034-2-F-1-1-D

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8, MONTANA OFFICE
FEDERAL BUILDING, 301 S. PARK, DRAWER 10096
HELENA, MONTANA 59626-0096

Ref: 8MO

August 11, 2005

Ms. Lesley W. Thompson, Forest Supervisor
Lewis and Clark National Forest
1101 15th Street North,
P.O. Box 869
Great Falls, MT 59403-0869

Re: Rocky Mountain Ranger District Travel Management Plan Draft Environmental Impact Statement

Dear Mr. Thompson:

The Environmental Protection Agency (EPA) Region VIII Montana Office has reviewed the Draft Environmental Impact Statement for the Rocky Mountain Ranger District Travel Management Plan for the Lewis and Clark National Forest. The EPA reviews EISs in accordance with its responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. Section 309 of the Clean Air Act directs EPA to review and comment in writing on the environmental impacts of any major federal agency action. EPA's comments include a rating of both the environmental impact of the proposed action and the adequacy of the NEPA document. A summary of EPA's rating system is enclosed for your information.

We consider Forest Travel Plans to be critical elements in the management of National Forests, since they provide management direction for road and trail networks for public recreational access and land management activities. Public demand and recreational access has increased significantly in recent years, and newer motorized vehicles such as trail bikes, all terrain vehicles (ATVs) and snowmobiles can access areas much further into the Forest than they could historically, forcing wildlife onto smaller and smaller patches of habitat; degrading and fragmenting wildlife habitat and reducing wildlife security; and causing soil erosion and adverse effects to water quality, aquatic habitat and fisheries, and spreading weeds.

We believe that the Rocky Mountain Ranger District (RMRD) Travel Plan must include adequate limitations and restrictions on motorized uses to reduce adverse impacts to wildlife habitat and security, watersheds, water quality, fisheries, soil integrity, weed spread, air quality, and overall ecosystem functions. The challenge is in providing adequate access for land management and public recreation while protecting and restoring aquatic and terrestrial ecosystems. Where there are conflicts between access and recreational use and long-term

protection of resources, we believe resource protection must be given priority in order to sustain and protect resources and ecosystems for use and enjoyment by future generations.

Alternatives 2 through 5 all appear to be improvements to the existing situation, although we consider Alternative 3 to be the environmentally preferred alternative, since Alternative 3 appears to provide the highest level of wildlife protection/conservation; protects the Blackfeet Traditional Cultural Area; involves the most road decommissioning; is more responsive to road erosion and road sediment production and water quality/fisheries issues; and has the lowest conflict between uses. We believe the desirable features and merits of Alternative 3, as well as Alternatives 5 and 4, justify their consideration over Alternatives 1 and 2. The EPA has greater levels of environmental concerns with Alternatives 1 and 2 due to increased adverse effects from motorized uses on wildlife habitat/security, watersheds and cultural resources.

While we consider Alternative 3 to be the environmentally preferred alternative, we also recognize that there are many interests, effects and trade-offs involved in decision-making. It may be possible to develop a preferred alternative with a more optimal balance of the environmental, social and economic trade-offs. We support development of a preferred alternative that addresses purpose and need and the significant issues to optimize and balance access needs and environmental and resource trade-offs, by building upon the resource protections in Alternatives 3, 5, and 4. In general, the desirable features EPA considers particularly worthy of including in a modified preferred alternative include:

☞ improve road/trail conditions, reduce sediment production from roads/trails; improve drainage, upgrade BMPs; close/decommission unneeded roads/trails; reduce overall road density; maximize watershed and water quality improvement; restore/protect fisheries;

☞ avoid/minimize new road construction, and if roads are absolutely needed locate roads away from streams;

☞ include Goals, Objectives, Standards and Guidelines to maintain/improve fisheries habitat and reduce sediment delivery;

☞ close and restore non-system roads unsuitable for management, including user-built roads/trails causing resource damage (i.e., off-road vehicles should be restricted to designated routes to stop cross-country travel that causes resource damages);

☞ restrict motorized vehicle access adequately to protect wildlife habitat and security and ecologically sensitive resources; restore wildlife connectivity; reduce fragmentation, and protect cultural areas while allowing access for management and recreation (we particularly support limitations on motorized uses in the Badger-Two Medicine Traditional Cultural District to protect cultural values and avoid habitat fragmentation);

☞ reduce threats of weed invasion from motorized uses which spread weeds;

☞ include education and enforcement efforts to improve public understanding of, and compliance with, travel management restrictions, and have a travel plan that can be enforced.

We are concerned that the DEIS states that only 10 to 30% of the roads in the analysis area have been maintained in the last 5 years, and that risk to water quality of perennial streams from roads and trails receiving little or no maintenance is moderate or greater. Table III-7 summarizing road maintenance since 1999 shows that only five roads (Roads #235, #144, #109, #233, and #196) totaling 50.7 road miles have received maintenance since 1999, and there are 118 miles of road currently open to motorized use on the RMRD. The DEIS states that there are 249.6 to 252.5 miles of roads and trails within 100 feet of streams and 629 to 631 road/trail stream crossings, and that existing roads were causing impacts on three reaches of West Fork Beaver Creek and Little Willow Creek; and that Trail #102 and #102A are causing sedimentation to westslope cutthroat trout habitat in Whiterock Creek; and the trail system in the SF Two Medicine River is causing excess sediment delivery. Table III-12 shows that 137.89 miles of roads and trails are built in areas with severe mass failure potential and 0.24 miles with severe erosion potential, and 75.43 miles of roads and trails are built in areas with moderate mass failure potential and 8.61 miles with moderate slump potential, comprising a total of 280.7 miles of roads and trails built on sensitive soils.

The DEIS also states that funding is inadequate to address the road/trail maintenance needs, and the current level of road/trail maintenance (which appears inadequate) would likely continue to decrease so that adverse impacts to soil and water resources would continue, and it is doubtful that Forest Plan direction will be met. Roads are often the major anthropogenic sediment source adversely affecting hydrology, water quality, and fisheries of streams in National Forests. Roads/trails often tend to become wider and rutted with motorized uses, creating a greater need for monitoring road/trail conditions and carrying out needed repair and erosion control. There are likely to be illegally user created roads/trails that may be contributing sediment to surface waters and adversely impacting water quality/fisheries, that should be closed and restored.

The EPA supports improvements in road drainage, and reductions in sediment delivery from roads, and road decommissioning and reductions in road density, particularly removal of road stream crossings, and closing and obliterating illegally user created non-system roads that cause resource damages to improve watershed conditions and aquatic health in area streams. There should be a continuing road inspection, evaluation and maintenance program in place to identify road drainage and BMP needs, including an inspection, evaluation and road maintenance program for closed, but unobliterated, roads.

We are concerned that there is inadequate funding and resources to properly maintain roads and trails to keep them in fair to good condition to avoid delivery of excess sediment to area streams. We are concerned that roads and trails pose a moderate to great risk to water quality, and Forest Plan direction may not be met. We believe road networks should be limited to those that can be adequately maintained within agency budgets and capabilities, and if roads cannot be cannot be properly maintained we believe they should be decommissioned.

Efforts to improve road conditions and reduce sediment delivery from roads should be an important element of a Travel Management Plan, and this element is not addressed well in the RMRD Travel Plan. We believe the preferred alternative must include a greater commitment of resources to road and trail maintenance to reduce risks to water quality and fisheries, and meet Forest Plan direction.

We have just reviewed the Travel Management Plan for the Gallatin National Forest, and make the observation that the Gallatin Travel Plan included amended Goals, Objectives, Standards and Guidelines for improved direction for future travel management. The RMRD Travel Management Plan does not appear to include new or amended Goals, Objectives, Standards and Guidelines, even though the DEIS indicates that roads and trails are among the most important activities that have affected water quality, soils, and fisheries. It is not clear why the Lewis & Clark National Forest is not reevaluating the adequacy of its Goals, Objectives, Standards and Guidelines for future management activities related to public access and travel on the RMRD with this Travel Plan. Does the Forest believe that its current Goals, Objectives, Standards and Guidelines are adequate, and no revision is needed?

It would be helpful to include the current Goals, Objectives, Standards and Guidelines that guide public access and travel on the RMRD in the FEIS, perhaps as an appendix, so RMRD travel management direction were disclosed and could then be evaluated. EPA's primary interest is the adequacy of management direction in regard to reducing water quality and aquatic habitat and fisheries impacts from roads and motorized trails, since roads and motorized trails often have a significant effect on water quality, aquatic habitat, and fisheries, and as noted above we have concerns regarding adequate maintenance of road and motorized trails.

EPA was generally supportive of the Goals, Objectives, Standards and Guidelines included in the Travel Plan for the Gallatin National Forest, particularly their Objective to close and restore non-system and user-built roads. For your information, some suggestions we made in regard to additional and/or supplemental management direction to reduce road impacts to water quality and fisheries for the Gallatin Travel Plan that may be of interest to the Lewis & Clark National Forest applicable to the RMRD Travel Plan are included in our more detailed comments.

The EPA is also concerned about increasing use of off-highway vehicles (OHVs) and all-terrain vehicles (ATVs), particularly illegal motorized use or user-built access roads, that occurs away from roads and trails, including steep slopes, fragile soils, wet meadows, and around water bodies. Executive Orders 11644 and 11989, "Use of Off-Road Vehicles on Public Lands," require agencies to ensure that the use of off-road vehicles on public lands will be controlled and directed so as to protect the resources of those lands, to promote the safety of all users of those lands, and to minimize conflicts among the various uses of those lands. We support closing, obliterating and revegetating illegally user created non-system roads that cause resource damages, and restricting cross-country travel off designated routes, with closures policed and enforced. We support closures to motorized off-road use unless lands are specifically designated for motorized use. Closing lands for motorized use unless they are designated as open to such use reduces uncertainty about allowable uses, and removes the incentive for illegal motorized recreationists to tear down and remove signs.

The DEIS indicates that little is known about current uses. This causes concern that there is inadequate monitoring of travel activities, and little policing and enforcement of off-road motorized uses. The Travel Management Plan for the Gallatin National Forest DEIS summarized past violations and developed enforceability criteria for alternatives so that alternatives could be evaluated for their enforceability (enforceability ratings were assessed for each alternative). The GallatinTravel Plan included a commitment to develop a Travel Plan implementation enforcement strategy tiered to their Gallatin Forest Law Enforcement Plan, with the Enforcement Plan updated annually with specific program emphases, personnel needs, costs and fund sources. We recommend that the Lewis & Clark National Forest and RMRD consider development of an enforcement strategy and a road and trail use inspection and enforcement program to assure that ATVs, OHVs and snowmobiles will not violate motorized vehicle access limitations, and damage aquatic and terrestrial resources.

Finally, the long-term travel management plan for the RMRD should also be consistent with Total Maximum Daily Loads (TMDLs) and water quality restoration strategies that are being developed to restore water quality and beneficial use support in Clean Water Act 303(d)-listed impaired waters on the RMRD (e.g., waterbodies such as the Sun River, Teton River, SF Two Medicine River, Dearborn River, SF Badger Creek, SF Birch Creek, Dupuyer Creek, SF Dupuyer Creek, NF Dupuyer Creek, Willow Creek were all on the 1996 Montana 303(d) list). Road reclamation and improvements in road drainage and BMPs, and relocating roads away from streams, decommissioning roads, removing and/or upgrading undersized culverts, eliminating fords, and armoring stream channels at former road stream crossings, and reducing motorized uses in erosive areas should improve water quality in the long-term and provide consistency with TMDLs.

We found it difficult to assess if the proposed travel management plan is consistent with TMDLs and water quality restoration strategies that are being developed for impaired waters in the RMRD. We encourage the Lewis & Clark NF to coordinate their travel management planning with the Montana DEQ as well as EPA TMDL staff to assure travel plan consistency with TMDLs and water quality restoration plans being prepared by local watershed groups, MDEQ and/or EPA (contact George Mathieus and/or Robert Ray of the MDEQ in Helena at 444-7423 and 444-5319, respectively; & Ron Steg, EPA TMDL Coordinator in Helena at 457-5024).

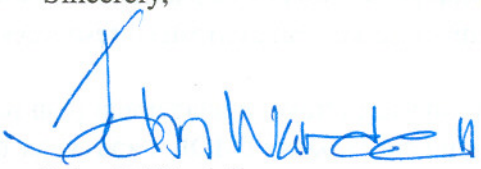
The EPA's more detailed questions, comments, and concerns regarding the analysis, documentation, or potential environmental impacts of the Rocky Mountain Ranger District Travel Management Plan are included in the enclosure with this letter. Based on the procedures EPA uses to evaluate the adequacy of the information and the potential environmental impacts of the proposed action and alternatives in an EIS, the Rocky Mountain Ranger District Travel Management Plan DEIS has been rated as Category EC-2 (Environmental Concerns - Insufficient Information). A summary of EPA's DEIS rating criteria is attached.

The EPA's environmental concerns regard potential effects to water quality, fisheries, wildlife, and cultural resources from roads and motorized uses. We consider Alternative 3 to provide the highest level of wildlife protection and conservation, and to be more responsive to Blackfeet Tribal cultural issues and road sediment production and water quality/fisheries issues.

We support development of a preferred alternative that addresses purpose and need and the significant issues to optimize and balance access needs and environmental and resource trade-offs building upon the resource protections in Alternatives 3, 5, and 4. EPA also believes the preferred alternative must include a greater commitment of resources to road and trail maintenance to reduce risks to water quality and fisheries, and meet Forest Plan direction.

If you have any questions you may contact Mr. Steve Potts of my staff in Helena at (406) 447-5022 or in Missoula at (406) 329-3313,or via e-mail at potts.stephen@epa.gov . Thank you for your willingness to consider our comments at this stage of the process, and we hope they will be useful to you.

Sincerely,



John F. Wardell
Director
Montana Office

Enclosures

cc: Larry Svoboda/Julia Johnson, EPA, 8EPR-N, Denver
Mark Kelley, MDEQ, Helena

U.S. Environmental Protection Agency Rating System for Draft Environmental Impact Statements

Definitions and Follow-Up Action*

Environmental Impact of the Action

LO - - Lack of Objections: The Environmental Protection Agency (EPA) review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC - - Environmental Concerns: The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce these impacts.

EO - - Environmental Objections: The EPA review has identified significant environmental impacts that should be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no-action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU - - Environmentally Unsatisfactory: The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1 - - Adequate: EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis of data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 - - Insufficient Information: The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses or discussion should be included in the final EIS.

Category 3 - - Inadequate: EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the National Environmental Policy Act and or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

* From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment. February, 1987.

EPA Comments on the Draft EIS for the Rocky Mountain Ranger District Travel Management Plan for the Lewis and Clark National Forest

Brief Project Overview:

The Lewis and Clark National Forest is changing the Travel Management Plan for motorized and non-motorized travel on non-wilderness roads, trails, and areas of the Rocky Mountain Ranger District (RMRD). The non-wilderness portion of the RMRD project area comprises approximately 392,000 acres. The purpose is to provide the public with opportunities to use both motorized and non-motorized transportation for access and travel on National Forest lands, roads and trails. Four action alternatives were developed and compared with the no action alternative, and effects on 32 issues were analyzed. Alternative 1 is the no action alternative involving no change from current management in the 1988 Travel Plan and the three State 2001 OHV decision. No action provides a baseline for assessing effects of other alternatives. Under this alternative motorized travel is allowed throughout the district with approximately 160 miles of ATV use and 233 miles of motorcycle use. A preferred alternative was not identified.

Alternative 2 was initially developed as the proposed action, and then modified. Alternative 2 would allow motorized use dispersed across non-wilderness portions of the RMRD, allowing the greatest mileage of wheeled motorized trails and greatest acreage of snowmobile opportunity of the four action alternatives. It would continue to allow seasonal use of some Badger-Two Medicine trails and elsewhere in the RMRD, and seasonal motorcycle use in the Badger-Two Medicine, Birch-Teton, and Sun River areas. It would prohibit motorized use on most Dearborn-Elk Creek areas, and increase snowmobile restrictions, but would continue to allow some snowmobile use in the Badger-Two Medicine, Birch-Teton, and Sun River, and Dearborn-Elk Creek areas. Under this alternative motorized travel is still widely spread throughout the district, with fewer miles, with approximately 99 miles of ATV use and 187 miles of motorcycle use. Most non-system motorized trails would be closed to motorized use.

Alternative 3 was developed based on public comments emphasizing traditional foot and horse travel and eliminating motorized travel on trails. Alternative 3 would allow the least mileage of motorized travel. It would close all trails yearlong to all motorized travel and prohibit cross-country snowmobiling in all areas. Existing main access roads would remain open for wheeled motorized travel, and all other roads would be closed yearlong. Under this alternative motorized travel would be restricted with 1 mile of ATV use and 0 miles of motorcycles use. Snowmobiling would only be allowed on designated main access roads.

Alternative 4 was developed based on public comments requesting greater separation of motorized and non-motorized travel, and motorized loop opportunities and enhancement of other resources. Alternative 4 features less mileage of motorized travel than Alternatives 1 and 2, and more than Alternatives 3 and 5. It would continue to allow a trail loop for ATV use in the Badger-Two Medicine area, and on a few other trails adjacent to the main access roads in the RMRD. Seasonal motorcycle use would continue to be allowed on a few main access trails in

the in the Badger-Two Medicine, south of Sun Canyon, and in the Benchmark area. Wheeled motorized access for disabled hunters would be allowed for specific roads in the Sun River and South Fork Teton areas. This alternative allows 78 miles open to ATVs and 51 miles to motorcycle use. Cross -country snowmobiling would be restricted to the same areas where wheeled motorized would be allowed during the summer.

Alternative 5 was developed in response to consultation with the Blackfeet Tribal government to address cultural issues in the Badger-Two Medicine area (where approximately 70% of the area has been determined to be eligible for listing as a Traditional Cultural District in the National Register of Historic Places). Alternative 5 provides fewer miles of motorized travel than any alternative except Alternative 3. It would not allow wheeled motorized vehicles on any roads in the Badger-Two Medicine area, and would close all trails in this area yearlong to motorized travel. The Theodore Roosevelt Memorial parking area and access to Summit Campground would remain open to motorized travel. Alternative 5 allows 28 miles of ATV use and 44 miles of motorcycle use (south of Birch Creek). Snowmobiling would be prohibited in all areas including all roads.

Alternatives Comparison Summary Table

	Alt. 1	Alt. 2	Alt. 3	Alt.4	Alt. 5
Motorized Roads & Trails	517 miles	319	88	239	171
Roads/Trails within 100 feet of streams	117.1/132.5	251.7	251	252.5	252.3
Number or Road/Trail Stream Crossings	629	629	631	629	63
Road/Trail on Sensitive Soils	246.2 miles	249.1	243.6	249	249
Summer Motorized ROS/Winter Motorized Area	54%/80%	46%/52%	16%/0%	28%/33%	22%/25%

Motorized ATV & motorcycle trails near streams	132.5 miles	87.3	0	34.2	18.9

Comments:

Alternatives

1. Thank you for providing Summary Tables and Matrices providing side-by-side comparison of road and trail mileage, and identification of effects of the alternatives, including Table I-2 addressing significant issues in detail (page 14-16), and Table II-1 comparing alternatives (pages 24-28), and large, clear alternatives maps. The summary tables, alternatives descriptions and maps help clarify alternatives, define issues, and provide a basis of choice among alternatives for the decisionmaker and the public as directed by the CEQ's regulations for implementing NEPA (40 CFR 1502.14).

2. While we appreciate the identification of features of alternatives in Table II-1, the features of alternatives in this table present combined road and trail actions, so that it is difficult to understand road actions vs. trail actions. Sediment yields are generally higher from roads than from trails so it would be of interest to know the amount of roads that are currently open and that would be closed and/or decommissioned under each alternative. We found such information difficult to decipher in the DEIS, since roads and trail information are combined in Table II-1. We subsequently found Table III-8 in Chapter III which provides information separately for roads and trails within 100 feet of perennial streams. It would be of interest to have such information for all roads and trails, not just roads and streams within 100 feet of perennial streams. At the very least we recommend including a note with Table II-1 drawing the readers attention to Table III-8 regarding disclosure of separate road and trail information.

3. Forest Travel Plans are critical elements in the management of National Forests, providing direction to manage road and trail networks for public recreation and conduct of land management activities. Public recreational demand and access has increased significantly in recent years, and motorized uses and roads in many cases have caused increased damage to aquatic and terrestrial resources. Roads and motorized uses have affected wildlife behavior and life history functions and habitat quality and quantity; caused habitat loss and fragmentation and wildlife mortality from vehicle-wildlife collisions; increased erosion resulting in sediment transport to water; degraded watershed conditions, water quality, aquatic habitat, and fisheries; increased dust emissions to air; spread weeds; and otherwise disrupted and degraded terrestrial and aquatic environments. Newer motorized vehicles such as trail bikes, all terrain vehicles (ATVs) and snowmobiles can access areas much further into the Forest than they could historically,

forcing wildlife onto smaller and smaller patches of habitat, fragmenting habitat and migration corridors, and adversely affecting wildlife security.

It is important, therefore, that Travel Plans include adequate limitations and restrictions on motorized uses to minimize road and travel impacts to wildlife habitat and security, watersheds, water quality, fisheries, soil integrity, spread of weeds, air quality, and overall ecosystem functions. The challenge is in providing adequate access for land management and public recreation while protecting and restoring aquatic and terrestrial ecosystems. Where there are conflicts between access and recreational use and long-term protection of resources and ecosystems, we believe resource/ecosystem protection must be given priority to sustain and protect resources and ecosystems for use by future generations.

While alternatives 2-5 all appear to be improvements to the existing situation (no action), we consider Alternative 3 to be the environmentally preferred alternative. Alternative 3 appears to provide the highest level of wildlife protection and conservation; protects the Blackfeet Traditional Cultural Area; involves the most road decommissioning; appears more responsive to road erosion and road sediment production and water quality/fisheries issues; and has the lowest conflict between uses. We believe the desirable features and merits of Alternative 3 as well as Alternatives 5 and 4 justify their consideration over Alternatives 1 or 2. The EPA has greater levels of environmental concerns with Alternatives 1 and 2, due to increased adverse effects on wildlife habitat and security, watersheds and cultural resources with these alternatives.

While we consider Alternative 3 to be the environmentally preferred alternative, we also recognize that there are many interests, effects and trade-offs involved in decision-making. It may be possible to develop a preferred alternative with a more optimal balance of the environmental, social and economic trade-offs. We support development of a preferred alternative that addresses purpose and need and the significant issues to optimize and balance access needs and environmental and resource trade-offs, by building upon the resource protections in Alternatives 3, 5, and 4. In general, the desirable features EPA considers particularly worthy of including in a modified preferred alternative include:

☞ improve road/trail conditions, reduce sediment production from roads/trails; improve drainage, upgrade BMPs; close/decommission unneeded roads/trails; reduce overall road density; maximize watershed and water quality improvement; restore/protect fisheries;

☞ avoid/minimize new road construction, and if roads are absolutely needed locate roads away from streams;

☞ include Goals, Objectives, Standards and Guidelines to maintain/improve fisheries habitat and reduce sediment delivery;

☞ close and restore non-system roads unsuitable for management, including user-built

roads/trails causing resource damage (i.e., off-road vehicles should be restricted to designated routes to stop cross-country travel that causes resource damages);

☞ restrict motorized vehicle access adequately to protect wildlife habitat and security and ecologically sensitive resources; restore wildlife connectivity; reduce fragmentation, and protect cultural areas while allowing access for management and recreation (we particularly support limitations on motorized uses in the Badger-Two Medicine Traditional Cultural District);

☞ reduce threats of weed invasion from motorized uses which spread weeds;

☞ include education and enforcement efforts to improve public understanding of, and compliance with, travel management restrictions, and have a travel plan that can be enforced.

Some specific recommendations for improvements to the preferred alternative are included in the comments below. We note that the RMRD will need to evaluate and analyze the impacts (e.g., watershed and water quality, wildlife impacts) of any new modified alternative, and display those impacts in the FEIS to allow for public disclosure, and to allow the decision maker to make a reasoned choice between alternatives. Discussion of additional evaluation of a modified preferred alternative in the FEIS may also better explain to the public the trade-offs involved in making travel management decisions, and may lead to improved public acceptance of decisions.

Water Quality/Soils/Fisheries

4. Thank you for analyzing water quality, soils and fisheries effects of travel management (page 41 to 83). Travel management impacts upon watershed/water quality, soils and fisheries are of great concern to EPA While these issues are discussed separately in the DEIS we consider such issues to be related, and accordingly are integrating our comments on these issues.

We are pleased that the DEIS acknowledges the potential for roads/trails and travel management to cause adverse effects to water quality, soils and fisheries (e.g., roads have resulted in elevated sediment levels where stream channels are confined by fill slopes and vegetation buffers between roads and streams are not adequate, and at stream crossings, page 43; trail rutting, erosion, lack of drainage and widening have been noted in District files and public comments, page 55). Roads are often a primary source of human-caused sediment increases, and sediment yields are generally higher from roads than from trails, and from motorized trails than from non-motorized trails. Roads/trails often tend to become wider and rutted with heavy motorized use, creating a need for continuing monitoring road/trail conditions, and for road and trail maintenance for needed repair and erosion control. We agree with the statement in the DEIS that regular road maintenance is important in reducing sediment production from road surfaces and drainage systems

(page 46).

We are concerned that the DEIS states that only 10 to 30% of the roads in the analysis area have been maintained yearly in the last 5 years (page 55), and that risk to water quality of perennial streams from roads and trails receiving little or no maintenance is moderate or greater. Table III-7 (page 46) summarizing road maintenance since 1999 shows that only five roads (Roads #235, #144, #109, #233, and #196) totaling 50.7 road miles have received maintenance since 1999, and there are 118 miles of road currently open to motorized use on the RMRD (page 38). Are the 77.3 miles of roads open to motorized use not receiving maintenance since 1999 (118 miles - 50.7 miles = 77.3 miles) in adequate condition to avoid sediment delivery to streams?

The DEIS also indicates that Trail #102 and #102A are causing sedimentation to westslope cutthroat trout habitat in Whiterock Creek, and the trail system in the SF Two Medicine River is causing excess sediment delivery (page 282). The DEIS also indicates that existing roads were causing impacts on three reaches of West Fork Beaver Creek and Little Willow Creek (page 42). It would be of interest to identify these specific roads, and the road conditions causing impacts to these streams. Have these roads received maintenance to reduce stream impacts? If not, will they receive proper maintenance to reduce stream impacts?

The EPA supports upgrading of BMPs and improving road/trail drainage on the existing RMRD road/trail network. We are concerned that there is inadequate funding and resources to properly maintain roads and keep them in fair to good condition to keep them from delivering excess sediment to area streams, so that roads and trails pose a moderate to great risk to water quality. We believe road networks should be limited to those that can be adequately maintained within agency budgets and capabilities, and if roads cannot be cannot be properly maintained we believe they should be decommissioned.

The DEIS states that there are 249.6 to 252.5 miles of roads and trails within 100 feet of streams and 629 to 631 road/trail stream crossings. We are concerned that the DEIS states that the current level of road maintenance (which appears inadequate) would likely continue to decrease so that adverse impacts to soil and water resources would continue (page 55). Table III-12 (page 72) shows that 137.89 miles of roads and trails are built in areas with severe mass failure potential and 0.24 miles with severe erosion potential, and 75.43 miles of roads and trails are built in areas with moderate mass failure potential and 8.61 miles with moderate slump potential, comprising a total of 280.7 miles of roads and trails built on sensitive soils. The DEIS says current levels of road and trail maintenance may even decrease in the future (page 74), so that it is doubtful that Forest Plan direction will be met.

We are very concerned that there is inadequate funding for road and trail maintenance to minimize erosion and water quality and fisheries impacts, and meet Forest Plan direction. There are likely to be illegally user created roads and trails that may be contributing

sediment to surface waters and adversely impacting water quality/fisheries, that should be closed and restored. There should be a continuing road inspection, evaluation and maintenance program in place to identify road drainage and BMP needs, including an inspection, evaluation and road maintenance program for closed, but unobliterated, roads. We believe the preferred alternative must include a greater commitment of resources to road and trail maintenance to reduce risks to water quality and fisheries.

5. Reductions in road density as well as improvements in road drainage and reductions in sediment delivery from roads are important for improving watershed conditions and aquatic health in area streams. Good quality aquatic habitat and higher populations of salmonid fish (trout) are often associated with watersheds with low road density. The EPA fully supports road decommissioning and reductions in road density, particularly removal of road stream crossing, and closing and obliterating illegally user created non-system roads that cause resource damages. Off-road vehicles (ORVs) should be restricted to designated routes to stop cross-country travel causing resource damages.

We encourage the Forest Service to incorporate as much road rehabilitation and road closure and decommissioning as possible in its preferred alternative. We support prioritizing decommissioning of roads close to streams rather than roads on upper slopes or ridges, and roads on sensitive soils or slopes or in landslide prone areas that have greater erosion potential, or roads within riparian areas to maximize water quality improvement benefits. Where roads or trails are located in narrow valleys adjacent to streams where roads/trails cannot be decommissioned, we recommend consideration of use of vegetative plantings, silt fences, and/or rock or log placement along the stream banks and/or steep slopes to reduce sediment entry into the streams. We believe efforts to improve road conditions and reduce sediment delivery from roads should be an important element of the Travel Plan, and this element is not addressed well in the RMRD Travel Plan.

We are pleased that the DEIS indicates that road densities in the project area are relatively low (0 to 0.63 mi/mi^2, page 43), and that 37 to 41 miles of roads/trails would be closed to use or decommissioned (Table II-1, page 26). The amount of road and trail decommissioning that would occur with all the action alternatives is not clear after review of Table II-1 and Table III-8. Table II-1 comparing alternatives indicates that 249.6, 251.7, 251, 252.5 and 252.3 miles, respectively, of roads and trails within 100 feet of perennial streams would remain with Alternative 1, 2, 3, 4, and 5. However, Table III-8 implies that 249.6, 244, 242.6, 244.4, and 244.2 miles, respectively, of roads and trails within 100 feet of perennial streams would remain with Alternative 1, 2, 3, 4, and 5. It is not clear to us why the road and trail mile totals shown in Table III-8 do not appear consistent with the data presented in the Table II-1 Alternatives Comparison table. A similar comment could be made in regard to stream crossings with Table II-1 and Table III-9.

Since impacts from roads are often greater than from trails, it would be of interest to disclose the mileage of roads that are closed or decommissioned under each alternative separately from the mileage of motorized trails that are closed or decommissioned (i.e., separate road and trail actions, as noted in our comment #2 above). It is not clear how many miles of non-system and user-built roads would be restored under the Travel Plan. We recommend that the FEIS more clearly identify how many miles of non-system and user-built roads would be closed and/or decommissioned and restored.

6. The DEIS states that while some road and trail decommissioning is proposed, the specifics of decommissioning (methods and timing) have not been developed for this project. 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. We also advise removing culverts and restoring stable stream crossings and drainage ways during road closure to address water quality and fish passage concerns.

7. Has the RMRD evaluated or conducted a survey of fish passage on culverts on the District? Since culverts often impede fish passage we recommend that such a survey be conducted to identify culverts causing fish passage problems. A priority list of culverts requiring modification or replacement should then be developed.

8. The DEIS indicates that there is very little difference between the action alternatives and the existing condition, and that the action alternatives differ primarily in the shift from motorized to non-motorized travel on trails, although current and future levels of such uses are not well known (page 69). Tables II-1, III-5 and III-8, however, seem to show distinct differences between alternatives. Alternatives 2, 3, 4, and 5 have 101, 87, 109, and 98 miles of open road, respectively, and 291, 1.1, 130 and 73.1 miles of motorized trails, respectively, with 28.2, 0, 21.5 and 7.1 miles of trails open to ATV's and motorcycles, respectively. Alternatives 2, 3, 4, and 5 would reduce the trail miles within 100 feet of perennial streams open to ATVs; and motorcycles to 87.3, 0.0, 34.2, and 18.9 miles respectively. We support Alternatives 3, 5 and 4 (in that order) over Alternative 2 and 1, since Alternatives 3, 5 and 4 provide the greatest protection to water quality, aquatic habitat and fisheries. Although as noted in comment # 3 above, we believe it may be possible to construct a modified preferred alternative to better optimize and balance access needs and environmental and resource trade-offs.

9. The analysis of travel management effects on water quality did not indicate if there are impaired waters that are listed on Montana's Clean Water Act Section 303(d) list within the RMRD analysis area. The EIS should identify water bodies in the RMRD that have been placed on the Montana's 303(d) list. Information on Montana's 303(d) listed water bodies can be found on-line at http://www.deq.state.mt.us/wqinfo/303_d/303d_information.asp (e.g., waterbodies such as the Sun River, Teton River, SF Two Medicine River, Dearborn River, SF Badger Creek, SF Birch Creek, Dupuyer Creek, SF Dupuyer Creek, NF Dupuyer Creek, Willow

Creek were all on the 1996 Montana 303(d) list). We suggest contacting the MDEQ to identify/validate waterbodies potentially affected by the travel plan that are listed by Montana as impaired or threatened (i.e., contact Mike Pipp 406-444-7424).

Stream segments designated as "water quality impaired" and/or "threatened" listed on State 303(d) lists require development of a Total Maximum Daily Load (TMDL). A TMDL:

Identifies the maximum load of a pollutant (e.g., sediment, nutrient, metal) a waterbody is able to assimilate and fully support its designated uses; allocates portions of the maximum load to all sources; identifies the necessary controls that may be implemented voluntarily or through regulatory means; and describes a monitoring plan and associated corrective feedback loop to insure that uses are fully supported;

Or can also be viewed as, *the total amount of pollutant that a water body may receive from all sources without exceeding WQS*; Or may be viewed as, *a reduction in pollutant loading that results in meeting WQS.*

Montana's approach is to include TMDLs as one component of comprehensive Water Quality Restoration Plans (WQRPs). TMDLs/WQRPs contain eight principal components:

1. Watershed characterization (hydrology, climate, vegetation, land use, ownership, etc.)
2. Description of impairments and applicable water quality standards.
3. Pollutant source assessment and estimate of existing pollutant loads, including pollutant loads in tributaries to 303(d) listed waters..
4. Water quality goals/restoration targets.
5. Load allocations (i.e., TMDLs).
6. Restoration strategy
7. Monitoring Strategy
8. Public involvement (30 day public comment period, informational meetings, etc.)

The load allocations and targets established by TMDLs/WQRPs inform land managers how much sediment, nutrient or other pollutant discharge may be too much (i.e., prevent support of beneficial uses). A WQRP provides a means to track the health of a stream over time. If a WQRP has not restored beneficial uses within five years, the Montana DEQ conducts an assessment to determine if:

* the implementation of new and improved BMPs are is necessary;
* water quality is improving but more time is needed to comply with WQS; or
* revisions to the plan will be necessary to meet WQS.

The Montana Dept. of Environmental Quality (MDEQ) and EPA are under a Court Ordered schedule to prepare TMDLs. Montana has divided the State into TMDL Planning Areas, grouping streams with similar water quality problems and land ownership as much as possible on a watershed basis. Each TMDL planning area may include 4 to 10 impaired watersheds that have specific TMDL preparation needs. Pending completion of a TMDL in Montana, new and expanded nonpoint source activities may commence and continue, provided those activities are conducted in accordance with (MCA 75-5-703). The Administrative Rules of Montana (17.30.602) define these as "methods, measures, or practices that protect present and reasonably anticipated beneficial uses."

"Reasonable soil, land and water conservation practices" include but are not limited to structural and nonstructural controls and operation and maintenance procedures. Appropriate practices may be applied before, during, or after pollution producing activities. It is important to note that "reasonable soil, land and water conservation practices" are differentiated from BMPs, which are generally established practices for controlling nonpoint source pollution. BMPs are largely practices that provide a degree of protection for water quality, but may or may not be sufficient to achieve Water Quality Standards and protect beneficial uses. "Reasonable soil, land and water conservation practices" include BMPs, but may require additional conservation practices, beyond BMPs to achieve Water Quality Standards and restore beneficial uses.

We believe the long-term travel management plan for the RMRD should be consistent with TMDLs and water quality restoration strategies that are being developed to restore water quality and beneficial use support in impaired 303(d)-listed waters on the RMRD. Road management and reduction of sediment delivery from roads is an important element in water quality restoration. Road reclamation and improvements in road drainage and BMPs (i.e., installing waterbars, drain dips, and ditch relief culverts), and relocating roads away from streams, decommissioning roads, removing and/or upgrading undersized culverts, eliminating fords, and armoring stream channels at former road stream crossings, and reducing motorized uses in erosive areas should improve water quality in the long-term, and help provide consistency with the TMDLs. The EIS should describe how the proposed travel management might affect impaired waterbodies, particularly how the water quality parameters causing the impairment and 303(d) listing may be affected. Significant sources of pollutant loading may occur in unlisted tributaries, and TMDLs must account for all sources of pollution, hence the need to identify and address pollution sources throughout the watershed, including unlisted waters.

It would appear to us that all action alternatives have potential to reduce adverse effects on water quality, since all action alternatives would reduce the total miles of roads and trails open to motorized use, and some road would be decommissioned, but a more in-depth analysis for potential effects of travel management alternatives to 303(d) listed waters should be provided. Preliminarily Alternatives 3, 5, and 4 in that order would appear to have greatest potential for water quality improvements.

We encourage the RMRD to coordinate their travel management planning with the Montana DEQ as well as EPA TMDL staff to assure travel plan consistency with TMDLs and water quality restoration plans being prepared by MDEQ (contact George Mathieus and/or Robert Ray of the MDEQ in Helena at 444-7423 and 444-5319, respectively; and Ron Steg, EPA TMDL Coordinator for Montana in Helena at 457-5024). Proposed travel management should also be discussed with any local watershed groups that may be involved in preparing TMDLs and water quality restoration plans. Aquatic/water quality effectiveness monitoring activities that are being carried out to evaluate water quality effects should also be summarized.

10. EPA considers the protection, improvement, and restoration of wetlands to be a high priority. Wetlands increase landscape and species diversity, and are critical to the protection of designated water uses. Possible impacts on wetlands include damage or improvement to: water quality, habitat for aquatic and terrestrial life, channel & bank stability, flood storage, ground water recharge and discharge, sources of primary production, and recreation and aesthetics. Road construction and motorized uses may lead to erosion and sediment production that may affect wetland integrity and function.

    Executive Order 11990 requires that all Federal Agencies protect wetlands. In addition national wetlands policy has established an interim goal of **No Overall Net Loss of the Nation's remaining wetlands**, and a long-term goal of increasing quantity and quality of the Nation's wetlands resource base (see "Presidential Wetland Policy of 1993" at website, http://www.usace.army.mil/inet/functions/cw/cecwo/reg/aug93wet.htm). Wetland impacts should be avoided, and then minimized, to the maximum extent practicable, and then unavoidable impacts should be compensated for through wetland restoration, creation, or enhancement.

    The FEIS should assess impacts of proposed travel management on wetlands, and explain how impacts, if any occur, will be mitigated (i.e., mitigation means sequence of avoidance, minimization, rehabilitation, and then compensation for unavoidable impacts). Wetlands should be included within designations of Riparian Habitat Conservation Areas (RHCAs), so that roads and trails avoid impacts to wetlands. It is important that appropriate limitations and restrictions be placed on off-road motorized vehicle use to protect against degradation of wetlands and other sensitive areas by off-road motorized vehicle use.

11. We have also just reviewed the Travel Management Plan for the Gallatin National Forest, and want to make the observation that the Gallatin Travel Plan included amended Goals, Objectives, Standards and Guidelines to direct future management activities related to public access and travel. The RMRD Travel Management Plan does not appear to include new or amended Goals, Objectives, Standards and Guidelines. The DEIS indicates that roads and trails are among the most important activities that have affected water quality, soils, and fisheries (pages 42, 72), yet apparently existing Goals, Objectives, Standards and Guidelines will be retained for future travel management.

It is not clear to us why the Lewis & Clark National Forest is not reevaluating the adequacy of its Goals, Objectives, Standards and Guidelines for directing future management activities related to public access and travel on the RMRD with this Travel Plan? Does the Forest believe that its current Goals, Objectives, Standards and Guidelines are adequate, and no revision is needed? We encourage adoption of Goals, Objectives, Standards and Guidelines that provide for maintenance of road/trail systems so they protect soil and watershed conditions and maintain riparian areas in good condition and minimize impacts to fisheries and wildlife.

It would be helpful to include the current Goals, Objectives, Standards and Guidelines that guide public access and travel on the RMRD in the FEIS, perhaps as an appendix, so RMRD travel management direction were disclosed and could then be evaluated. Our primary interest is the adequacy of management direction in regard to reducing water quality and aquatic habitat and fisheries impacts from roads, since roads often have a significant effect on water quality, aquatic habitat, and fisheries, and as noted in comments above we have concerns regarding adequate maintenance of road/trails.

EPA was generally supportive of the Goals, Objectives, Standards and Guidelines included in the Travel Plan for the Gallatin National Forest, particularly their Objective to close and restore non-system and user-built roads. Although we did suggest consideration of additional management direction to further assure a reduction in adverse effects to water quality and aquatic habitat from roads. For your information, some suggestions we made in regard to additional and/or supplemental management direction to reduce road impacts to water quality and fisheries for the Gallatin Travel Plan that may be of interest to the Lewis & Clark National Forest included:

* Revise their Objective C-1 to include consideration for closing and rehabilitating roads where they may be causing resource damage. For example, "*Close and rehabilitate existing road that are in excess to administrative, recreation, and access needs, or where roads are causing significant damage to water quality and fisheries or may otherwise be adversely affecting the ecological value of riparian resources.* At a minimum we believe there should be a supplemental Standard or Guideline indicating that priority in road closures and rehabilitation would given to roads causing water quality and fisheries impacts.

* Add a Guideline for Gallatin Objective C.1, to, *"Leave culverts or other crossing structures on closed or decommissioned roads, only when they can be maintained on a regular basis to minimize or prevent the risk of failure and associated resource damage."*

* We very much supported proposed Gallatin Goal D. for fisheries that indicates road and trails systems should be managed to "fully support the beneficial use of growth and propagation of salmonid fisheries and associated aquatic life." This is consistent with the Clean Water Act and Montana Water Quality Standards focus on beneficial use support,

and the fact that growth and propagation of salmonid fisheries and associated aquatic life is a high prevalent beneficial use on Gallatin National Forest waters.

* We supported the intent of fisheries Gallatin Objective D-4 and D-5 and roads and trails Standards M-1 through M-6 regarding road impacts on water quality, but suggested some additional Standards and/or Guidelines regarding design of stream crossings, road stabilization and other issues to protect water quality and fisheries as follows:

Minimize road stream crossings, and road and landing locations in riparian areas.

Avoid disruption of natural hydrologic flow paths and making channel changes on streams and drainages.

Construct and maintain stream crossings to prevent diversion of streamflow out of the channel and down the road in the event of crossing failure.

Stream crossing should simulate natural stream grade and substrate as much as possible in fish bearing streams (use bridges, arches and open bottom culverts).

When constructing new, replacement and reconstructed culverts, bridges, and other stream crossings accommodate a 100-year flood, including associated bedload and debris. Culverts should be properly aligned with the stream channel. Undersized culverts should be replaced and culverts which are not properly aligned or which present fish passage problems and/or serve as barriers to fish migration should be adjusted.

Construction of stream crossings should occur during periods of low stream flow (usually in late summer or early Fall). Special care should be taken to avoid or minimize impacts to the stream channel and to riparian vegetation during construction. Stream banks disturbed during construction should 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/or Montana DFW&P 124 authorizations).

Complete watershed analysis, prior to construction of new roads or landings in RCAs. The level of analysis should be commensurate with the scope and issues of the project and related aquatic resources.

Avoid constructing roads on unstable landtypes or landslide or mass failure prone areas. Such areas should be identified for avoidance prior to road design and construction.

Conduct implementation and effectiveness monitoring plans for road stability, drainage, and erosion control.

Stabilize road cut and fill slopes.

Avoid sediment delivery to streams from the road surface.

- Provide adequate numbers of waterbars, rolling dips and ditch relief culverts to avoid drainage running on or along roads;
- Outsloping of the roadway surface is preferred, except in cases where outsloping would increase sediment delivery to streams or where outsloping is infeasible or unsafe. Route road drainage away from potentially unstable stream channels, fills, and hillslopes.
- Avoid placing ditch relief culverts where they may discharge onto erodible slopes or directly into streams.
- Where possible install cross-drainage above stream crossings to prevent ditch sediments from entering streams.
- Minimize road use during spring thaw periods that causes rutting and channeling of snowmelt and runoff, and during wet periods that may erode road surfaces to minimize erosion and sediment delivery to streams.
- Avoid sidecasting of soils or snow where it may enter streams or wetlands.

* We supported their "other options for consideration" travel planning area goals, objectives and guidelines, particularly a guideline to maintain a 600 meter buffer adjacent to streams where new roads or trails (parallel or connector routes) may be established within riparian areas, when terrain and topography make such a buffer logistically feasible.

Off-Road Vehicles

12. The EPA is concerned about increasing use of off-highway vehicles (OHVs) and all-terrain vehicles (ATVs) that occurs away from roads and trails, including steep slopes, fragile soils, wet meadows, and around water bodies. Executive Orders 11644 and 11989, "Use of Off-Road Vehicles on Public Lands," require agencies to ensure that the use of off-road vehicles on public lands will be controlled and directed so as to protect the resources of those lands, to promote the safety of all users of those lands, and to minimize conflicts among the various uses of those lands. OHV/ATV use in environmentally sensitive areas can cause erosion, rutting, transport of sediment to streams, destruction of riparian and wetland habitat, adverse effects to wildlife habitat and security, and spread noxious weeds.

We have concerns that damage to wetlands and aquatic habitat, including riparian vegetation may be occurring from illegal motorized use or user-built access roads and associated campsites. It is important that appropriate limitations and restrictions be placed on off-road motorized vehicle use to protect against erosion, transport of sediment to streams, spread of noxious weeds, and degradation of terrestrial and aquatic habitat by off-road motorized vehicle use, especially in environmentally sensitive areas such as wetlands.

We support closing, obliterating and revegetating illegally user created non-system roads that cause resource damages, and restricting cross-country travel off designated routes. User created roads created by cross-country travel should be obliterated and revegetated, with their closures policed and enforced. We support closing National Forests to motorized off-road use unless lands are specifically designated for motorized use. This reverses the situation, in which all lands are open unless posted with closure signs. Closing lands for motorized use unless they are designated as open to such use reduces uncertainty about allowable uses, and removes the incentive for illegal motorized recreationists to tear down and remove signs.

13. Off-road violations often occur due to lack of policing and enforcement. We believe greater attention should be given to the issue of enforcement in the FEIS. The DEIS frequently states that current use levels on roads and trails in the analysis area are not well known. If little is known of current uses it probably means that there is little monitoring of travel activities, and little policing and enforcement of travel management restrictions. The Travel Management Plan for the Gallatin National Forest DEIS summarized past violations and developed enforceability criteria for alternatives so that alternatives could be evaluated for their enforceability (enforceability ratings were assessed for each alternative). Their Travel Plan included a commitment to develop a Travel Plan implementation enforcement strategy that will be tiered to their Gallatin Forest Law Enforcement Plan, with the Enforcement Plan updated annually with specific program emphases, personnel needs, costs and fund sources. We recommend that the Lewis & Clark National Forest and RMRD consider development of an enforcement strategy and a road and trail use inspection and enforcement program to assure that ATVs, OHVs and snowmobiles will not violate motorized vehicle access limitations, and damage aquatic and terrestrial resources.

    Adequate enforcement funding is needed to have an effective policing and enforcement program that assures that motorized access does not cause damage in restricted areas. We encourage the Lewis & Clark National Forest to develop and fund an effective enforcement strategy, to assure that OHVs and snowmobiles will not violate motorized vehicle access limitations. A Travel Management Plan is of little consequence unless it is enforced. Are there adequate funds for enforcement and for monitoring off-road vehicle use to identify resource impacts? It is also important that adequate resources be devoted to user education and signage to promoting public understanding of travel restrictions improve compliance with the Travel Plan.

14. Snowmobile noise can have adverse effects upon wildlife and solitude characteristics, and snowmobile air pollutant emissions can be an environmental concern. Much information is available regarding snowmobile noise and pollutant emissions and environmental effects. Most snowmobiles (and ATV's) used in mountain environments utilize 2-stroke engines, which mix the lubricating oil with the fuel and both are expelled in the exhaust. These engines allow up to one third of the fuel/oil mixture delivered to the engine to be passed into the environment virtually unburned. As stated in the U.S. Department of the

Interior document, "Air Quality Concerns Related to Snowmobile Usage in National Parks", Feb. 2000, hydrocarbon emission rates from 2-stroke snowmobile engines are about 80 times greater that those found in a 1995-96 automobile engines. A majority of these hydrocarbons are aromatic hydrocarbons, including polyaromatic hydrocarbons, which are considered to be the most toxic component of petroleum products, and aromatic hydrocarbons are also associated with chronic and carcinogenic effects.

The actual and potential environmental and human health effects from snowmobile emissions of noise, hydrocarbons and carbon monoxide are probably best summarized in the Park Service's recent Final EIS for winter use management in Yellowstone and Grand Teton National Parks (http://www.nps.gov/grte/winteruse/update.htm). Additionally, there are numerous studies underway to more clearly determine what environmental effect these pollutants may have. Although the RMRD has relatively good air pollutant dispersion characteristics, EPA recommends that the Lewis and Clark National Forest monitor the results of these studies and consider the results when evaluating future management direction for winter snowmobile use.

Increased snowmobile pollutant emissions could be particularly problematic in areas where snowmobiles congregate (e.g., trailheads) and during short periods of poor air dispersion (e.g., valleys where frequent inversion conditions may trap air pollutants). Some visitors and employees at Yellowstone National Park have experienced health effects from over-snow vehicle emissions even though Ambient Air Quality Standards have not been exceeded. In general, snowmobile emissions are worst when the engine is first started and hasn't yet warmed. For this reason trailheads are areas where this concern is greatest. If there are heavily used trailheads with large numbers of snowmobiles where stable air is present, the Forest should consider placing signs or implementing patrols on heavy use mornings to encourage users to limit idling time. The EPA also encourages use of the newer less polluting 4-stroke engine snowmobiles (e.g., http://www.deq.state.mt.us/CleanSnowmobile/solutions/engine/four-stroke.asp).

15. Also, some Forests have policies that prohibit off-trail snowmobile use until at least 6 inches of snow has accumulated. Snow in alpine areas is highly susceptible to wind movement which can leave bare or thinly covered areas that would be difficult or impossible to avoid given the speed of snowmobiles. Plant communities, biodiversity and water quality in higher elevation shallow-soil ecosystems may be extremely vulnerable to soil or vegetation disturbance. The impact of a road cut, a pioneered trail or other disturbance, can extend well downslope of the disturbed area, and adversely affect plant communities, biodiversity and water quality. Fragile alpine vegetation may need protection against such use, since impacts to some fragile alpine areas for all practical purposes may be irreversible. We suggest ending the snowmobiling season early enough (e.g., April 15) to reduce potential snowmobile use in marginally snow covered areas that could result in damage to fragile alpine vegetation. Are any measures proposed to protect fragile alpine vegetation from off-trail snowmobile use?

Monitoring

16. There should be an effective program for monitoring, evaluation and adaptive management to assure that effects of travel management are identified and management modified where necessary to mitigate adverse effects. The brief discussion of monitoring in the DEIS (page 29) states that monitoring could be used to evaluate the physical, biological, social and economic effects of implementing alternatives, and references Appendix E, Project Monitoring and Evaluation, for potential criteria for evaluating the effects of implementation. Appendix E indicates that the monitoring items in the Appendix are relevant for travel planning. The DEIS, however, does not appear to clearly state a commitment or assurance that monitoring will be conducted to identify effects from travel management or a commitment that effects of travel management will be mitigated with a monitoring and adaptive management program.

EPA believes monitoring and evaluation should take place with an adaptive management approach for all resource conditions. It is through the iterative process of setting goals and objectives, planning and carrying out travel management, monitoring impacts of travel management, and feeding back monitoring results to managers so they can understand effects and make needed adjustments to mitigate effects, that adaptive management works. We see no clear commitment to such an approach in the RMRD Travel Management Plan.

Appendix E indicates that damage from off-road vehicle use and Travel Plan effectiveness can be monitored, but does not appear to commit to such monitoring or provide much detail in regard to how adaptive management will be used to minimize resource impacts. Similarly Appendix E indicates that effects to aquatic habitat condition and watershed condition can be monitored, but there is no assured commitment that such effects will be monitored, or that effects to aquatic habitat and watershed conditions occurring as a result of motorized uses that are detected will be mitigated. We believe the FEIS should describe in greater detail the monitoring and adaptive management program that will be used to assure that effects of travel management will be detected and adequately mitigated.

We recommend development of criteria or thresholds that are protective of resources (e.g., for aquatic and wildlife habitat) that represent the minimum desired conditions for each resource affected by travel management in the RMRD planning areas. These criteria can serve as "trigger points" that when reached trigger conduct of additional management responses, such as more detailed monitoring and evaluation, conduct of additional planning or mitigation. Monitoring and evaluation of resource impacts relative to threshold values followed by subsequent management responses when thresholds are exceeded are what makes adaptive management programs work.

We have particular concerns regarding potential effects of off-road motorized uses on water quality, aquatic habitat and fisheries, as well as other resources such as wildlife

habitat, sensitive plants, etc., and it would be appropriate to develop monitoring components to assess travel management impacts on these resources. We also recommend that mechanisms for public disclosure of the monitoring analysis and the decisions for the Travel Plan be provided. The roles of the Forest Service, other Agencies, independent science, and the public should be identified. The FEIS should discuss the future decision points in this adaptive process that may require additional NEPA analysis. The FEIS should also provide assurance that funding is available for monitoring and adaptive management.

Recreation

17. Tables III-21 through III-26 (pages 117 to 122), showing the types of recreation that the public participates in, show that viewing wildlife and natural features, hiking/walking, relaxing, escaping noise, backpacking and other non-motorized uses generally have greater levels of participation than motorized uses. While we acknowledge that an element of the public enjoys motorized recreation, we do not believe that motorized uses should occur at the expense of non-motorized uses such as viewing wildlife or natural features. We believe motorized activities should be limited so that they only occur in a manner and location that does not degrade other public uses, and that is consistent with protection of natural features, wildlife, and other resources. Accordingly again, we support Alternatives 3, 5, an 4 (in that order) since these alternatives provide greater limitations on motorized uses to allow greater levels of protection for wildlife, natural features, and other resources that are used by the public.

Roadless/Wilderness

18. Wilderness study areas and roadless areas often provide population strongholds and key refugia for listed or proposed species and narrow endemic populations due to their more natural undisturbed character. The RMRD includes two inventoried roadless areas (IRAs) that may have potential for future wilderness designation, the Bear-Marshall-Scapegoat-Swan and Sawtotth IRAs (page 156). Table III-45 (page 161) shows that there are 22.7 miles of road and 261.2 miles of ATV/motorcycle trails in these IRAs. In addition undetermined motorized travel ways within these IRAs total 6.9 miles of 4x4 road, and 25.4 miles of ATV/motorcycle trails. Tables III-47 and III-48 indicate that there are 316 miles of motorized roads and trails and 279,970 acres open to snowmobiles in Inventoried Roadless Areas (IRAs, page 167), and Alternatives 2, 3, 4, and 5 would reduce motorized roads and trails to 234, 6, 100 and 76 miles, respectively; and Alternatives 2, 3, 4, and 5 would also reduce snowmobiling on 174,190 acres, 347,560 acres, 243,290 acres, and 260,670 acres, respectively.

    EPA supports efforts to protect the few remaining more pristine, less disturbed roadless areas, since the pristine character and integrity of remaining minimally disturbed roadless and wilderness study areas should be protected to prevent further fragmentation and degradation of wildlife habitat, and to maintain or restore solitude and primitive

recreation characteristics in such areas. We have concerns about allowing motorized recreation within roadless areas that may have potential adverse effects on roadless values, especially in recognition of trends of increasing public use of ORV's that can access previously inaccessible lands and cause increased damage to resources.

We encourage the RMRD to restrict motorized use in remaining roadless and wilderness study areas to protect the pristine characteristics of such areas. Motorized routes created by cross-country travel in such areas should be obliterated and revegetated, with closures policed and enforced. While all action alternative would reduce the potential for motorized uses to affect roadless characteristics it is clear that Alternatives 3, 5, and 4 provide greater levels of protection for roadless characteristics and the species that use such undisturbed areas. We would be concerned about selection of Alternatives 1 or 2 which are least responsive to protection and maintenance of roadless character and the species that use such undisturbed areas.

19. One of the National Strategic Goals regarding the use of motorized equipment in wilderness (FSM 2326.02) is to "Exclude the sight, sound, and other tangible evidence of motorized equipment or mechanical transport within wilderness, except where they are needed and justified." It is not clear whether this goal would be met in areas near the 51,834 acres of recommend Wilderness in the West Fork North Fork Teton, South Fork Teton, Renshaw, and Falls Creek drainages, and the 41,838 acre Deep Creek Reservoir North area identified for "further planning" as a wilderness study area (page 160).

Site visits to these areas may be required to confirm whether sight, sound or odor from motorized recreational use adjacent to these areas would be tangible from within the wilderness boundary. If there are likely impacts to such areas, the Forest should indicate whether motorized use that causes the impact is "needed and justified." It is important that our last remaining wildlands remain unspoiled and natural in order to provide clean water and air, sanctuary for native wildlife and plant species, and opportunities for low impact human recreation. We also believe provisions of access to roadless lands should be limited to where such access is absolutely needed and justified. We very much support the recommendation of Wilderness designation for the West Fork North Fork Teton, South Fork Teton, Renshaw, and Falls Creek drainages, and further study for the Deep Creek Reservoir North area.

Vegetation

20. The DEIS indicates that there are currently 2,690 acres infested with noxious weeds on 936 sites on the RMRD, with the majority of infestations along main access routes and trails (page 230). The DEIS also says that it does not appear that any alternative would have a significant difference on the spread of weeds (page 234). Weed occurrences, however, often have a high association with motorized travel, and it is generally believed that motorized vehicles are a significant vector for weed invasion on public lands. We are surprised, therefore, about the statement in the DEIS that alternatives that restrict

motorized uses such as Alternative 3 are not considered to have a lesser potential for spreading of noxious weeds (page 234). It is difficult for us to believe that Alternative 3 would not have a reduced potential for spreading weeds in comparison to alternatives that allow greater levels of motorized uses, such as Alternatives 1 and 2.

EPA supports the need to minimize noxious weed infestation. Noxious weeds are a great threat to biodiversity. Weeds can out-compete native plants and produce a monoculture that has little or no plant species diversity or benefit to wildlife. Noxious weeds tend to gain a foothold where there is disturbance in the ecosystem, such as road construction and where off-road vehicles disturb soils. We believe the RMRD should consider restrictions on vehicles to reduce effects of motorized uses on natural resources including potential for further weed infestation of the RMRD. We encourage limiting motorized uses to designated roads and trails to reduce threat of weed spread, and limitations on motorized use in roadless areas, which are often reservoirs of native plants. We consider Alternatives 3, 5, and 4 in that order to have the best potential to minimize weed invasion from motorized uses.

21. It is important that strategies for prevention, early detection of invasion, and control procedures for weeds be developed. EPA encourages efforts to develop and implement an Integrated Pest Management Program consisting of prevention, education, biological control, herbicide control, mechanical control, and monitoring to control noxious weeds. All users of the Forest should be educated about the threat of noxious weeds, and about measures to reduce weed threats. As you know weed seeds can be carried from a source area by the wind, wildlife or pack animals, on equipment or vehicle tires and tracks, by water, and on the boots of workers, so care should be taken to implement control procedures in all source areas to avoid spread to unaffected areas. For your information, measures we often recommend at the project level for preventing spread from source areas to uninfested areas include:

- Ensure that equipment tracks and tires are cleaned prior to transportation to an uninfested site.
- Focus control efforts at trail heads and transportation corridors to prevent tracking of seed into uninfested areas.
- Attempt to control the spread from one watershed to another to reduce water as a transport vector.
- If a localized infestation exists and control is not a viable option, consider rerouting trails/roads around the infestation to reduce available vectors for spread.
- Establish an education program for industrial and recreational users and encourage voluntary assistance in both prevention and control activities.
- Reseed disturbed sites as soon as possible following disturbance.

We also note that hay can be a source of noxious weed seed. Hay/straw is used as mulch to slow erosion and encourage seed germination, and used to feed horses in hunting and recreation camps, and as wildlife feed during harsh winters. The Federal Noxious Weed

Act of 1974 prohibits the interstate transport of noxious weeds or weed parts, such as seed. Cattle that are released on grazing allotments or horses used on public lands can transport undigested weed seed and spread it in their manure. Weed free seed forage should be required for backcountry users.

Wildlife

22. The DEIS reports that the RMRD serves as habitat for the threatened grizzly bear, gray wolf, and Canada lynx, and many sensitive species, and is part of the Northern Continental Divide Grizzly Bear Recovery Area (pages 239, 240). The uniqueness of the RMRD is discussed encompassing an area of rapid transition from high elevation alpine and sub-alpine habitats along the Continental Divide to mid-grass prairie (page 274). The area is biologically rich and diverse, with flora and fauna changing dramatically from east to west along the RMRD as landform, moisture, and habitat change, causing east-west connectivity to be thought of in terms of seasonal migration corridors, and to a lesser extent dispersal corridors. North-south connectivity involves the link between wildlife habitats and populations in Glacier National Park and Canada with habitats in central and southern Montana.

    The Travel Plan should maintain and protect high quality wildlife habitat and linkage corridors for productive and diverse populations of wildlife species (species viability). It is important that wildlife connectivity and security be maintained or improved and wildlife fragmentation and displacement be reduced. The Travel Plan should also avoid adverse impacts upon species of special concern, and contribute to recovery of listed species.

    It is known that motorized use increases wildlife encounters with humans which can result in habitat degradation, displacement, increased wildlife mortality, changes in behavior, increased stress, and reduction of reproductive success. We support adequate limitations on motorized travel and road density for protection of wildlife habitat and security, and key corridors for wildlife migration.

    The analysis and disclosure of the effects of alternatives on wildlife habitat and species shows that Alternative 3 has the greatest potential to protect and maintain high quality habitat and species viability followed by Alternative 5 and then Alternative 4 (e.g., Tables III-87, III-88). Accordingly (as stated earlier) we believe Alternatives 3, 5, and 4, in that order, should be favored during decision making for selection of a preferred alternative. Alternatives 1 and 2 would appear to have the greatest potential adverse consequences on wildlife habitat, fragmentation and connectivity, and species viability.

23. The EPA has particular concerns regarding fragmentation of wildlife habitat and disruption of natural wildlife behaviors, movement and life cycles in the Badger-Two Medicine area, where the Wilderness Society reports the highest levels of fragmentation impacts in the RMRD (Source, "*Roadless Area Conservation Along Montana's Rocky*

Mountain Front: Are We Losing Ground? Effects of Motorized Transportation in the Rocky Mountain Ranger District" By Michele R. Crist, Dawn A. Hartley, Janice L. Thomson, Ph.D., and Peter Aengst; The Wilderness Society, August 2004). Since the Badger-Two Medicine area is also an important historical, cultural and religious site for the Blackfeet Tribe, we particularly support limitations on motorized uses that degrade both cultural and wildlife resources. We very much support the limitations on motorized travel in the Badger-Two Medicine Area in Alternatives 3 and 5.

24. We are pleased that a Biological Assessment regarding effects to threatened and endangered species will be prepared for the preferred alternative in the FEIS (page 243). It is important that a Biological Assessment and the associated U.S. Fish & Wildlife Service Biological Opinion or formal concurrence be carried out during the NEPA process for the following reasons:

(1) NEPA requires public involvement and full disclosure of all issues upon which a decision is to be made;
(2) The CEQ Regulations for Implementing the Procedural Provisions of NEPA strongly encourage the integration of NEPA requirements with other environmental review and consultation requirements so that all such procedures run concurrently rather than consecutively (40 CFR 1500.2(c) and 1502.25); and
(3) The Endangered Species Act (ESA) consultation process can result in the identification of reasonable and prudent alternatives to preclude jeopardy, and mandated reasonable and prudent measures to reduce incidental take. These can affect project implementation.

Since the Biological Assessment and EIS must evaluate the potential impacts on listed species, they can jointly assist in analyzing the effectiveness of alternatives and mitigation measures. EPA recommends that the final EIS and Record of Decision not be completed prior to the completion of ESA consultation. If the consultation process is treated as a separate process, the Agencies risk USFWS identification of additional significant impacts, new mitigation measures, or changes to the preferred alternative. If these changes have not been evaluated in the final EIS, a supplement to the EIS would be warranted.

Heritage Resources

25. Motorized uses can affect the solitude and interrupt traditional cultural practices of the Blackfeet Tribe in the Badger-Two Medicine Traditional Cultural District (page 93). The DEIS indicates that the net affect to the Badger-Two Medicine Traditional Cultural District would be beneficial under Alternatives 3 and 5, and that Section 106 National Historic Preservation Act review would be streamlined and programmatic (page 96). The Badger-Two Medicine Traditional Cultural District is an important historical, cultural and religious site for the Blackfeet Tribe, and we support the provisions in Alternatives 3 and 5 that involve restoration of the area over the long-term and restrictions on motorized

travel in the Badger-Two Medicine District.

Tribal Trust Responsibilities

26. President Clinton's memorandum of April 29, 1994, describes government-to-government relations with Native American tribal governments. The U.S. has a unique relationship with tribal governments which requires that federal government plans, projects, programs and activities assess impacts on tribal trust resources. Trust resources are located within the exterior boundaries of reservations and outside the reservation in Usual and Accustomed fishing and hunting areas. Agencies should assess all impacts to tribal trust resource and include those impacts in the agencies' environmental documents. Each agency shall consult to the greatest extent practicable and to the extent permitted by law, with tribal governments prior to taking actions that affect federally-recognized tribal governments. The environmental document shall fully disclose the potential environmental impacts, both negative and positive, on tribal trust resources.

There may be indirect and cumulative effects on Tribal Trust resources from travel management on or near Blackfeet Reservation boundaries that may be induced or facilitated by the Travel Plan. We are pleased that travel management effects on the Badger-Two Medicine Traditional Cultural District have been evaluated, and that Alternatives 3 and 5 appear to mitigate effects to the Traditional Cultural District. As noted in earlier comments we support limitations on motorized travel within the Badger-Two Medicine Traditional Cultural District. We encourage the Forest Service to continue their active consultation with the Blackfeet Tribe to protect paleontological and cultural resources in the area.

Environmental Justice

27. Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," requires that Federal agencies make environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health and environmental effects of its programs, policies, and activities on minority populations and low-income populations. The Executive Order makes clear that its provisions apply fully to Native Americans. Environmental justice issues encompass a broad range of impacts covered by NEPA, including impacts on the natural or physical environment and interrelated social, cultural, and economic impacts. The Lewis & Clark National Forest should have a strategy for effective public involvement of minority (e.g., Native American) and low-income populations in determining travel management considerations, analyzing environmental, social, cultural and economic effects, and developing mitigation measures. Detailed guidance on addressing Executive Order 12898 in NEPA documents is available from the Council on Environmental Quality.

We are pleased that the Forest Service has been in dialogue with the Blackfeet Tribe regarding potential travel management impacts to the Badger-Two Medicine Traditional Cultural District, and that Alternatives 3 and 5 appear to mitigate effects to the Cultural District, so that travel management will not have a disproportionately high and adverse impacts on minority or low-income populations (page 284).

Air Quality

28. Thank you for evaluating and discussing potential air quality effects associated with travel management (pages 32 to 40). The DEIS (page 40) states all the action alternatives propose fewer miles of motorized roads/trails than no action, and that normal airflow patterns generally provide good dispersion so that impacts of current uses of the analysis area roads/trails and on the airshed and adjacent Class I airsheds are likely to be small enough to not be measurable, and thus, concludes that all action alternatives will meet Forest Plan Standards (which require management of emissions within Montana and NAAQS, compliance with Prevention of Significant Deterioration and State Implementation Plan program requirements). The DEIS also indicates that no air quality monitoring data is collected by the Lewis & Clark NF in the analysis area; and that current levels of use of the road and trail system and effects on air quality in the analysis area and adjacent Class I airsheds are not well known (page 36). While EPA acknowledges that the Rocky Mountain Front is known to have good air dispersion characteristics, it appears that air quality data and analysis is very limited. It should also be recognized that smoke from forest fires in Montana have produced concentrations of particulate matter exceeding NAAQS.

29. It is not clear to us why the words "in litigation" appear under PM-2.5 in Table III-1 (page 33). The PM-2.5 standard is well established. We suggest that this reference to it being in litigation be deleted.