

Decision Record
Whitetail-Pipestone Travel Management Plan and
Environmental Assessment

MT-070-01-35

United States Department of the Interior
Bureau of Land Management
Butte Field Office

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I. Introduction

In 1995, the Forest Service and Bureau of Land Management issued a Notice of Intent to Prepare an EIS for the Whitetail-Pipestone analysis area. In June 1998, the BLM implemented an Emergency Closure Order restricting motorized use to existing roads and trails until a Decision is issued for the Whitetail/Pipestone area. The purpose for this closure was to prevent further user-created trails, prevent damage occurring to cultural sites and riparian areas, and to prevent soil erosion and the spread of noxious weeds.

In 2000, the Forest Service withdrew from the project due to budget reasons; the majority of the analysis area (84 percent) was Forest Service System lands. The BLM decided to proceed with the project after recommendations from the Western Montana Resource Advisory Council (RAC). The BLM proceeded with an environmental assessment (EA) instead of an EIS because the scale of the project was dramatically reduced with the Forest Service withdrawing, and some of the controversial issues did not pertain to BLM, such as Roadless Areas. Along with the EA was also a proposed amendment to the Headwaters Resource Management Plan (RMP) to change use designations (e.g., open, closed, restricted designations). A Notice of Intent to Prepare an Amendment and associated EA was published in the Federal Register on November 15, 2001.

This decision will implement the Whitetail-Pipestone Travel Management Plan to meet the Purpose and Need of the EA and provide a system of designated routes to ensure a wide variety of motorized and non-motorized recreation opportunities while protecting important resource values. An amendment to the Headwaters RMP was signed by the Montana State Director on August 14, 2002.

II. Decision

A. Rationale for the Decision

Alternative 2 was selected as the Preferred Alternative because it best meets the Purpose and Need described in the EA on pages 1-4, and best responds to all the issues identified in the EA on pages 5-8 (see pages 23-25 for a Comparison of the Alternatives and Issues). This alternative was developed in response to protecting important resources of the area (cultural, wildlife, vegetation, soil and water), while at the same time, providing a system of designated roads and trails to serve the needs of a wide variety of area users.

The BLM Resource Advisory Council (RAC) approved a subgroup of nine individuals representing various interests (conservationists, hunters, motorized and non-motorized advocates, Jefferson County Commission, ranchers, and State government) to develop a mutually agreeable travel plan alternative for BLM lands in the Whitetail/Pipestone project area (see Public Involvement section below). The Subgroup reached consensus on a proposed action alternative designating roads and trails for use on BLM lands and developed a list of priority mitigation projects. The Subgroup recommended to the RAC

that Alternative 2 be adopted as the BLM preferred alternative. The RAC endorsed the subgroup's recommendation in the spring of 2001.

1. Alternative 1 was not selected because: Although the No-Action Alternative would provide the most opportunities for motorized users to travel unrestricted (i.e., cross-country travel), it would not address any of the issues and resource concerns listed in the EA.
2. Alternative 3 was not selected because: Although it would best meet several of the resource concerns (wildlife security, cultural, soil and water), it would greatly restrict motorized access to a few main routes.
3. Alternative 4 was not selected because: Although it would provide more motorized travel opportunities than Alternatives 2 and 3, it still allows for too many impacts to cultural resources, soil and water erosion, and less elk security cover and deer and elk winter range.

Although several motorized users commented on wanting more single-track trails and more motorized opportunities in general, the BLM lands in the Whitetail-Pipestone area are small and scattered. In the future, when the Forest Service resumes travel planning on their lands in the area, there may be opportunities to provide loop and/or single-track trails in conjunction with BLM lands. When the Forest Service begins travel planning in this area, the BLM will participate in the process again to ensure compatibility where needed.

B. Issues Analyzed in EA

1. Motorized and Non-Motorized Recreation Opportunities

Alternative 2 provides a balance between maintaining motorized and non-motorized opportunities in the area. Alternative 2 eliminates cross-country motorized travel and closes approximately 32 miles of motorized routes. This would still allow motorized travel on approximately 71 miles of road (yearlong and seasonal). Seasonal restrictions on approximately 20 miles of routes would still allow motorized use in the summer, while allowing non-motorized hunting opportunities in the fall, and deer/elk winter range/security habitat.

2. Road and Trail Safety

Alternatives 2 and 3 would greatly reduce the number of route intersections on the Delmoe Lake Road, and the number of route segments considered unsafe for the average rider. Alternative 2 however still allows a larger number of routes to disperse motorized users while Alternative 3 would limit motorized users to a few main routes. Alternatives 1 and 4 would have a large number of route intersections on the Delmoe Lake Road and the highest number of routes considered unsafe for the average rider.

3. Soil, Water, Fish Habitat

Alternative 2 reduces the amount of soil erosion and stream sedimentation more than Alternatives 1 and 4 (see Table 2-1, page 23 of EA). Alternative 3 reduces soil erosion and stream sedimentation the most of all alternatives; however, this alternative greatly

reduces existing motorized routes (by over 60 percent), which would not provide the balance between motorized and non-motorized opportunities, or meet safety needs as well as Alternative 2 (see Issues #1 and #2 above).

4. Wildlife Habitat Protection

Alternative 2 would increase elk winter range, elk security cover, and deer winter range over Alternatives 1 and 4. Again, Alternative 3 would provide the most protection for wildlife; however, it would not provide the best balance between resources protection and recreational use.

5. Cultural Resource Protection

The unlimited OHV access under the No-Action Alternative (Alternative 1) would continue impacting cultural resource sites. Alternative 2 would limit OHV access and prevent future damage to cultural sites. The BLM and State Historic Preservation Office (SHPO) signed a Cultural Resource Management Plan (CRMP) and Programmatic Agreement (PA) addressing how to manage cultural resources in the area affected by the travel plan.

6. Range Resources

Range management problems under the current situation (Alternative 1) would be greatly reduced in Alternatives 2-4. All three alternatives allow for site-specific management of travel corridors thereby potentially reducing fence cutting, gates being left open, cattle following OHV created trails, and displacing big game. Alternative 2 provides the best balance of reducing trail mileage to a manageable amount while still providing motorized recreation opportunities.

C. Modifications to Alternative 2

Changes Since Last Public Involvement and Mailing

One change to the Travel Plan/EA has been made since the Finding of No Significant Impact (FONSI)/Proposed Plan Amendment was mailed out and the Protest Period ended. This change does not affect the Plan Amendment and is within the effects analyzed in Alternative 2.

- One route (.7 miles) follows Kilborn Gulch west of Boulder and provides loop trail opportunities and access to Forest Service lands. The route was shown as closed yearlong and has been changed to Closed Until Mitigated for soil erosion; and then, once mitigated, a Seasonal Closure (10/1 to 6/15) will be implemented for elk security and calving, big game winter range, and soil protection. (See Mitigation section below for further information.) If soil erosion cannot be mitigated, the route will be closed.

Changes Already Mailed to the Public

The following information was mailed to the public (in June 2002) along with the FONSI/Proposed Plan Amendment and new Alternative 2 map:

Along with the minor changes made to Alternative 2 as a result of public meetings and comments, there were also some editorial changes needed in the EA after printing. Because the changes were minor (and within the alternatives and effects already analyzed), a new EA was not published; rather, the changes (explained below and in the new Alternative 2 map) were mailed to the public before the protest period started (with the Proposed Plan Amendment and FONSI package). The changes slightly affected the road mileages listed in the EA; the new numbers (including Kilborn Gulch) for Alternative 2 are:

1. Total Yearlong Open Roads 51 miles
2. Total Seasonally Open Roads 22 miles
3. Total Closed Roads 32 miles

- **Change 1** – One road near Bigfoot Creek (.8 miles) was listed as seasonally restricted, however it does not provide any loop opportunities, and does not access any ‘destinations’ and has been changed to closed in Alternative 2. A portion of this road will be open for game retrieval (.7 miles).
- **Change 2** – One road (.6 miles) north of Pony Creek was a game retrieval road and has been changed to closed in Alternative 2. Part of the road just to the south of it has been changed from closed to open to game retrieval (1.3 miles), and the other part (through the riparian area) is closed (.7 miles). The piece of this road accessed from private land is shown as open for game retrieval (for the times when the private land owner allows hunter access).
- **Change 3** – One segment of road (.6 miles) southeast of Ringing Rocks was shown as an open motorized trail (closed to full-size vehicles); however, it is open seasonally as a full-size vehicle route.
- **Change 4** – To the south of Four Corners area (and east of Delmoe Lake Road) there is a short spur road (.3 miles) that was proposed to be closed. Based on public comments, this is a popular access to an overlook/scenic vista area and it has been changed to open.
- **Change 5** – In the EA, any reference to elk security cover and elk and deer winter range should state that it is at least .5 miles from an open road or trail. The EA states in some places that winter range is considered at least 2 miles from an open road/trail, and that number is incorrect; both winter and security cover should be .5 miles from an open road/trail. However, the **acres** of winter and security cover listed in the EA are correct; the .5 miles was used in mapping the areas.
- **Change 6** – The impacts to Travel Corridors were mentioned in the EA; however the full discussion was not included. The following effects analysis discussion has been added to the Wildlife section:

The Whitetail-Pipestone Travel Plan area is within what is considered a “travel corridor” between the Greater Yellowstone Ecosystem to the southeast, the Salmon-Selway Ecosystem to the west, and the Northern Continental Divide Ecosystem to the north. At a smaller scale, the analysis area provides a travel corridor between the Boulder area to the north, Bull Mountains to the east, and the Highland Mountains to the southwest. Although the existing condition for travel by wide ranging species has been degraded by high road/trail densities, Interstate 90, disturbance, alteration of vegetation, and human development, it still provides habitat for disbursing wildlife.

1. Alternatives 1 - In Alternative 1, there are over 100 miles of open roads and trails, cross-country travel is allowed, and there are no seasonal restrictions on any of the roads or trails. Alternative 1 would continue to degrade the area for wildlife movement due to increasing user-created road/trail densities, continued cross-country vehicle use and disturbance. This alternative provides the least benefits for wildlife movement and travel corridors.
2. Alternative 2 - Alternative 2 would close approximately 32 miles of roads and trails and designate travel restrictions (seasonal closures) on another 20 miles. In addition, Alternative 2 would eliminate cross-country use and improve approximately 28 acres of riparian habitat. Because this alternative would reduce the density of roads and trails in the analysis area, eliminate cross-country use and reduce disturbance, conditions for wildlife movement would improve over the existing condition. This is the second most beneficial alternative for travel corridors and wildlife movement.
3. Alternative 3 - Alternative 3 is the most restrictive of the four alternatives. This alternative would close approximately 63 miles of roads and designate seasonal closures on another 5 miles. Cross-country travel would not be allowed and approximately 46 acres of riparian habitat would be improved with this alternative. Because this alternative would greatly reduce the number of open road/trail miles, eliminate cross-country travel and reduce disturbance, Alternative 3 would have the most beneficial effect on travel corridors and wildlife movement.
4. Alternative 4 - Alternative 4 increases the number of open roads and trails from 100 to 108.5. With this alternative, there would be no seasonal travel restrictions on any of the roads or trails but cross-country travel would be eliminated. There would be no improvement of riparian habitat with implementation of this alternative. Due to an increase in road/trail density and disturbance, this alternative would degrade the quality of travel corridors within the analysis area. Since this alternative eliminates cross-country travel, it would be an improvement over Alternative 1.

C. Implementation, Monitoring, and Mitigation

The Measures Common to All Alternatives and Measures Common to Alternatives 2-4 (pages 15-16 of the EA) will be implemented. Additional mitigation measures listed in the EA under Alternative 2 will also be implemented (pages 19-20).

All measures listed in section 2.7 Monitoring (page 26 of EA) will be implemented. Implementation of this travel plan will begin after the close of the appeal period (see Appeals section at the end of this document).

III. Alternatives Considered

There were four alternatives analyzed in the EA. Alternative 1 is the No-Action Alternative. The Southwestern Montana Resource Advisory Council (Working Group) proposal provides the basis for Alternative 2. Alternatives 3 and 4 represent and emphasize non-motorized and motorized user group interests respectively. A summary of the alternatives can be found on pages 23-25 of the EA.

IV. Public Involvement

A. Public Involvement Activities/History

Public involvement opportunities were extensive throughout the planning process involving numerous individuals, special interest groups, and government agencies. Key public involvement efforts are summarized below.

Public scoping and participation began with a letter from the Forest Service¹ and BLM dated July 24, 1995. The letter asked individuals, groups, adjacent landowners, and other agencies for preliminary comments relating to issues and concerns that should be considered within the analysis area. Fifty-six responses were received and analyzed, and preliminary issues identified.

A collaborative public involvement process was developed by the BLM and Forest Service Interdisciplinary Team to provide a forum between resource specialists and the public on key issues and to obtain feedback to develop alternatives. Following an open house on January 31, 1996, meetings were scheduled in Butte, Whitehall, and Boulder in February and March of 1996 to gather comments on values, issues and concerns of the public, and learn what type of information was needed from the Forest Service and BLM to continue the collaborative process.

A second phase of public meetings was scheduled to address questions identified in the first meetings, identify solutions, and develop options to resolve issues. Forest Service and BLM resource specialists presented information on existing resource issues and the current situation in the Whitetail-Pipestone area. The 35 attendees broke into small groups to develop possible solutions to the issues presented by the resource specialists, for the purpose of alternative development.

Two additional meetings were scheduled in Butte and Boulder in July 1996 to resolve issues and address comments from the public. Options developed as resolutions were to be used by the resource specialists in drafting alternatives. A third phase of public meetings was scheduled in August of 1996 with field trips to Nez Perce Gulch, Pipestone Creek, and Little Boulder/Galena Gulch to show specific examples of resource problems and solicit input on alternative solutions.

Approximately 450 people participated in the public collaboration process. In June of 1998, a preliminary draft of alternatives was sent to those people that responded to a scoping letter. The preliminary draft had four alternatives developed from the public collaboration process, including alternatives that were submitted from the Southwest Montana Wildlands Alliance and Montana Trails Association. Fifty people responded to the preliminary draft, and comments specific to each alternative were compiled.

¹As mentioned above, in the spring of 2000, the Forest Service ceased involvement in the process due to funding reasons.

Additional public and agency involvement included informational meetings with groups, individuals, and personal contact and correspondence with Montana Fish, Wildlife, and Parks and Montana Department of Natural Resources. All public meetings were advertised in the local papers in or adjacent to, the communities where meetings and field trips were conducted.

During the winter of 2001, the BLM Resource Advisory Council (RAC) approved a subgroup of nine individuals representing various interests to develop a mutually agreeable travel plan alternative for BLM lands in the Whitetail/Pipestone project area. The members represented conservationists, hunters, motorized and non-motorized advocates, Jefferson County Commission, ranchers, and State government. The Subgroup met on seven occasions, facilitated by a representative of the Montana Consensus Council, and reached consensus on a proposed action alternative designating roads and trails for use on BLM lands and developed a list of priority mitigation projects necessary to support the road and trail designations. The Subgroup recommended to the RAC that the proposed action alternative be adopted as the BLM preferred alternative. The RAC endorsed the subgroup's recommendation (Alternative 2) in the spring of 2001 as a balance between Alternatives 3 and 4.

In November 2001, the BLM mailed an update letter, including the four alternatives, to those interested in the project. There was also a Federal Register Notice and newspaper articles regarding the proposal. Over 100 responses were received in response to this effort.

The EA was mailed on April 1, 2002, and a comment period was held, along with the three open houses in Butte, Boulder, and Whitehall. A notice of the availability of the EA, as well as notice of the open houses, was published in several local papers (Butte, Boulder, Whitehall, Helena, and Bozeman). Approximately 50 people attended the 3 open houses and 11 written responses were received during the EA comment period. After the comments were analyzed, a Proposed Plan Amendment, Finding of No Significant Impact (FONSI), Response to Comments, and Changes Made to the EA (along with a new Alternative 2 map) were mailed to the public in June. The 30-day protest period on the Proposed Plan Amendment ended on July 19, 2002; no protests were received.

B. Coordination with Other Agencies

In April 2002, the BLM met with the Governor's Office for the Governor's Consistency Review Period required for the Proposed Plan Amendment. There were no changes to the EA and this meeting resulted in an overall positive response.

The BLM consulted with SHPO regarding cultural resources and a Cultural Resources Management Plan and Programmatic Agreement was signed by the agencies agreeing on how cultural sites would be mitigated for the project area.

V. Appeal Procedures

This travel plan decision is subject to a 30-day public appeal. You have the right to appeal to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations of 43 CFR Part 4. In order for your appeal to be considered timely, it must be received by April 10, 2003. If an appeal is taken, you must follow the procedures outlined in the attached Form 1842-1, Information on Taking Appeals to the Board of Land Appeals. The appellant has the burden of showing that the Decision appealed is in error.

This Decision will become effective at the expiration of the time for filing a Notice of Appeal, unless a petition for a stay of the Decision is filed together with a Notice of Appeal (see 43 CFR 4.21(a)). The provisions of 43 CFR 4.21(b) define the standards and procedures for filing a petition to obtain a stay pending appeal.

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