my grandchildren could miss the opportunity to grow and thrive here.*
5200-14	Response	The public lands administered by the BLM belong to all citizens of the United States and thus the effects to all individuals and groups interested in the Monument must be considered. The description of effects to local populations (as well as all other populations) has been expanded in Chapters 3 and 4 of the Proposed RMP/Final EIS. This discussion includes the effects of BLM actions on ranchers and focuses more on local culture and lifestyles.
5200-15	*Comment*	*Because road closures in the monument area directly affect local traditions, customs and culture, these traditional road uses can no longer be enjoyed by local communities. Traditional road uses include access for hunting, sightseeing, biking, ATV, camping, metal detection, firewood cutting, Christmas tree cutting, pole cutting, horn hunting, etc. Considering two-thirds of the monument roads are projected to be closed or seasonally restricted, the impact on traditional uses of the land is considerable. More importantly, there is no indication that the BLM has identified or defined the customs, culture and traditions in the four-county area.*
5200-15	Response	The description of effects to local populations (as well as all other populations) has been expanded in Chapters 3 and 4 of the Proposed RMP/Final EIS. This discussion includes the effects of changes in travel management on local populations and focuses more on local culture and lifestyles.
5200-16	*Comment*	*I guess I would say to the BLM, it's absolutely crucial that we need to preserve the ranching community that's around there, because I believe they are just as important part of that as the monument. They are the personality of that area. Those communities of Winifred and Fort Benton, I mean they are the heart -- they are Montana. If you really look at it, that's really who we're all about. They have been able to maintain that personality that maybe some of us in those larger communities have lost.*
5200-16	Response	The Social description in Chapter 3 discusses the importance of ranching to the study area. The description of effects to ranchers and local communities (as well as all other populations) has been expanded in Chapters 3 and 4 of the Proposed RMP/Final EIS. This discussion includes the effects of changes in travel management on local populations and focuses more on local culture and lifestyles.
5200-17	*Comment*	*We need to reduce the stress in our lives. The best way for me is to have wilderness to go to.*
5200-17	Response	The Social section in Chapter 3 of the Proposed RMP/Final EIS recognizes the value of primitive, solitary, quiet, recreation experiences and its relationship to stress reduction.
5200-18	*Comment*	*Even where it is appropriate to consider interrelated social and cultural effects in EISs, those considerations cannot justify grazing decisions that would contravene environmental quality criteria in BLM's governing legislation. Nothing in BLM's authorizing legislation authorizes, much less requires, BLM to consider the social or cultural effects of its grazing decisions.* *CEQ rule 40 C.F.R. Section 1508.14 states that "economic or social effects are not intended by themselves to require preparation of an environmental impact statement. When*

an environmental impact statement is prepared and economic or social and natural or physical environmental effects are interrelated, then the environmental impact statement will discuss all of these effects on the human environment." Thus, only when a "major Federal action" would have "significant" effects on the "natural or physical environment" must "economic or social" effects, if "interrelated" be considered. Unless a proposed grazing-related action would significantly affect the physical or natural environment, thus requiring preparation of an EIS, BLM may not use NEPA as an excuse to consider purported socioeconomic effects. The Federal Register tiers watershed plans into the monument RMP/EIS and therefore there are not grazing-related actions.

TGA, FLPMA, and PRIA contain numerous provisions recognizing BLM authority to reduce or even eliminate grazing, but none acknowledges a place for lifestyle and local economic concerns in grazing decisions. And while Congress directed that local concerns be taken into account in some circumstances, no such consideration is found in grazing provisions.

Accordingly, any BLM RMP/EIS decision based on solicitude for the ranching lifestyle, rural culture, or local economic concerns would be reviewable by a court and reversible as "arbitrary, capricious, an abuse of discretion or otherwise not in accordance with law," or "in excess of statutory jurisdiction (or) authority." See Administrative Procedure Act, 5 U.S.C. section 706(2)(A), (C).

5200-18 Response

The BLM's Land Use Planning Handbook, H-1601-1 (March 2005) describes the requirements for social analysis in land use plans in Appendix D. Page 1 links these requirements to relevant statutes, regulations and Executive Orders. Under Impact analysis (Appendix D, page 3), the analyst is required to examine the positive and negative social effects of each alternative developed with the RMP on communities and groups. Examining the ranching lifestyle and/or rural culture is part of this required analysis. Grazing-related actions are only one of the potential changes that could affect ranchers. Other actions that could affect ranchers include travel management, visual resource management, recreation management, etc.

5200-19 Comment

This plan does not recognize, evaluate, or provide controls for any human environment factors, including but not limited to risk/health hazards, resulting from or associated with the airstrips and related aircraft operations.

5200-19 Response

The environmental impact statement (EIS) addresses the environmental effects of the alternatives discussed in Chapter 2 of the Draft RMP/EIS. This includes the environmental, economic and social consequences of implementing the alternatives but not liability. Aircraft operations are under the authority of the Federal Aviation Administration (FAA), not BLM.

5200-20 Comment

The closures have basically forbidden any elderly or handicapped persons from access. Closing access to the area will have the same devastating effect on elder folks that it has had in western Montana. Road closures have forced many old timers to abandon their old fishing hole or hunting grounds, so we can protect the grizzlies and wolves. If we keep this area open we can help the handicapped and physically impaired to be able to enjoy this area.

5200-20 Response

Under all alternatives, individuals with disabilities could request a permit to travel on closed roads consistent with the Rehabilitation Act of 1973. Such access would be considered on a case-by-case basis by the Monument Manager. Under the Preferred Alternative, if the need arises, the BLM could identify specific designated closed roads as access for individuals with disabilities. Thus individuals with disabilities could have opportunities for access not granted to the general public.

Group		Social
		Under the Proposed RMP/Final EIS, BLM Road System, Alternative F (Preferred Alternative), Exceptions for Travel Off Roads and on Closed Roads, big game retrieval by motorized vehicles would be allowed from 10 a.m. to 2 p.m. on 81 miles of seasonally designated closed roads (roads that are seasonally closed from September 1 through November 30).
5200-21	*Comment*	*I am 84 years old and enjoy hiking in quiet places.*
5200-21	Response	The Social section in Chapter 3 of the Proposed RMP/Final EIS recognizes the value of primitive, solitary, quiet, recreation experiences.
5200-22	*Comment*	*We believe that federal environmental justice requirements as initiated by Executive Order 12898 should be applied immediately to correct the disproportionately significant and adverse impacts that motorized recreationists have been subjected to. We request that the proposed action comply with the Council on Environmental Quality recommendations (http://ceq.eh.doe.gov/nepa/regs/ej/justice.pdf).*
5200-22	Response	Executive Order 12898, Environmental Justice, specifically identifies low income and minority populations as the subject of the order. It requires each federal agency to identify and address the ". . . disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations . . . ." Therefore, Environmental Justice does not apply to motorized recreationists. Effects to motorized and non-motorized recreationists are discussed in the Social section of Chapter 4.
5200-23	*Comment*	*A November 2003 national voter survey by Moore Information (http://www.cdfe.org/poll.htm) reveals that most Americans agree that the scores of environmental groups in Montana and throughout the nation have lost their focus. Specifically, 61% of voters nationwide agree with the statement; "while protecting the environment is important, environmental groups usually push for solutions which are too extreme for me." Just 33% disagree with this and 6% have no opinion. In the Mountain/Plains region that includes Montana the divergence is even more severe. A full 71% of respondents agree with the previous statement, and only 25% disagree. Additionally, a poll by Market Research Insight (MRI) in December, 2003 found that 27% of the public supported environmental groups and 53% opposed their actions. In order to be true and responsive to the public, decisions should not be based on pressure from environmental groups and their litigation. Public opinion supports this position.*
5200-23	Response	The public lands administered by the BLM belong to all citizens of the United States and thus the effects to all individuals and groups interested in the Monument must be assessed. The description of and potential effects to all of these publics are included in Chapters 3 and 4 of the Proposed RMP/Final EIS. Decisions are based on input from all groups interested in the Monument. The BLM sponsored four series of public participation opportunities in the five-county study area (in Winifred, Lewistown, Big Sandy, Fort Benton, Havre, Chinook, Malta and Hays) to obtain information and ideas from local publics. These meetings occurred in 2002 (scoping open houses), 2003 (alternative development workshops), 2004 (scoping and alternative development for the 12 West HiLine oil and gas leases), and 2006 (comments on the Draft RMP/EIS). During each of these time periods, letters/brochures were sent to all of the groups/individuals on the Monument mailing list and comments were received via mail

and e-mail. In addition, Blaine, Chouteau, Fergus and Hill Counties and the State of Montana are cooperating agencies in this RMP process and are represented on the planning (core/interdisciplinary (ID)) team along with representatives of the Central Montana Resource Advisory Council. All core/ID team meetings are open to the public.

5200-24 *Comment* *Dr. Martin E.P. Seligman has identified that learned helplessness or the belief that your actions will be futile is an epidemic affecting the nation (page 70, ISBN 0-671-01911-2). The evaluation of social issues must also include an evaluation of conditions contributing to learned helplessness including the lack of recognition and attention to the needs of motorized recreationists and the significant social problems that result from these conditions.*

5200-24 Response Chapters 3 and 4 in the Proposed RMP/Final EIS have been revised to more clearly describe the social effects to all potentially affected groups.

5200-25 *Comment* *We request that the environmental document adequately address the social, economic, and environmental justice issues associated with multiple-use access and motorized recreation.*

Montana ranks very low for social conditions (44th state per Fordham Institute for Innovation in Social Policy) and social issues are relevant to this action. Motorized recreation is a healthy social activity. These types of issues are associated with motorized access and recreation in the project area and these issues must be adequately addressed. Social issues must be adequately evaluated per the Social Impact Analysis (SIA): Principles and Procedures Training course (1900-03) and Environmental Justice issues per Departmental Regulation 5600-2. The evaluation and resulting decision must adequately consider and address all of the social and economic impacts associated with the significant motorized access and motorized recreation closures.

The use of the existing network of motorized roads and trails is part of the local culture, pioneer spirit, heritage and traditions. All of these values have ties to the land. Visitors to public lands benefit from all of the motorized roads and trails that exist today. The quality of life for the multiple-use public is being impacted by the cumulative negative effects of all motorized and access closures.

5200-25 Response Effects to both motorized and non-motorized recreationists are discussed in the Social section of Chapter 4, which has been revised in the Proposed RMP/Final EIS to more clearly describe the social effects to all potentially affected groups.

The Social analysis complies with the BLM guidance found in Appendix D: Social Science in Land Use Planning, from BLM's Land Use Planning Handbook H-1601-1 (March 2005). This handbook describes the requirements for social analysis in the Bureau's land use plans.

Executive Order 12898, Environmental Justice, specifically identifies low income and minority populations as the subject of the order. It requires each federal agency to identify and address the ". . . disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations . . . ." Therefore, Environmental Justice does not apply to motorized recreationists.

5200-26 *Comment* *We are concerned about respect for and protection of our western cultural heritage—BLM must include ways to protect this heritage which is characterized by access to the land for multiple-uses, friendliness, good neighborliness, tolerance and sharing. Motorized access to the land provides opportunities for sightseeing, exploring, weekend drives and picnics, target shooting, trapping, fishing, hiking, rock climbing, skiing, mountain biking, riding*

horses, camping, hunting, viewing wildlife, OHV recreation, snowmobiling, accessing patented mining claims, gathering firewood, rocks, natural foods, etc, and physically challenged visitors who must use wheeled vehicles to visit public lands. These have been our rights for years.

5200-26 Response The description of effects to local populations (as well as all other populations) has been expanded in Chapters 3 and 4 of the Proposed RMP/Final EIS. This discussion includes the effects of changes in travel management on local populations and focuses more on local culture and lifestyles.

5200-27 Comment *This should be left wild, free and untouched by motorized vehicles. If people want to use/see it—walk, hike, ride a horse. There are too few natural areas left. I'm not insensitive to people with disabilities, but sometimes we have to do what's right for the greater good.*

5200-27 Response The Social section in Chapter 3 recognizes the value of primitive, solitary, quiet, recreation experiences and that people differ in their preferences. Accommodations for people with disabilities are allowed under each alternative per the Rehabilitation Act of 1973.

5200-28 Comment *My comment relates to the importance of the Monument as an amenity that makes all of the surrounding region a pleasant place to live. This in turn helps retain and attract a work force that then attracts business and industry. Montana's urban populations have an interest in seeing that the RMP creates a vision for protecting the wild attributes of the Monument. Protecting the wildness of the Monument will become even more valuable over time.*

5200-28 Response This point has been discussed in the Social section of Chapter 3 of the Proposed RMP/Final EIS under Groups and Individuals Who Give High Priority to Resource Protection. Also see the impact analysis in Chapter 4 under Economics, Impacts to Economics Common to All Alternatives, Property Values.

5200-29 Comment *I could have overlooked the issues somehow, but I did not find noise addressed. Noise is a factor in recreational enjoyment and protecting wildlife, which were important considerations when the Monument was created.*

5200-29 Response A discussion on recreation and noise was added to the Social section of Chapter 4 in the Proposed RMP/Final EIS under Impacts to Social from Visitor Use, Services and Infrastructure, Alternative F (Preferred Alternative).

5200-30 Comment *I was interested in the Environmental Justice analysis or lack of such. First the information was difficult to find, stuck in the section on Social on page 331. Second, there is no information provided as to why there are "no effects or issues specific to any minority or low income population or community by any of the alternatives." The lands enclosed in the Monument were used historically and must still be used by Native Americans. Some explanation of the "no effects" should be provided in the EIS.*

5200-30 Response A discussion on American Indian tribes that are located within the social study area and/or are interested in the Monument has been added to the Social section of Chapter 3 in the Proposed RMP/Final EIS. The Environmental Justice section in Chapter 4 has also been expanded to explain the impact analysis conclusions.

5200-31 Comment *The last paragraph of the Social Trends and Attitudes section is biased and should be balanced with language identifying the growing population, even in Montana and the study area, of young and elderly second home owners, with money from outside sources, wanting to use the area and protects its natural resources and cultural and historic values. The*

numbers of people in Montana who desire and in come cases demand a different way of life, one different from their parents, is on the rise. People are discovering Montana and are buying second homes and recreation outposts. They have just as much right to their beliefs as someone who has been there for their entire life and whose family has been there for 4 or 5 generations. Arguably, the "old-timer" may know a bit more about the landscape, and have stronger social ties, but that should not put newcomers at a disadvantage or make their views less important.

5200-31 Response A paragraph discussing newcomers has been added to Social Trends and Attitudes in the Social section of Chapter 3 in the Proposed RMP/Final EIS.

5200-32 Comment *Today, motorized use is increasing as an issue because of the numbers of people who want the motorized experience. Barring the increasing numbers, there would be no need to address the issue. I suggest changing the tone of the paragraph and of the section to include more traditional uses of the land, pre-settlement and pre-ORV, or clarifying that only recent settlement and new economic patterns will be considered and that "traditional "uses will be completely ignored for the purposes of the study.*

5200-32 Response The Cultural Resources section of Chapter 3 includes prehistoric and historic overviews of the Monument area. A discussion on American Indian tribes that are located within the social study area and/or are interested in the Monument has been added to the Social section in Chapter 3 of the Proposed RMP/Final EIS, and a discussion of the potential effects to these tribes has been added to Chapter 4.

5200-33 Comment *Consistent with the Proclamation, the DEIS states, "laws, regulations and policies followed by the BLM in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply." However, the DEIS goes beyond this statement by including on page 7 the assertion that "the lifestyles and concerns of area residents, including grazing and ranching, will be recognized in the plan." Lifestyle and culture is not mentioned in the Proclamation. Moreover, limiting lifestyle and culture to an undefined "area resident" discriminates against the lifestyle and culture of Americans who own this public land but do not reside in the area and also discriminates against thousands of years of varying lifestyles and cultures. Any decision that attempts to limit or accommodate one lifestyle over another is unscientific and arbitrary and capricious.*

5200-33 Response The statement cited above is one of 13 planning criteria developed for the Monument. These criteria are based on applicable laws and regulations, agency guidelines, and the result of public comment. The criteria do not limit lifestyle and culture to area residents. Another criteria states "The Monument RMP/EIS will emphasize the protection and enhancement of the Monument's natural resources and emphasize BLM's missions to serve diverse outdoor recreation demands of visitors while helping them to maintain the sustainable conditions needed to conserve their lands and their recreation choices." The document recognizes that federal lands belong to all citizens of the United States and the potential effects to all individuals and groups interested in the Monument are to be assessed. The description of potentially affected publics and the potential effects to these publics has been expanded in Chapters 3 and 4 of the Proposed RMP/Final EIS.

5200-34 Comment *Page 185 of the draft RMP outlines the views of "groups and individuals who give a high priority to resource protection." However, two key points are missing. One is that the vast majority of comments that the BLM received in initial scoping articulated such views. That's not to discount "groups and individuals who give a high priority to resource use," as their views are certainly legitimate. But that constituency represented only a fraction of scoping input, and that point should be addressed in the final RMP, along with an accurate summary of the concerns raised in comments the BLM receives during this public comment phase of the process.*

Group		Social
5200-34	Response	Scoping is designed to elicit issues from the public, not to determine the relative numbers of people articulating the different ideas about resource management. Summaries of the comments received during the three public comment periods prior to issuance of the Draft (scoping, alternative development, and the oil and gas leasing issue) are available on the Monument RMP website. All comments on the Draft RMP/EIS which were analyzed by the RMP interdisciplinary team are responded to in Chapter 5 (this section) of the Proposed RMP/Final EIS. BLM resource planning is not a voting process. Specific comments and information drive the planning process. We examine each comment to see if it provides new information, corrects a factual error in the draft, helps formulate a new alternative, or revises an alternative considered in the draft. If we receive thousands of letters/forms/emails/petitions conveying the same information item, that item is considered as one piece of information in the planning process, not as thousands of pieces of information.
5200-35	*Comment*	*That the BLM would call its current preferred alternative "unresponsive" to those who want "roaded access" and "a priority to resources use" is troubling and calls to question the agency's underlying vision, or lack thereof, for the UMRBNM.*
5200-35	Response	The wording in Chapter 4 of the Proposed RMP/Final EIS, Summary of Cumulative Impacts to Social, has been revised and the word "unresponsive" deleted. However many people who call this area their home, and want management to remain as it has been in the past, would call this alternative "less responsive" to their lifestyle needs than other alternatives.
5200-36	*Comment*	*The "Summary of Cumulative Impacts to Social" section of the draft RMP states on page 339 that the preferred Alternative F is "less responsive to the desires of individuals who feel public land management should continue as it has in the past, those who want more roaded access and those who would give a high priority to resource use." The Wilderness Society is troubled by this statement. With Alternative F resulting in a road density whereby 75 percent of the Monument would be within a half mile of a road, six recreational airstrips in the backcountry, motorized watercraft only seasonally restricted on a small portion of the river, livestock grazing at the same level It's been for years, and valid oil and gas development hardly differentiated from other BLM land, this is a disingenuous characterization. The fact is Alternative F – embodying the BLM management vision for the UMRBNM – is less responsive to the vast majority of people who have participated in and commented to the BLM throughout the development of the draft RMP. That majority is clear and strong no matter how the comments are analyzed in-state to out-of-state or substantive to general. The final RMP should have a more accurate and balanced description of the extent of public support for meaningful protection of the Monument.*
5200-36	Response	The purpose of the social assessment is to describe the effects of the alternatives on the different potentially affected individuals and groups. The effects are examined from the perspective of ranchers and livestock permittees; groups and individuals who give a high priority to resource protection; groups and individuals who give a high priority to resource use; recreationists; residents of small communities located near the Monument; and American Indians. The goal of the Social section is not to identify the relative numbers of individuals or groups identifying with a particular perspective.
5200-37	*Comment*	*The preferred alternative in the draft RMP will not protect the natural soundscape and dark skies of the UMRBNM. The draft RMP does not provide an assessment of the baseline soundscape necessary to understand the impact associated with the management alternatives. The draft RMP fails to analyze the impact that increased noise resulting from the implementation of any of the alternatives will have on the objects of the Monument. The*

		agency must conduct a thorough quantitative analysis of the natural soundscape that includes the direct, indirect and cumulative impacts of noise on the objects, including the natural quiet of the Monument. The activities permitted in the final RMP must be in accordance with the agency's responsibility to protect the natural quiet as part of the remote and wild character of the landscape as referenced in the Proclamation.
5200-37	Response	Light pollution is currently not an issue in the Monument; through implementation and monitoring management would provide ways to address this if it does become an issue. One of the BLM's goals for recreation is to provide for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Motorized use is compatible with the multiple use Wild and Scenic River designation, and the Proclamation does not establish that motorized use of the river should be eliminated. Motorboat use occurred before the river was designated in 1976, and has continued to occur in a seasonally restricted manner to the present. The Preferred Alternative for Use of Motorized Watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. Personal watercraft and floatplanes would only be allowed on river miles 0 to 3.
5200-38	*Comment*	*Conservation of intangible aesthetic values has a role in recreation management. However, aesthetic values are not resources and the BLM must not try to transmute aesthetic values into resources. Moreover management for subject aesthetic values must be considered openly with regard to the obligation of a public agency to treat all citizens fairly.*
5200-38	Response	The BLM manages visual resource values in accordance with visual resource management objectives which are developed using BLM Manual 8410. An inventory was undertaken to evaluate the visual characteristics of land, water surface, vegetation, and structures which provided the subsequent delineation of scenic quality, sensitivity to changes in the visual landscape and distance zones. These categories were factored together in determine Visual Resource Management Classes I through IV for individual geographic areas.
5200-39	*Comment*	*The expanse, the quiet, must be protected for other generations.*
5200-39	Response	The Social sections in Chapters 3 and 4 of the Proposed RMP/Final EIS recognize the value of primitive, solitary, quiet experiences, and that preserving these values is important for future generations.
5200-40	*Comment*	*NEPA laws requiring preservation of the local cultural heritage, including farming, ranching, recreation such as hunting, trapping, boating and fishing, and road and trail access has not been adequately addressed by the draft RMP. Our heritage must be protected and the BLM should include provisions to that effect.*
5200-40	Response	The description of effects to local populations (as well as all other populations) has been expanded in Chapters 3 and 4 of the Proposed RMP/Final EIS. This discussion includes the effects of BLM actions on ranchers and focuses more on local culture and lifestyles.
5200-41	*Comment*	*According to their own management plan for the UMNWSR, the BLM is to "minimize noise pollution in zones valued for solitude." 1978 Management Plan at 12. Yet, as proposed in the DEIS, the BLM will do just the opposite – treating the wild segment of the UMNWSR just like another other parcel of public land subject to FLPMA's multiple use mandates. What steps is the BLM taking to actually minimize noise in the UMNWSR?*

Group		Social
5200-41	Response	The BLM incorporated public comment with management goals and a careful analysis of visitor use patterns and trends to develop a balanced watercraft management alternative. The Preferred Alternative protects and enhances the value of quiet and solitude while at the same time provides a range of opportunities, motorized and non-motorized, consistent with public use and enjoyment of Monument resources. To protect and enhance the value of quiet and solitude it was necessary to restrict motorized watercraft from June 15 to September 15, four days each week, on river miles 92.5 to 149. For additional information, see Chapter 2 of the Proposed RMP/Final EIS, Table 2.20 for a complete description of motorized use on the Upper Missouri River.
5200-42	*Comment*	*Operating motorized equipment or machinery that exceeds a noise level that is "intrusive" (decibel noise level 60) should be prohibited if the noise is unreasonable to a prudent person under the circumstances. Operating a vessel in or upon water so as to exceed 60 decibels at 50 feet should be prohibited, during the high use months on the river. Compressors should not be allowed within the Monument boundary so noise levels will not be a factor. Drilling and heavy equipment noise levels should not exceed the recommended 49 decibels.*
5200-42	Response	One of the BLM's goals for the Upper Missouri National Wild and Scenic River is to manage for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Motorized use is compatible with the multiple use Wild and Scenic River designation, and the Proclamation does not establish that motorized use of the river should be eliminated. Motorboat use occurred before the river was designated in 1976, and has continued to occur in a seasonally restricted manner to the present. The Preferred Alternative for Use of Motorized Watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience on Sunday through Wednesday from June 15 to September 15 on river miles 92.5 through 149. For oil and gas activities in the Monument, hospital grade mufflers would be used to meet the requirements of Table R.1.1 in Appendix R, Wildlife Mitigation Noise Levels. No industrial-type compressors would be used within the Monument.
5200-43	*Comment*	*The BLM does not consider the impact of its decision upon rural, agricultural customs and traditions, or the culture of the individual permittees or the entire region. In fact, the only attempt the BLM has made in fulfilling its responsibility of protecting the important cultural resource of ranching is to record oral histories from long-term residents of the area. Clearly, this does not fulfill the mandate to preserve this important cultural resource.*
5200-43	Response	The description of effects to local populations (as well as all other populations) has been expanded in Chapters 3 and 4 of the Proposed RMP/Final EIS. This discussion includes the effects of BLM actions on ranchers and focuses more on local culture and lifestyles.
5200-44	*Comment*	*The BLM does not consider the impact of its decision upon rural, agricultural customs and traditions, or the culture of the individual permittees or the entire region. In fact, the only attempt the BLM has made in fulfilling its responsibility of protecting the important cultural resource of ranching is to record oral histories from long-term residents of the area.*
5200-44	Response	The description of effects to local populations (as well as all other populations) has been expanded in Chapters 3 and 4 of the Proposed RMP/Final EIS. This discussion includes the effects of BLM actions on ranchers and focuses more on local culture and lifestyles.

Group		Social
5200-45	*Comment*	*The BLM Failed to Preserve Important Cultural Heritage* *The BLM is required to preserve cultural heritage through the NEPA process. See 42 U.S.C. § 4331(b) ("[I]t is the continuing responsibility of the Federal Government to use all practicable means, consistent with other essential considerations of national policy, to improve and coordinate Federal plans, functions, programs, and resources to the end that the Nation may . . . preserve important historic, cultural, and natural aspects of our national heritage, and maintain, wherever possible, an environment which supports diversity and variety of individual choice."); see also Pres. Coalition v. Pierce, 667 F.2d 851, 858 (9th Cir. 1982) ("NEPA requires federal agencies to preserve important historic and cultural aspects of our nation's heritage."); 40 C.F.R. § 1502.16; 1502.8 (requiring the agency to consider effects, which "include[] ecological . . ., aesthetic, historic, cultural, economic, social, or health, whether direct, indirect, or cumulative."); 40 C.F.R. § 1508.27(b)(3), (8) (requiring the agency to consider the intensity of the impact of the action, including the "[u]nique characteristics of the geographic area such as proximity to historic and cultural resources . . ." and "[t]he degree to which the action may . . . cause loss or destruction of significant scientific, cultural, or historic resources.").* *The DRMP/DEIS acknowledges that "[r]anching is an important part of the history, culture and economy of the study area." DRMP/DEIS at 184. Despite this acknowledgment, the BLM does not consider the impact of its decision upon rural agricultural customs and traditions, or the culture of the individual permittees or the entire region. In fact, the only attempt the BLM has made in fulfilling its responsibility of protecting the important cultural resource of ranching is to record oral histories from long-term residents of the area. See id. at 141-42. Clearly, this does not fulfill the mandate to preserve this important cultural resource.* *Some of the farmers and ranchers with private land in the Monument are fourth generation farmers and ranchers, and many others have lived in the area the majority of their lives. One family has lived and grazed along the Missouri River since 1913. Their children have learned to swim and fish in the River, and have been taught to love and care for the land. The proposed management plan will impact these people's ability to make a living, thereby destroying the ranching culture of the area. The road closures will also preclude them from enjoying their traditional family activities. Additionally, as the tax base and tax revenues dwindle, funding to the local schools will dwindle, which will also hinder these families' ability to raise their children in the area. The BLM should have considered the cultural impact of its management plan.*
5200-45	Response	The description of effects to local populations (as well as all other populations) has been expanded in Chapters 3 and 4 of the Proposed RMP/Final EIS. This discussion includes the effects of BLM actions on ranchers and focuses more on local culture and lifestyles.
5200-46	*Comment*	*The BLM Failed to Provide an Environmental Justice Analysis* *Executive Order 12898 requires the BLM to analyze the impact of the RMP on low income citizens. As found in the RMP, many of those in the area impacted by the RMP are lower income citizens. The BLM has not done the necessary analysis on this RMP negatively impacts those people as required.*
5200-46	Response	Chapters 3 and 4 both contain Environmental Justice discussions. The document recognizes that there are people with low income in the counties. However, none of the alternatives would result in any identifiable disproportionate effects specific to any minority, low income population, or community.

Group		Social
5200-47	*Comment*	*The heritage and culture of the last hundred and some years definitely has not been addressed which is traditional farming and ranching.*
5200-47	Response	The description of effects to local populations (as well as all other populations) has been expanded in Chapters 3 and 4 of the Proposed RMP/Final EIS. This discussion includes the effects of BLM actions on ranchers and focuses more on local culture and lifestyles.
5200-48	*Comment*	*I also believe in a quote from a June, 1996, BLM publication, "Regional Standards for Range Land Health and Guidelines for Livestock Grazing Management," which stated, "The social and cultural heritage of the region and the viability of the local economy are part of the ecosystem." I believe this statement should be included in the Missouri Breaks Management Plan and the issues that support it addressed more fully.*
5200-48	Response	We are unable to locate the document which includes the quote you cited. However, the planning criteria developed for the Monument plan, based on applicable laws and regulations, agency guidance and the results of public comment, address this issue by including the following: • The lifestyles and concerns of area residents, including grazing and ranching, will be recognized in the plan. • The management of grazing is regulated by laws and regulations other than the Monument Proclamation. The plan will incorporate the Standards for Rangeland Health and Guidelines for Livestock Grazing Management as established in recently implemented watershed and/or activity plans. In addition, the description of effects to local populations (as well as all other populations) has been expanded in Chapters 3 and 4 of the Proposed RMP/Final EIS. This discussion includes the effects of BLM actions on ranchers and focuses more on local culture and lifestyles.

Group		Management
6050-01	*Comment*	*The Draft RMP/EIS fails to include a detailed discussion that commits the BLM to monitoring activities in the Monument. Given the fact that the BLM wants to use adaptive management, it is necessary to show that there will be a monitoring program complete with standards that define adaptive management. All decisions in the final plan must include meaningful commitments to monitoring and enforcement; and since monitoring budgets are often limited, we are concerned about the adequacy of BLM monitoring resources. We believe additional information on the BLM's anticipated monitoring and adaptive management budget should be provided.*
6050-01	Response	Decisions from the RMP would be implemented over a period of years depending on budget and staff availability. Enforcement and education to protect the values of the Monument will be part of this implementation. The BLM's budget process includes an annual work plan for setting priorities and allocating funding based on final congressional appropriations. This process allows for changing conditions and priorities based on resource monitoring. Funding levels affect the timing and implementation of management actions and project proposals, but do not affect the decisions made in an RMP. The BLM will review monitoring results on a periodic basis, and any management objectives or actions that may need to change or be adjusted will be open to public review and comment before decisions are made through an environmental review process. Appendix H provides more information on implementation and monitoring.

Group		Management
		Through implementation an adaptive management approach may also be used for specific activities in the Monument, if appropriate, consistent with Secretarial Order 3270 (Adaptive Management). Adaptive management would require activity level planning, environmental review, and public involvement.
6050-02	*Comment*	*As the Proclamation demands, the Monument should be managed for wildlife, for quiet traditional recreation, and for its historic, scenic, and natural values. Where there are conflicts between access & transportation, recreation, grazing oil and gas development and other uses the BLM must give priority to protection of the objects.*
6050-02	Response	The Proclamation (Appendix B) contains both general management guidance and specific resource use limitations. The program specific decisions that are consistent with the Proclamation's general management guidance and specific resource use limitations are described for each major program area in the section entitled "Decisions Common to All Alternatives." For example, guidance for Lands and Realty management for all alternatives indicates that under the Proclamation, all federal lands and interests in lands are "hereby appropriated and withdrawn from all forms of entry, location, selection, sale, or leasing or other disposition under the public land laws, . . . and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of the monument. The establishment of this monument is subject to valid existing rights. . . . Lands and interest in lands within the proposed monument not owned by the United States shall be reserved as a part of the monument upon acquisition of title thereto by the United States." Beyond the general management guidance and specific resource use limitations, the Proclamation directs that "The Secretary of the Interior shall manage the monument through the Bureau of Land Management, pursuant to applicable legal authorities, including the National Wild and Scenic Rivers Act, to implement the purposes of the this proclamation." (Appendix B). In response to this directive, the BLM has identified and analyzed in detail six alternatives that include various combinations of multiple resource management prescriptions, all of which are within the applicable legal authorities mentioned in the Proclamation and for which BLM has discretionary management authority. The multiple resource management aspects of the alternatives for which BLM has discretionary management authority are summarized in Table 2.41, Summary Comparison of Alternatives. Based on careful consideration of the Proclamation, anticipated environmental impacts, extensive public input, and broad consultation and coordination with agencies, industry and organizations, the BLM has identified Alternative F as the BLM's Preferred Alternative.
6050-03	*Comment*	*The boundaries established by the Proclamation should be on the map. The BLM has never been authorized to produce a map or any other document of the Monument different than the map attached to and forming a part of the Proclamation. A boundary is necessary to know where the Monument is located and lets those landowners who own the surface but not the mineral rights know if their property does or does not have the potential for oil and gas leasing.* *The BLM violated the Proclamation by doing away with the Monument map included in the Proclamation. The BLM's decision not to show the boundary on its maps of the Monument is emblematic of how indistinguishable its management of this Monument is.*
6050-03	Response	The boundary for the Upper Missouri River Breaks National Monument is shown on the map that was published with the Federal Register Notice for the Proclamation. For additional information see Appendix B in the Proposed RMP/Final EIS.
6050-04	*Comment*	*Keep the Monument wild, scenic, and natural. "Remote" and "wild" are the Proclamation's reoccurring themes. Four hundred miles of proposed roads, where 75% of*

the Monument is within 1/2 mile of a road, and 97% within 1 mile of a road is not remote and wild. Six proposed airstrips is not remote and wild.

6050-04 Response None of the alternatives result in a net increase in the number of miles of collector, local and resource roads, although the Preferred Alternative does result in a very small change in classification of existing resource roads to local and collector (3 and 9 miles respectively, and a corresponding decrease (12 miles) in resource roads). The primary other difference would be in maintenance levels, where all alternatives result in fewer highly maintained roads. Regarding airstrips, Alternative A considers leaving all 10 existing airstrips open, while Alternative E considers designating no airstrips as open; other alternatives propose a range of different open/closed combinations.

6050-05 Comment *I would like to see in this Draft somewhere some language that says that this Monument Draft is for the Monument only--it does not continue beyond those boundaries.*

6050-05 Response The planning area is described in Chapter 1. The Monument includes about 375,000 acres of BLM land. Surface ownership by county is provided in Table 1.1. The Proclamation designating the Monument applies to "all lands and interests in lands owned or controlled by the United States within the boundaries described on the map . . . ." The map was included in Appendix A of the Draft RMP/EIS. The BLM has no jurisdiction over private surface lands and private minerals.

6050-06 Comment *Designate the entire Missouri River in the Breaks as a Wild and Scenic River. Keep the 149 miles wild and scenic.*

6050-06 Response In 1976 the entire 149 miles of the Missouri River from Fort Benton to the Fred Robinson Bridge were incorporated into the National Wild and Scenic River System (NWSRS). As required by Congress, the BLM completed a management plan (BLM 1978) that designated portions as wild, scenic, or recreational. The decision to designate some segments as recreational, as opposed to scenic or wild, was based on accessibility, and/or existing development and past impoundment or diversion (see page 177 of the Draft RMP/EIS for a discussion of the key factors pertaining to wild, scenic, and recreational designations).

6050-07 Comment *While the draft RMP/EIS explains each alternative, there is no clear explanation of why the BLM favors Alternative F. Please detail the data used to support BLM's favoring of Alternative F.*

6050-07 Response The Draft RMP/EIS is a technical document that is intended to disclose potential consequences of the alternatives. The Draft RMP/EIS is not a decision document. The purpose for indicating a Preferred Alternative in the draft is to allow readers to comment substantively on the agency's likely choice. These substantive comments will help the BLM select a Proposed RMP. The Preferred Alternative or elements of it may be modified in response to public comments. The Final EIS will appear as the BLM's Proposed Resource Management Plan. Following a 30-day protest period and the Governor's consistency review of the Proposed RMP, a Record of Decision that includes the rationale for the decision will be prepared.

6050-08 Comment *In reading some of the scientific observations I find it difficult to ascertain where this information came from. There is no reference to which one can identify the problems stated. I would like to see this in writing and be made aware that it came from a viable, knowledgeable source. This is critical to make this understood to the public.*

6050-08 Response See text revisions, specifically additional references and citations throughout the document concerning scientific findings, published research papers, and peer reviewed publications. Also see text revisions to the Bibliography.

Group		Management
6050-09	*Comment*	*The Resource Management Plan needs to include a section in it, recognize an undaunted stewardship and how this program should work, and I would like to see that included in the Resource Management Plan.*
6050-09	Response	Undaunted stewardship is a mechanism for private land owners to have some recognition for their management and could be a resource for protecting natural resources and developing opportunities. The Monument plan does not encumber a private landowner from participating in the Undaunted Stewardship program and is consist with BLM's priority of "To cultivate community-based conservation, citizen-centered stewardship, and partnership through consultation, cooperation and communication." There are three landowners participating in Undaunted Stewardship programs in the Monument and others have been considered and BLM expects that others will consider participation in the future. Participation in Undaunted Stewardship is within common to all alternatives for the Monument. The specific details of how and when BLM would participate in an individual Undaunted Stewardship project are implementation actions and would be developed and analyzed on a site-specific basis.
6050-10	*Comment*	*Not one of the BLM's preferred alternatives calls for current management.*
6050-10	Response	Alternative A was analyzed in detail and emphasizes continuing the management activities that already occur in the Monument. This alternative would create no change from the current management direction on BLM administered lands and resources. Alternative F was identified as the agency's Preferred Alternative.
6050-11	*Comment*	*Collaboration is the current trend in resource management. Management of the Monument should include the use of an interagency Monument wildlife management steering committee consisting of wildlife managers from the BLM, Montana Fish, Wildlife and Parks, US Fish and Wildlife Service and the Dept. of Natural Resources and Conservation. A multi-agency monument coordination committee will provide balance, and an added focus on appropriate and sustainable resource management.*
6050-11	Response	The BLM currently participates with these other habitat and population management agencies on many groups that achieve these types of functions. Additionally, BLM has worked throughout the RMP process with other federal, state, and local agencies, especially Montana Fish Wildlife and Parks (MFWP). For example, much of the fish, wildlife, and recreation data that are used throughout this analysis come from MFWP. The BLM also coordinated with agencies concerning fish and wildlife habitat management to identify issues, develop planning criteria, gather relevant data, analyze the management situation, formulate alternatives, estimate effects of alternatives, understand the context of those impacts, and identify the Preferred Alternative. The BLM will continue to coordinate with these agencies to finalize the fish and wildlife habitat management aspects of the final RMP and to conduct appropriate monitoring and evaluation of plan implementation, and will continue to rely on their unique expertise as the plan is implemented. These current practices and administrative functions do not need to be formalized in this RMP; these would be more appropriately addressed in cooperative agreements or memoranda of understanding.
6050-12	*Comment*	*The travel management process should be initiated with the scoping process and a full and adequate evaluation of all viable alternatives. All existing roads and trails available to motorized recreationists should be used as the starting alternative for all analyses and impact determinations. Establishment of this baseline alternative is crucial to the evaluation of all proposed impacts on motorized recreationists. NEPA requires adequate disclosure of the potential impacts of a proposed action as stated in CEQ Sec. 1500.1. These*

Group		Management
		requirements have not been met. Time after time the alternatives presented in the travel planning process do not include a reasonable motorized alternative. The process is predisposed in that a minimal number of motorized access and motorized recreational opportunities are presented as the preferred alternative from the beginning when the needs of the public are just the opposite. We request that the process be restarted and that all existing roads and trails which are available for use by motorized recreationists be adequately identified as the baseline alternative. The process is required by NEPA to be neutral and a neutral process would include the fair presentation of all reasonable alternatives including all existing roads and trails plus new motorized opportunities required to meet the needs of the public.
6050-12	Response	A motorized travel and transportation system currently exists to provide resource management and visitor services needs to and/or within the Monument. The travel plan inventory that was conducted in 2002 and 2004 pertains to all modes of transportation from aircraft to motorized vehicles including ATVs/motorbikes. The inventory identified: a) existing small fixed wing aircraft landing strips, b) existing transportation routes and related facilities including cattleguards and culverts, c) length of route, d) whether the existing or designated route is improved or unimproved, e) type of road surface (aggregate or soil), f) double-lane, single-lane or two-track, and g) public access or permission required. A two-person seasonal inventory crew collected data on 436 miles of BLM roads (a total of 759 miles for all roads) during the summer of 2002 for the east half of the Monument, and another seasonal crew in 2004 collected additional information on 44 miles of BLM roads (a total of 81 miles for all roads) in the west half. Information on another 125 miles of BLM roads was obtained from existing data. There are a total of 605 miles of BLM roads in the Monument. A GPS Trimble unit with satellite connections was used to document the road data. The range of alternatives in the Draft RMP/EIS includes six alternatives for the transportation system in the Monument. This range includes Alternative A (Current Management), which is the current designated road system. The range of alternatives varies from Alternative A, which would leave most roads open yearlong or seasonally, to Alternative E, which would close most of the roads in the Monument.
6050-13	*Comment*	*The Monument should be managed in a manner that, as closely as possible, preserves that landscape's general health and historic quality and reflects the strict interpretation of the Proclamation that established this national Monument. We believe the emphasis on multiple use is inappropriate and may have legal ramifications. The authorization of airstrips and an extensive road network including allowing the landing of seaplanes on the river and extensive motor boat usage is in direct violation of the intent of the Proclamation. Amend the Preferred Alternative to better reflect the Proclamation and its management direction.*
6050-13	Response	The Preferred Alternative recommends that six airstrips (selected to avoid clusters) would remain open to provide opportunities for recreational backcountry activities such as camping, hiking, and sightseeing. The use of backcountry grass landing strips is considered a recreational opportunity for visitors to the Monument. There is nothing in the Proclamation narrative that specifically disallows or prohibits the presence of primitive grass landing strips or the use of recreational aircraft. Travel by small fixed-wing aircraft is considered as a mode of transportation to visit the Monument, as are motorized vehicles and mechanized equipment (mountain bikes). If use increases significantly, BLM would consider changes through activity level planning (Appendix H) to protect the objects for which the Monument was designated. Alternative E considers leaving no airstrips open. By including a range of management alternatives regarding airstrips, BLM is better able to consider the environmental consequences of managing airstrips in different ways.

Group		Management
		One of BLM's goals for recreation in the Monument, as stated in Chapter 2 of the Proposed RMP/Final EIS under Decisions Common to All Alternatives, Recreation, is to manage for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Motorized use is compatible with the multiple use Wild and Scenic River designation, and the Proclamation does not establish that motorized use of the river should be eliminated. Motorboat use occurred before the river was designated in 1976, and has continued to occur in a seasonally restricted manner to the present. The Preferred Alternative for Use of Motorized Watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a non-motorized experience from June 15 to September 15 on river miles 92.5 through 149. Floatplane use would be allowed to and from Ft. Benton to river mile 3 and excluded from river mile 3 to river mile 149 at the Fred Robinson bridge. See Chapter 2 of the Proposed RMP/Final EIS.
6050-14	*Comment*	*The BLM should have explored alternatives that prohibit certain activities in only certain parts of the Monument (as opposed to an all or nothing approach). Another significant oversight is the Draft RMP/EISs failure to explore any alternatives that restrict or limit livestock grazing in the Monument.* *None of the alternatives fully provide maximum protection of the wildlife resource and the hunting and fishing legacy in the Monument. An alternative is needed that strikes a better balance and honors the values for which this monument was created.*
6050-14	Response	Six different alternatives for managing the Upper Missouri River Breaks National Monument were rigorously and objectively evaluated. The differences in these alternatives are summarized in comparative form in Table 2.41. A review of this table demonstrates that the different alternatives provide different management prescriptions and limitations of land and resource use by major resource program across the Monument planning area. When the Proclamation provided general management guidance and specific resource use limitations the program specific decisions that are consistent with the Proclamation's guidance and use limitations are described for each major program area in the section entitled "Decisions Common to All Alternatives." Livestock grazing management is one such area. The livestock grazing management described is common to all alternatives because of the Proclamation declares, "[l]aws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to lands in the monument."
6050-15	*Comment*	*I was under the impression that the Proclamation stated existing uses would continue and that grazing and hunting would be maintained at current practices. The Proclamation is subject to all existing rights, those being road access, grazing, oil and gas, recreation, boating, every right we had prior to 2001.*
6050-15	Response	The Proclamation did not set specific use levels; rather, the Proclamation directed that the Monument was being established to protect the objects identified in the Proclamation. Further, the Proclamation indicated that "Laws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument." In keeping with this direction, BLM will continue to use the watershed assessment process as the means for determining appropriate grazing levels within the Monument and ensuring protection of the objects described in the Proclamation. As stated in the Proclamation "Nothing in this proclamation shall be deemed to enlarge or diminish the jurisdiction of the State of Montana with respect to fish and wildlife

management." As discussed in the Fish and Wildlife section of Chapter 2, Montana Fish, Wildlife and Parks is responsible for fish and wildlife population management.

6050-16	*Comment*	*Restore the landscape to its native state. Plan the restoration of areas in the Monument that suffer from past resource development (oil and gas drilling activities), motorized vehicle use, and associated noxious weed infestations.*
6050-16	Response	Reclamation and restoration of the landscape is addressed in several places in the description of alternatives. For example, the approach that will be taken to deal with areas with noxious weed infestations is addressed in Chapter 2. Restoration and reclamation of vegetation, and reclamation of natural gas operations and closed roads are all addressed by alternative.
6050-17	*Comment*	*Why have a national monument designation if it is managed like all other BLM lands? The preferred alternative does not do justice to the monument designation. It sanctions too many roads, too many airstrips, and neglects to provide a nonmotorized section of the Missouri River.*
6050-17	Response	The planning area is described in Chapter 1. The Monument includes about 375,000 acres of BLM land. Surface ownership by county is provided in Table 1.1. The Proclamation designating the Monument applies to "all lands and interests in lands owned or controlled by the United States within the boundaries described on the map . . . ." The map was included in Appendix A of the Draft RMP/EIS. The BLM has no jurisdiction over private surface lands and private minerals. The Proclamation (Appendix B in the Proposed RMP/Final EIS) contains both general management guidance and specific resource use limitations. The program specific decisions that are consistent with the Proclamation's general management guidance and specific resource use limitations are described for each major program area in the section entitled "Decisions Common to All Alternatives." For example, guidance for Lands and Realty management for all alternatives indicates that under the Proclamation, all federal lands and interests in lands are "hereby appropriated and withdrawn from all forms of entry, location, selection, sale, or leasing or other disposition under the public land laws, . . . and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of the monument. The establishment of this monument is subject to valid existing rights. . . . Lands and interest in lands within the proposed monument not owned by the United States shall be reserved as a part of the monument upon acquisition of title thereto by the United States." Beyond the general management guidance and specific resource use limitations, the Proclamation directs that "The Secretary of the Interior shall manage the monument through the Bureau of Land Management, pursuant to applicable legal authorities, including the National Wild and Scenic Rivers Act, to implement the purposes of the this proclamation." (Appendix B). In response to this directive, the BLM has identified and analyzed in detail six alternatives that include various combinations of multiple resource management prescriptions all of which are within the applicable legal authorities mentioned in the Proclamation and for which BLM has discretionary management authority. The multiple resource management aspects of the alternatives for which BLM has discretionary management authority are summarized in Table 2.41, Summary Comparison of Alternatives. Based on careful consideration of the Proclamation, anticipated environmental impacts, extensive public input, and broad consultation and coordination with agencies, industry, and organizations, the BLM has identified Alternative F as the BLM's Preferred Alternative.
6050-18	*Comment*	*Manage the Monument as a biological scenic wilderness: promote solitude; remove the roads; eliminate and ban airstrips; and expel all motor vehicles and motor vessels. The roar and whine of motorized watercraft would transgress the Missouri's placid calm.*

Group		Management
		Airplanes in the backcountry and off road traffic pollute the quiet and scare away the natural wildlife. Montana and the world does not need more roads for motorized vehicles, more noise, more pollution, more disturbance to wildlife, more roads for management or motorized access hunting areas. *The Proclamation of 2001 created the 149 miles of Wild and Scenic Missouri River as twelve months a year, motor free, as well as eliminating backcountry airfields. It is important to keep the Missouri Breaks as wild as possible, without motorized boats or airstrips.* *Airplane landing areas, SUV/ATV roadways and motor propelled boats are not people powered and do not promote enhanced physical health of the participants. Encourage traditional muscle-powered physical activities that promote physical fitness, such as hiking, canoeing, kayaking, and horseback riding, in the Monument.*
6050-18	Response	The Proclamation directs "The Secretary of the Interior shall manage the monument through the Bureau of Land Management, pursuant to applicable legal authorities, including the National Wild and Scenic Rivers Act, to implement the purposes of this proclamation." In 1976 the entire 149 miles of the Missouri River from Fort Benton to the Fred Robinson Bridge were incorporated into the National Wild and Scenic River System (NWSRS). As required by Congress, the BLM completed a management plan (BLM 1978 and 1993) that designated portions as wild, scenic, or recreational. Management classifications and boundaries for the Upper Missouri National Wild and Scenic River are provided in Table 3.21. Management of the Missouri River is currently guided by the Upper Missouri National Wild and Scenic River Plan (1993). Specific management guidelines and direction for the Upper Missouri National Wild and Scenic River are described in the "Decisions Common to All Alternatives" section. Through this planning process other river segments within the Monument area were considered for inclusion into the NWSRS. Appendix P contains the Wild and Scenic River Eligibility and Suitability Report and Classification Determinations for Eligible Streams.
6050-19	*Comment*	*Pursuing environmental perfectionism is not an equitable goal for management of public lands. "The pursuit of perfectionism often impedes improvement" (George F. Will). The unyielding pursuit of environmental perfection could ultimately lead to radical changes in environmental laws and reduced public support for protection of the environment. It is important that a fundamental difference in doctrines be recognized. We believe that public lands are here for us to enjoy and use responsibly for the large number of purposes. The underlying doctrine of the extreme environmentalists on the other hand is that humans are intruders on and have no place in the natural environment. Expecting any or all of the public to be required to live with the consequences of uncompromising environmental perfectionism is an unreasonable expectation and it must be recognized as such. Additionally, the expectation of a static environment is unnatural. Ecosystems have been changing since the beginning of time and they should be expected to continue to change and adapt at both micro and global levels. We are equally concerned about protection of the environment but we request the pursuit of a reasonable and practical course of action, which will do more to protect the environment in the long-term. We request that the impacts associated with the pursuit of environmental perfectionism on the human environment be evaluated and that the cumulative negative impact of environmental perfectionism on the human environment be adequately considered.*
6050-19	Response	An alternative to consider the pursuit of Environmental Perfectionism was suggested by the public. This alternative was considered but eliminated from detailed study because the BLM was not sure what would constitute such an alternative or whether it would be consistent with the Proclamation and applicable legal authorities. The BLM has identified

and analyzed in detail six alternatives that include various combinations of multiple resource management descriptions, all of which are within the applicable legal authorities mentioned in the Proclamation and for which BLM has discretionary management authority. Some aspects of these alternatives could also be part of an Environmental Perfectionism alternative. The multiple resource management aspects of the alternatives for which BLM has discretionary management authority are summarized in Table 2.41, Summary Comparison of Alternatives. Chapter 4 describes the environmental, economic, and social consequences of implementing the alternatives presented in Chapter 2. The impacts were identified and evaluated by an interdisciplinary team of resource specialists. Table 2.42 presents a Summary Comparison of the Environmental Consequences of each alternative analyzed in detail.

6050-20 *Comment* *CEQ prepared guidance entitled, "Incorporating Biodiversity Considerations Into Environmental Impact Analysis Under the National Environmental Policy Act," http://tis.eh.doe.gov/nepa/tools/guidance/Guidance-PDFs/iii-9.pdf. We encourage the BLM to include evaluation and discussion of biodiversity considerations in the RMP and EIS.*

6050-20 Response General biodiversity principles and considerations described in the guidance referenced above were applied to each step of the NEPA analysis associated with developing Montana/Dakotas Standards for Rangeland Health and Guidelines for Livestock Grazing (BLM, August 1997). During the scoping process BLM identified biodiversity issues and opportunities to meet biodiversity goals and objectives. These were incorporated into the alternatives. Appropriate data were collected, baseline conditions were established, ecological elements at risk were identified, ecological goals and objectives were selected, and alternatives were analyzed to determine direct, indirect, and cumulative effects on biodiversity. Based on these analyses, standards of physical and biological conditions or degree of function required for healthy sustainable ecosystems and guidelines for livestock grazing management were established. These standards and guidelines for grazing management for the Lewistown Field Office have been incorporated into Monument RMP alternatives as Decisions Common to All Alternatives. Data related to biodiversity within the Monument have also been incorporated throughout Chapter 3 description of the Affected Environment. Environmental consequences related to biodiversity of each alternative were also addressed in Chapter 4, Environmental Consequences. These are mostly related to meeting the standards for properly functioning uplands, proper functioning riparian and wetland areas, water quality, air quality, and habitats to maintain healthy, productive, and diverse populations of native plant and animal species, including special status species (federally threatened, endangered, candidate or Montana species of special concern).

6050-21 *Comment* *The CMWA strongly recommends the BLM promptly issue a comprehensive digest to the public in which the management policies, designations and allocations from all existing plans which directly or indirectly could, or will, affect the Breaks NM management and the public resources thereof in any manner are listed for public evaluation. Thus far we have not received, seen, know of, such a digest as a product of the NEPA process, or the current RMP process. Why not? If the BLM employees believe that was accomplished, please promptly forward same to the CMWA.*

6050-21 Response See Chapter 1, Sections titled, "Related Plans" and "Relationship to BLM Policies, Plans, and Programs." These sections summarize nine related plans, and eleven major BLM related policies, plans, and programs.

6050-22 *Comment* *Ongoing BLM Projects, page 1 of the State Director's Guidance, raises the critical questions:*

Group		Management
		1. When will the management policies, designations and allocations from existing plans be publicly listed for public evaluation?
		2. Who will determine which can legally continue or be effected per the Breaks Monument designation during the proposed interim? E.g. how long will it be until the current RMP process is completed and effectively and aggressively applied on the ground?
		3. How will the public know if there are illegal and/or conflicting BLM actions and proposals within the existing plans or proposed BLM plans, all of which predate Monument designation by one to 25 years?
6050-22	Response	BLM management policies, designations, and allocations are available to the public in the following ways: Copies of approved BLM Resource Management Plans for Montana and the Dakotas are available for review at each appropriate Field Office; copies are available for viewing on the BLM website at http://www.blm.gov/mt/st/en/prog/planning.1.html; and copies have been sent to the mailing list that was used when the RMP was developed. Following release of the Proposed RMP/Final EIS, there will be a 30-day protest period and a 60 day Governor's consistency review. At the conclusion of these two periods, a Record of Decision and the Approved Resource Management Plan (RMP/ROD) will be prepared. Approval will be withheld on any portion of the Proposed RMP under protest until final action has been completed on such protest. This protest resolution may take several weeks. The RMP is to be . . . "consistent with officially approved or adopted resource-related plans, and the policies and programs contained therein, of other Federal agencies, State and local governments and American Indian Tribes, so long as the guidance and resource management plans are also consistent with the purposes, policies and programs of Federal laws and regulations applicable to public lands . . . ." (43 CFR 1610.3-2(a)). Interdisciplinary team members have been checking for consistency with other related plans, policies, and program regulations throughout the RMP process to ensure compliance. Nine related plans and eleven related policies, plans, and programs are summarized in Chapter 1. Management actions identified in the alternatives are not known to be inconsistent with other planning documents.
6050-23	*Comment*	*Be certain to openly, and publicly, identify the lack of information, the lack of specificity of information/data. Do not attempt to hide these deficiencies, or to gloss over the lack of precise data critical to justify, propose and/or effect any given action, policy, issue. Acknowledge that the data do not exist, or are deficient, then, state how these data will be secured, and, any dependent actions, policies, be withheld, placed on hold until the critical essential data, information are acquired.*
6050-23	Response	Additional references and citations are included throughout the document concerning scientific findings, published research papers, and peer reviewed publications. Also see text revisions to the Bibliography.
6050-24	*Comment*	*Advocated: BLM specifically prepare the Breaks NM RMP which specifically recognizes that the Breaks NM is a significant, inclusive portion of the federal wildlands/wilderness of this region, specifically including: the National wild and Scenic River (Public Law 94-486, 90 Stat. 2327); the CMR Nat. Wildlife Refuge (1 million acres); 13 Wilderness Study Areas (WSAs) administered by US FWS and six BLM WSAs; the historic, existing 15,000-acre US Bend Wilderness (MCR NWR), and about 1/8 million acres of federal land administered by DOI agencies (FWS, BLM) north and south of the Missouri River exclusive of the above-stated federal units.*

Group		Management
6050-24	Response	Several other management plans are germane to the development of this RMP. Nine plans of other agencies, and state and local governments as well as other BLM policies, plans, and programs have been carefully considered in the development of this RMP. These related plans, policies, and programs are summarized in Chapter 1.
6050-25	*Comment*	*There is no evidence that the BLM has prepared and maintained such an up-to-date inventory of all lands and their associated values in the Monument.*
6050-25	Response	Throughout the RMP process, BLM has been collecting and updating existing inventory data related to roads, wildlife habitat, cultural resources, river use, etc. This information provides the basis for impact analysis, understanding the context of impacts, developing alternatives, and identifying what additional data needs exist. See text revisions, specifically additional references and citations throughout the document concerning BLM studies. Also see text revisions that include additions to the Bibliography.
6050-26	*Comment*	*What is the purpose of the Monument? From my understanding all the land in the Monument under consideration for further management is already BLM owned land with standard Federal lands restrictions already in place. Then much of that land is under a Wild and Scenic Designation under which there are apparently further restrictions. Now you are planning to place another layer of government over top of that giving it a Monument status. Why? What is the ultimate goal here? Are there plans of making this a wilderness area, and if so would you tell us?*
6050-26	Response	The purpose of the Monument is identified in the Proclamation (Appendix B). The Proclamation states that BLM will remain the managing agency for the Monument. The purpose for the RMP is to set forth the vision, goals, and management guidance for the objects for which the Monument was designated. The Proclamation provides the basic management direction for this Monument and governs how the provision of FLPMA will be applied to the Monument.
6050-27	*Comment*	*Please reject the road closure alternatives at this time, and substitute an alternative that would involve working in collaboration with Montana resident and national stakeholders.*
6050-27	Response	The alternatives analyzed in detail were developed in part based on extensive collaboration at the local, state, and national level that involved local land owners, agencies, interest groups, industry, and the general public. This collaboration is summarized in Chapter 1.
6050-28	*Comment*	*It would be valuable to include a comparison of how management of the UMRBNM relates to management standards for other BLM monuments. My interpretation of relevant policies and laws are that wildlife management standards for a national monument should be higher than those for BLM lands with no special designation. A comparison of the different management standards could clarify the differentiation of BLM monuments and other BLM lands.*
6050-28	Response	A comparison of management with other monuments is not included in this RMP because each monument is unique and designation of each monument was based on somewhat unique characteristics and management opportunities and challenges. However, you are welcome to request the Monument management plans for other monuments and make your own comparison.
6050-29	*Comment*	*Restrictions on use should based on a seasonal or resource condition analysis rather than a total closure of all uses. Time restrictions - (daily, weekly, monthly, or seasonally) alternating uses is far better land and resource management than total closure.*

Group		Management
6050-29	Response	The BLM has identified and analyzed in detail six alternatives that include various combinations of multiple resource management prescriptions including time restrictions all of which are within the applicable legal authorities mentioned in the Proclamation and for which BLM has discretionary management authority. The multiple resource management aspects of the alternatives for which BLM has discretionary management authority are summarized in Table 2.41, Summary Comparison of Alternatives.
6050-30	*Comment*	*We also ask that objects of antiquity located on private lands be no longer referenced in BLM documents.*
6050-30	Response	References to any objects of antiquity on private lands have been removed from this document.
6050-31	*Comment*	*The farmers and ranchers along with sportsmen and outdoorsmen have managed the Breaks in a very conscientious way and the lands have not suffered any major adversities, in fact it has been improved by the loving care they gave it and also the teaching they gave their families in caring for the land, who practice their well learned trade. It is not nor has it ever been in modern time a wilderness, roadless area or a remote and forbidding territory. To attempt to turn back the clock and impact the many land owners and their way of life because of an arbitrary act of executive authority is unfair. Federal land management does not mean cutting off access to users, closing 200 miles of roads, and eliminating private land within the monument, force out motorized watercraft and limit outfitters. Now that the Monument is in place we must make sure our farmers and ranchers and our community can survive.* *The BLM promised to uphold and maintain local customs and traditional use of the land before it became the Monument. If they would sincerely listen to these folks - the folks who have kept this beautiful land in the condition it is today - they wouldn't have to worry about whether they are doing the right thing for the Monument. These folks are the ones who know what "local customs and traditional use" of the land stands for. Manage this land with ranchers in the Monument area in mind and use them as an advisory board council before you make any decisions handed down from Washington DC and you will have a much better legacy of the land than what you will have under government rule.*
6050-31	Response	The BLM recognizes the role of landowners and ranchers in maintaining the unique character of the Missouri Breaks and that they are an important part of the area's history. This was also recognized by the RAC in the 1999 report to the Secretary of the Interior where they stated "The Missouri River and Missouri Breaks conjure images of the earliest days of the American West. Thanks to careful stewardship of both private and public land here, the character of the region has changed little since Lewis and Clark explored it some 200 years ago." Livestock grazing on BLM land is an integral part of managing the Monument. The Proclamation states "Laws, regulations, and policies followed by the Bureau of Land Management in issuing and administering grazing permits or leases on all lands under its jurisdiction shall continue to apply with regard to the lands in the monument." This information is now included in Chapter 1 of the Proposed RMP/Final EIS.

Group		Management – Conserve
6051-01	*Comment*	*It should be noted that it has been over 5 years since the Monument was first designated. Over that period of time the public has been afforded numerous opportunities to comment*

on the future management of this world-class resource. At each and every juncture the public has overwhelmingly stated its preference that the lands in question be managed within an assertively conservation-based framework with protections and policies implemented that preserve the values and objects for which the Monument was so designated. It's time the management plan prioritizes the conservation of natural values and wildlife. We have to err on the side of being restrictive and conserving what we have, which means no more roads on the public land, restricting the roads that are there, so there isn't the abuse caused by the motorized travel, and likewise, restricting motorized use down the river.

6051-01 Response

The Preferred Alternative in the Proposed RMP/Final EIS would provide visitors with opportunities to experience the Monument in a manner that maintains and protects the biological, geological, and historic objects. This alternative would readily identify and accommodate changing conditions over time through implementation and monitoring (Appendix H).

Under this alternative, motorized use on the river would be allowed with seasonal limitations on upstream travel and a seasonal no-wake speed restriction in the wild and scenic segments of the UMNWSR from June 15 to September 15. In addition, the wild and scenic segment from Holmes Council Island to Fred Robinson Bridge would be restricted to non-motorized watercraft from June 15 to September 15 on Sunday through Wednesday.

Standards and indicators would be used to manage boaters on the river and impacts to resources and no allocation system would be developed. About 293 miles of roads would be open to motorized travel yearlong and 111 miles would be open seasonally. Five backcountry airstrips would be designated open yearlong and one airstrip would be open seasonally.

The existing lease stipulations would be strengthened by implementing reasonable conditions of approval under BLM's authority to protect the objects in the Monument based on the Proclamation. Under this alternative, it is foreseeable that 34 natural gas wells could be drilled on the existing leases in the Monument.

6051-02 Comment

In developing and evaluating potential management alternatives for the Monument, BLM should bear in mind the concept of multiple use in order to inventory and safeguard resources such as scenic values, cultural resources and wildlife habitat and create ACECs. In addition, BLM should be considering the effects on both Monument objects and other non-Monument resources from the management decisions made. The BLM should present a complete evaluation of the proposed plan's impacts on both the many resources of the non-Monument lands and on the Monument objects by specifically identifying and including these resources in the "affected environment" and "environmental impact" sections of the RMP.

6051-02 Response

Chapter 3 in the RMP/EIS contains a description of the physical, biological, cultural, economic and social conditions of the Monument. It includes a description of the resources and resource uses in the Monument, including the objects identified in the Proclamation (Appendix B) and the natural resources on BLM land in the Monument (Appendix C). The affected environment serves as the baseline of existing conditions from which the impacts of the alternatives may be analyzed.

Chapter 4 in the RMP/EIS describes the environmental, economic and social consequences of implementing the alternatives presented in Chapter 2. The impacts were identified and evaluated by an interdisciplinary team of resource specialists and are presented here by resource and alternative. Impacts are quantified, where possible, in magnitude, duration and intensity based on the Analysis Assumptions and Guidelines in Chapter 4.

Group		**Management – Conserve**
6051-03	*Comment*	*The Monument Proclamation requires that BLM make protection of Monument objects the priority in the RMP. In order to fully comply with the requirements of the Proclamation and the Antiquities Act, BLM should revise its goals to include the full list of Monument objects and to emphasize the agency's obligation to protect and/or enhance these objects. References to "maintaining" Monument objects should be changed to confirm BLM's obligation to protect these values and references to "recreation" and/or "access" that treat these uses as BLM's "mission" or goal for managing the Monument should be revised. The Draft RMP should also present a complete evaluation of the Draft RMP's impacts on Monument objects by specifically including each Monument object (and referring to it as such) in the "affected environment" and "environmental impact" sections of the RMP.*
6051-03	Response	Chapter 3 in the RMP/EIS contains a description of the physical, biological, cultural, economic and social conditions of the Upper Missouri River Breaks National Monument (Monument). It includes a description of the resources and resource uses in the Monument, including the objects identified in the Proclamation (Appendix B) and the natural resources on BLM land in the Monument (Appendix C). The affected environment serves as the baseline of existing conditions from which the impacts of the alternatives may be analyzed. Chapter 4 in the RMP/EIS describes the environmental, economic and social consequences of implementing the alternatives presented in Chapter 2. The impacts were identified and evaluated by an interdisciplinary team of resource specialists and are presented here by resource and alternative. Impacts are quantified, where possible, in magnitude, duration and intensity based on the Analysis Assumptions and Guidelines in Chapter 4.
Group		**Management – Protect**
6052-01	*Comment*	*Common sense would dictate a management plan that preserves the western lifestyle and culture that currently exists in the area (ranching, farming, hunting, fishing and other recreation). If any management must take place, do it in such a way that it benefits the greatest number of people who use the area. I would suggest placing all of the area into a block management program administered by Montana Fish Wildlife and Parks. This way access can be maintained, farmers and ranchers can be rewarded and their operations protected at the same time. It would also protect the interests of sportsmen and women and enhance their opportunities in the area.* *We also need to be mindful of the state school trust lands in the area. These lands need to be accessed to allow the greatest possible revenue use. This should include gas, oil and other leases that might generate revenue for Montana schools. This should be true for the private lands and mineral rights as well.*
6052-01	Response	Block management program is a cooperative effort between MFWP, land management agencies, and landowners who volunteer for the program, for the purpose of providing free public fall hunting access to private and isolated public land. Contracts are negotiated annually in the spring and summer, and thus some fluctuations in enrolled acreage occur from year to year. Application of the block management program could be adopted under any of the alternatives considered. BLM would coordinate with appropriate state agencies and landowners when considering travel management options for public access that would affect access to state school trust lands or private lands. Administrative use off road and on closed roads for BLM, other federal, state, and county agencies, lessees and permittees is addressed for each alternative in the section on BLM Road System.

Group		Management – Protect
6052-02	*Comment*	*The area has been dedicated to specific uses according to two other provisions of law: (1) the Wild and Scenic Rivers Act (WSRA); and (2) the Proclamation creating the Upper Missouri Breaks National Monument. Under FLPMA, therefore, the BLM must manage the area (first and foremost) in accordance with these two provisions of law. The BLM must protect and enhance the outstandingly remarkable values of the UMNWSR and protect the Monument's resources. The BLM, however, is failing to recognize this responsibility.*
6052-02	Response	The Proclamation (Appendix B) contains both general management guidance and specific resource use limitations. The program specific decisions that are consistent with the Proclamation's general management guidance and specific resource use limitations are described for each major program area in the section entitled "Decisions Common to All Alternatives." For example, guidance for Lands and Realty management for all alternatives indicates that under the Proclamation, all federal lands and interests in lands are "hereby appropriated and withdrawn from all forms of entry, location, selection, sale, or leasing or other disposition under the public land laws, . . . and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of the monument. The establishment of this monument is subject to valid existing rights. . . . Lands and interest in lands within the proposed monument not owned by the United States shall be reserved as a part of the monument upon acquisition of title thereto by the United States." Beyond the general management guidance and specific resource use limitations, the Proclamation directs that "The Secretary of the Interior shall manage the monument through the Bureau of Land Management, pursuant to applicable legal authorities, including the National Wild and Scenic Rivers Act, to implement the purposes of the this proclamation." (Appendix B). In response to this directive, the BLM has identified and analyzed in detail six alternatives that include various combinations of multiple resource management descriptions all of which are within the applicable legal authorities mentioned in the Proclamation and for which BLM has discretionary management authority. The multiple resource management aspects of the alternatives for which BLM has discretionary management authority are summarized in Table 2.41, Summary Comparison of Alternatives.
6052-03	*Comment*	*The BLM's determination that Cow Creek, Eagle Creek, and Dog Creek are unsuitable for inclusion in the NWSRS because protection is already afforded via other special management designations (i.e., the UMNWSR, ACEC status, or WSA status) is arbitrary and capricious because it is based on factors outside of those enumerated in the WSRA (the BLM's suitability determination for the Judith River – which is not included in the DEIS – is also arbitrary).*
6052-03	Response	The factors used to determine suitability - for those rivers found eligible - are from Manual 8351 - Wild and Scenic River - Policy and Program Direction for Identification, Evaluation, and Management. Section .33A of this manual lists the factors to consider when determining suitability, including .33A.6: "Ability of the agency to manage and/or protect the river area or segment as a WSR river, or other mechanisms (existing and potential) to protect identified values other than WSR designation." This is one of several factors which were considered in determining suitability. Suitability determination for the Judith River was considered in the Judith-Valley-Phillips RMP (BLM 1994a). The same factors that are described above for the Monument RMP were also used to determine suitability in the Judith-Valley-Phillips RMP.
6052-04	*Comment*	*However, with road densities that leave 75% of the Monument within 1/2 mile of a road, with six backcountry airstrips, power boats on the Wild and Scenic River, and 43,000 acres open for gas development, it is unclear how your proposed management plan will treat it any differently than any other BLM lands. How do these activities enhance the values for which this Monument was created? How do they protect wildlife, preserve the solitude and remote and undeveloped character of the area?*

6052-04 Response

The standard set by the Proclamation (and the reason for the Monument being established) was "for the purpose of protecting the objects identified [in the proclamation]." In order to meet the requirements of the Proclamation, the National Environmental Policy Act, and BLM's planning regulations, BLM must both 1) respond to the general management guidance and specific resource use limitations contained in the Proclamation (Appendix B), and 2) further develop a range of alternative management scenarios that consider actions necessary to provide at least basic protection for those objects. Regarding roads and airstrips, although the Preferred Alternative does consider a slight potential conversion of existing resource roads to collector and local roads, every alternative except the no action increases the number of miles of roads that would be eventually removed from the transportation system. The management considered regarding airstrips ranged from allowing no airstrips to be used to allowing airstrips to be used with restrictions to protect Monument objects. Regarding oil and gas development, the Proclamation itself removed the ability to manage oil and gas leasing and development under conventional leasing procedures. The only areas "available" for oil and gas development are those areas that have already been leased; in these areas, BLM was directed to manage development, subject to valid existing rights, "so as not to create any new impacts that would interfere with the proper care and management of the objects protected by this proclamation." To this end, the range of alternatives includes different measures to protect sensitive resources; given that these areas have been leased, the available mechanism to manage development to protect resources lies in BLM's ability to apply Conditions of Approval (COAs).

6052-05 *Comment*

The Proclamation setting up the Monument states that protection of the objects identified as the purpose for the reservation "shall be the dominant reservation." (66 Fed. Reg. 14, at pg. 7362 (January 22, 2001)) Towards this end, the Proclamation directs the BLM to "not create any new impacts that would interfere with the proper care and management of the objects protected by this proclamation," (Id., at pg. 7361) even by valid existing oil and gas lease rights. (emphasis added) The objects that are to be protected are identified in the Proclamation (pg. 7359) as 'biological, geological, and historical."

This provides the BLM with a unique management situation, where the usual dominance by the mineral estate is reversed. The above language makes clear that the various resources are not to be managed as co-equal or with the standard FLPMA multiple use approach. Rather, the BLM is to manage proactively to prevent new impacts on the biological, geological and historical objects that are present within the Monument.

As a consequence, the BLM needed to provide in this draft RMP/EIS a clear management approach that recognized this reversal of dominant estates. That is not what has been presented, however. What is provided in this document is 'more of the same,' in terms of the approach to the existing oil and gas leases vis-à-vis the dominant objects under the Proclamation. The use of standard timing and surface stipulations, permit conditions and voluntary BMP's, similar to other RMP's throughout the western U.S., does not meet the legal reversal set forth in the Proclamation. Such a 'business as usual' approach, with a few more restrictions on oil and gas exploration and production, cannot prevent the new impacts that the Proclamation prohibits. Therefore, this document, as a whole, fails to carry out the mandated purpose of the Proclamation, and must be significantly revised, as a consequence.

6052-05 Response

Beyond the general management guidance and specific resource use limitations, the Proclamation also directs that "The Secretary of the Interior shall manage the monument through the Bureau of Land Management, pursuant to applicable legal authorities, including the National Wild and Scenic Rivers Act, to implement the purposes of the this proclamation." (Appendix B). In response to this directive, the BLM has identified and analyzed in detail six alternatives that include various combinations of multiple resource

Group		**Management – Protect**
		management descriptions, all of which are within the applicable legal authorities mentioned in the Proclamation and for which BLM has discretionary management authority.
Group		**Management – Preserve**
6053-01	*Comment*	*The final Resource Management Plan should embody an experience of remote settings and be managed for historic scenic, and wildlife values. The preservation of the area as the Lewis and Clark Expedition traversed this waterway on their journey to the Pacific and preservation of the natural habitat in large land areas free of motorized vehicles and airplanes for elk, bighorn sheep, fish and fowl; vegetation; and land forms. Manage this unique area with an eye to its long term preservation and use by generations to come. Manage with a focus on preservation of wildlife habitat, quiet, respectful recreation opportunities such as hiking, rafting, non-motorized hunting. The plan must include components that ensure the future of sustainable fish and wildlife populations, public hunting and fishing opportunities, recognize the cultural values of hunting and fishing and provide for maximum measures to ensure their future. Public hunting must be based on a fair and equitable, non-privileged basis for all.*
6053-01	Response	The Preferred Alternative in the Proposed RMP/Final EIS would provide visitors with opportunities to experience the Monument in a manner that maintains and protects the biological, geological, and historic objects. This alternative would readily identify and accommodate changing conditions over time through implementation and monitoring (Appendix H). Under this alternative, motorized use on the river would be allowed with seasonal limitations on upstream travel and a seasonal no-wake speed restriction in the wild and scenic segments of the UMNWSR from June 15 to September 15. In addition, the wild and scenic segment from Holmes Council Island to Fred Robinson Bridge would be restricted to non-motorized watercraft from June 15 to September 15 on Sunday through Wednesday. Standards and indicators would be used to manage boaters on the river and impacts to resources and no allocation system would be developed. About 293 miles of roads would be open to motorized travel yearlong and 111 miles would be open seasonally. Five backcountry airstrips would be designated open yearlong and one airstrip would be open seasonally. The existing lease stipulations would be strengthened by implementing reasonable conditions of approval under BLM's authority to protect the objects in the Monument based on the Proclamation. Under this alternative, it is foreseeable that 34 natural gas wells could be drilled on the existing leases in the Monument.
6053-02	*Comment*	*Along with a few other people, none of whom included any of the current BLM staff, I stood with the Secretary of the Interior in the Bullwhacker area when he talked about his vision for the area. He wanted a new type of national Monument that preserved the landscape while allowing some of the historic uses such as hunting, ranching, and natural gas development (which eventually would play out). I can't say what he would have thought about the airstrips, since BLM failed to apprise him of them and denied him the opportunity to address the issue. But I don't think the preferred alternative is true to his vision, nor is it true to your own vision statement.*
6053-02	Response	The Preferred Alternative in the Proposed RMP/Final EIS would provide visitors with opportunities to experience the Monument in a manner that maintains and protects the

biological, geological, and historic objects. This alternative would readily identify and accommodate changing conditions over time through implementation and monitoring (Appendix H).

Group **Management – Multiple Use**

6054-01 *Comment* *Congress has not designated this area to be wilderness and existing congressional laws clearly intend for this area to be managed for multiple-uses. Why are legally designated multiple-use lands being managed for limited-use instead of multiple-use? The proposed plan does not meet the basic needs of the public for multiple-use opportunities, a proper allocation of multiple-use recreation opportunities and the laws requiring multiple-use management of these lands. The majority of visitors to the project area are associated with multiple-use opportunities including motorized access and motorized recreation opportunities.*

6054-01 Response The Federal Land Policy and Management Act (FLPMA) provides the basic policy guidance for BLM's management of public lands. The FLPMA definition of multiple use stresses environmental values that are consistent with the multiple use guidance provided by the Preferred Alternative. "The term 'multiple use' means the management of public lands and their various resource values so that they are utilized in the combination that will best meet the present and future needs of the American people; making the most judicious use of the land for some or all of these resources or related services over areas large enough to provide sufficient latitude for periodic adjustments in use to conform to changing needs and conditions; the use of some land for less than all the resources; a combination of balanced and diverse resource uses that takes into account the long-term needs of future generations for renewable and non-renewable resources, including but not limited to recreation, range, timber, minerals, watershed, wildlife, and fish and natural scenic, scientific, and historical values; and harmonious and coordinated management of the various resources without permanent impairment of the productivity of the land and the quality of the environment with consideration being given to the relative values of the resources and not necessarily to the combination of uses that will give the greatest economic return or the greatest unit output." BLM is provided discretion concerning how best to apply this multiple use mandate.

The Monument was established to protect the spectacular array of biological, geological, and historical values and objects of interest along the Upper Missouri River Breaks. General management guidelines contained in the Proclamation identify resource use limitations and call for the preparation of a transportation plan that addresses actions to protect the objects identified in the proclamation. The management guidelines from the Proclamation are incorporated into the Preferred Alternative to provide guidance concerning the multiple use management that is consistent with the FLPMA definition above.

6054-02 *Comment* *The BLM continues to manage the Monument as just another piece of public land subject to FLPMA's broad "multiple use" mandate. Multiple-use principles do not apply to the National Monument, as described in the proclamation. The Proclamation says nothing about "multiple use" and when in doubt about a management decision, it behooves us to go back to the words of the Proclamation and error on the side of safety. The Monument can not be managed for all activities at the expense of the resource.*

The BLM is misinterpreting and misapplying their statutory obligations by managing first by multiple use rather than by protecting the resource values as required in the Proclamation. Multiple use is great, so long at it's consistent with protecting the proclamation's resources.

I urge the Monument managers to follow the letter and the sprit of the Proclamation and make protection of the objects the primary management goal.

6054-02 Response

The Proclamation (Appendix B) contains both general management guidance and specific resource use limitations. The program specific decisions that are consistent with the Proclamation's general management guidance and specific resource use limitations are described for each major program area in the section entitled "Decisions Common to All Alternatives." For example, guidance for Lands and Realty management for all alternatives indicates that under the Proclamation, all federal lands and interests in lands are "hereby appropriated and withdrawn from all forms of entry, location, selection, sale, or leasing or other disposition under the public land laws, . . . and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of the monument. The establishment of this monument is subject to valid existing rights. . . . Lands and interest in lands within the proposed monument not owned by the United States shall be reserved as a part of the monument upon acquisition of title thereto by the United States." Beyond the general management guidance and specific resource use limitations, the Proclamation directs that "The Secretary of the Interior shall manage the monument through the Bureau of Land Management, pursuant to applicable legal authorities, including the National Wild and Scenic Rivers Act, to implement the purposes of the this proclamation." (Appendix B). In response to this directive, the BLM has identified and analyzed in detail six alternatives that include various combinations of multiple resource management prescriptions, all of which are within the applicable legal authorities mentioned in the Proclamation and for which BLM has discretionary management authority. The multiple resource management aspects of the alternatives for which BLM has discretionary management authority are summarized in Table 2.41, Summary Comparison of Alternatives.

6054-03 *Comment*

It appears that your agency has catered to special interests, such as vocal minorities who have been against the Monument since the Proclamation. You have also catered to pilots who feel they must have multiple airstrips (never mind the poaching or buzzing of wildlife), and those who feel they absolutely can't live without jet boats/skis and even sea planes on the last few miles of undeveloped Missouri River. Even the boundaries of the Monument have magically vanished off your map.

I absolutely feel that the general public, the majority of whom would like to see the biological, historical and geological preservation of this special place have indeed been "sold down the river" by most aspects of your proposed management plan. After all the comments, time and trouble, the plan shows a remarkable short-sightedness that will damage the Monument for future Montanans and the public as a whole.

6054-03 Response

The Preferred Alternative recommends that six airstrips (selected to avoid clusters) would remain open to provide opportunities for recreational backcountry activities such as camping, hiking, and sightseeing. The use of backcountry grass landing strips is considered a recreational opportunity for visitors to the Monument. There is nothing in the Proclamation narrative that specifically disallows or prohibits the presence of primitive grass landing strips or the use of recreational aircraft. Travel by small fixed-wing aircraft is considered as a mode of transportation to visit the Monument, the same as motorized vehicles and mechanized equipment (mountain bikes). If use increases significantly, BLM would consider changes through activity level planning (Appendix H) to protect the objects for which the Monument was designated.

BLM's goal for recreation in the Monument, as stated in Chapter 2 of the Proposed RMP/Final EIS under Decisions Common to All Alternatives, Recreation, is to manage for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes.

Motorized use is compatible with the multiple use Wild and Scenic River designation, and the Proclamation does not establish that motorized use of the river should be eliminated. Motorboat use occurred before the river was designated in 1976, and has continued to occur in a seasonally restricted manner to the present. The Preferred Alternative for Use of Motorized Watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a nonmotorized experience from June 15 to September 15 on river miles 92.5 through 149. See Chapter 2 of the Proposed RMP/Final EIS.

6054-04 *Comment* *Additionally, "multiple-use" as it now is understood, is inconsistent with the monument proclamation. While there is "room" for many activities, the BLM is NOT mandated by the classical multiple use mandate that is must apply to other areas.*

6054-04 Response The Federal Land Policy and Management Act (FLPMA) provides the basic policy guidance for BLM's management of public lands. The FLPMA definition of multiple use stresses environmental values that are consistent with the multiple use guidance provided by the Preferred Alternative. "The term 'multiple use' means the management of public lands and their various resource values so that they are utilized in the combination that will best meet the present and future needs of the American people; making the most judicious use of the land for some or all of these resources or related services over areas large enough to provide sufficient latitude for periodic adjustments in use to conform to changing needs and conditions; the use of some land for less than all the resources; a combination of balanced and diverse resource uses that takes into account the long-term needs of future generations for renewable and non-renewable resources, including but not limited to recreation, range, timber, minerals, watershed, wildlife, and fish and natural scenic, scientific, and historical values; and harmonious and coordinated management of the various resources without permanent impairment of the productivity of the land and the quality of the environment with consideration being given to the relative values of the resources and not necessarily to the combination of uses that will give the greatest economic return or the greatest unit output." BLM is provided discretion concerning how best to apply this multiple use mandate.

The Monument was established to protect the spectacular array of biological, geological, and historical values and objects of interest along the Upper Missouri River Breaks. General management guidelines contained in the Proclamation identify resource use limitations and call for the preparation of a transportation plan that addresses actions to protect the objects identified in the proclamation. The management guidelines from the Proclamation are incorporated into the Preferred Alternative to provide guidance concerning the multiple use management that is consistent with the FLPMA definition above.

The Proclamation (Appendix B) contains both general management guidance and specific resource use limitations. The program specific decisions that are consistent with the Proclamation's general management guidance and specific resource use limitations are described for each major program area in the section entitled "Decisions Common to All Alternatives." For example, guidance for Lands and Realty management for all alternatives indicates that under the Proclamation, all federal lands and interests in lands are "hereby appropriated and withdrawn from all forms of entry, location, selection, sale, or leasing or other disposition under the public land laws, . . . and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of the monument. The establishment of this monument is subject to valid existing rights. . . . Lands and interest in lands within the proposed monument not owned by the United States shall be reserved as a part of the monument upon acquisition of title thereto by the United States." Beyond the general management guidance and specific resource use

limitations, the Proclamation directs that "The Secretary of the Interior shall manage the monument through the Bureau of Land Management, pursuant to applicable legal authorities, including the National Wild and Scenic Rivers Act, to implement the purposes of the this proclamation." (Appendix B). In response to this directive, the BLM has identified and analyzed in detail six alternatives that include various combinations of multiple resource management prescriptions, all of which are within the applicable legal authorities mentioned in the Proclamation and for which BLM has discretionary management authority. The multiple resource management aspects of the alternatives for which BLM has discretionary management authority are summarized in Table 2.41, Summary Comparison of Alternatives.

6054-05 *Comment* *The BLM is directed to manage lands with multiple use concepts. I feel this mandate will be followed if all airstrips are closed, the river is managed to allow no motorized use, and many of the roads are closed to vehicle traffic. Multiple use does include no motorized and oil and gas use.*

6054-05 Response The Federal Land Policy and Management Act (FLPMA) provides the basic policy guidance for BLM's management of public lands. The FLPMA definition of multiple use stresses environmental values that are consistent with the multiple use guidance provided by the Preferred Alternative. "The term 'multiple use' means the management of public lands and their various resource values so that they are utilized in the combination that will best meet the present and future needs of the American people; making the most judicious use of the land for some or all of these resources or related services over areas large enough to provide sufficient latitude for periodic adjustments in use to conform to changing needs and conditions; the use of some land for less than all the resources; a combination of balanced and diverse resource uses that takes into account the long-term needs of future generations for renewable and non-renewable resources, including but not limited to recreation, range, timber, minerals, watershed, wildlife, and fish and natural scenic, scientific, and historical values; and harmonious and coordinated management of the various resources without permanent impairment of the productivity of the land and the quality of the environment with consideration being given to the relative values of the resources and not necessarily to the combination of uses that will give the greatest economic return or the greatest unit output." BLM is provided discretion concerning how best to apply this multiple use mandate.

The Upper Missouri River Breaks National Monument was established to protect the spectacular array of biological, geological, and historical values and objects of interest along the Upper Missouri River Breaks. General management guidelines contained in the Proclamation identify resource use limitations and call for the preparation of a transportation plan that addresses actions to protect the objects identified in the proclamation. The management guidelines from the Proclamation are incorporated into the Preferred Alternative to provide guidance concerning the multiple use management that is consistent with the FLPMA definition above.

The Proclamation (Appendix B) contains both general management guidance and specific resource use limitations. The program specific decisions that are consistent with the Proclamation's general management guidance and specific resource use limitations are described for each major program area in the section entitled "Decisions Common to All Alternatives." For example, guidance for Lands and Realty management for all alternatives indicates that under the Proclamation, all federal lands and interests in lands are "hereby appropriated and withdrawn from all forms of entry, location, selection, sale, or leasing or other disposition under the public land laws, . . . and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of the monument. The establishment of this monument is subject to valid existing

rights. . . . Lands and interest in lands within the proposed monument not owned by the United States shall be reserved as a part of the monument upon acquisition of title thereto by the United States." Beyond the general management guidance and specific resource use limitations, the Proclamation directs that "The Secretary of the Interior shall manage the monument through the Bureau of Land Management, pursuant to applicable legal authorities, including the National Wild and Scenic Rivers Act, to implement the purposes of the this proclamation." (Appendix B). In response to this directive, the BLM has identified and analyzed in detail six alternatives that include various combinations of multiple resource management prescriptions, all of which are within the applicable legal authorities mentioned in the Proclamation and for which BLM has discretionary management authority. The multiple resource management aspects of the alternatives for which BLM has discretionary management authority are summarized in Table 2.41, Summary Comparison of Alternatives.

The Preferred Alternative recommends that six airstrips (selected to avoid clusters) would remain open to provide opportunities for recreational backcountry activities such as camping, hiking, and sightseeing. The use of backcountry grass landing strips is considered a recreational opportunity for visitors to the Monument. There is nothing in the Proclamation narrative that specifically disallows or prohibits the presence of primitive grass landing strips or the use of recreational aircraft. Travel by small fixed-wing aircraft is considered as a mode of transportation to visit the Monument, the same as motorized vehicles and mechanized equipment (mountain bikes). If use increases significantly, BLM would changes through level planning (Appendix H) to protect the objects for which the Monument was designated.

BLM's goal for recreation in the Monument, as stated in Chapter 2 of the Proposed RMP/Final EIS under Decisions Common to All Alternatives, Recreation, is to manage for a variety of sustainable visitor opportunities in mostly primitive and natural landscapes. Motorized use is compatible with the multiple use Wild and Scenic River designation, and the Proclamation does not establish that motorized use of the river should be eliminated. Motorboat use occurred before the river was designated in 1976, and has continued to occur in a seasonally restricted manner to the present. The Preferred Alternative for Use of Motorized Watercraft on the Upper Missouri River is a balanced watercraft management approach that provides opportunities for motorized and non-motorized use including opportunities for a nonmotorized experience from June 15 to September 15 on river miles 92.5 through 149. See Chapter 2 of the Proposed RMP/Final EIS.

6054-06	*Comment*	*What is wrong with the plan we had before the monument? What will happen to our multiple use, grazing, hunting, recreation, oil and gas leasing? Why can't we go back to the wild and scenic plan?*
6054-06	Response	The Proclamation (Appendix B) contains both general management guidance and specific resource use limitations. The program specific decisions that are consistent with the Proclamation's general management guidance and specific resource use limitations are described for each major program area in the section entitled "Decisions Common to All Alternatives." For example, guidance for Lands and Realty management for all alternatives indicates that under the Proclamation, all federal lands and interests in lands are "hereby appropriated and withdrawn from all forms of entry, location, selection, sale, or leasing or other disposition under the public land laws, . . . and from disposition under all laws relating to mineral and geothermal leasing, other than by exchange that furthers the protective purposes of the monument. The establishment of this monument is subject to valid existing rights. . . . Lands and interest in lands within the proposed monument not owned by the United States shall be reserved as a part of the monument upon acquisition of title thereto by the United States." Beyond the general management guidance and specific resource use

limitations, the Proclamation directs that "The Secretary of the Interior shall manage the monument through the Bureau of Land Management, pursuant to applicable legal authorities, including the National Wild and Scenic Rivers Act, to implement the purposes of the this proclamation." (Appendix B). In response to this directive, the BLM has identified and analyzed in detail six alternatives that include various combinations of multiple resource management prescriptions, all of which are within the applicable legal authorities mentioned in the Proclamation and for which BLM has discretionary management authority. The multiple resource management aspects of the alternatives for which BLM has discretionary management authority are summarized in Table 2.41, Summary Comparison of Alternatives.

Group **Management – Adaptive**

6055-01 *Comment* *We did not see much discussion of the BLM's proposed monitoring and adaptive management program for the Monument. Since monitoring is often underfunded in land management agencies we are concerned about the adequacy of monitoring resources to implement an effective monitoring and adaptive management program. Additional information on the Monument's monitoring and adaptive management program should be provided in the final RMP/EIS.*

We recommend that an Appendix be devoted to describing the monitoring and adaptive management program that will be used within the Monument to assure that goals and objectives are met. We also recommend working closely with other agencies, and perhaps considering a RMP Objective to coordinate water quality and fish and wildlife monitoring and evaluation with appropriate resource and regulatory agencies to assure adequate water quality and fisheries protection and wildlife conservation. We note that BLM could write stipulations for oil and gas development that requires operators to monitor for water quality impacts and for impacts to fish and wildlife.

6055-01 Response Through implementation an adaptive management approach may also be used for specific activities in the Monument, if appropriate, consistent with Secretarial Order 3270 (Adaptive Management). Adaptive management would require activity level planning, environmental review, and public involvement.

The implementation and monitoring process for the Monument involves four major steps: planning, implementing, monitoring, evaluating, and adjusting as necessary through planning. Planning involves a great amount of time and resources to identify issues and management opportunities to address those issues. During the planning process, the scope of the issue is identified and management goals, objectives and actions are defined to address the issues. Once the planning process is completed, decisions are implemented, monitored, and evaluated to determine if goals are being met and if management actions are achieving the desired objective or standard. Results of monitoring are documented and communicated to appropriate parties and management objectives and actions are modified based on results, if necessary.

The BLM will review monitoring results on a periodic basis, and any management objectives or actions that may need to change or be adjusted will be open to public review and comment before decisions are made through an environmental review process. Appendix H provides more information on implementation and monitoring.

6055-02 *Comment* *Monitoring Conditions and Adaptive Management is Necessary to Respond to Changing Conditions. For the purposes established by the Proclamation, the Monument should be managed to ensure and enhance diverse and sustainable populations of wildlife. BLM*

carries an inherent obligation to provide quality habitats for the native, wild animal species living within the Monument. This can be accomplished more effectively by organizing a formal Monument Interagency Wildlife Management Council which will be capable of closely monitoring wildlife populations and as a result of a more efficient communications network be able to respond quickly to problems. Agency members of this council should include BLM, Montana Fish Wildlife and Parks, and US Fish and Wildlife Service based in the Charles M Russell National Wildlife Refuge.

6055-02 Response

Through implementation an adaptive management approach may also be used for specific activities in the Monument, if appropriate, consistent with Secretarial Order 3270 (Adaptive Management). Adaptive management would require activity level planning, environmental review, and public involvement.

The BLM will review monitoring results on a periodic basis, and any management objectives or actions that may need to change or be adjusted will be open to public review and comment before decisions are made through an environmental review process. Appendix H provides more information on implementation and monitoring.

The BLM has the latitude to create such councils or volunteer agreements without going through the resource management planning process.

6055-04 Comment

The Draft RMP proposes to employ adaptive management. MWF is concerned that succinct, solid standards are lacking on most counts. The lack of detail causes some alarm that adaptive management is simply a term to be used but actions not implemented. MWF requests that it not be used to create an image of change but to proactively set standards, then adjust management parameters to meet those standards.

A comprehensive data base with outlined trigger points is essential to effective management of the wildlife resources. MWF recognizes that funding can be elusive and budgets inconsistent. MWF suggests that BLM seek out NGO sources to bolster these efforts. Montana State Wildlife Grants may be available for the purpose of inventory of non-game fish, birds and mammals; Montana Fish and Wildlife Trust could be approached for river-related projects just to name two possible sources.

Although MWF recognizes that much time and effort went into developing the Draft RMP, with a moderate amount of progress accomplished considering the challenge, the plan still needs to be screened to assure Montana hunters that the plan is scientifically based, uses a systematically structured approach that tests assumptions and monitors plan assumptions, then uses that information to improve the RMP. The RMP must be a comprehensive Plan that will meet the directives of the Proclamation to protect the wildlife objects.

MWF believes that the Monument must be managed to ensure and enhance diverse and sustainable populations of wildlife. BLM carries an inherent obligation to provide quality habitats for the native, wild animal species living within the Monument.

6055-04 Response

Through implementation an adaptive management approach may also be used for specific activities in the Monument, if appropriate, consistent with Secretarial Order 3270 (Adaptive Management). Adaptive management would require activity level planning, environmental review, and public involvement.

The implementation and monitoring process for the Monument involves four major steps: planning, implementing, monitoring, evaluating, and adjusting as necessary through planning. Planning involves a great amount of time and resources to identify issues and management opportunities to address those issues. During the planning process, the scope

of the issue is identified and management goals, objectives and actions are defined to address the issues. Once the planning process is completed, decisions are implemented, monitored, and evaluated to determine if goals are being met and if management actions are achieving the desired objective or standard. Results of monitoring are documented and communicated to appropriate parties and management objectives and actions are modified based on results, if necessary.

The BLM will review monitoring results on a periodic basis, and any management objectives or actions that may need to change or be adjusted will be open to public review and comment before decisions are made through an environmental review process. Appendix H provides more information on implementation and monitoring.

6055-05 *Comment* *Your preferred alternative indicates an adaptive management approach will be followed. In order for that to happen we need benchmarks (measurable objectives) and monitoring.*

6055-05 Response Through implementation an adaptive management approach may also be used for specific activities in the Monument, if appropriate, consistent with Secretarial Order 3270 (Adaptive Management). Adaptive management would require activity level planning, environmental review, and public involvement.

Chapter 3 in the Proposed RMP/Final EIS contains a description of the physical, biological, cultural, economic and social conditions of the Upper Missouri River Breaks National Monument (Monument). It includes a description of the resources and resource uses in the Monument, including the objects identified in the Proclamation (Appendix B) and the natural resources on BLM land in the Monument (Appendix C). The affected environment serves as the baseline of existing conditions from which the impacts of the alternatives may be analyzed.

The BLM will continue to monitor resource conditions in the Monument (e.g., riparian and upland health assessments, wilderness study areas, sage-grouse, etc.). This also includes coordinating with Montana Fish, Wildlife and Parks on wildlife populations. The BLM will review monitoring results on a periodic basis, and any management objectives or actions that may need to change or be adjusted will be open to public review and comment before decisions are made through an environmental review process. Appendix H in the Proposed RMP/Final EIS provides more information on implementation and monitoring.

6055-06 *Comment* *Adaptive Management – a recipe for failure. The DEIS appears to fill in the gaps in its knowledge of objects of interest and recreation, livestock and gas development impacts by telling the public that potential problems will be solved in the future by adaptive management. This is a slogan without substance.*

The DEIS offers adaptive management in place of the requirement to analyze the effectiveness of mitigation measures. NEPA requires that the DEIS explain to the public how its proposed mitigation measures will work when activities may impact or impair objects of interest. Instead of measuring impacts, the DEIS offers various lists of best management practices in the appendices and a promise of adaptive management. Adaptive management, however, has no parameters, no structure and no clear monitoring and research program. Without a clearly defined structure that identifies triggers for immediate corrective action and without the resources and commitment to monitor, adaptive management is a recipe for degradation and impairment of Monument objects of interest under the guise of implementing the RMP.

If the DEIS cannot provide the defined, structured, funded and researched program for implementing "adaptive management," then its apparent inclusion in the DEIS is merely to

justify avoiding the necessary inventory of objects and current impacts and the planning necessary to avoid impacts on objects of interest. It is a violation of NEPA to take this approach. National Parks & Conservation Assoc. v. Babbitt, 241 F.3d 722, 733 (9th Cir. 2001)(increasing the risk of harm to the environment and then performing studies is backwards and not sufficient under NEPA).

6055-06 Response

Through implementation an adaptive management approach may also be used for specific activities in the Monument, if appropriate, consistent with Secretarial Order 3270 (Adaptive Management). Adaptive management would require activity level planning, environmental review, and public involvement.

Chapter 4 in the RMP/EIS describes the environmental, economic and social consequences of implementing the alternatives presented in Chapter 2. The impacts were identified and evaluated by an interdisciplinary team of resource specialists. The impacts are quantified, where possible, in magnitude, duration and intensity. The impacts are analyzed based on the alternatives described in Chapter 2 including the mitigation measures for wildlife and conditions of approval for natural gas exploration and development.

The BLM will continue to monitor resource conditions in the Monument (e.g., riparian and upland health assessments, wilderness study areas, sage-grouse, etc.). This also includes coordinating with Montana Fish, Wildlife and Parks on wildlife populations. The BLM will review monitoring results on a periodic basis, and any management objectives or actions that may need to change or be adjusted will be open to public review and comment before decisions are made through an environmental review process. Appendix H in the Proposed RMP/Final EIS provides more information on implementation and monitoring.

6055-07 *Comment*

If BLM proposes to rely on adaptive management, then it must develop a comprehensive set of measurements, triggers for action, and a range of actions that will be taken to protect Monument objects, which meets the standards set out above. If the agency is not willing to incorporate a responsible adaptive management approach into the RMP, then BLM should not seek to rely on adaptive management for purposes of either a management or mitigation and should remove this language from Draft RMP.

6055-07 Response

Through implementation an adaptive management approach may also be used for specific activities in the Monument, if appropriate, consistent with Secretarial Order 3270 (Adaptive Management). Adaptive management would require activity level planning, environmental review, and public involvement.

The implementation and monitoring process for the Monument involves four major steps: planning, implementing, monitoring, evaluating, and adjusting as necessary through planning. Planning involves a great amount of time and resources to identify issues and management opportunities to address those issues. During the planning process, the scope of the issue is identified and management goals, objectives and actions are defined to address the issues. Once the planning process is completed, decisions are implemented, monitored, and evaluated to determine if goals are being met and if management actions are achieving the desired objective or standard. Results of monitoring are documented and communicated to appropriate parties and management objectives and actions are modified based on results, if necessary.

The BLM will review monitoring results on a periodic basis, and any management objectives or actions that may need to change or be adjusted will be open to public review and comment before decisions are made through an environmental review process. Appendix H provides more information on implementation and monitoring.

Group		Management – Adaptive
6055-08	*Comment*	*An example of a more well-planned adaptive management program is the Jack Morrow Hills Coordinated Activity Plan (JMH CAP) EIS prepared by the Rawlins (Wyoming) Field Office. The JMH CAP had a well-thought out and clearly stated monitoring program, which included specific management indicators. Some of the indicators included in the EIS were elk, mule, and pronghorn distribution, sage-grouse population health, standards for healthy rangelands, road density, recreation use, Native American concerns, and more.*
6055-08	Response	Through implementation an adaptive management approach may also be used for specific activities in the Monument, if appropriate, consistent with Secretarial Order 3270 (Adaptive Management). Adaptive management would require activity level planning, environmental review, and public involvement. The implementation and monitoring process for the Monument involves four major steps: planning, implementing, monitoring, evaluating, and adjusting as necessary through planning. Planning involves a great amount of time and resources to identify issues and management opportunities to address those issues. During the planning process, the scope of the issue is identified and management goals, objectives and actions are defined to address the issues. Once the planning process is completed, decisions are implemented, monitored, and evaluated to determine if goals are being met and if management actions are achieving the desired objective or standard. Results of monitoring are documented and communicated to appropriate parties and management objectives and actions are modified based on results, if necessary. The BLM will review monitoring results on a periodic basis, and any management objectives or actions that may need to change or be adjusted will be open to public review and comment before decisions are made through an environmental review process. Appendix H provides more information on implementation and monitoring.
6055-09	*Comment*	*The adaptive management set out in the draft RMP is insufficient.* *The draft RMP does not meet accepted definitions of adaptive management or incorporate required elements.*
6055-09	Response	Through implementation an adaptive management approach may also be used for specific activities in the Monument, if appropriate, consistent with Secretarial Order 3270 (Adaptive Management). Adaptive management would require activity level planning, environmental review, and public involvement. The implementation and monitoring process for the Monument involves four major steps: planning, implementing, monitoring, evaluating, and adjusting as necessary through planning. Planning involves a great amount of time and resources to identify issues and management opportunities to address those issues. During the planning process, the scope of the issue is identified and management goals, objectives and actions are defined to address the issues. Once the planning process is completed, decisions are implemented, monitored, and evaluated to determine if goals are being met and if management actions are achieving the desired objective or standard. Results of monitoring are documented and communicated to appropriate parties and management objectives and actions are modified based on results, if necessary. The BLM will review monitoring results on a periodic basis, and any management objectives or actions that may need to change or be adjusted will be open to public review and comment before decisions are made through an environmental review process. Appendix H provides more information on implementation and monitoring.

Group		Planning/NEPA
6100-01	*Comment*	*The Draft RMP/EIS is too complicated, complex, and unorganized to be a useful management plan. It is hard to understand and ultimately relate to the general intent of the document. The RMP is co-mingled with the EIS increasing the complexity and therefore time necessary to read and comprehend the text. It should be shortened and simplified in order to make it more useful to the public.* *The Draft RMP/EIS fails to provide enough information, and even accurate information, necessary to provide the public with an opportunity to submit meaningful public comment. The Draft needs to be revised in order to bring it in compliance with NEPA and the Proclamation.*
6100-01	Response	The Draft RMP/EIS was prepared in accordance with the BLM standard procedures and format for RMPs and EISs (H-1601-1 and H-1790-1, respectively). The development of a Resource Management Plan is a major federal action with potentially significant environmental impacts. As such, an EIS is prepared under NEPA to analyze the impacts of the RMP. The alternatives in the Draft EIS represent various RMP approaches to the planning issues raised during scoping. The management actions that would occur under each RMP alternative are presented in Chapter 2 with their impact on the environment analyzed in Chapter 4. To help the reader navigate the document, a Reader's Guide and Summary is included at the beginning of the document and an Index of keywords is provided along with a Glossary of terms. In addition, summary tables in Chapter 2 present the main provisions of each alternative and their associated impacts, providing the reader with an easy way to understand the major RMP components by alternative and their potential impacts.
6100-02	*Comment*	*The draft RMP does not reflect the Monument Proclamation's required emphasis on protection and preservation of Monument objects. The Draft RMP/EIS purpose and need fails to recognize the important distinction between managing for multiple-use and managing multiple uses only if consistent with protecting the Monument's resources. Relevant Federal Court precedent now exists that disallows 'multiple-use' for management of a national Monument. This should be addressed before issuing a record of decision. The DEIS should not be embracing the concept of multiple use and managing for multiple use. Protecting the Monument's resources are not now on equal footing. The DEIS fails to analyze the cumulative effects of past, present and reasonably foreseeable future actions on objects of interest.*
6100-02	Response	The multiple use concept described in FLPMA compliments, rather than conflicts, with protection of the objects for which the Monument was designated. Multiple use never has meant that all uses occur in all areas, but the harmonious and coordinated management of all resources while recognizing the establishment of land use priorities such as those in the Proclamation. It is not an either-or situation because both FLPMA's multiple use policy, as well as the Proclamation's requirement to protect the objects of the Monument, applies to management of BLM land. The management direction provided in the Proclamation for objects in the Monument, along with the management objectives in FLPMA, served as the sideboards for the development of the RMP alternatives in the Draft RMP/EIS.
6100-03	*Comment*	*The Draft RMP/EIS does not contain an adequate range of alternatives in light of the Monument Proclamation. The range of alternatives is biased and leads to a predetermined result. There is not a clear distinction between the six alternatives. They are basically the same alternative with minor modifications. What are expected for NEPA purposes are six distinct alternatives that offer real differences with accurate information supporting each alternative. The RMP process is an opportunity and responsibility to look ahead and consider individual and cumulative effects of proposed actions. The BLM should also ensure that all alternatives place conservation and protection of Monument objects as the primary consideration, as opposed to "recreation" or "access." The agency should develop and analyze the impact of a better range of alternatives.*

With the exception of Alternative E, all of the alternatives explored in the DEIS allow motorboats along the entire stretch of the UMNWSR, motorized access throughout the Monument, oil and gas drilling, and airstrips. The only difference between these 5 alternatives is a few miles of roads, the number of reasonably foreseeable oil and gas wells, a few airstrips, and some limited, seasonal restrictions on use. Without question, this is not a reasonable range of alternatives.

The agency should analyze and fully consider the Citizens' Transportation Plan submitted for the Monument, as well as considering other environmentally preferable management alternatives. In light of the mandates of the Monument Proclamation, current Alternatives B, C, D and F are not acceptable as currently written and using Alternative E as a straw man to justify the agency's choice of Alternative F as a reasonable "middle ground" also violates BLM's obligations under both the Proclamation and NEPA.

6100-03 Response The alternatives were developed as management actions to address the issues identified during the public and agency scoping efforts presented in Chapter 1. The range of alternatives is the result of the possible management actions required to address a particular issue; along with the need for those actions to be consistent with the Planning Criteria listed in Chapter 1 and the management direction provided in the Proclamation.

6100-04 Comment *The Draft RMP/EIS notes that the Montana Governor, at the request of Secretary Norton, developed a task force to provide recommendations to the Secretary of the Interior. The Draft then notes that the task force made nine recommendations, which the BLM considered and decided were outside the BLM's authority. Although the BLM explains the reasons for its rejection of the recommendations, it does not provide any summary of the substance of the recommendations.*

6100-04 Response In August 2001, the Governor's Task Force provided nine recommendations for the Secretary's consideration (Montana 2001). These recommendations were considered during the development of this RMP/EIS and are summarized in Appendix D of the Proposed RMP/Final EIS along with an explanation of how the recommendations were addressed.

6100-05 Comment *The monument designation represents a violation of the Fergus County Land Use Policy and the BLM must be required to take remedial action. Relevant portions of the Fergus County Land Use Policy are quoted as follows: "In compliance with federal and state law, all federal and state agencies will comply with County policy and coordinate with the County Commission for the purpose of planning and managing federal lands in Fergus County. Federal and state agencies proposing actions that will impact the Fergus County Land Use Policy shall prepare and submit in writing, and in a timely manner, reports on the purposes, objectives and estimated impacts of such actions, including economic, to the Fergus County Commission. These reports shall be provided to the Fergus County Commission for review and coordination prior to federal or state initiation of action."*

NEPA requires that the individual county and state land use plans and ordinances be evaluated and discussed in the Final EIS. If there are any inconsistencies between the local plans and the proposed action, the agencies were supposed to try and attempt to resolve those inconsistencies prior to implementation. Where in the document are the county plans addressed as mandated by FLPMA and how does that work where county commissioners are supposed to have cooperative-agency status?

6100-05 Response The county and local plans, including the Fergus County Land Use Policy, are presented in Chapter 1 under the heading of Related Plans. The Monument designation was established by the President and cannot be addressed or "remediated" through the BLM land use

planning process. One of the reasons the counties were asked to be cooperating agencies is to provide a mechanism for addressing inconsistencies between the county plans and the development of the RMP. The Draft RMP/EIS and the Proposed Final RMP/EIS constitute the written reports the commenter noted are to be provided to the Fergus County Commission for review. While BLM policy is to try and make its land use plans consistent with applicable adjacent county land use plans, the BLM is ultimately responsible for ensuring that land use plans on public lands are consistent with federal planning requirements; in this case the Proclamation and the Federal Land Policy and Management Act (FLPMA). County planning requirements cannot change this mandate.

6100-06 *Comment* *We have been told that motorized recreationists must participate in the travel management process and/or collaborative sessions in order to realize future motorized recreational opportunities. While we agree that motorized recreationists have the opportunity to participate in the NEPA process, the level and effectiveness of participation should not be the deciding factor when making decisions about who gets what recreational opportunities within public lands. NEPA does not identify the quality and quantity of individual and group participation as a decision-making criterion. Agencies should not be overly influenced by the network of influence groups that foundations and environmentalists have established. The network of influence groups has a significant advantage over common citizens in areas including funding, staffing, training and advertising through radio, television, web sites, and newspapers. This setting allows environmental groups to get undue benefits by manipulating the NEPA process. This setting does not address the principles of meeting public need. NEPA and other laws do not intend for independent individuals who are less organized to give up their life's amenities to better-organized and funded groups.*

6100-06 Response The BLM cannot require the participation of any group or individual in its planning processes. The BLM concurs that the level and effectiveness of advocacy group participation is not the deciding factor when making decisions about recreational opportunities on BLM land. However, it should be noted that without participation, any group or organization's concerns or issues may simply not be identified and therefore not considered when making management decisions. Conversely, extensive participation, or the redundant raising of issues or preferences, does not ensure a particular RMP outcome or land use decision.

6100-07 *Comment* *I suggest that the RMP Team go back to the basics - the 1906 Antiquities Law and the 2001 Presidential Proclamation - both of which are quite specific on their intent and purpose. Each RMP question and/or issue should be reflected against, and answered with, the language and intent of the Antiquities Law and the Presidential Proclamation. The obvious result will not only be a realistic RMP, for a very special area, but a plan that can and would be easily defensible to any political and/or legal challenges.*

6100-07 Response The italicized "goal" statements at the beginning of each resource heading in Chapter 2 under both Decisions Common to All Alternatives and Current Management and Action Alternatives, were developed from the requirements of the Proclamation for management of that respective resource. These management goals served as the sideboards to ensure each alternative would protect the objects of the Monument.

6100-08 *Comment* *Perhaps you should reorder the alternatives to put current management after the preferred alternative so they are side by side and can be more easily compared.*

6100-08 Response Standard practice for presenting alternatives in an EIS or an RMP/EIS is to present the current management alternative (or no action alternative) first. This is done because it is from this alternative that changes in management (i.e., selection of a new alternative) would

occur and against which impacts are often measured. For these reasons, and because reordering the alternatives between the draft and the final could create confusion for the reader, the alternatives have been left in the same order and letter designation for the Proposed Final RMP/EIS as was used in the Draft RMP/EIS.

6100-09 *Comment* *The text would better serve if these exceptions, such as gas well density or road density, were explained as a method of balancing other Proclamation mandates such as 'valid existing rights' and 'traditional uses' against absolute protection.*

6100-09 Response The statement on page 68 of the Draft RMP/EIS notes that the management goal is to address "existing" lands leased for oil and gas development. The text that follows quotes the Proclamation and notes how the establishment of the Monument is subject to valid existing rights, basically explaining why these activities are to be allowed and how they need to be managed so as not to create new impacts to the objects protected by the Proclamation.

6100-10 *Comment* *Livestock grazing is a BLM authorized activity occurring within the Monument having direct, indirect, and cumulative impacts on the Monument's resources. As such, it is within the scope of the decision document and must be addressed in the DEIS under NEPA.*

6100-10 Response The Proclamation says that livestock grazing shall continue under the laws, regulations, and policies followed by the BLM in issuing and administering grazing permits. That does not mean livestock grazing is not addressed in the Draft RMP/EIS. To the contrary, how livestock grazing will be managed is addressed in the RMP/EIS under the Livestock Grazing, Vegetation, and Range Improvement categories.

6100-11 *Comment* *The planning criteria should prioritize the criteria, with grazing and ranching lifestyles and concerns at the top of the list.*

6100-11 Response While there is no formula for determining which planning criteria receives priority, legal requirements have greater weight in decisionmaking compared to policy goals or objectives that don't have the force of law. Even where all things are of equal standing, groups or individuals will have different perspectives on the criterion they believe most important, which is often reflected in their comments. In making a decision selecting a final Resource Management Plan, the BLM State Director will select an alternative that best addresses the planning criteria. The BLM does not prioritize the planning criteria because it could prejudice the outcome of the decisionmaking process.

6100-12 *Comment* *Unfortunately, when the IDT members discussed its management options, it allowed some county politicians to participate in and lead the discussions far beyond what was allowed in the Cooperating Agency agreements with the Counties. Admitted Monument opponents had an undue influence on the DEIS, and it shows.*

6100-12 Response It is not the BLM's role to allow or disallow RMP related comments made by cooperating agencies, either during the interdisciplinary team meetings or submitted in writing. Because there have been numerous team meetings, RAC meetings, public meetings, and thousands of comment letters, no one entity or perspective has dominated the process to the detriment of other viewpoints.

6100-14 *Comment* *NEPA last requires the BLM to coordinate with local government. When the BLM chose to ignore the advice of our local legislation, they're in violation of NEPA.*

6100-14 Response The National Environmental Policy Act (NEPA) requires coordination and consultation with local, state, and county governments. It does not require BLM to defer to those

authorities when developing its land use plans and associated NEPA analysis. In an effort to address all concerns of the local governments, the BLM included all the applicable county governments as well as the State of Montana as cooperating agencies in the RMP process. Many of the local governments' comments and concerns are reflected in the both the Draft RMP/EIS and the Proposed Final RMP/EIS.

6100-15 *Comment* *I think it should be put into law that it has to stay the way it's being put, not changed down the road. That's what's going to happen. They are going to kind of get us going on this stuff and then down the road ten years, well, we are going to shut down a little more--a little more.*

6100-15 Response Once the RMP/EIS process is completed the BLM is bound by the management direction laid out in the approved Resource Management Plan. RMPs can be changed (amended), due to new information, monitoring data, or because of a specific need to change management direction. While BLM cannot guarantee that the RMP will never be amended, if an amendment is proposed, it will be subject to a public involvement process similar to this one along with preparation of an environmental impact statement (EIS) or environmental assessment (EA).

6100-16 *Comment* *It is also stated that NEPA documents must be prepared before renewal of all grazing permits. Why is all this significant change and all that work?*

6100-16 Response The Watershed and Landscape Plans (Proposed RMP/Final EIS Table 2.2) have been completed for the allotments in the Monument and will be used as the NEPA analysis for renewal of grazing permits. Changes in grazing management will be made when a grazing allotment is not meeting standards and grazing is determined responsible for not meeting those standards.

Group **Planning/NEPA – Analysis**

6101-01 *Comment* *Baseline ecological information is lacking in regard to the Monument's objects of interest and other key resources. There are many conclusions made in the Monument proposals that are based upon false science and inaccurate data for this specific and unique area. The Data Quality Act imposes a duty on the BLM to include scientific integrity and analysis.*

The BLM failed to include the best available information in the impacts of the transportation system, livestock grazing, airstrips, motorboat use and oil and gas drilling on the areas fish and wildlife populations, plant species, threatened and endangered species and cultural/historic properties.

The lack of information on the location of individual grazing allotments makes it nearly impossible to comment on the impacts will be.

NEPA requires the BLM to assess alternatives using quality data and scientifically acceptable methods of analysis which are disclosed to the public for comment. Without an adequate inventory of the sensitive resources in the planning area it will be difficult to understand the extent to which the proposed transportation network will impact those resources.

The BLM has failed to identify sources supporting their scientific decisions making their decisions on such issues as wildlife behavior, road closure, trails, boating restrictions, etc.,

questionable. The BLM must cite the resource materials used to support their scientific decisions so that the public can review the information and comment on their various proposals.

Enclosed please find duplicate copies of articles that have been cited in the Wilderness Society comments submitted to you regarding the management of Upper Missouri River Breaks National Monument. I'd appreciate it if you would add these documents to the official administrative record you are creating for the RMP for the National Monument. I didn't see this data referenced, cited or used in the DEIS although we referenced these in our comments, delivered copies of the articles by mail and hand delivered another partial set of copies to one of your staff members.

The BLM failed to consider relevant factors. The purpose of NEPA is to require agencies to compile and consider all relevant baseline information before taking action which might have significant environmental effects.

6101-01 Response

The BLM complies with the Data Quality Act by using the best data available and disclosing the source and quality of that data. The BLM's policy addressing the requirements of the Data Quality Act is contained in its Information Quality Guidelines published in accordance with OMB guidance (Handbook 1601-1, part V.B. http://www.blm.gov/nhp/efoia/data_quality/). The BLM believes that the data used to prepare the Draft RMP/EIS, and its underlying inventories, is the best available and of adequate quality and quantity to support the analysis presented in the EIS. Additional reference citations have been added to the Proposed Final RMP/EIS to more readily provide the reader with the information sources used to prepare the RMP.

While references were cited in comments submitted prior to release of the Draft RMP/EIS, the BLM has no record of these references being delivered to the Lewistown Field Office. The articles provided by the Wilderness Society after the 2005 Draft RMP/EIS was released were made available to the staff specialists for their analyses and relied upon as appropriate.

All correspondence and public comments received by the BLM are included in the administrative record.

6101-02 Comment

The cumulative effects analysis is inadequate. The BLM is not looking at the big picture and has not created an index of the cumulative impact of all human activities and the cumulative impacts.

There is no analysis of how actions will cumulatively affect the White Cliffs along the Missouri River; how past BLM actions without proper baseline information will impact he area; how the actions of other federal state and private activities will impact the area; and how fish and wildlife, historic properties, natural quiet and natural resources will be impacted by motorized access aircraft and landing strips, livestock grazing, timber harvest, rights of way, oil and gas development and recreational facilities and access.

Some issues such as livestock grazing and low-level military flights are ignored by relegating them to issues considered but not further analyzed.

They have not completed effects analysis of past, present and reasonably foreseeable impacts from the activities under review. Except for a few statements about boating and gas development, the DEIS utterly fails to do a cumulative effects analysis of impacts on the objects of interest by the additive assault of numerous activities.

The BLM failed to consider the cumulative impacts concerning the cultural heritage of ranching in the impacted area; information indicating that cottonwood trees are already flourishing and that BLM action is not necessary; the impacts of layers of regulation that

already exist in addition to the Monument designation; and the impacts on bighorn sheep that have thrived under the current management scheme.

The BLM's geographic boundary for its cumulative impacts analysis stops at the artificial Monument boundary. As such, the BLM fails to take into account the real direct, indirect, or additive impacts its actions are having on the transient fish and wildlife populations that move throughout the region. Deer and elk, sage grouse, black-tailed prairie dogs, pallid sturgeon, and paddle fish populations do not remain within the confines of the Monument. The BLM's cumulative impacts analysis on such species likewise should not be confined to the Monument. The BLM must expand the geographic scope of its analysis and take into account how all actions within the range of these species impact the species' populations and habitat.

6101-02 Response As noted at the beginning of Chapter 4, the cumulative impacts assessment prepared for each resource by alternative, accounts for past, present, and reasonably foreseeable future actions that are relevant to determining the significant adverse impacts. The impact due to past actions is inherently part of the existing resource conditions described in Chapter 3. The geographic scope of the environmental effects analysis, including cumulative effects, addresses impacts to the resources and objects of the Monument; however, the analysis is not limited to actions occurring within the Monument, but includes all reasonable foreseeable actions occurring within and outside the Monument that have the potential to create significant impacts. For natural gas exploration and development, the reasonable foreseeable development included potential natural gas wells within 1/2 mile of the Monument. The impact analysis also considers the effect of actions occurring within the Monument that may extend outside the Monument.

6101-03 Comment *NEPA requires adequate evaluation and consideration of irretrievable and irreversible impacts. We request that the evaluation and decision-making adequately identify and address these impacts. NEPA also requires adequate mitigation of irretrievable and irreversible impacts. We request that the decision-making provide for adequate mitigation to avoid the irretrievable and irreversible impacts of lost opportunities on motorized recreationists.*

6101-03 Response The National Environmental Policy Act (NEPA) requires that impacts be disclosed. While one of the objectives of NEPA is to consider possible mitigating measures, mitigation of impacts is not mandatory to select a particular alternative. The potential for lost motorized recreational opportunities was considered in development of the Preferred Alternative in the Proposed RMP/Final EIS. As a result, the identified Preferred Alternative is less restrictive than some of the other alternatives in the Draft RMP/EIS.

6101-04 Comment *The plan also fails to address indirect impacts that will occur later in time if the preferred alternative is implemented. More roads and trails with ATVs are sure to increase the spread of weeds and non-native plant species. Six airstrips will likely increase poaching and unethical hunting practices.*

6101-04 Response The number of open roads, as well as the number of airstrips, would decrease under the Preferred Alternative when compared to the existing conditions. Therefore, there would be potentially fewer impacts, not more under the Preferred Alternative.

6101-05 Comment *Impacts should be evaluated in a fair and unbiased manner and with a relative sense of magnitude. For example, if natural events including floods, wildfires, and their associated impacts are natural and acceptable as stated by some agency personnel and environmental groups, then (in order to be consistent and equitable) impacts from OHV recreation should be compared in relative magnitude to the impacts associated with floods, wildfire, and other natural events. We are concerned about comments about OHV recreation being such*

a significant threat to public lands (Bosworth speech, January 16, 2004). The impact of OHV recreation in our area compared to the negative impacts from just one of the 6 significant fires in our area is miniscule.

6101-05 Response Impacts are assessed based how they compare to both existing conditions and impact indicators such as road density, visitor days, habitat acres, etc. Some impacts, such as noise from motorized vehicles, have no natural analog. Others, such as erosion or loss of vegetation due to OHV use, could be compared to natural events such as landslides or wildland fire and quantitatively might be minor compared to such background level. However, the purpose of the impacts assessment is to distinguish actions BLM has management control over versus those that occur naturally, and then to contrast those effects across alternatives in order to allow the public and the decisionmaker to arrive at a Preferred Alternative.

6101-06 Comment *The DEIS is not an environmental impact statement that evaluates the impacts and alternatives to the action before the action occurs as contemplated and required by NEPA.*

6101-06 Response The Proclamation is a Presidential prerogative not subject to the National Environmental Policy Act (NEPA) review. The action that the Draft RMP/EIS evaluates is the development of a resource management plan to manage the objects of the Monument consistent with the requirements of the Proclamation. Since the resource management plan is being developed contemporaneously with the EIS, it is in fact occurring before the action (selection of a management plan) occurs and the process is consistent with NEPA.

6101-07 Comment *Not only is the BLM failing to properly manage for natural quiet and solitude (even in the wild sections of the River) as required by the WSRA (see section below) but it is also failing to analyze the direct impacts of its action on this important Monument resource.*

6101-07 Response While natural quiet and solitude are not explicitly one of the objects of the Monument listed in the Proclamation, the BLM does address these attributes in its consideration of motorized vehicle use and motorized watercraft. Various levels of motorized vehicle access, use and watercraft use are allowed, disallowed, or restricted, in part, to address the quiet and solitude values present in the Monument as well as on the wild and scenic sections of the Upper Missouri National Wild and Scenic River.

6101-08 Comment *The DEIS, as written, reads more like a post hoc justification for the continuation of the status quo (i.e., a continuation of motorized watercraft use, ATVs, aircraft, livestock grazing, and oil and gas drilling) with a few minor adjustments and seasonal restrictions than an objective environmental analysis of a proposed action.*

6101-08 Response The Draft RMP/EIS and Proposed RMP/Final EIS provide a reasonable range of alternatives to guide future management of the Monument and compare the environmental consequences.

6101-09 Comment *These actions (Preferred Alternative) will have significant, direct impacts on the Monument's resources. Pursuant to NEPA, therefore, the BLM must, but has failed, to assess the direct impact of its action(s) on these resources.*

6101-09 Response Chapter 4 of the RMP/EIS addresses both direct and indirect impacts on resources affected by management actions under the reasonable range of alternatives discussed in Chapter 2. Since the Preferred Alternative is more restrictive on uses that might affect the objects of the Monument, when compared to current management, it does not create any new impacts on the objects, which is in conformance with the Proclamation.

Group		Planning/NEPA – Analysis
6101-10	*Comment*	*The DEIS discusses the impacts of its decision to recreational activities but neglects to address the impacts of such recreational activities on the Monument's fish and wildlife species. This is a major oversight.*
6101-10	Response	The Summary of Alternatives Table 2.39 in the Draft RMP/EIS (Table 2.41 in the Proposed RMP/Final EIS) shows the acres of wildlife habitat that would be within 1/4 mile of roads under each alternative. The impacts of recreational activities on the Monument's fish and wildlife species are discussed in Chapter 4 of the Draft RMP/EIS and the Proposed RMP/Final EIS, including potential impacts from hunting pressure, habitat fragmentation or auditory disruption.
6101-11	*Comment*	*It is your job to plan for the public land in the Monument within the context of what is and will happen on the adjacent private land. Those realities must not be ignored. The 75% number is the appropriate number - showing the plan is not acceptable.*
6101-11	Response	The geographic scope of the environmental effects analysis, including cumulative effects, addresses impacts to the resources and objects of the Monument; however, the analysis is not limited to actions occurring within the Monument, but includes all reasonable foreseeable actions occurring within and outside the Monument that have the potential to create significant impacts. For natural gas exploration and development, the reasonable foreseeable development included potential natural gas wells within 1/2 mile of the Monument. The impact analysis also considers the effect of actions occurring within the Monument that may extend outside the Monument.
6101-12	*Comment*	*There is little context within which people can analyze the importance of the Monument; it barely mentions the overwhelming response from people all across the Nation who believe that the Monument is a national treasure.*
6101-12	Response	Lands designated as a national monument are, by definition, of national importance. The purpose of the RMP/EIS is to address the management of the Monument based upon the planning criteria and issues identified during scoping. The RMP/EIS is analytical, considering alternatives to satisfy the legal and policy mandates for the protection of the objects of the Monument. This objective must be met regardless of how many people believe the Monument is or is not of national importance. Counting "votes" or relying on popular opinion to determine specific management actions is not appropriate.
6101-13	*Comment*	*The RMP and EIS did not analyze increased motor uses, road densities and oil, gas and mineral development on Global Warming. What is the difference of CO2 out put between the different management options? Two cycle motors are among the dirtiest in use today. There was no analysis done on air and water quality from the increased use of dirty outboard motors and ORVs.*
6101-13	Response	The environmental consequences section of the Draft RMP/EIS and Proposed RMP/Final EIS addresses the impacts from the six alternatives discussed in Chapter 2. This includes the direct, indirect, and cumulative impacts to air and water quality. The assessment of greenhouse gas emissions and climate change is in its formative phase; therefore, it is not yet possible to know with confidence the net impacts to climate. Many of the models needed to make effective decisions at the local and regional levels have not been developed. When further information on the impacts to climate change are known, such information would be considered in the implementation of this plan as appropriate. For additional information, please refer to the Analysis Assumptions and Guidelines section of Chapter 4 in the Proposed RMP/Final EIS.

Group		Planning/NEPA – Analysis
6101-14	*Comment*	*The BLM is required to analyze direct and indirect effects and their significance in its EIS. 40 C.F.R. § 1502.16. Direct effects are those "which are caused by the action and occur at the same time and place." 40 C.F.R. § 1508.8. Indirect effects are those "which are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable." Id. "Effects includes ecological . . ., aesthetic, historic, cultural, economic, social, or health, whether direct, indirect, or cumulative." Id.*
6101-14	Response	Chapter 4 of the EIS addresses both direct and indirect impacts on resources affected by management actions under the Preferred Alternative.
6101-15	*Comment*	*The BLM Failed to Use the Requisite Scientific Information and Objectivity* *The Data Quality Act ("DQA") requires the BLM to meet basic informational quality standards. 66 Fed. Reg. 49719. This standard of quality requires that the data used and published by the BLM meet four elements: a) quality; b) utility (referring to the usefulness of the data for its intended purpose; c) objectivity (the data must be accurate, reliable, and unbiased); and, d) integrity. Id.* *In addition to the DQA, NEPA imposes an affirmative duty on federal agencies to "insure the professional integrity, including scientific integrity, of the discussions and analysis in [an EIS]." City of Sausalito v. O'Neill, 386 F.3d 1186, 1213 (9th Cir. 2004) (quoting 40 C.F.R. § 1502.24); see also Earth Island Inst. v. United States Forest Serv., 351 F.3d 1291, 1302 (9th Cir. 2003) (claim will succeed "if Plaintiffs are able to convince the district court that the agency unreasonably relied upon inaccurate data"); Utahns for Better Transp. v. United States Dep't of Transp., 305 F.3d 1152, 1182 (10th Cir. 2002).* *In this case, the BLM failed to "insure the professional integrity, including the scientific integrity, of the discussions and analysis in the [DEIS]," in violation of NEPA and the DQA. First, the BLM has failed to footnote and properly cite statements made in the DRMP/DEIS to the references used in its bibliography. For example, the DRMP/DEIS states, "These [cottonwood] galleries also contribute to the dilution of sediments, arsenic, and nutrient loading in the Missouri River." DRMP/DEIS at 23. Without a properly cited reference to the bibliography, it is impossible to verify the validity of the statement except through an independent literature review. Simply appending a large bibliography to the DRMP/DEIS does not make the document scientifically correct. Without proper citation of reference materials, the BLM enables the DRMP/DEIS to avoid scientific scrutiny.*
6101-15	Response	Additional reference citations have been included in the Proposed Final RMP/EIS to provide the reader with the source for scientific information used in the analysis. Otherwise, the information, or impacts, are the professional judgment of the various BLM technical specialists. Besides the references cited, there are a number of inventories and studies in the planning record which provide supporting documentation for the information and analysis presented in the RMP/EIS. These inventories and studies contain metadata which documents how the data was collected and by whom. This approach has been used to ensure that the information used to prepare the RMP/EIS meets BLM's Information Quality Guidelines (Handbook 1601-1, part V.B. http://www.blm.gov/nhp/efoia/data_quality/), which is BLM's policy for addressing the requirements of the Data Quality Act.
6101-16	*Comment*	*National Environmental Policy Act Violations and Concerns: The Draft RMP Provides an Insufficient Analysis of Cumulative Effects on Cultural and Historic Resources.* *According to NEPA, BLM has an obligation to take a "hard look: at the potential environmental consequences of cumulative impacts. 40 C.F.R. § 1508.25(c)(3); see also Neighbors of Cuddy Mountain, 137 F.2d at 1379 (Forest Service must "consider cumulative impacts"). Cumulative impacts are the compounding of an action on "other past, present,*

and reasonably foreseeable future actions regardless of what agency (Federal or non-Federal) or person undertakes such actions." 40 C.F.R. § 1508.7 (emphasis added). These impacts "can result from individually minor but collectively significant actions taking place over a period of time." Id. As summarized in Muckleshoot Indian Tribe v. U.S. Forest Service:

[A]n EIS must 'catalogue adequately the relevant past projects in the area.' It must also include a 'useful analysis of the cumulative impacts of past, present and future projects.' This requires 'discussion of how [future] projects together with the proposed . . . project will affect [the environment].' The EIS must analyze the combined effects of the actions in sufficient detail to be 'useful to the decisionmaker in deciding whether, or how, to alter the program to lessen cumulative impacts.' Detail is therefore required in describing the cumulative effects of a proposed action with other proposed actions.

177 F.3d 800, 809-10 (9th Cir. 1999) (quoting City of Carmel-By-The-Sea v. U.S. Dept. of Transp., 123 F.3d 1142, 1160 (9th Cir. 1997) (citations omitted)).

Chapter 4 of the Draft RMP is virtually devoid of any "useful analysis" or an adequate catalogue of projects with specific information regarding cumulative impacts associated with the development and activities proposed. See Draft RMP at 205-06; 266-67; 279; 289-90; 310-12; 321-23. Although individually proposed management activities may create only minor impacts on cultural resources, collectively these activities could have significant impacts on cultural resources. In short, the cumulative impact information provided in the Draft RMP simply lacks enough detail to satisfy NEPA's "hard look" requirement.

Recommendation: The National Trust strongly recommends that BLM take a "hard look" at the cumulative impacts of all reasonably foreseeable activities on federal, state, and private lands. BLM must make an effort to examine the cumulative impacts from a broader perspective then is currently examined in the Draft RMP.

6101-16 Response

The purposes of the RMP is not to present a "catalogue of projects" that may or may not occur, but to develop overall management guidance for potential projects which could be formulated in the future. That is, the RMP provides a broad overview of the management objectives those projects would have to meet (or be used to implement). Once the RMP is in place, site-specific National Environmental Policy Act (NEPA) analysis would be prepared if and when specific projects are ripe for analysis. The site-specific analysis would be used to evaluate not only the impacts of a particular project, but whether the project is consistent with the RMP. Only those projects that are consistent with the approved RMP would be implemented. The RMP sections cited in the comment describe the cumulative impacts that could result from management actions under that particular alternative. This cumulative impact represents the limit or upper end of impacts anticipated from all management actions under that alternative. The site-specific environmental analyses for individual projects, or use authorizations, would consider the cumulative impacts to ensure they do not exceed the levels described in the EIS.

6101-17 Comment

The proposed transportation network is excessive and unnecessary and is not compatible with the values for which this monument was created. This is especially true when the extensive road system and road corridors are combined with six recreational airstrips and the drilling of a projected 34 gas wells all in the Bullwhacker, an area described in the proclamation as containing some of the wildest country on all of the Great Plains, as well as important wildlife habitat.

6101-17 Response

The intent of the Proclamation is to preserve the objects of the Monument and to honor valid existing rights. Decreasing the number of airstrips to six, as proposed by the Preferred

Group		**Planning/NEPA – Analysis**
		Alternative, to less than those present when the Monument was established, is not incompatible with the values for which the Monument was created. If the lands were considered some of the wildest country on all the Great Plains before the Monument designation with 10 yearlong backcountry airstrips, they certainly retain this distinction by decreasing the number of airstrips from ten to six. Likewise, decreasing the road density to less than what existed at the time of the Proclamation is not inconsistent with the Proclamation. The potential drilling of 34 gas wells using additional conditions of approval as a way of honoring valid existing rights while protecting Monument values, which is not inconsistent with the Proclamation that specifically requires that existing oil and gas lease rights be honored.
6101-18	*Comment*	*The resource management plan itself is intended to highlight and examine and analyze those impacts, and this lack of discussion within the resource management plan leaves it vulnerable to not only legal challenges, but also to an inadequate plan. Largely, that most people can't point to as a positive program for the people.*
6101-18	Response	The Draft RMP/EIS addresses significant issues identified during the scoping process and presents various management plans (alternatives), developed using the planning criteria, to resolve those issues.
6101-19	*Comment*	*The draft RMP/EIS did not provide much disclosure of anticipated cumulative effects of all resource development activities. We are particularly concerned about the cumulative effects associated with oil and gas drilling and production activities. The draft RMP/EIS indicates that ancillary facilities would be needed to support oil and gas activities, including drill pads, production facilities and equipment, compressors, pumping units, pipelines, sheds, water disposal pits, ground based communication sites, permanent roads accessing drill pads and production equipment and pipelines, temporary roads for access during construction, and powerlines feeding pump stations (page 86). The draft RMP/EIS indicates that with the preferred alternative 34 wells could be drilled within the Monument and another 21 wells within 1/2 mile of the Monument (page 290), and 11.1 miles of new road and 3.9 miles of pipeline within the Monument and 4 miles of new road and 1.4 mile of pipeline within 1/2 mile of the Monument.* *There is not much discussion and disclosure of the cumulative effects of all these wells and the ancillary facilities on wildlife and other ecological resources within and near the Monument. The potential cumulative impacts from these wells and ancillary facilities may be significant and should be more fully discussed and disclosed in the FEIS.*
6101-19	Response	The environmental consequences section (Chapter 4) includes the assumptions and guidelines used for analyzing the impacts of each alternative. These assumptions provide the basis for the cumulative impacts analysis, which is addressed in the environmental consequences for each resource and summarized at the end of each section. This includes the Reasonable Foreseeable Development (RFD) scenario for natural gas exploration and development. This RFD is the basis for assessing cumulative impacts from further natural gas exploration and development. The impacts disclosed under each resource include an analysis based on the RFD, including the potential for new natural gas wells, roads, and pipelines.
Group		**Planning/NEPA – Budget/Staff**
6102-01	*Comment*	*The requirements imposed on state and county governments and private property owners by the Draft RMP/DEIS violate the Unfunded Mandates Reform Act ("UMRA"), 2 U.S.C. § 1501 et seq. The Draft RMP/DEIS would require additional services, such as county*

emergency services, to be provided by the Counties, would require ranchers to take additional actions to manage livestock grazing on the Monument, and would impose a number of enforceable restrictions on natural gas operators. The UMRA requires that, "before promulgating any general notice of proposed rule making that is likely to result in promulgation of any rule that includes any Federal mandate that may result in the expenditure by State, local, and tribal governments, in the aggregate, or by the private sector, of $100,000,000 or more (adjusted annually for inflation in any 1 year)," the agency must prepare a written statement assessing the qualitative and quantitative costs and benefits on State and local governments and the private sector. 2 U.S.C. § 1532(a)(2).

The BLM has failed to adequately outline the quantitative and qualitative economic impacts on the private sector. Similarly, the economic analysis is completely devoid of any quantitative or qualitative costs or benefits to the Counties, the State and other local governments from imposition of the Draft RMP/DEIS. The only real quantitative assessment is of the change in output, employment and labor for the regional economy from natural gas operations under the different alternatives. Draft RMP/DEIS at 341.

The UMRA additionally requires that the agency estimate the future costs of complying with the federal mandate, as well as any disproportionate budgetary effects upon State or local governments or particular segments of the private sector. 2 U.S.C. § 1532(a)(3). Nowhere in the Draft RMP/DEIS does the BLM provide such an estimate. As stated in the section on economic analysis, the costs of complying with the DRMP/DEIS would significantly impact the local tax base (due to decreases in ranch values, decreased revenue from natural gas operations, and a decrease in the tax base due to BLM land acquisitions). The BLM failed to provide an analysis of the budgetary impact to the Counties of having to provide increased emergency services on the Monument.

The Act further requires the agency to provide a description of the extent to which the agency has consulted with elected representatives of State, local, and tribal governments, a summary of the representatives' comments and concerns (submitted either orally or in writing), and the agency's evaluation of those comments and concerns. 2 U.S.C. § 1532(a)(5). While the DRMP/DEIS does outline, in some respects, the extent to which these governments were involved in the preparation of the DRMP/DEIS, it does not summarize the comments that these agencies provided. See, e.g., DRMP/DEIS at 2, 343-51. For example, the DRMP/DEIS notes that Montana Governor Judy Martz, at the request of Secretary Norton, developed a task force to provide recommendations to the Secretary of the Interior. Id. at 2. The DRMP/DEIS then notes that the task force made nine recommendations, which the BLM considered and decided were outside the BLM's authority. Although the BLM explains the reasons for its rejection of the recommendations, it does not provide any summary of the substance of the recommendations.

Finally, the UMRA requires that the BLM "enable officials of affected small governments to provide meaningful and timely input in the development of regulatory proposals containing significant Federal intergovernmental mandates" and "inform, educate, and advise small governments on compliance with the requirements." 2 U.S.C. § 1533(a). While the Counties were included as cooperating agencies in the development of the Draft RMP/DEIS, the BLM has completely ignored the concerns of these local governments, thereby preventing them from providing meaningful input into the process. For example, the BLM has completely ignored the concerns of local communities regarding the impacts of the alternatives on school funding. Additionally, the BLM has failed to adequately "inform, educate, and advise" these governments of the burdens that will be imposed on them through the adoption of the Draft RMP/DEIS.

6102-01 Response The Unfunded Mandates Reform Act of 1995 applies to Federal statutes and regulations on State, local, and tribal governments. The BLM prepares resource management plans based

on FLPMA and the regulations for the development, approval, maintenance, amendment and revision of resource management plans. The decisions in resource management plans guide future land management actions and subsequent site-specific implementation decisions. Resource management plans are not Federal statutes or regulations subject to the Unfunded Mandates Reform Act.

Fees associated with a special area permit to boat the Missouri River could be used to support county emergency services. The cost of the permit would be established through a business plan based on the cost of operating the permit system, special costs related to management of the area, comparability with other agencies and similar special areas, and fairness and equity among all users. Development of the business plan would address the disbursement of any fees and would involve the Central Montana Resource Advisory Council (RAC) and an opportunity for public involvement.

The economic analysis in the Proposed RMP/Final EIS includes additional information on the economic conditions in the local area and the potential impacts from implementing the alternatives.

The State of Montana and the counties' involvement in the preparation of the RMP/EIS, including comments on the Draft, is included in Chapter 5 of the Proposed RMP/Final EIS. The State of Montana is a cooperating agency in this planning process, guided by a February 2003 memorandum of understanding. The State of Montana has been represented on the interdisciplinary planning team through a representative designated by the Governor. Blaine, Chouteau, Fergus, and Phillips Counties are also cooperating agencies in this planning process, guided by memorandums of understanding established in November 2002. Fergus and Blaine Counties have been represented on the interdisciplinary planning team while Chouteau and Phillips County have relied on Fergus County for their involvement on the planning team. Representatives from the state and counties have been involved in numerous interdisciplinary team meetings and reviews of internal working documents during preparation of the Draft RMP/EIS and Proposed RMP/Final EIS.

The Governor's Task Force recommendations were considered during the development of the RMP/EIS and are now summarized in Appendix D of the Proposed RMP/Final EIS along with an explanation of how the recommendations were addressed.

6102-02 *Comment* *To date what has the Monument cost the American taxpayers, surely there is a budget for this project and I think the public would be very interested in what this Monument has already cost them and what it will continue to cost to maintain in the future.*

6102-02 Response Preparation of the resource management plan began in April 2002. Since that time about $3.8 million has been spent on developing the Monument RMP. This includes both labor and operational dollars for contracts, inventories, travel, public meetings, and printing. In Fiscal Year 2007, the Monument was managed with a staff of 19 that included four seasonal employees, along with support from seven individuals from other BLM offices.

6102-03 *Comment* *Listing the issue of adequate funding for management of the Monument as one of the "Issues Considered But Not Further Analyzed" is an error that sets the stage for inefficient and inappropriate management of this important area. Deciding on a plan that will not be adequately funded or implemented does not make good fiscal sense. The end result could be ineffective management that actually has a negative impact on the area. To realize successful management of such an important area, it is critical that funding availability be identified upfront, so that limited funds can be dispersed in the most effective manner. Available funding and cost estimates associated with each management alternative should be published and considered when deciding on a management plan.*

If BLM proposes to rely on mitigation to justify keeping roads open, permitting oil and gas development under certain conditions or allowing other activities that pose risks to Monument object, then the agency must propose appropriate mitigation and provide sufficient detail in order to shows a likelihood of both implementation and success, including a discussion of budgets. If BLM proposes monitoring as part of mitigation, then it must propose a detailed monitoring plan and provide reasonable justification that the proposal is realistic and likely to occur given foreseeable expectations for budget and staff.

6102-03 Response

Decisions from the RMP would be implemented over a period of years depending on budget and staff availability. Enforcement and education to protect the values of the Monument will be part of this implementation. The BLM's budget process includes an annual work plan for setting priorities and allocating funding based on final congressional appropriations. This process allows for changing conditions and priorities based on resource monitoring. Funding levels affect the timing and implementation of management actions and project proposals, but do not affect the decisions made in an RMP.

Through implementation an adaptive management approach may also be used for specific activities in the Monument, if appropriate, consistent with Secretarial Order 3270 (Adaptive Management). Adaptive management would require activity level planning, environmental review, and public involvement.

The implementation and monitoring process for the Monument involves four major steps: planning, implementing, monitoring, evaluating, and adjusting as necessary through planning. Planning involves a great amount of time and resources to identify issues and management opportunities to address those issues. During the planning process, the scope of the issue is identified and management goals, objectives and actions are defined to address the issues. Once the planning process is completed, decisions are implemented, monitored, and evaluated to determine if goals are being met and if management actions are achieving the desired objective or standard. Results of monitoring are documented and communicated to appropriate parties and management objectives and actions are modified based on results, if necessary.

The BLM will review monitoring results on a periodic basis, and any management objectives or actions that may need to change or be adjusted will be open to public review and comment before decisions are made through an environmental review process. Appendix H provides more information on implementation and monitoring.

6102-04 *Comment*

The BLM should be held responsible for seeing to it that all current and future regulations be enforced. Additionally, we urge the BLM not to allow any activity that it does not have the staff or resources to regulate effectively and efficiently.

6102-04 Response

Enforcement and education to protect the values of the Monument will be part of the implementation of the Monument RMP. The BLM's budget process includes an annual work plan for setting priorities and allocating funding based on final congressional appropriations. This process allows for changing conditions and priorities based on resource monitoring.

6102-05 *Comment*

OHV recreationists have significant needs that have gone unmet for many years due to the lack of adequate funding. The lack of adequate funding and attention to these needs has also contributed to some concerns associated with OHV recreation. An adequate level of funding, as discussed above, would address all needs and concerns associated with OHV recreation including environmental protection and mitigation projects, education and safety programs, the enhancement of existing recreation opportunities and, the development of new OHV recreation opportunities necessary to meet the needs of the public. We request the development of a funding mechanism that equitably returns gas tax revenues directly to OHV recreationists.

Group		Planning/NEPA – Budget/Staff
6102-05	Response	Decisions from an RMP would be implemented over a period of years depending on budget and staff availability. Enforcement and education to protect the values of the Monument will be part of this implementation. The BLM's budget process includes an annual work plan for setting priorities and allocating funding based on final congressional appropriations. This process allows for changing conditions and priorities based on resource monitoring. Gas tax roads are a subset of county rural roads, and can be public, BLM, or county roads with unrestricted access. Revenues from gas tax road are county revenues that are not within BLM's authority to manage or disperse.
6102-06	*Comment*	*Scientists may come from within federal or state agencies, or the general public, and may hold a variety of important and influential positions. The study team should:* *1) require minimum standards and criteria for qualifications which must be met before a scientist can be deemed an "expert";* *2) provide minimum standards and criteria for determining when a scientist may be deemed "independent"; and* *3) provide a minimum amount of public notice and opportunity to object whenever any such scientist is considered for such participation, whether such position is permanent or temporary, full time or part time, voluntary or compensated. Such notice should include the qualifications of the individual, the role which the individual will have in such participation, and the type and duration of the position.*
6102-06	Response	Chapter 5 of the RMP/EIS includes the list of preparers along with their educational qualifications and the section of the document they were primarily responsible for preparing. While the planning process includes several opportunities for public involvement (scoping, alternative development, and comments on a draft document) it does not provide for public notice and review of hiring staff positions within the agency.
6102-07	*Comment*	*Agencies are encouraged to establish greater credibility with motorized recreationists by having motorized recreation planners on the interdisciplinary team and a board of motorized recreationists.*
6102-07	Response	Chapter 5 of the RMP/EIS includes the list of preparers along with their educational qualifications and the section of the document they were primarily responsible for preparing. Three outdoor recreation planners were included on the interdisciplinary team for preparing the RMP/EIS.
6102-08	*Comment*	*Immediately upon Breaks NM RMP completion, effect and enforce a strong Breaks NM boundary sign program to clearly identify the federal land and resources.*
6102-08	Response	Decisions from an RMP would be implemented over a period of years depending on budget and staff availability. Signing will be part of this implementation. Funding levels affect the timing and implementation of management actions and project proposals, but do not affect the decisions made in an RMP.
6102-09	*Comment*	*The management plan should provide opportunities for the BLM to meet change in a timely manner. How the US government or the BLM will accomplish these tasks with adequate staffing and funding seems difficult at best viewing the current economic state of affairs however I think mechanisms should be included in the plan to view the current reality and even a rose colored future.*
6102-09	Response	Decisions from an RMP would be implemented over a period of years depending on budget and staff availability. The BLM's budget process includes an annual work plan for setting

priorities and allocating funding based on final congressional appropriations. This process allows for changing conditions and priorities based on resource monitoring. Funding levels affect the timing and implementation of management actions and project proposals, but do not affect the decisions made in an RMP.

6102-10 *Comment* *The "pack it in and pack it out" rule should be strictly enforced.*

6102-10 Response Decisions from an RMP would be implemented over a period of years depending on budget and staff availability. Enforcement and education to protect the values of the Monument will be part of this implementation.

6102-11 *Comment* *While I understand that this plan does not address funding, decisions prioritizing existing resources should be made in order to manage the encroachment on the Monument. This may mean forbidding certain activities entirely until more funding becomes available.*

6102-11 Response The BLM's budget process includes an annual work plan for setting priorities and allocating funding based on final congressional appropriations. This process allows for changing conditions and priorities based on resource monitoring. Funding levels affect the timing and implementation of management actions and project proposals, but do not affect the decisions made in the RMP.

6102-12 *Comment* *The draft RMP fails to account for budgetary constraints and the implications on its ability to protect the objects of the Monument.*

No backcountry airstrips, fewer roads, and a phase out of motorized recreational watercraft in the UMRBNM will not only comply with the spirit of the Proclamation but will also simplify BLM's administrative challenges while saving taxpayer dollars. This increasingly important aspect of Monument planning must be incorporated into RMP analysis.

6102-12 Response Decisions from the RMP would be implemented over a period of years depending on budget and staff availability. Funding levels affect the timing and implementation of management actions and project proposals, but do not affect the decisions made in the RMP. The BLM's budget process includes an annual work plan for setting priorities and allocating funding based on final congressional appropriations. This process allows for changing conditions and priorities based on resource monitoring.

6102-13 *Comment* *The plan must be cost effective. The more complicated and unenforceable provisions become, there will be a decline in the quality of and safety on our public lands.*

6102-13 Response Decisions from the RMP would be implemented over a period of years depending on budget and staff availability. Enforcement and education to protect the values of the Monument will be part of this implementation. Funding levels affect the timing and implementation of management actions and project proposals, but do not affect the decisions made in an RMP.

Group **Planning/NEPA – Public Involvement**

6103-01 *Comment* *Comments/input/opinions from local landowners, residents and affected interests should be given priority, carry more weight and be taken more seriously than comments from those who do not live in the four county area containing monument lands or out of state organizations and those who will never visit this monument. The affected citizens should be given increased opportunities to participate because they have the most to lose from poor*

management decisions; whether those decisions deal with transportation planning or any other resource issue. Past Secretary of the Interior Norton wrote that the transportation plan should be based on input from the locals and that they should be given expanded opportunities for citizen participation in monument planning.

The BLM should give extraordinary weight to people seeking a quiet, tranquil experience.

6103-01 Response Our planning regulations require the BLM to consider each comment thoroughly and equally to see if it provides new information, corrects a factual error in the draft, helps formulate a new alternative or revises an alternative considered in the draft. Our planning regulations do not allow us to enlarge or diminish the value of any comment based on the commenter's location, livelihood, ability to travel, economic status, philosophical disposition or any other criterion.

By their very proximity, local residents have easier access to citizen participation opportunities such as scoping and alternative formulation meetings. Without exception, local residents were prominent at every scoping meeting, alternative formulation meeting, Draft RMP/EIS meeting and any other public participation opportunity involving this planning effort. Local residents also find it easier to stop by the Lewistown, Havre or Malta BLM offices to discuss their concerns or ideas directly with planning team members. Those citizens living in northcentral Montana are also most familiar with the planning area and usually provide the most specific comments which can be carried forward into the planning process. The planning effort surrounding this Monument has provided multiple and equitable opportunities for public involvement throughout northcentral Montana, the region, state and nation.

6103-02 Comment *We've participated in this process, but our comments were only shown in the back of the document and our efforts did not change anything. It's hard to remain enthusiastic because everything we said has went by deaf ears. The BLM has already chosen the alternative to implement and public comment is nothing but a hurdle to cross before the bureaucracy proceeds with what it wants.*

6103-02 Response The physical location of differing types of information in a planning document is determined by a common format used nationally by the BLM. Whether information is shown in the front, middle or the latter portions of a document has no bearing on how useful or valid that information is.

Public involvement is a collaborative process that gathers specific information from all citizens and interests choosing to participate and applies that information throughout the planning process to create better management decisions. The BLM considers public involvement a very important segment of this planning process and goes to extra lengths to encourage public participation. The public effort does not fall on deaf ears, but is one of the factors that continuously shapes and reshapes management plans.

However, as valuable as public involvement is to the BLM, it does not guarantee agreement among individuals, organizations or resource managers and because of the diversity of comments received, it seldom creates a specific direction for the decision maker. The management direction recommended via a collaborative planning process (that must consider all comments) seldom mirrors the specific comments from any one individual or organization. As a result, that individual or organization often feels dissatisfied with the public process or that the management decisions have already been made. That is not the case. The BLM's planning process carefully considers the specific information provided by each individual and organization while working toward management decisions that must consider the collective body of specific information provided by all individuals and organizations.

Group		Planning/NEPA – Public Involvement
6103-03	*Comment*	*The BLM should create a citizen watch program, a special resource advisory council, an interagency wildlife management council, an organic and cooperative agreement with the Montana Fish, Wildlife and Parks or use the Montana Pilots Association to help manage the monument. Working partnerships with state agencies, communities, users, guides and landowners will continue to be an important aspect of managing this Monument.*
6103-03	Response	The BLM has the latitude to create such councils or volunteer agreements without going through the resource management planning process.
6103-04	*Comment*	*Why doesn't the BLM require those commenting to provide reports indicating they have actual knowledge of the area; or that they are taxpaying residents of Montana; or to prove that they have contributed to the state and county(ies) containing Monument land.*
6103-04	Response	The BLM's planning policy does not allow such requirements of those choosing to participate.
6103-05	*Comment*	*The BLM put on a pretense of cooperating with local governments during the preparation of the draft, but needs to listen to and cooperate with county and state officials more.*
6103-05	Response	In November 2002, the BLM and Chouteau, Blaine, Fergus and Phillips Counties signed a memorandum of understanding (MOU) enlisting the counties as cooperative agencies and defining the roles and responsibilities for these partners (and the BLM) throughout the planning process. Being a cooperating agency grants a special status to the counties and engages their full participation in the planning process. The MOU acknowledges the high level of interest the counties have in this management plan and the capability and familiarity the counties bring to the planning process. It also ensures the working relationship meets the purposes and intent of the Federal Land Policy and Management Act (FLPMA) and the National Environmental Policy Act (NEPA). As cooperating agencies, the counties are full partners in the collaborative planning process and their participation and capabilities were extremely valuable in the preparation of this management plan. The BLM and the planning team considered all of the input offered by the counties; however, some of their comments dealt with topics beyond the scope of BLM's authority (the size of the Monument, boundaries, adjacent private land) and were not carried forward into the management plan. All other comments offered by the counties were carried forward through the collaborative planning process. However, the very nature of a collaborative process does not assure any partner on the planning team that his/her agenda for these public lands will mirror the Preferred Alternative. That does not mean substantive comments offered by the counties, or any other interest, were not seriously considered. The management direction recommended via a collaborative planning process (that must consider all comments) seldom mirrors the specific comments from any one individual or organization. As a result, that individual or organization often feels dissatisfied with the public process or that the management decisions have already been made. That is not the case. The BLM's planning process carefully considers the specific information provided by each individual and organization while working toward management decisions that must consider the collective body of specific information provided by all individuals and organizations.
6103-06	*Comment*	*Most comments beg the BLM to protect habitat, close airstrips and unnecessary roads, keep the area pristine and keep part of the river non-motorized.* *The locals are kind of getting outbid on these numbers and we ask that comments not be used as votes.*

Group		Planning/NEPA – Public Involvement
6103-06	Response	BLM resource planning is not a voting process. Specific comments and information drive the planning process. We examine each comment to see if it provides new information, corrects a factual error in the draft, helps formulate a new alternative, or revises an alternative considered in the draft. If we receive thousands of letters/forms/emails/petitions conveying the same information item, that item is considered as one piece of information in the planning process, not as thousands of pieces of information.
6103-07	*Comment*	*The size of the draft is being used to overwhelm the public and allow the agency to effectively ignore the needs for motorized access and motorized recreation. The process must accommodate the needs of citizens who are not organized to the level of environmental organizations. We request that the process adequately meet public involvement requirements with respect to motorized visitors.*
6103-07	Response	The size and complexity of a planning document are driven by the number of issues considered, the number of resources described, the number of alternatives designed to resolve those issues, the content of public comments received and the analysis created by this combination of information. The Draft RMP/EIS contains 371 pages of information and analysis and 139 pages of support material. By its very purpose, the Draft RMP/EIS is an analytical document and some of the information presented is of a technical nature. However, there is no design to overwhelm the public with unnecessary information. The Draft also contains a number of tools (a reader's guide and summary, a summary comparison table of the alternatives, a summary table of the environmental consequences, an index, a content directory, and reader's tabs at the bottom of each page) to help the reader track specific issues, resources or alternatives through the document. Our public involvement process is designed to provide citizens with numerous and equitable opportunities to participate, whether they are members of organizations or individuals with an interest in public resource management. The length of the comment period, the ease of commenting via mail or email, the number of public meetings held and other communications tools such as newsletters, updates and press releases are all designed to enhance equitable public involvement. The public involvement opportunities surrounding this RMP have been multiple, equitable and available to all interests. Motorized interests (whether individuals or organizations) have been well represented throughout the public involvement portion of this planning effort. Of the total mileage of roads the BLM was able to inventory in this Monument, roughly 67% would remain open for motorized use either year-round or seasonally.
6103-08	*Comment*	*I was disappointed that the meeting format involved giving comments before the audience rather than just BLM. This format simply encouraged government and monument critics to grandstand. The meetings were stacked with outfitters and ranchers.*
6103-08	Response	The public meetings (to gather comments about the Draft RMP/EIS) provided opportunities to visit with BLM resource specialists at information stations around the meeting room and to provide comments before the audience. We felt it was important to provide a meeting format that allowed citizens to offer their comments and concerns before the group as a whole. We recognize that there are inherent risks (grandstanding, speaker/audience behavior, intimidation and playing to the audience) with this meeting format. In an attempt to avoid that type of audience behavior, we employed a neutral facilitator to conduct the public comment portion of the Draft RMP/EIS meetings. These meetings were open to all who chose to participate and the BLM has no control over which interest groups attend in the largest number.

6103-09 Comment

The BLM Failed to Coordinate With Local Governments. One of the purposes of the regulations implementing NEPA is to "[e]mphasize[] cooperative consultation among agencies before the environmental impact statement is prepared rather than submission of adversary comments on a completed document." 40 C.F.R. § 1501.1(b). During the scoping process, the BLM is required to "[i]nvite the participation of affected Federal, State, and local agencies." 40 C.F.R. § 1501.7(a)(1). Furthermore, by executive order, the President has required the Department of the Interior to carry out "the programs, projects, and activities of the agency" in a manner that "facilitates cooperative conservation" and "properly accommodates local participation in Federal decision making." Facilitation of Cooperative Conservation, E.O. 13352, 69 FR 52989 (August 26, 2004). "Cooperative conservation" is defined as "actions that relate to use, enhancement, and enjoyment of natural resources, protection of the environment, or both, and that involve collaborative activity among Federal, State, and local and tribal governments, private for profit and nonprofit institutions, other nongovernmental entities and individuals." Id.

In addition to the public participation required by NEPA, Congress has created public participation procedures for developing land and resource management plans under the Federal Land Policy and Management Act ("FLPMA"). See 43 U.S.C. § 1712(f) ("The Secretary shall allow an opportunity for public involvement and by regulation shall establish procedures, including public hearings where appropriate to give Federal, State, and local governments and the public adequate notice and opportunity to comment upon and participate in the formulation of plans and programs relating to the management of the public lands."). Additionally, Congress directed the Secretary to establish comprehensive rules to assure third party involvement in agency decision making. 43 U.S.C. § 1701(a)(5). "Public involvement" is defined as:

the opportunity for participation by affected citizens in rulemaking, decisionmaking, and planning with respect to public lands, including public meetings or hearings held at locations near the affected lands, or advisory mechanisms, or such other procedures as may be necessary to provide public comment in a particular instance.

43 U.S.C. § 1702(d) (emphasis added).

In this case, while the BLM has put on a pretense of cooperating with local governments, the BLM's cooperation with local governments has been largely illusory. In 2001, Secretary Norton asked for input from local officials in developing management plans for Clinton's monument designations. DRMP/DEIS at 2. In response, Montana Governor Judy Martz appointed a seven-member task force of local officials to provide recommendations. Id. These officials submitted their recommendations to the BLM in August of 2001. Id. While the BLM claims that most of these recommendations were not within the BLM's authority, nowhere in the DRMP/DEIS does the BLM elaborate on what recommendations these local officials provided, nor does the BLM provide any substantive response to the local officials' concerns. The Ninth Circuit has recognized that "there must be good faith, reasoned analysis in response" to public comments. California v. Block, 690 F.2d 753, 773 (9th Cir. 1982). Without this information, it is impossible to tell to what extent the BLM has actually considered the concerns of local governments.

In 2002, the BLM and Blaine, Chouteau, Fergus, and Phillips Counties entered into a Memorandum of Understanding ("MOU"), giving the counties cooperating agency status in the planning process. MOU at § 1, ¶ 2. Despite this "special status," the counties have had little ability to impact the outcome of the DRMP/DEIS. Collectively, the counties only had two votes on the BLM's thirty-plus member ID Team, and the counties' positions on issues were often lost in the lengthy deliberations. In some cases, the BLM blatantly ignored the counties' positions. For example, the BLM ignored a recommendation by the representative of the four counties to leave the boating restrictions as they presently exist. In a meeting debating the issue, the BLM planning team initially reached a general

agreement to leave the boating restrictions as they existed. This agreement was later rejected by the BLM due to the thousands of public comments (mostly form letters), that the BLM received on the issue. Thus, the BLM has allowed the voices of those far away from the Monument to take precedence over the voices of the local governments.

The MOU states, that the "the BLM will incorporate, to the maximum extent possible, the comments, recommendations and/or data submitted by the Counties in the RMP and EIS." MOU at § III, ¶ 6. Nowhere in the DRMP/DEIS does the BLM outline what comments, recommendations, or data the counties submitted, nor does the BLM explain to what extent, if any, the BLM actually incorporated the counties' comments, recommendations, and data. In the case that the counties' recommendations were not incorporated (as it is believed they were not), there is no explanation as to why the BLM chose to disregard them. At a minimum, the BLM should have documented the counties' positions on the issues so that federal decision-makers and the public could adequately determine whether, and to what degree, the counties' input was considered.

The MOU also states that the counties would receive all drafts of the RMP and EIS. MOU at § 3, ¶ 9. However, the BLM did not go to the counties with various proposals to be included in the DRMP/DEIS to officially ascertain the counties' positions on any given issue. The failure to provide these documents to the counties prior to releasing them to the public contradicts the requirements of the MOU and further supports the argument that the BLM's "cooperation" with the local governments was largely illusory.

6103-09 Response Throughout the preparation of the Draft RMP/EIS and Proposed RMP/Final EIS, preliminary documents were reviewed at various levels within the BLM and by the cooperating agencies to ensure they were in compliance with the various laws, policies and guidelines applying to public land.

In November 2002, the BLM and Chouteau, Blaine, Fergus and Phillips Counties signed a memorandum of understanding (MOU) enlisting the counties as cooperative agencies and defining the roles and responsibilities for these partners (and the BLM) throughout the planning process. Being a cooperating agency grants a special status to the counties and engages their full participation in the planning process. The MOU acknowledges the high level of interest the counties have in this management plan and the capability and familiarity the counties bring to the planning process. It also ensures the working relationship meets the purposes and intent of the Federal Land Policy and Management Act (FLPMA) and the National Environmental Policy Act (NEPA).

As cooperating agencies, the counties are full partners in the collaborative planning process and their participation and capabilities were extremely valuable in the preparation of this management plan. The BLM and the planning team considered all of the input offered by the counties; however, some of their comments dealt with topics beyond the scope of BLM's authority (the size of the Monument, boundaries, adjacent private land) and were not carried forward into the management plan. All other comments offered by the counties were carried forward through the collaborative planning process.

6103-10 Comment *Of the 5,676 BLM public scoping comments made in 2002, there was not a single comment on airstrips.*

6103-10 Response Over 40 comments were received during scoping concerning airstrips and aviation.

6103-11 Comment *Must we sue the BLM to get your selected attention?*

6103-11 Response The procedures for protesting or appealing this Proposed RMP/Final EIS are given in the Dear Reader letter at the beginning of this document.

Group		Planning/NEPA – Public Involvement
6103-12	*Comment*	*What frightens the BLM away from Missoula, Montana, and the Bitterroot Valley? Public meetings at Billings, Great Falls, Kalispell, and Helena are scheduled public meetings. So why no meeting at the University of Montana in an area well-known to the Lewis and Clark Expedition?* *Why you are having a hearing in Kalispell. Why didn't you have one in Miles City - it would have more concern than Kalispell.*
6103-12	Response	We were not requested to host meetings in Missoula or Miles City. Also, we felt that the number and locations of the public meetings we did host, the length of the comment period, the media coverage that accompanied this planning effort and the ease of commenting by mail or email presented equitable opportunities for all to comment.
6103-13	*Comment*	*"The lifestyle and concerns of area residents, including grazing and ranching, will be recognized in the plan," apparently 9 comments from local residents out of 5,800 comments was chosen by the BLM to analyze. What happened to the other 5,791 concerns?*
6103-13	Response	BLM resource planning is not a voting process. Specific comments and information drive the planning process. We examine each comment to see if it provides new information, corrects a factual error in the draft, helps formulate a new alternative, or revises an alternative considered in the draft. If we receive thousands of letters/forms/emails/petitions conveying the same information item, that item is considered as one piece of information in the planning process, not as thousands of pieces of information.
6103-14	*Comment*	*I found it very interesting that this has taken you 2 years to prepare the RMP/EIS and we the landowners who have the most to lose have only 2 minutes to respond or send a written response which we know will be shuffled aside.*
6103-14	Response	The number of people wanting to offer comments during the public meetings did require a time limit for each person speaking. However, the comment period for the Draft RMP/EIS was 180 days long, nearly half a year, and there were multiple/equitable means and opportunities for submitting comments. The efforts surrounding the public involvement phase of this planning project (public meetings, briefings, mailings and press releases) were designed to provide ample time and ease of opportunity for everyone to participate. Public involvement is a collaborative process that gathers specific information from all citizens and interests choosing to participate and applies that information throughout the planning process to create better management decisions. The BLM considers public involvement a very important segment of this planning process and goes to extra lengths to encourage public participation. The public effort does not fall on deaf ears, but is one of the factors that continuously shapes and reshapes management plans. However, as valuable as public involvement is to the BLM, it does not guarantee agreement among individuals, organizations or resource managers and because of the diversity of comments received, it seldom creates a specific direction for the decision maker. The management direction recommended via a collaborative planning process (that must consider all comments) seldom mirrors the specific comments from any one individual or organization. As a result, that individual or organization often feels dissatisfied with the public process or that the management decisions have already been made. That is not the case. The BLM's planning process carefully considers the specific information provided by each individual and organization while working toward management decisions that must consider the collective body of specific information provided by all individuals and organizations.

Group		Planning/NEPA – Public Involvement
6103-15	*Comment*	*Part of NEPA is to make informed decisions with public participation. While BLM is now holding public meetings, did the landowners have a say in this prior decision?*
6103-15	Response	Department of the Interior officials did conduct public meetings and question and answer meetings with landowners and other interests in central Montana in 1998 and 1999. The Central Montana Resource Advisory Council (RAC) also hosted multiple public meetings in the fall of 1999, to organize the public debate concerning a potential designation. These meetings were all prior to the Monument designation and created a body of information and a set of recommendations from the RAC to the Department of the Interior concerning the concept of a public land designation in the Missouri River Breaks. The landowners were well represented throughout these meetings.
6103-16	*Comment*	*We feel there was insufficient or no notification to the local private property owners regarding this plan.*
6103-16	Response	From the beginning of this planning effort in April 2002, the BLM provided extensive, advance notice concerning public involvement opportunities. Updates sent to a mailing list (that included landowners) and an electronic mail list, radio talk shows, numerous press releases, briefings and personal communications were all used to inform citizens weeks in advance of upcoming public involvement opportunities. Our public involvement opportunities were also extensively covered by electronic and print media in central Montana and were mentioned numerous times in periodicals and newsletters produced by various interest groups. We understand that each of these outreach efforts can miss some individuals; however, the public involvement portion of this planning effort was designed to provide timely information about numerous public involvement opportunities for all interests.
6103-17	*Comment*	*Why use so many indirect attempts such as public meetings and open houses to gather feedback from motorized recreationists? Why not just go directly to motorized recreationists in the field and at club meetings and ask them? NEPA encourages direct coordination with the impacted public instead of a process tailor made for special-interest environmental groups.*
6103-17	Response	Public meetings and open houses are well accepted means of involving citizens in public resource planning projects. Planning team members also gave presentations before a variety of organizations concerning this project. If schedules allowed, we never declined an invitation to speak before any group that requested a presentation. We were not requested to attend a meeting of the Capital Trail Vehicle Association. The public involvement process is designed to provide equitable opportunities for everyone choosing to participate.
6103-18	*Comment*	*A CNN poll (available upon request) asked the question "Do you think off-road vehicles (ORVs) should be banned from unpaved areas of natural forest land?" and found about 15% said yes and 85% did not think ORVs should be banned. A poll taken by Backpacker magazine (http://www.backpacker.com/poll/0,3189,,00.html) found that out of 21,000+ responses 96% of the respondents answered "yes" to the question "Should off-road vehicles be allowed in national parks?"* *Therefore, elimination of motorized access and recreation on public lands is not widely supported. We request that the document and decision-making reflect citizens' support for motorized access and recreation.*
6103-18	Response	Of the total mileage of roads the BLM was able to inventory in this Monument, roughly 67% would remain open for motorized use either year-round or seasonally.

Group		Planning/NEPA – Public Involvement
6103-19	*Comment*	*Agencies are encouraged to seek outside review and input by OHV recreationists on all proposed management decisions affecting motorized recreation opportunities including closures.*
6103-19	Response	The public involvement efforts surrounding this RMP have been numerous and equitable. The BLM has encouraged OHV recreationists and all interests to participate in numerous scoping and alternative formulation meetings and to comment on the Draft RMP/EIS. Chapter 5 in this document describes the public involvement portion of this planning effort.
6103-20	*Comment*	*Who could read, study and identify inaccuracies, new information, new impacts and then make suggestions from 510 pages in a 90 day period.*
6103-20	Response	The size and complexity of a planning document are driven by the number of issues considered, the number of resources described, the number of alternatives designed to resolve those issues, the content of public comments received and the analysis created by this combination of information. The Draft RMP/EIS contains 371 pages of information and analysis and 139 pages of support material. By its very purpose, the Draft RMP/EIS is an analytical document and some of the information presented is of a technical nature. However, there is no design to overwhelm the public with unnecessary information. The Draft also contains a number of tools (a reader's guide and summary, a summary comparison table of the alternatives, a summary table of the environmental consequences, an index, a content directory, and reader's tabs at the bottom of each page) to help the reader track specific issues, resources or alternatives through the document. Our public involvement process is designed to provide citizens with numerous and equitable opportunities to participate, whether they are members of organizations or individuals with an interest in public resource management. The length of the comment period, the ease of commenting via mail or email, the number of public meetings held and other communications tools such as newsletters, updates and press releases are all designed to enhance equitable public involvement. The public involvement opportunities surrounding this RMP have been multiple, equitable and available to all interests. Motorized interests (whether individuals or organizations) have been well represented throughout the public involvement portion of this planning effort. The comment period for the Draft RMP/EIS was 180 days long, nearly half a year, and there were multiple/equitable means and opportunities for submitting comments. The efforts surrounding the public involvement phase of this planning project (public meetings, briefings, mailings and press releases) were designed to provide ample time and ease of opportunity for everyone to participate.
6103-21	*Comment*	*Significantly improve the BLM information for the American public as to what our BLM employees are planning to do with our federal land and resources within the Monument before attempting to take any actions. Prepare twice a year, e.g. Breaks NM Digest, a synopsis of what has occurred, status report of what is planned, how it would occur, success, failures, and specifically an organized, rational means for public review of all proposed actions within the Breaks NM before they occur, and have the option to advocate solutions, needs, problems and improvements. Timely, accurate communications from our BLM employees with the American public, that specifically means far more than Winifred to Great Falls area, is critical and needs substantial improvement now.*
6103-21	Response	The BLM has the discretion to create such a digest without going through the resource management planning process.

6103-22 *Comment* *The management decisions concerning this river should be made by sportsmen and concerned citizens that have used this river and not by some politician that has never slept under the stars.*

6103-22 Response By their very proximity, local residents have easier access to citizen participation opportunities such as scoping and alternative formulation meetings. Without exception, local residents were prominent at every scoping meeting, alternative formulation meeting, Draft RMP/EIS meeting and any other public participation opportunity involving this planning effort. Local residents also find it easier to stop by the Lewistown, Havre or Malta BLM offices to discuss their concerns or ideas directly with planning team members. Those citizens living in northcentral Montana are also most familiar with the planning area and usually provide the most specific comments which can be carried forward into the planning process. The planning effort surrounding this Monument has provided multiple and equitable opportunities for public involvement throughout northcentral Montana, the region, state and nation.

Public involvement is a collaborative process that gathers specific information from all citizens and interests choosing to participate and applies that information throughout the planning process to create better management decisions. The BLM considers public involvement a very important segment of this planning process and goes to extra lengths to encourage public participation.

However, as valuable as public involvement is to the BLM, it does not guarantee agreement among individuals, organizations or resource managers and because of the diversity of comments received, it seldom creates a specific direction for the decision maker. The management direction recommended via a collaborative planning process (that must consider all comments) seldom mirrors the specific comments from any one individual or organization. As a result, that individual or organization often feels dissatisfied with the public process or that the management decisions have already been made. That is not the case. The BLM's planning process carefully considers the specific information provided by each individual and organization while working toward management decisions that must consider the collective body of specific information provided by all individuals and organizations.

6103-24 *Comment* *MSGA, PLC and MASGD recommend additional education to other users that administrative uses are valid rights. Additional education will help reduce possible conflicts between various users groups as to why these management decisions are important and necessary. These additional educational strategies should be included in the final RMP/EIS.*

6103-24 Response It is important not to create confusion with the language surrounding livestock grazing permits. Holding a livestock grazing permit on public land administered by BLM is considered a privilege and not a right.

Those individuals holding a livestock grazing permit do have certain requirements associated with the administration or use of their permit. Generally, grazing permit holders can drive a motorized vehicle off road while administering their permit; they can also drive on a road that is closed or seasonally closed. These activities must be related to the administration/use of their grazing permit and can not be simply for pleasure or recreation.

6103-25 *Comment* *Certainly the pilots deserve to be heard by their elected officials, but they don't merit special consideration by BLM when it comes to managing an area worth of Monument designation.*

6103-25 Response

Our planning regulations require the BLM to consider each comment thoroughly and equally to see if it provides new information, corrects a factual error in the draft, helps formulate a new alternative or revises an alternative considered in the draft. Our planning regulations do not allow us to enlarge or diminish the value of any comment based on the commenter's location, livelihood, ability to travel, economic status, philosophical disposition or any other criterion.

Public involvement is a collaborative process that gathers specific information from all citizens and interests choosing to participate and applies that information throughout the planning process to create better management decisions. The BLM considers public involvement a very important segment of this planning process and goes to extra lengths to encourage public participation. The public effort does not fall on deaf ears, but is one of the factors that continuously shapes and reshapes management plans.

However, as valuable as public involvement is to the BLM, it does not guarantee agreement among individuals, organizations or resource managers and because of the diversity of comments received, it seldom creates a specific direction for the decision maker. The management direction recommended via a collaborative planning process (that must consider all comments) seldom mirrors the specific comments from any one individual or organization. As a result, that individual or organization often feels dissatisfied with the public process or that the management decisions have already been made. That is not the case. The BLM's planning process carefully considers the specific information provided by each individual and organization while working toward management decisions that must consider the collective body of specific information provided by all individuals and organizations.

6103-26 Comment

One would think that BLM personnel's views should be aligned more with the rancher than the tourist. It's a real shame to see that shift in perspective.

6103-26 Response

Our planning regulations require the BLM to consider each comment thoroughly and equally to see if it provides new information, corrects a factual error in the draft, helps formulate a new alternative or revises an alternative considered in the draft. Our planning regulations do not allow us to enlarge or diminish the value of any comment based on the commenter's location, livelihood, ability to travel, economic status, philosophical disposition or any other criterion.

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However, as valuable as public involvement is to the BLM, it does not guarantee agreement among individuals, organizations or resource managers and because of the diversity of comments received, it seldom creates a specific direction for the decision maker. The management direction recommended via a collaborative planning process (that must consider all comments) seldom mirrors the specific comments from any one individual or organization. As a result, that individual or organization often feels dissatisfied with the public process or that the management decisions have already been made. That is not the case. The BLM's planning process carefully considers the specific information provided by each individual and organization while working toward management decisions that must consider the collective body of specific information provided by all individuals and organizations.

6103-27 *Comment* *This unexplained disregard of the RAC's recommendations undermines the public participation process and calls into question the intent and driving force behind the BLM. As a Federal agency, the BLM must be held accountable to the public it serves. We understand that the RAC serves in an advisory capacity to "provide an opportunity for meaningful public participation" however, the BLM should comply with the RAC recommendations when possible or, when not possible, the BLM should at least provide credible reasons, supported by true data and facts, for the discrepancy.*

6103-27 Response The RAC's recommendations are highly regarded by the BLM. In 1999, the RAC forwarded a recommendation package to the Secretary of the Interior, which eventually served as the foundation for the Proclamation designating this Monument. That recommendation package was crafted with the benefit of extensive public participation and contained 25 consensus recommendations. Of those, six were addressed in the Proclamation designating this Monument, 16 are analyzed in the Draft RMP/EIS, two are ongoing BLM programs and one requires Congressional action.

However, the RAC occasionally brings forward a recommendation that does not fit within the laws, policies and regulations the BLM must abide by, or is beyond our staff and budget capabilities. On those occasions, the agency does not have the discretion or the ability to implement the recommendation. While highly regarded, recommendations from the RAC are also part of the collaborative process and the Preferred Alternative or any management alternative may not exactly mirror their recommendation(s). Throughout this planning process, the BLM has analyzed the RAC's recommendations where practical and has provided the Council with tracking information about which recommendations were carried forward and which were not.

Public involvement is a collaborative process that gathers specific information from all citizens and interests choosing to participate and applies that information throughout the planning process to create better management decisions. The BLM considers public involvement a very important segment of this planning process and goes to extra lengths to encourage public participation. The public effort does not fall on deaf ears, but is one of the factors that continuously shapes and reshapes management plans.

However, as valuable as public involvement is to the BLM, it does not guarantee agreement among individuals, organizations or resource managers and because of the diversity of comments received, it seldom creates a specific direction for the decision maker. The management direction recommended via a collaborative planning process (that must consider all comments) seldom mirrors the specific comments from any one individual or organization. As a result, that individual or organization often feels dissatisfied with the public process or that the management decisions have already been made. That is not the case. The BLM's planning process carefully considers the specific information provided by each individual and organization while working toward management decisions that must consider the collective body of specific information provided by all individuals and organizations.

6103-28 *Comment* *For the good of everyone, BLM should coordinate directly with Blaine, Fergus, Chouteau and Phillips County Commissioners to arrive at a common sense solution.*

6103-28 Response In November 2002, the BLM and Chouteau, Blaine, Fergus and Phillips Counties signed a memorandum of understanding (MOU) enlisting the counties as cooperative agencies and defining the roles and responsibilities for these partners (and the BLM) throughout the planning process. Being a cooperating agency grants a special status to the counties and engages their full participation in the planning process. The MOU acknowledges the high level of interest the counties have in this management plan and the capability and

familiarity the counties bring to the planning process. It also ensures the working relationship meets the purposes and intent of the Federal Land Policy and Management Act (FLPMA) and the National Environmental Policy Act (NEPA).

As cooperating agencies, the counties are full partners in the collaborative planning process and their participation and capabilities were extremely valuable in the preparation of this management plan. The BLM and the planning team considered all of the input offered by the counties; however, some of their comments dealt with topics beyond the scope of BLM's authority (the size of the Monument, boundaries, adjacent private land) and were not carried forward into the management plan. All other comments offered by the counties were carried forward through the collaborative planning process.

However, the very nature of a collaborative process does not assure any partner on the planning team that his/her agenda for these public lands will mirror the Preferred Alternative. That does not mean substantive comments offered by the counties, or any other interest, were not seriously considered.

The management direction recommended via a collaborative planning process (that must consider all comments) seldom mirrors the specific comments from any one individual or organization. As a result, that individual or organization often feels dissatisfied with the public process or that the management decisions have already been made. That is not the case. The BLM's planning process carefully considers the specific information provided by each individual and organization while working toward management decisions that must consider the collective body of specific information provided by all individuals and organizations.

6103-29 *Comment* *I see the Monument as a step in the right direction in the public taking back 'their' public land. The BLM's role in this is to manage the public land for all taxpayers, not just the vocal minority.*

6103-29 Response Our planning regulations require the BLM to consider each comment thoroughly and equally to see if it provides new information, corrects a factual error in the draft, helps formulate a new alternative or revises an alternative considered in the draft. Our planning regulations do not allow us to enlarge or diminish the value of any comment based on the commenter's location, livelihood, ability to travel, economic status, philosophical disposition or any other criterion.

Public involvement is a collaborative process that gathers specific information from all citizens and interests choosing to participate and applies that information throughout the planning process to create better management decisions. The BLM considers public involvement a very important segment of this planning process and goes to extra lengths to encourage public participation. The public effort does not fall on deaf ears, but is one of the factors that continuously shapes and reshapes management plans.

6103-30 *Comment* *Open up good dialogue with the few farmers and ranchers who think their rights have been violated. Go out and visit them.*

Establish a field office in Winifred.

Establish a cell phone tower in Winifred and support the local emergency services.

Remind the naysayers that this is public land. No longer the exclusive hunting grounds of those who live in or near the monument.

6103-30 Response

By their very proximity, local residents have easier access to citizen participation opportunities such as scoping and alternative formulation meetings. Without exception, local residents were prominent at every scoping meeting, alternative formulation meeting, Draft RMP/EIS meeting and any other public participation opportunity involving this planning effort. Local residents also find it easier to stop by the Lewistown, Havre or Malta BLM offices to discuss their concerns or ideas directly with planning team members. Those citizens living in northcentral Montana are also most familiar with the planning area and usually provide the most specific comments which can be carried forward into the planning process. The planning effort surrounding this Monument has provided multiple and equitable opportunities for public involvement throughout northcentral Montana, the region, state and nation.

As stated in Chapter 2 of the Proposed RMP/Final EIS in the Recreation section, under Alternative F (Preferred Alternative), Gateway Communities: "The BLM would encourage and sustain collaborative partnerships, volunteers and citizen-centered public service. The BLM would partner with gateway communities to provide visitor information."

Management of fish and wildlife in the Monument, including hunting, remains under the jurisdiction of the State of Montana, as stated in the Proclamation.

6103-31 *Comment*

The agency has an obligation to provide taxpayers a cost-effective product, which in turn needs to be a product that people (most specifically the local community most affected in fundamental ways) want and will support.

6103-31 Response

Public involvement is a collaborative process that gathers specific information from all citizens and interests choosing to participate and applies that information throughout the planning process to create better management decisions. The BLM considers public involvement a very important segment of this planning process and goes to extra lengths to encourage public participation. The public effort does not fall on deaf ears, but is one of the factors that continuously shapes and reshapes management plans.

However, as valuable as public involvement is to the BLM, it does not guarantee agreement among individuals, organizations or resource managers and because of the diversity of comments received, it seldom creates a specific direction for the decision maker. The management direction recommended via a collaborative planning process (that must consider all comments) seldom mirrors the specific comments from any one individual or organization. As a result, that individual or organization often feels dissatisfied with the public process or that the management decisions have already been made. That is not the case. The BLM's planning process carefully considers the specific information provided by each individual and organization while working toward management decisions that must consider the collective body of specific information provided by all individuals and organizations.

6103-32 *Comment*

Reading the DEIS, one would conclude that there is not one opposing viewpoint to any of the proposed actions. However, with respect to issues from motors on the river to aircraft in the sky, the record contains opinions from both lay persons and scientists attesting to problems such as cattle grazing and cottonwood regeneration, big game calving and overflights, and road density harming wildlife. The DEIS does not address these opposing viewpoints.

6103-32 Response

The BLM has consistently recognized the diversity of comments and public wants concerning the management of these public lands. The Draft RMP/EIS addresses these diverse comments by incorporating them into alterative formulation, analysis and alternative selection. The RMP is not intended to provide a forum for debate among opposing viewpoints.

6103-33 *Comment*

We were told that the Monument would not change anything, just like they told us when they made this into the Wild and Scenic Missouri River. But here we are fighting more laws and rules that weren't supposed to be here in the first place.

6103-33 Response

The Proclamation designating this Monument closely parallels the recommendation package submitted by the Central Montana Resource Advisory Council (RAC) to the Secretary of the Interior in 1999. That package was created with information gathered at multiple public meetings and from public comments offered at RAC meetings throughout the fall of 1999. Those meetings were well attended by ranchers and other interest groups. The key topics identified by the public during these meetings (continued livestock grazing, BLM remaining the managing agency, continuing the State of Montana's role in wildlife management and recognizing valid existing rights) were all embraced by the Proclamation. Shortly after the designation, the Lewistown BLM did offer that based upon the Proclamation, it did not foresee significant changes in how these public lands would be managed. Some members of the public judge that statement as premature or in complete error.

However, some individuals are currently equating the number of pages in the Draft RMP/EIS, the time required to prepare the Draft or the complexity of the planning process to significant change. None of these factors is an accurate measure of change. The content of the Draft RMP/EIS and the Proposed RMP/Final EIS will continue to be judged differently by each member of the public. What some see as a minor modification in management will be interpreted as overwhelming change to others. Those who have offered that no change is acceptable will probably be disappointed with the Proposed RMP/Final EIS; as will those who are looking for sweeping management changes.

The Proposed RMP/Final EIS will abide by the Proclamation while continuing to manage these public lands for a wide variety of uses.

6103-34 *Comment*

I firmly believe the management plan needs to address the issues that led to this designation and include an honest appraisal of why things happened the way they did.

For example, why did the Lewistown BLM Office nominate the Breaks for designation without any public input? Why was the public kept completely in the dark until Babbitt splashed down on the river and declared the area must be protected? Who cooked up all the outlandish projections about the tourism hoards that would overrun the breaks during the Lewis and Clark Bicentennial? What happened to the report compiled by the BLM that stated that input from 11 community meetings showed universal opposition to further designation of the Breaks? What action did the BLM take in response to two legislative resolutions opposing designation of the Breaks? What action did the BLM take in response to resolutions by Blaine, Fergus, Chouteau and Phillips Counties opposing designation? Why was no action taken in response to the Governor's Task Force Report that called for the removal of 81,000 acres of private land from the monument? How can the BLM declare the public process as valid when Secretary Babbitt announced that if Congressional delegations did not introduce appropriate legislation to protect the areas identified for designation, the President would declare all of them national monuments? Who drew up the boundaries and why wasn't the boundary worked out with the land owners and stake holders in the area? Why was 81,000 acres of private land included in the monument when the law specifically stated that only land owned or controlled by the government may be declared national monument? Including private property on a federal land shopping list is not a valid reason to include those lands in a national monument.

6103-34 Response

The boundaries for this Monument were established via a Proclamation and came to the BLM with the weight of law. It has never been within the scope of BLM's authority to

revise the Proclamation as recommended by joint legislative resolutions, county commission preferences, petitions, and the recommendations developed by the Governor's Task Force in 2001. Those actions are non-binding expressions of opinion or preference and do not place BLM in a position to revise the Proclamation.

Roughly 35,900 acres of private property have been adjacent to or surrounded by public land designated as the Upper Missouri National Wild and Scenic River for over 30 years. Those private lands have remained private lands; the BLM respects the private landowners and has made no gesture to force them to sell their property or to, in any manner, squeeze them off of the landscape. The Proclamation established a Monument that includes the Upper Missouri National Wild and Scenic River and additional public lands. About 45,100 acres of private land are adjacent to or surrounded by these additional designated uplands. These privately owned acres (about 80,000 acres) are not a part of the Monument, and again the BLM will make no gesture to force these landowners to sell their property or to, in any manner, squeeze them off of the landscape.

As stated in Chapter 2 of the Proposed RMP/Final EIS, Decisions Common to All Alternatives, Lands and Realty, Land Ownership Adjustment: The BLM will not pursue the acquisition of private land unless approached by a landowner or their representative. Conservation easements or fee acquisition (i.e., campsite) opportunities that are brought forward by private landowners will be considered if they enhance the values of the Monument and are within the BLM's staff and budgetary constraints.

6103-35 *Comment* *Working together landowners, county commissioners, state school trust lands, BLM and others concerned can work on changes to the best management policy as the need arises.*

6103-35 Response BLM resource planning is a collaborative process that invites all interests including landowners, county commissioners and the State of Montana, to name just a few, to participate.

Public involvement is a collaborative process that gathers specific information from all citizens and interests choosing to participate and applies that information throughout the planning process to create better management decisions. The BLM considers public involvement a very important segment of this planning process and goes to extra lengths to encourage public participation.

However, as valuable as public involvement is to the BLM, it does not guarantee agreement among individuals, organizations or resource managers and because of the diversity of comments received, it seldom creates a specific direction for the decision maker. The management direction recommended via a collaborative planning process (that must consider all comments) seldom mirrors the specific comments from any one individual or organization. As a result, that individual or organization often feels dissatisfied with the public process or that the management decisions have already been made. That is not the case. The BLM's planning process carefully considers the specific information provided by each individual and organization while working toward management decisions that must consider the collective body of specific information provided by all individuals and organizations.

6103-36 *Comment* *Provide more time for review of the management plan and/environmental impact statement and provide people with scientific reasons for altering the current management alternative.*

6103-36 Response The comment period for the Draft RMP/EIS was originally scheduled to last 90 days. Early in 2006, the comment period was extended another 90 days. In total, the public comment period lasted six months and provided multiple means of participating.

The Draft RMP/EIS attempts to strike a suitable balance between those wanting extensive scientific reasoning behind alternatives and analysis and those wanting a leaner document.

6103-39 *Comment* *We didn't really see too much advertisement of this meeting. I know there was one that was canceled in--I see in the paper a while back and they didn't have us mentioned in there. I didn't see no posters up, but--I had to call to Lewistown today to make sure that there was one just to double check.*

6103-39 Response The Hays public meeting concerning the Draft RMP/EIS had originally been scheduled for Thursday, March 2, 2006. However, late in February we received a request to postpone this meeting due to conflicts with the upcoming state high school basketball tournament. We granted this request and rescheduled the public meeting for Wednesday, March 15, 2006.

Two weeks prior to the rescheduled March 15 meeting, BLM began working with the print and electronic media in northcentral Montana to distribute information about this change. On March 2, the Lewistown Field Office distributed a press release to media in the region announcing this change. During the second week of March, BLM purchased advertising time on KGVA Radio in Fort Belknap to advise area residents of this change.

6103-40 *Comment* *There is not a good level of communication between the BLM and local communities because there lacks a key level of trust. The local people do not trust the BLM for a number of good reasons just one being after State and County Governmental votes and successful petition drive the 81,000 acres of private property still remains in the Monument boundaries.*

6103-40 Response The boundaries for this Monument were established via a Proclamation and came to the BLM with the weight of law. It has never been within the scope of BLM's authority to revise the Proclamation.

The BLM pays close attention to joint legislative resolutions, county commission preferences, the Governor's Task Force recommendations and petitions. However, those actions are non-binding expressions of opinion or preference and do not place BLM in a position to revise the Proclamation.

Roughly 35,900 acres of private property have been adjacent to or surrounded by public lands designated as the Upper Missouri National Wild and Scenic River for over 30 years. Those private lands have remained private lands; the BLM respects the private landowners and has made no gesture to force them to sell their property or to, in any manner, squeeze them off of the landscape. The Proclamation established a Monument that includes the Upper Missouri National Wild and Scenic River and additional public uplands. About 45,100 acres of private land are adjacent to or surrounded by these additional designated uplands. These privately owned acres (about 80,000 acres) are not a part of the Monument, and again the BLM will make no gesture to force these landowners to sell their property or to, in any manner, squeeze them off of the landscape.

As stated in Chapter 2 of the Proposed RMP/Final EIS, Decisions Common to All Alternatives, Lands and Realty, Land Ownership Adjustment: The BLM will not pursue the acquisition of private land unless approached by a landowner or their representative. Conservation easements or fee acquisition (i.e., campsite) opportunities that are brought forward by private landowners will be considered if they enhance the values of the Monument and are within the BLM's staff and budgetary constraints.

6103-41 *Comment* *I have read a lot of Draft EIS's and a lot of Draft EA's through the whole process, and in most cases they don't change a lot after they are in printed form, and I hope this case we see something different.*

Group **Planning/NEPA – Public Involvement**

6103-41 Response

BLM resource planning is not a voting process. Specific comments and information drive the planning process. We examine each comment to see if it provides new information, corrects a factual error in the draft, helps formulate a new alternative, or revises an alternative considered in the draft. If we receive thousands of letters/forms/emails/petitions conveying the same information item, that item is considered as one piece of information in the planning process, not as thousands of pieces of information.

The collaborative process evolves continuously. The discussions and alternatives surrounding many issues have changed numerous times throughout this planning process. The nature of these discussions and alternatives can be impacted by new information (either public information or internal information) law, policy, management direction, budget constraints or staff availability.

Group **Planning/NEPA – Regulations**

6104-01 Comment

The draft RMP is not consistent with Montana laws, programs and policies and should be revised to be consistent. FLPMA requires that BLM ensure that land use plans are consistent with applicable pollution control laws, including State air, water, noise or other pollution standards or plans, and that the agency endeavor to make land use plans consistent with applicable State and local policies, plans, programs and laws. 43 U.S.C. § 1712(c); 43 C.F.R. § 1610.3-2.

6104-01 Response

FLPMA § 1712(c) requires land use inventory, planning, and management to be consistent with state and local plans to the extent such effort is consistent with the laws governing the administration of the public lands. In other words, where state and county land use plans exist, the BLM land use plans will consider them and try to make its management actions consistent with the local land use plans. However, where the state or local plans are inconsistent with the laws governing the administration of public lands, the federal land management requirements would apply.

The BLM will comply with National Ambient Air Quality Standards and Montana Ambient Air Quality Standards (Appendix I). The BLM is committed to the objectives of the Federal Clean Water Act to restore and maintain the chemical, physical, and biological integrity of the nation's waters.

6104-02 Comment

The Data Quality Act (DQA) and NEPA both impose a duty on the BLM to "insure the professional integrity, including scientific integrity of the discussions and analysis in [an EIS]." The BLM has failed in numerous areas to meet these requirements, including citing any sources for many of its scientific conclusions.

The Draft RMP/EIS violates the Fraud and False Statements Act. The document is full of false inaccurate information that provides no purpose to the public.

6104-02 Response

The BLM makes every effort to ensure that information it presents in the RMP/EIS is accurate. One of the reasons for public review of a Draft RMP/EIS is to provide the public and other agencies with the opportunity to identify specific information or analyses it believes to be inaccurate so it can be corrected or updated.

6104-03 Comment

Any administrative authority over the "monument" that allows restriction of or actually restricts the prerogative of Montana citizens to shoot on public land is in conflict with the Compact with the United States (Compact), and thereby offends the implications for our right to keep and bear arms. This would also be in conflict with the Second Amendment to

the United States Constitution and Article II, Section 12 of the Montana Constitution. Any administrative authority that restricts the citizens to hunt on public land is in conflict with the right to hunt and fish in the Montana Constitution.

Given the absence of any dialog about the right to keep and bear arms of Montana citizens in the Plan and EIS, we must presume that BLM leaves the door open to current or future attempts to restrict the right to keep and bear arms in the public lands covered by the Plan and EIS as the "monument." An approved draft should clearly state that there will be no firearms restrictions within this monument.

6104-03 Response Montana Fish, Wildlife and Parks, not the BLM, regulates hunting in the Monument. While the BLM may determine road closures, camping and off road restrictions associated with hunting activity, it is the State that will decide the amount of game to be harvested and the means by which it can be taken.

Nothing in the Draft RMP/EIS or the Proposed Final RMP/EIS calls into question the right of any person to keep or bear arms in defense of his own home, person, and property, or in aid of the civil power when thereto legally summoned, under the Montana Constitution; nor does it infringe upon the right of the people to keep and bear arms under the U.S. Constitution. The RMP/EIS does not need to enumerate all the things it does not change or affect. Existing law, regulations, and various legal authorities, such as the U.S. Constitution, are part of the overall planning criteria and cannot be changed through the RMP process.

6104-04 Comment *The language of the Antiquities Act of 1906 clearly indicates that it was intended to protect selected ruins and archaeological sites of national interest by declaration of monuments covering the minimum area necessary to preserve objects of significant interest. Clearly, the Antiquities Act was not intended to take millions and millions of acres of federal land away from the multiple-use needs of the public.*

6104-04 Response Analyzing the intent of the Antiquities Act, and whether it was correctly applied in designating the Monument, is outside the scope of the RMP process. The Draft RMP/EIS was prepared consistent with the Proclamation and managed for multiple use under the Federal Land Policy and Management Act.

6104-05 Comment *Any significant closing of motorized routes in the project area does not meet the basic requirement of the NEPA act of 1969 as stated in "Sec. 101 (b) (5) achieve a balance between population and resource use which will permit high standards of living and a wide sharing of life's amenities."*

6104-05 Response NEPA requirements are procedural in nature and do not mandate a particular result. It is the analysis and disclosure requirements of Section 102 that are the action-forcing mechanism of NEPA, requiring the BLM to analyze and disclose the impacts of each RMP alternative in the EIS. It should be noted that Section 101(b)(5) is but one of six policy objectives set out in NEPA. Each alternative in the RMP/EIS addresses NEPA's six policy objectives with varying degrees of emphasis, some focusing more on preservation objectives while others address resources use objectives.

6104-06 Comment *Executive Order 12630 requires that federal government actions which may result in a taking of private property must undergo a takings analysis prior to implementation. The BLM has failed to complete a takings analysis.*

We recommend that BLM eliminate Alternative E from the Final EIS because it fails to incorporate the legal process that must be adhered to in order to avoid a "takings" situation.

Group		Planning/NEPA – Regulations
6104-06	Response	Planning activities, studies, or similar efforts are specifically excluded from Executive Order 12630. Furthermore, the RMP/EIS applies only to public lands designated as part of the Monument and not to private lands. The RMP/EIS was developed under the requirements contained in the Proclamation, which includes the requirement to recognize valid existing rights and uses already occurring on the involved public lands. The BLM does not believe that the RMP constitutes a "taking" of private property.
6104-07	*Comment*	*The Government is not supposed to be in the land business. Our Constitution says only that they can have land for their offices and they should sell the rest of it to private-property owners.*
6104-07	Response	Article 4, Section 3, paragraph 2 of the U.S. Constitution (Property Clause) states: "*The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; . . . .*" In 1906 Congress passed the Antiquities Act which authorized the President at his discretion to designate National Monuments by public proclamation for objects of historic or scientific interest that are situated upon the lands owned or controlled by the United States government. In 1976, Congress passed FLPMA that directed BLM to retain and manage the public lands not otherwise reserved, including the subject lands, under the principles of multiple use and sustained yield, unless otherwise provided by law. Federal ownership and management of land in the Monument by the BLM is consistent with the property clause in the U.S. constitution and subsequent Congressional and Executive actions.
6104-08	*Comment*	*The Intergovernmental Cooperation Act (ICA) requires that federal agencies take into account all viewpoints and objectives – national, regional, state, and local – in formulation, planning and administration of programs and development projects. This did not happen during the process and therefore the agencies are in violation of the ICA.*
6104-08	Response	The Intergovernmental Cooperation Act is a mechanism for the federal government to provide services to a state or local government upon their request and payment to the federal government of the costs of providing those services. It is not applicable to the RMP process. As the RMP/EIS was drafted there was extensive involvement and coordination at the local, state, and tribal levels. Area counties and the state were designated as cooperating agencies, and the tribal governments were consulted on development of the RMP. County and state representatives attended numerous RMP team meetings and participated in working groups, assisting in scoping and alternatives development for the RMP, along with reviewing internal working documents used to prepare both the Draft RMP/EIS and Proposed RMP/Final EIS.
6104-09	*Comment*	*Violates the Presidential Executive Order 12866 – Regulatory Planning and Review – This Executive Order states that "The American people deserve a regulatory system that works for them, not against them: a regulatory system that protects and improves the health, safety, environment, and well being and improves the performance of the economy without imposing unacceptable or unreasonable costs on society; regulatory policies that recognize that the private sector and private markets are the best engine for economic growth; regulatory approaches that respect the role of state, local and tribal governments; and regulations that are effective, consistent, sensible, and understandable." Pursuant to this Executive Order the agencies were supposed to seek input from local governments, minimize the regulatory burdens and to harmonize federal regulatory actions with related state, local and tribal regulatory functions. Again, the agencies have not met the requirements in this Executive Order.*

6104-09 Response Executive Order 12866 applies to the development of regulations and not to the preparation of resource management plans. The RMP/EIS was prepared under the *existing* BLM regulations at 43 CFR subpart 1610 and the *existing* regulations for implementing NEPA at 40 CFR parts 1500 – 1508. While an RMP does not constitute new or revised regulations within the meaning of the executive order, the BLM did seek and receive input from local, state, and tribal governments in developing the RMP. As the RMP/EIS was drafted there was extensive involvement and coordination at the local, state, and tribal levels. Area counties and the state were designated as cooperating agencies, and the tribal governments were consulted on development of the RMP. County and state representatives attended numerous RMP team meetings and participated in working groups, assisting in scoping and alternatives development for the RMP, along with reviewing internal working documents used to prepare both the Draft RMP/EIS and Proposed RMP/Final EIS.

6104-10 Comment *Violates Rural Environmental Conservation Act – This Act requires coordination with local units of government. Again, this has not been done in the process leading up to the proposed decision.*

6104-10 Response Coordination with local units of government has occurred during development and preparation of the RMP/EIS. Area counties and the state were designated as cooperating agencies, and the tribal governments were consulted on development of the RMP. County and state representatives attended numerous RMP team meetings and participated in working groups, assisting in scoping and alternatives development for the RMP, along with providing review of internal working documents used to prepare both the Draft RMP/EIS and Proposed RMP/Final EIS. The process of coordination and consultation does not necessarily ensure, nor require, that all parties reach consensus on every aspect of the Proposed RMP.

6104-11 Comment *Violates the Resource Conservation Act – This Act requires that the agencies cooperate and coordinate with local government. Again, this has not been done in the process leading up to the proposed decision.*

6104-11 Response If you are referring to the 1977 Resource Conservation Act, it does not appear directly applicable to the BLM land use planning process. However, extensive cooperation and coordination has occurred with local governments during development and preparation of the RMP/EIS. Area counties and the state were designated as cooperating agencies, and the tribal governments were consulted on development of the RMP. County and state representatives attended numerous RMP team meetings and participated in working groups, assisting in scoping and alternatives development for the RMP, along with reviewing internal working documents used to prepare both the Draft RMP/EIS and Proposed RMP/Final EIS.

6104-12 Comment *The BLM has failed to provide an adequate:*
Regulatory Flexibility Analysis;
Small Business Regulatory Enforcement Fairness Act Analysis;
Energy Effect Analysis;
Civil Justice Reform Analysis; and
Federalism Analysis.

6104-12 Response The acts cited are only applicable to the development of new or revised regulations. They are not applicable to the preparation of resource management plans by the BLM under the already existing planning regulations at 43 CFR subpart 1610.

Group		Planning/NEPA – Regulations
6104-13	*Comment*	*The Monument Proclamation lists the Bullwhacker area as an object of the Monument. The Antiquities Act of 1906 authorizes the President to declare "objects of historic or scientific interest" and to protect and preserve them for the future. Appendix B of the RMP Draft lists Significant Objects Upper Missouri River Breaks National Monument. However, there is no listing of the Bullwhacker area as an object of the Monument, where almost all the oil and gases leases are located.*
6104-13	Response	The Monument was established on January 17, 2001, when President Clinton issued the Proclamation under the provisions of the Antiquities Act of 1906. The Monument contains a spectacular array of biological, geological, and historical objects of interest. When the Proclamation was issued, a Listing of Significant Objects was made available to the public along with other background material including a Summary of the Monument. This Listing of Significant Objects became Appendix B of the Draft RMP/EIS. It provides a description of special management areas, areas of prehistoric interest, areas of historic interest, areas of geologic interest, and areas of biological interest. However, this list did not replace or supplement the Proclamation establishing the Monument since the list is not referenced in the Proclamation. Instead, the list is intended to only describe many of the natural resources on public land that the BLM manages for in the Monument. Appendix C (formerly Appendix B) has been revised in the Proposed RMP/Final EIS to make clear that it does not provide a list of objects of the Monument. Objects of the Monument are only those listed in the Proclamation. The Draft RMP/EIS and Proposed RMP/Final EIS address the resources in the Bullwhacker area, in particular wildlife habitat and cultural resources, based on the Proclamation.
6104-14	*Comment*	*Identification of "high social, cultural, or economic value" and "desired" levels are subjective and requires an assessment and balancing of public values. For example, a particular species may have a high social value to a particular segment of the population, but a low social value to another. Similarly, a species may have significant economic value for a particular use (trees cut for timber), but have high social value in the context of an entirely different use (trees observed by hikers). Furthermore, these conflicting values may require entirely different "desired" levels. Despite these extremely complex and subjective determinations, the proposed alternative provides virtually no explanation or guidance regarding how these levels and values were established. This extreme discretion is not allowed by the Organic Act, MUSYA, and NFMA, which require that forests be managed for a variety of uses.*
6104-14	Response	The environmental consequences sections (Chapter 4) of the RMP/EIS describe the impacts or effects of the various management alternatives using social, cultural and economic – based measurements. As is often the case, a particular management action may have both positive environmental benefits at some economic cost (or vice-versa). One major purpose of the RMP/EIS is to describe such potential consequences for the agency decisionmakers so they in turn can conduct the balancing determination required to select a Preferred Alternative that best addresses the RMP issues while meeting the management requirements of the Proclamation. After considering the analysis presented in the Final EIS, and the outcome of any protests on the Proposed RMP/Final EIS, the BLM State Director will prepare a Record of Decision (ROD) selecting the actual Resource Management Plan for the Monument. The ROD will include the State Director's rationale explaining the balancing determination he conducted when selecting the RMP that best addresses the management issues and satisfies the requirements of the Proclamation.
6104-15	*Comment*	*The agency must develop a true No Action alternative in compliance with NEPA and other planning regulations. The agency must formulate a lawful "No Action" alternative so that the public and decision makers may reasonable compare and contrast other management alternatives.*

A No Action alternative is a vital component in assuring full public disclosure of all foreseeable direct, indirect, and cumulative environmental impacts of the project, and consistency with environmental and public involvement requirements of State and Federal laws, Executive Orders and policies. The twin goals of NEPA (to inform the public and disclose anticipated effects) are not met without a properly written and accurate No Action alternative.

An accurate No Action alternative provides for a clear, logical and comprehensive analysis process and disclosure of effects, both to the human environment and especially in this case, effects to visitors. An accurate No Action alternative is the prescribed way the agency discloses existing conditions of Federal lands and serves as a baseline for discussion of guidance and rationale for proposed changes to travel management direction and programs for implementation. Under the existing conditions motorized recreationists have a reasonable number of choices and variation of opportunities. Under most proposed conditions, motorized recreationists have a significantly reduced number and variety of opportunities. We do not want to be forced to go to the same place over and over nor do we want to be squeezed out from public lands. Therefore, the No Action (existing condition) alternative must be accurately and reasonably evaluated.

6104-15 Response Under the BLM resource management planning regulations, the No Action Alternative is the continuation of the present level or system of resource use (43 CFR 1610.4-5). This current management alternative (Alternative A) in the Proposed RMP/Final EIS complies with NEPA and the BLM planning requirements for a no action alternative. Other alternatives were developed based upon the issues present and resource use guidance under the Proclamation and FLPMA. The impacts of continued management under the No Action Alternative are presented in the EIS, along with the impacts of the five other alternatives.

6104-16 Comment *It is important that impacts that would interfere with the proper care management and protection of these objects and natural resources should not be created as required by Proclamation 7398 establishing the Monument. The EPA is concerned that the draft RMP direction for the Monument does not give appropriate priority to protection of the unique objects and natural resources that provide the basis for creation of the Monument.*

6104-16 Response The analysis in both the Draft RMP/EIS and the Proposed RMP/Final EIS addresses how the various management alternatives would potentially affect the objects and resources for which the Monument was established. In the Proposed RMP/Final EIS, the BLM identified Alternative F as the Preferred Alternative that would best address the planning criteria and provide appropriate protection to the unique objects and natural resources in the Monument. The Preferred Alternative has been modified from the Draft RMP/EIS, based upon public comments, in order to include additional guidance, clarification, or detail on the management prescriptions that would be used to protect the objects of the Monument.

6104-17 Comment *Page 197 (Col. 2 1st heading) notes that "Regardless of which alternative is selected, the BLM will comply with all applicable laws." This document, which is labeled a plan as well as an environmental impact statement, doesn't demonstrate that the agency is aware of all the relevant laws, policies, regulations, and guidelines that make up federal cultural resource management law and practice, and doesn't have a plan to fully comply with them no matter which alternative is selected. It does generally reference the BLM UMNWSR updated plan, but that is out of date and not sufficient to meet Monument needs.*

6104-17 Response The RMP/EIS is not intended to list all applicable laws or regulations, since to do so would be exhaustive. The purpose of the statement is to remind the reader that no matter what alternative is selected, it cannot change the underlying requirements for protection and management of natural and cultural resources. The UMNWSR plan is but one of many

documents which provide management guidance that will eventually need to be updated after completion of the Monument RMP.

6104-18 *Comment* *Does the Montana recreational use statute apply to the Department of the Interior?*

6104-18 Response The State of Montana's Recreational Use Statutes limit the liability of landowners who open their property for recreational purposes which, in this case, would be the BLM Lewistown Field Office. Generally speaking, the BLM would not be liable for personal injury or a death occurring in the Monument unless BLM's conduct constitutes "willful or wanton misconduct."

6104-19 *Comment* *The BLM has failed to comply with numerous laws governing land use planning*

- *The BLM Failed to Comply With Intergovernmental Cooperation Act*

The Intergovernmental Cooperation Act ("ICA"), 31 U.S.C. §§ 6501-6506 and companion Executive Order 12372, require all federal agencies to consider local viewpoints during the planning stages of any federal project. 31 U.S.C. § 6506(c). The obligation of the BLM to consider local government concerns is a legally enforceable right. City of Waltham v. United States Postal Serv., 11 F.3d 235, 245 (1st Cir. 1993). Injunctive relief is available in those cases where the federal agencies have failed to comply with the ICA. City of Rochester v. United States Postal Serv., 541 F.2d 967, 976 (2nd Cir. 1976). The consideration of local government plans and policies must occur on the record. Federal agencies have an affirmative duty to develop a list of factors which support or explain an agency's decision to act in disharmony with local land use plans. Village of Palatine v. United States Postal Serv., 742 F. Supp. 1377, 1397 (N.D. Ill. 1990). The BLM has failed to adequately consider local viewpoints on the Monument and the concerns of the four counties impacted by the Monument.

- *The BLM Failed to Comply With the Regulatory Flexibility Analysis Requirement*

The Regulatory Flexibility Analysis Act, 5 U.S.C. § 601 et seq., requires the BLM to perform an analysis on whether the approach outlined in the RMP is the most flexible necessary to meet the goals. This analysis has not been done, which means the public, including the Missouri River Stewards, has not had the opportunity to comment based on legally-mandated analysis by the BLM.

- *The BLM Failed to Provide a Small Business Regulatory Enforcement Fairness Act Analysis*

Pursuant to 5 U.S.C. § 804(2), the BLM was supposed to determine whether the RMP would negatively impact small businesses in the area. This analysis was not done.

- *The BLM Failed to Comply with the Executive Order Requiring Regulatory Planning and Review*

Executive Order 12866 requires the BLM to have the Office of Management review all significant rules and regulations. This analysis has not been done.

- *The BLM Failed to Provide an Energy Effect Analysis*

Executive Order 13211 requires that the BLM analyze how this RMP would impact energy needs in the United States. This analysis has not been done.

- *The BLM Failed to Provide a Federalism Analysis*

Executive Order 13132 requires that the BLM provide a federalism analysis. This analysis has not been done.

- *The BLM Failed to Provide a Civil Justice Reform Analysis*

Executive Order 12988 requires that the BLM analyze the impact of the RMP on civil justice. This analysis has not been done.

- *The BLM Has Violated the Soil and Water Resources Conservation Act*

Pursuant to the Act, the BLM was supposed to coordinate with local governments. See 16 U.S.C. §§ 2003(b), 2008. As already explained, the BLM has failed to adequately coordinate with local governments.

- *The BLM Has Violated the Resource Conservation Act of 1981*

Pursuant to the Act, 16 U.S.C. § 3451 et seq., the BLM was supposed to coordinate with local governments. As already explained, the BLM has failed to adequately coordinate with local governments.

- *The BLM Has Violated the Regulatory Planning and Review Requirement*

Executive Order 12866 states that, "[t]he American people deserve a regulatory system that works for them, not against them: a regulatory system that protects and improves the health, safety, environment, and well being and improves the performance of the economy without imposing unacceptable or unreasonable costs on society; regulatory policies that recognize that the private sector and private markets are the best engine for economic growth; regulatory approaches that respect the role of state, local and tribal governments; and regulations that are effective, consistent, sensible, and understandable." Pursuant to this Executive Order, the agencies were supposed to seek input from local governments, minimize the regulatory burdens and harmonize federal regulatory actions with related state, local and tribal regulatory functions. Again, the agencies have not met the requirements in this Executive Order.

6104-19 Response The acts cited are applicable to the development of new or revised regulations. They are not applicable to the preparation of resource management plans by the BLM under the existing planning regulations at 43 CFR subpart 1610.

Coordination with local units of government has occurred during development and preparation of the RMP/EIS. Area counties and the state were designated as cooperating agencies, and the tribal governments were consulted on development of the RMP. County and state representatives attended numerous RMP team meetings and participated in working groups, assisting in scoping and alternatives development for the RMP, along with providing review of the internal working documents used to prepare both the Draft RMP/EIS and Proposed RMP/Final EIS. The process of coordination and consultation does not necessarily ensure, nor require, that all parties reach consensus on every aspect of a proposed RMP.

6104-21 Comment *It is not clear how the Proclamation can state that acquired private lands will become part of the monument in that the U.S. Constitution conveys sole authority over federal land to Congress – not the President. Congress has conveyed that authority to various federal land managing agencies such as DOI, Commerce, Dept. of Ag., etc.*

Group		Planning/NEPA – Regulations
6104-21	Response	The Antiquities Act, passed by Congress in 1906, provides the President with the authority to designate property of the United States as a National Monument. The Proclamation does not designate private lands as part of the Monument; instead, it merely says that if the federal government ever were to acquire such parcels of land within the boundaries depicted on the map attached to the Proclamation that those lands would also be reserved from settlement, sale, entry, or disposal and managed as part of the Monument.
6104-22	*Comment*	*Bill Clinton, our emperor, decided that under an executive order he could do whatever the heck he pleased, he could lock up hundreds of thousands of acres, which is unconstitutional.*
6104-22	Response	Article 4, Section 3, paragraph 2 of the U.S. Constitution (Property Clause) states: "The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; . . . ." In 1906 Congress passed the Antiquities Act which authorizes the President at his discretion to designate National Monuments by public proclamation for objects of historic or scientific interest that are situated upon the lands owned or controlled by the United States government. President Clinton's designation of federal land in the Missouri Breaks as a National Monument under the Antiquities Act is consistent with the U.S. Constitution.
6104-23	*Comment*	*I don't think BLM has the right for law enforcement--maybe enforce some of their rules but not State law and stuff.*
6104-23	Response	The BLM's law enforcement authority is in Section 303 of FLPMA. As provided under FLPMA, BLM can enforce Federal laws and regulations relating to the use of public lands or their resources. The BLM can and does enter into agreements with local officials having law enforcement authority within their respective jurisdictions with the view of achieving maximum feasible reliance upon local law enforcement officials in enforcing such laws and regulations.
6104-24	*Comment*	*The BLM has taken the position that FLPMA defines their position as multiple use concerning the Monument; this is inaccurate as under the Proclamation creating the Monument, its mandate is to protect the objects of interest within the boundaries of this spectacular area.*
6104-24	Response	The BLM has not stated that FLPMA exclusively defines how the Monument lands are to be managed. To the contrary, both FLPMA and the Proclamation provide important guidance for the management of the Monument. The definition of "multiple use" under FLPMA in combination with the direction provided in the Proclamation are complementary as both authorities recognize the importance of scientific, historic, wildlife, watershed, and recreation values. The Proclamation has obviously curtailed certain multiple use activity from that which would occur on "open" public lands. The area is closed to oil and gas leasing, withdrawn from entry under the Mining Law, and closed to mineral material sales. Other activity, although allowed, must be conducted in such a manner that protects the objects of the Monument.
6104-25	*Comment*	*Your document is light on what the FLPMA of 1976 requires BLM to do, manage our land under multiple use by law. Only congress can create the Monument.*
6104-25	Response	The 1906 Antiquities Act authorizes the President to designate property of historic or scientific interest situated upon the lands owned by the United States as National Monuments. Management of the Monument by BLM must protect the objects of historic or

scientific interest. Multiple use activity may occur to the extent it satisfies the requirements in the Proclamation as reflected in the range of alternatives.

6104-26 *Comment* *Preparation of a DEIS nearly four years after the Monument was designated and management decisions made is inconsistent with the very purposes of NEPA.*

To put these comments in context, the BLM has already authorized the use of motorized watercraft in and along the entire stretch of the Upper Missouri National Wild and Scenic River (UMNWSR) in the Monument. The BLM has already authorized the use of cars, trucks, all terrain vehicles (ATVs), and aircraft (with their corresponding airstrips) in the Monument. The BLM has also already allowed livestock grazing, forestry practices, recreational activities and facilities, and oil and gas drilling to occur in the Monument. Indeed, when discussing the impacts of future oil and gas development, the BLM notes that "much of the natural gas infrastructure (roads and pipelines) already exists and associated impacts have already occurred." DEIS at 205. The same is true with respect to the airstrips, roads (illegal or otherwise), livestock grazing, and recreational facilities. As such, the BLM is preparing a National Environmental Policy Act (NEPA) document for actions that are already taking place -- for actions that are already impacting the Monument's resources.

6104-26 Response The actions mentioned, boating, vehicle use, airstrips, livestock grazing, recreation, oil and gas development, etc. were well established, at essentially the level they exist today, long before the Proclamation was issued. Therefore, they constitute the existing conditions and current management practices that are part of the No Action (current management) Alternative based on the requirements of the Proclamation and the State Directors Interim Guidance for the Monument (2001).

As described in Chapter 1, there have been a number of past planning and NEPA analyses done in the Monument area over the last three decades looking at these same issues or uses. With issuance of the Proclamation, new management constraints have been placed on existing uses. Therefore, the RMP/EIS must of necessity start by considering the existing uses and develop future management plans that will protect the objects of the Monument while honoring existing valid existing rights and anticipating the future needs of the public.

Group **Outside Scope**

6500-01 *Comment* *The draft RMP/EIS does not contain a clear, detailed map of the Monument and states "The monument generally corresponds with the Upper Missouri National Wild and Scenic River from Fort Benton downstream to approximately Arrow Creek, where the Monument begins to widen from 5 to 16 miles on either side of the Missouri River to the Charles M. Russell National Wildlife Refuge" (Chapter 1, page 2). Please clearly define the exact boundary of the Monument, especially on the upstream end near Fort Benton.*

The BLM must mark the Monument boundary both on maps and on the ground so visitors know where they are and to protect private property. Without clear boundaries BLM will find in legally impossible to enforce policies specific to the monument.

Not showing the boundaries on your maps tends to say this is business as usual.

6500-01 Response The boundary for the Upper Missouri River Breaks National Monument is shown on the map that was published with the Federal Register Notice for the Proclamation (Appendix A in the Draft RMP/EIS). For the area near Fort Benton the boundary is the same as the Upper Missouri National Wild and Scenic River. The boundary for the Wild and Scenic

Group		Outside Scope
		River is displayed on the larger foldout maps (Maps 1 and 3) located in the back of the Draft RMP/EIS.
6500-02	*Comment*	*I am against the proposal for the Upper Missouri River Breaks National Monument. Monument designation was illegal and should be cancelled.* *The issue of the Monument proclamation needs to be rescinded. The people occupying the area (some hundred or so) families happen to be third, fourth and fifth generations on lands they inherited as homesteads. They have proven good stewardship to the land and all wildlife habitat. They are also taxpayers, needed by the state to provide services. This monument seriously impacts their lives, jeopardizing their freedoms and the right to their private properties. I view this as a violation of property rights and unjust action by our government.*
6500-02	Response	The Monument was established on January 17, 2001, when President Clinton issued a Proclamation under the provisions of the Antiquities Act of 1906. About 80,000 acres of private land are intermingled with the Monument. The BLM has no jurisdiction over private land, and these lands are not part of the Monument. The BLM does not have the authority to adjust the boundary of the Monument.
6500-03	*Comment*	*You did not mention and go into any detail of the plans of the American Prairie Foundation (APF), World Wildlife Fund (WWF) and Ted Turner to introduce so called wild bison into the area on BLM public land the CMR and State land leases.*
6500-03	Response	Currently, there are no proposals for the reintroduction of bison in the Monument. The reintroduction of any species would be coordinated with Montana Fish, Wildlife and Parks and only after the appropriate environmental review and public involvement.
6500-04	*Comment*	*Why were the boundaries drawn to include the Rocky Boy reservation? Isn't this already protected under another government entity?*
6500-04	Response	The Monument was established on January 17, 2001, when President Clinton issued a Proclamation under the provisions of the Antiquities Act of 1906. About 80,000 acres of private land and 39,000 acres of state land are intermingled with the Monument. The Monument boundary does not include any lands from the Rocky Boy Reservation.
6500-05	*Comment*	*I would like to take this time to comment on a few items that concern me as to the way that the Monument has come to be a major part of our livelihood without any warning or even a chance to comment on it before President Clinton on his last days of office signed it. It seems to me that it was very rushed and not much thought went into the developing of the boundaries as to include 81,000 acres of our private landowners' property into this monument. I think if the time had been taken in the beginning, to hold public input meetings before all of this and included the public in meetings of setting the boundaries rather than springing this on the public and landowners after the fact, you wouldn't have the opposition that you do today and you will continue to get this opposition for as long as you ignore the public and our landowners' comments and suggestions.*
6500-05	Response	The Monument was established on January 17, 2001, when President Clinton issued a Proclamation under the provisions of the Antiquities Act of 1906. About 80,000 acres of private land are intermingled with the Monument. The BLM has no jurisdiction over private land, and these lands are not part of the Monument. The BLM does not have the authority to adjust the boundary of the Monument.
6500-06	*Comment*	*I would like to see all property located within the 500 year flood range to be declared recreational land and part of the Monument's river boundary. An alternative would be to require all land, owned by private interests, within a minimum of 100 feet of the river to be declared part of the Monument protected area.*

Group		Outside Scope
6500-06	Response	The Monument was established on January 17, 2001, when President Clinton issued a Proclamation under the provisions of the Antiquities Act of 1906. About 80,000 acres of private land are intermingled with the Monument. The BLM has no jurisdiction over private land, and these lands are not part of the Monument. The BLM does not have the authority to adjust the boundary of the Monument.
6500-07	*Comment*	*As I view the map and boundary of the Monument, the area between Virgelle and the Judith River contain very little BLM lands. This could be a major concern of the local landowners. What are the chances of pulling this portion out of the Monument classification and continue to manage the area under the Wild and Scenic River mandate?*
6500-07	Response	The Monument was established on January 17, 2001, when President Clinton issued a Proclamation under the provisions of the Antiquities Act of 1906. About 80,000 acres of private land are intermingled with the Monument. The BLM has no jurisdiction over private land, and these lands are not part of the Monument. The BLM does not have the authority to adjust the boundary of the Monument.
6500-08	*Comment*	*Establish a cell phone tower at Winifred to service the remote areas of the breaks.*
6500-08	Response	The establishment of a cell phone tower would be a private sector initiative and beyond the scope of BLM's responsibility.
6500-09	*Comment*	*I find no authority in the Constitution of the United States of America which allows the federal government, or any of its agencies, to possess land for the purposes of a Monument. Federal government should, therefore, return that land to the citizens of the State of Montana.*
6500-09	Response	The Monument was established on January 17, 2001, when President Clinton issued a Proclamation under the provisions of the Antiquities Act of 1906. About 80,000 acres of private land are intermingled with the Monument. The BLM has no jurisdiction over private land, and these lands are not part of the Monument. The BLM does not have the authority to adjust the boundary of the Monument.
6500-10	*Comment*	*When the bill was signed by President Clinton, had there been coordination with units of local government? Was the Rural Environmental Conservation Act even considered? Was my family given notice of due process that their lands would eventually be taken?*
6500-10	Response	In May 1999, then Secretary of the Interior Bruce Babbitt floated a portion of the Upper Missouri National Wild and Scenic River (UMNWSR) and toured portions of the Missouri Breaks. During this trip, Mr. Babbitt commented that the BLM land in this area contained a remarkable variety of resources and opportunities and that perhaps the Department of the Interior (DOI) should consider some type of special management for these lands. In June and July of 1999, the BLM held 11 open houses across the state with regard to a special designation for the area and bicentennial planning objectives. Comments regarding the proposal for a special designation ranged from opposing any new or added designation to making the area wilderness. Overall, the feedback expressed during the open houses and in many comment letters opposed any change in management along the Missouri, and the idea of another federal designation produced fairly universal opposition. Some comments recognized that there is a need to increase BLM's capability to manage the river; however, those comments suggested working within the existing designation. Some comments reflected a desire to keep the area primitive, but did not indicate a specific need for a designation in order to maintain the primitive nature of the area. In August 1999, the Secretary of the Interior's office asked the Central Montana Resource Advisory Council (RAC) to develop and recommend broad guidelines, or a framework, to manage BLM land in the Missouri Breaks area.

In October and November 1999, the RAC hosted public meetings in Lewistown and Havre to provide opportunities for public comment about the concept of special management for these lands. In December 1999, the RAC forwarded a 16-page recommendation package to the Secretary of the Interior's office. This package outlined the RAC's interpretation of the public comments it had gathered and offered recommendations for a number of resource programs, should the BLM land be designated for special management.

In May 2000, Mr. Babbitt hosted a public meeting at the University of Great Falls in Great Falls, Montana. The following day, Mr. Babbitt hosted a breakfast meeting in Fort Benton, Montana, and then flew over the Breaks to Lewistown, where he again met with a variety of organizations and individuals. These sessions were question-and-answer opportunities about special management of BLM land in this area.

The Monument was established on January 17, 2001, when President Clinton issued a Proclamation under the provisions of the Antiquities Act of 1906. Additional information can be found in Chapter 1 of the Proposed RMP/Final EIS under the Background section.

6500-11 *Comment* *With all the rhetoric bandied about in the media recently concerning air pollution and global warming, it is dismaying that our state and federal officials have not mentioned a looming threat that lies just beyond the doors of our homes. Like a mythological dragon, this threat will consume vast tracks of land leaving it black, in some cases sterile, hydrophobic. This threat will soil the air we breathe, and will contribute more pollution to fuel global warming in one season than our vehicles. I am speaking of catastrophic wildland fires, and our national forests are ripe for destruction*

6500-11 Response The assessment of greenhouse gas emissions and climate change is in its formative phase; therefore, it is not yet possible to know with confidence the net impacts to climate. Many of the models needed to make effective decisions at the local and regional levels have not been developed. When further information on the impacts to climate change are known, such information would be considered in the implementation of this plan as appropriate. For additional information, please refer to the Analysis Assumptions and Guidelines section of Chapter 4 in the Proposed RMP/Final EIS.

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

6500-12 *Comment* *The Monument should not use any land farther than 1 mile from the rivers edge.*

6500-12 Response The Monument was established on January 17, 2001, when President Clinton issued a Proclamation under the provisions of the Antiquities Act of 1906. About 80,000 acres of private land are intermingled with the Monument. The BLM has no jurisdiction over private land, and these lands are not part of the Monument. The BLM does not have the authority to adjust the boundary of the Monument.

6500-13 *Comment* *There is no mention anywhere in your plan on this 'absurd proposal' as well as the proposal south of Malta and the 'Official Appeal' we have on that proposal for the Telegraph allotment.*

6500-13 Response Currently, there are no proposals for the reintroduction of bison in the Monument. The

reintroduction of any species would be coordinated with Montana Fish, Wildlife and Parks and only after the appropriate environmental review and public involvement.

6500-14 *Comment* *A cow lease is just that, it is not in any manner a form of ownership, implied or actual, by private interests of federal land and resources. This is true in spite of the massive welfare subsidy, e.g., $1.40 to lease an acre of federal land for a cow and calf per month, when across the fence on private and other federal, e.g., US FWS CMR National Wildlife Refuge, the charge for the same cow-calf month ranges from $12-$20. Welfare? Yes.*

6500-14 Response The grazing fee for public lands administered by the BLM was established by Congress in the 1978 Public Rangelands Improvement Act, has continued under a presidential Executive Order issued in 1986. Grazing fees are determined using the formula in 43 CFR 4130.8-1.

6500-15 *Comment* *For the purposes established by the Proclamation, the Monument should be managed to ensure and enhance diverse and sustainable populations of wildlife. BLM carries an inherent obligation to provide quality habitats for the native, wild animal species living within the Monument. This can be accomplished more effectively by organizing a formal Monument Interagency Wildlife Management Council which will be capable of closely monitoring wildlife populations and as a result of a more efficient communications network be able to respond quickly to problems. Agency members of this council should include BLM, Montana Fish Wildlife and Parks, and US Fish and Wildlife Service based in the Charles M Russell National Wildlife Refuge.*

6500-15 Response Through development of the Monument RMP the BLM has worked with Montana Fish, Wildlife and Parks on wildlife data and management opportunities for many wildlife species including mule deer, elk, bighorn sheep, prairie dogs, and greater sage-grouse. Interagency coordination will continue after completion of the Monument RMP.

These current practices and administrative functions do not need to be formalized in this RMP; these would be more appropriately addressed in cooperative agreements or memoranda of understanding.

6500-16 *Comment* *The plan cites FLPMA (Federal Land Policy Management Act of 1976) quite often as well as the Wilderness Act as supporting documentation for agency action, however fails to cite that both FLPMA and the Wilderness Act also have the "savings provision language" which is intended to recognize and protect any and all existing rights at that time. If that is not done, then the offending agency is taking action that constitutes a takings and the injured party (in this case, ranch owner) would file for compensation in the United States Court of Federal Claims.*

The United States Supreme Court had held previously that public land has no right or claim attached. Because the land within this imaginary boundary has vested water rights, therefore giving the rancher the fee (inheritable right of use of the rancher's allotment lands) the various property interests that belong to the rancher are not in the designation of public land, however, the rancher is being required to obtain a permit, subject to varying terms and conditions. In 1994, the United States Supreme Court held in Doland v. City of Tigard: "when a government entity forces a private citizen to give that government entity the citizen's property in order for the government entity to give the citizen permission for the citizen to use the citizen's own property, that is fraud and extortion."

The managing agencies need to recognize private property and private property rights as well as the United States Constitution. The United States government cannot grant property, as it did in various Acts of Congress in the 1800's and now, by rule and regulation, take that property. If the government wants to devote that land to another use, it should pay for it based on "The Uniform Standards of Appraisal for Federal Land

Group		Outside Scope
		Acquisitions."
6500-16	Response	The Monument will continue to be managed consistent with FLPMA and the Proclamation. Under Sec. 701 (a) of FLPMA, nothing in the Act "shall be construed as terminating any valid lease, permit, patent, right-of-way, or other land use right or authorization existing on the date of approval of "the Act (October 21, 1976). As leases, permits, rights-of-way and other authorizations come up for renewal (e.g., rights-of-way) or expire (e.g., oil and gas lease) they would be processed consistent with the current laws, regulations, and the appropriate resource management plan. The Monument was established on January 17, 2001, when President Clinton issued a Proclamation under the provisions of the Antiquities Act of 1906. About 80,000 acres of private land and 39,000 acres of state land are intermingled with the Monument. The BLM has no jurisdiction over private land and state land or minerals, and these lands and minerals are not part of the Monument. Applications for rights-of-way will be considered for reasonable access to private land and as necessary for adequate access across BLM land to private and state minerals for exploration, development, and production (e.g., access roads and pipelines). The BLM has no jurisdiction over private or state land, and these lands are not part of the Monument. This is addressed in Chapter 1 in the RMP/EIS and on the maps included with the document. The brochure for the Monument and the Upper Missouri River Boaters' Guide also include information on respecting private land and property rights and that landowner permission is required for access to private property.
6500-17	*Comment*	*Please follow the Antiquities Act Proclamation regarding the Monument. Do not delete the boundary. Do not decrease the size. Do not remove objects of the Monument.*
6500-17	Response	The Monument was established on January 17, 2001, when President Clinton issued a Proclamation under the provisions of the Antiquities Act of 1906. About 80,000 acres of private land are intermingled with the Monument. The BLM has no jurisdiction over private land, and these lands are not part of the Monument. The BLM does not have the authority to adjust the boundary of the Monument.
6500-18	*Comment*	*I would like the Missouri River Monument plan to go back to the Wild and Scenic size. Please take all of the private and State land out of the Monument.*
6500-18	Response	The Monument was established on January 17, 2001, when President Clinton issued a Proclamation under the provisions of the Antiquities Act of 1906. About 80,000 acres of private land are intermingled with the Monument. The BLM has no jurisdiction over private land, and these lands are not part of the Monument. The BLM does not have the authority to adjust the boundary of the Monument.
6500-19	*Comment*	*Require helicopters to maintain >1,300 feet above ground.*
6500-19	Response	The Monument is located beneath the Hays Military Operations Area (MOA). The Hays MOA overlies a large portion of northcentral Montana at altitudes ranging from 300 feet above ground level, up to 18,000 feet above mean sea level. The Federal Aviation Administration has the responsibility to plan, manage, and control the structure and use of all airspace over the United States, including the Hays MOA. This issue is beyond the scope of the RMP since the BLM has no jurisdiction or authority for this MOA.
6500-20	*Comment*	*Population units should be closely monitored to detect changes in population size productivity mortality and distribution associated with changes in land use.*

Group		Outside Scope
6500-20	Response	Through development of the Monument RMP the BLM has worked with Montana Fish, Wildlife and Parks on wildlife data and management opportunities for many wildlife species including mule deer, elk, bighorn sheep, prairie dogs, and greater sage-grouse. Interagency coordination and monitoring of wildlife populations will continue after completion of the Monument RMP.
6500-21	*Comment*	*The acreage of the Monument should be reduced until the effect on the local communities and the State of Montana can be accessed.*
6500-21	Response	The Monument was established on January 17, 2001, when President Clinton issued a Proclamation under the provisions of the Antiquities Act of 1906. About 80,000 acres of private land are intermingled with the Monument. The BLM has no jurisdiction over private land, and these lands are not part of the Monument. The BLM does not have the authority to adjust the boundary of the Monument.
6500-22	*Comment*	*So now a new designation is being proposed as a national Monument, and authorities in charge of this designation want to establish guidelines for this proposal.*
6500-22	Response	The Monument was established on January 17, 2001, when President Clinton issued a Proclamation under the provisions of the Antiquities Act of 1906. About 80,000 acres of private land are intermingled with the Monument. The BLM has no jurisdiction over private land, and these lands are not part of the Monument. The BLM does not have the authority to adjust the boundary of the Monument.
6500-23	*Comment*	*The BLM clearly violated Fergus County policy when it secretly nominated the Missouri Breaks for designation and did not prepare a report detailing the proposed impact such a nomination could have on the County. There was no opportunity for the County to respond to the BLM's land nomination because it was forwarded under clandestine circumstances to Dept of Interior.*
6500-23	Response	The Monument was established on January 17, 2001, when President Clinton issued a Proclamation under the provisions of the Antiquities Act of 1906. About 80,000 acres of private land are intermingled with the Monument. The BLM has no jurisdiction over private land, and these lands are not part of the Monument. The BLM does not have the authority to adjust the boundary of the Monument.
6500-24	*Comment*	*Moreover, the BLM failed to be forthright with the County in that it did not advise the County of Interior Secretary Babbitt's decision that if Montana's Congressional Delegation did not propose legislation to make the Missouri Breaks a National Conservation Area, the President would designate the area a national monument. Even as the designation process moved forward, there was never a BLM map confirming the area to be designated and the County was given no opportunity to analyze the impact of the suspension of further gas development that would be forthcoming with the monument designation because the BLM failed to coordinate and submit the required reports to the County. The BLM clearly knew the designation plans of the Clinton administration but failed to apprise the county of what was in store from dept of interior.*
6500-24	Response	In May 1999, then Secretary of the Interior Bruce Babbitt floated a portion of the Upper Missouri National Wild and Scenic River (UMNWSR) and toured portions of the Missouri Breaks. During this trip, Mr. Babbitt commented that the BLM land in this area contained a remarkable variety of resources and opportunities and that perhaps the Department of the Interior (DOI) should consider some type of special management for these lands. In June and July of 1999, the BLM held 11 open houses across the state with regard to a special designation for the area and bicentennial planning objectives. Comments regarding

the proposal for a special designation ranged from opposing any new or added designation to making the area wilderness. Overall, the feedback expressed during the open houses and in many comment letters opposed any change in management along the Missouri, and the idea of another federal designation produced fairly universal opposition. Some comments recognized that there is a need to increase BLM's capability to manage the river; however, those comments suggested working within the existing designation. Some comments reflected a desire to keep the area primitive, but did not indicate a specific need for a designation in order to maintain the primitive nature of the area.

In August 1999, the Secretary of the Interior's office asked the Central Montana Resource Advisory Council (RAC) to develop and recommend broad guidelines, or a framework, to manage BLM land in the Missouri Breaks area.

In October and November 1999, the RAC hosted public meetings in Lewistown and Havre to provide opportunities for public comment about the concept of special management for these lands. In December 1999, the RAC forwarded a 16-page recommendation package to the Secretary of the Interior's office. This package outlined the RAC's interpretation of the public comments it had gathered and offered recommendations for a number of resource programs, should the BLM land be designated for special management.

In May 2000, Mr. Babbitt hosted a public meeting at the University of Great Falls in Great Falls, Montana. The following day, Mr. Babbitt hosted a breakfast meeting in Fort Benton, Montana, and then flew over the Breaks to Lewistown, where he again met with a variety of organizations and individuals. These sessions were question-and-answer opportunities about special management of BLM land in this area.

The Monument was established on January 17, 2001, when President Clinton issued a Proclamation under the provisions of the Antiquities Act of 1906. Additional information can be found in Chapter 1 of the Proposed RMP/Final EIS under the Background section.

6500-25 *Comment* *Another clarification is needed as to whether the lessee of state land is permitted to travel those state roads for reasons other then to administer the purposes of the lease and whether he can give permission to the public to travel those closed roads to hunt, fish or recreate. This can become a very delicate issue because the public would seem to have a right to use a state road that is open to the lessee. This becomes even a more controversial issue if the state land is closed because the lessee requested it and the state approved the closure.*

6500-25 Response BLM roads to the boundary of state land would remain open for administrative travel including state leaseholders. These roads would also be open for public travel, if shown to meet Monument objectives. The BLM would coordinate with state agencies on roads open to the public that lead to or from state land. There are about 80 miles of BLM roads providing access to state land; 59 miles would be open yearlong, 13 miles open seasonally, and 8 miles closed.

6500-26 *Comment* *In 2001 we stood before many of the same people and I asked the fundamental question who drew up the first map and if you read the Proclamation was it the Department of Interior--was it the RAC. We never got an answer. The document still doesn't give us an answer and I would just like to know did somebody dream it up.*

6500-26 Response In May 1999, then Secretary of the Interior Bruce Babbitt floated a portion of the Upper Missouri National Wild and Scenic River (UMNWSR) and toured portions of the Missouri Breaks. During this trip, Mr. Babbitt commented that the BLM land in this area contained a remarkable variety of resources and opportunities and that perhaps the Department of the Interior (DOI) should consider some type of special management for these lands.

In June and July of 1999, the BLM held 11 open houses across the state with regard to a special designation for the area and bicentennial planning objectives. Comments regarding

the proposal for a special designation ranged from opposing any new or added designation to making the area wilderness. Overall, the feedback expressed during the open houses and in many comment letters opposed any change in management along the Missouri, and the idea of another federal designation produced fairly universal opposition. Some comments recognized that there is a need to increase BLM's capability to manage the river; however, those comments suggested working within the existing designation. Some comments reflected a desire to keep the area primitive, but did not indicate a specific need for a designation in order to maintain the primitive nature of the area.

In August 1999, the Secretary of the Interior's office asked the Central Montana Resource Advisory Council (RAC) to develop and recommend broad guidelines, or a framework, to manage BLM land in the Missouri Breaks area.

In October and November 1999, the RAC hosted public meetings in Lewistown and Havre to provide opportunities for public comment about the concept of special management for these lands. In December 1999, the RAC forwarded a 16-page recommendation package to the Secretary of the Interior's office. This package outlined the RAC's interpretation of the public comments it had gathered and offered recommendations for a number of resource programs, should the BLM land be designated for special management.

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6500-27 *Comment* *Two legislative sessions have overwhelmingly passed resolutions opposing the Monument and one of the main reasons was because when we looked at it, it was obviously totally illegal from its conception. It does not follow the Antiquities Act.*

6500-27 Response The Monument was established on January 17, 2001, when President Clinton issued a Proclamation under the provisions of the Antiquities Act of 1906. About 80,000 acres of private land are intermingled with the Monument. The BLM has no jurisdiction over private land, and these lands are not part of the Monument. The BLM does not have the authority to adjust the boundary of the Monument.

6500-28 *Comment* *You don't have to answer it now because I don't think you can but, as a member of the Department of Interior, you know, do you guys have any trust responsibility to the Native Americans.*

6500-28 Response Public land resources are not Indian Trust assets. By definition, based on Secretarial Order Number 3215 (April 28, 2000), "Indian trust assets" are "lands, natural resources, money, or other assets held by the Federal Government in trust or restricted against alienation for Indian tribes and individual Indians." Trust is a formal, legally defined, property-based relationship that depends on the existence of three elements: (1) a trust asset (lands, resources, money, etc.); (2) a beneficial owner (the Indian tribe or individual Indian allottee); and (3) a trustee (the Secretary of the Interior). Many things and ideas that are commonly represented in terms of "trust" obligations are not actually part of the Government's trust responsibility toward Indians.

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