**Federal Register Briefing Paper**

1. State Office

Montana State Office

1. What is the title of this notice?

Notice of Proposed Withdrawal and Opportunity for Public Meeting; MT

1. What are the key issues raised by the underlying decision documents for this notice?

This parcel of land has been withdrawn for United States Forest Service (USFS) use since 1982; therefore, no new issues are expected to arise from this action. This request covers the same 170 acres that were withdrawn for USFS use under Public Land Order (PLO) No. 6119, BLM Serial Number M-29832. PLO 6119 was published in Vol. 47, No. 25, pg. 5423 of the Federal Register on Friday, February 5, 1982. Due to an administrative oversight on the part of the USFS PLO No. 6119 expired prior to an extension of the withdrawal being processed. Therefore, the USFS has requested the establishment of a new withdrawal covering the same area.

1. Who are the primary users affected by or parties interested in the underlying decisions or actions? What are their concerns?

Present uses revolve primarily around recreational activity. It is anticipated that this trend will continue and will likely increase as the populations in Billings and Red Lodge, Montana grow. Worldwide, ice caves in limestone are fairly unique occurrences. There are numerous limestone caves in the Pryor Mountains; however, none are as unique as the Big Ice Cave. Visitors frequent this area mainly because of the aesthetic and recreational value of the Big Ice Cave. This cave has the best ice development and is the most visited of any known ice caves in the Pryor Mountains. Current users wish to see the historical use continued.

1. Is tribal consultation appropriate under E.O. 13175, or other authorities? Will the proposed action potentially impact tribes or generate their interest? If so, what consultation or other communication/outreach are you planning?

The Crow Tribe has been contacted, and their representative said the Tribe had no concerns about the proposal. In addtion, a notice of availability to review and comment will be published in *The Billings Gazette, The Missoulian* and *The Great Falls Tribune* newspapers following publication in the *Federal Register*. The proposed mineral withdrawal was also listed on the Custer National Forest quarterly Schedule of Proposed Actions notifying the public of this proposal.

1. Will this notice be controversial?

No, this notice should not be controversial. It simply maintains the status quo. All scoping done to this point shows support for the project.

1. What will the underlying decision or action change? (Summarize changes to policy, management practices, allowable uses, differences between draft and final, etc.)

With the approval of this proposed withdrawal there will be no changes in the current situation.

1. Will this notice need communications materials, e.g., a press release or a Communications Plan? If so, enclose these materials with the notice package submitted.

We do not anticipate the need for communication materials.

1. What are the reasons for the timing of the notice and the consequence, if any, of delaying or canceling the release?

Publication of this notice is required by 43 CFR 2310.2 which states: “Within 30 days of the submission for filing of a withdrawal application, or whenever a withdrawal proposal is made, a notice stating that the application has been submitted or that the proposal has been made, shall be published in the *FEDERAL REGISTER*.”

The initial withdrawal covering this parcel has expired. Without a new withdrawal in place the land will become open to mineral entry jeopardizing the unique qualities of the Big Ice Cave.

1. How has this been analyzed under the National Environmental Policy Act (NEPA)?

An Environmental Assessment will be prepared following the completion of the public comment period provided in this *Federal Register* notice. This information will be included in the final proposed withdrawal package to be forwarded for Secretary of Interiors consideration.

1. Is there any additional pertinent, descriptive information that reviewers need to know or would increase understanding?

This request simply maintains the status quo for this unique parcel of National Forest System lands. The parcel had been previously withdrawn for 20 years. During that time capital improvements have been made to the site and increasing numbers of recreationists come to enjoy a fairly rare occurrence of nature.

1. List the names and positions of the people who have prepared, reviewed, and approved the notice and the underlying decisions and documents.

###### **Interdisciplinary Team Members**

Halcyon La Point, Forest Service, Custer National Forest, Archaeologist

Susan Newell, Forest Service, Custer National Forest, Realty Specialist (retired)

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Barb Pitman, Forest Service, Custer National Forest, Wildlife Biologist

Kim Reid, Forest Service, Custer National Forest, Rangeland Management Specialist

Mark Slacks, Forest Service, Custer National Forest, Planner

###### **Agencies and Persons Consulted**

Sandy Ward, Bureau of Land Management, Montana State Office, Land Status Specialist

Scott Bixler, Forest Service, Region 1, Lands Status

Earl Sutton, Forest Service, Region 1, NEPA Coordinator (retired)

Pete Zimmerman, Region 1, NEPA, Appeals, and Litigation

13. Authorizing signature of State Office or Center Budget Officer, or Washington Office Resource Advisor certifying that the cost code on the Federal Register notice is accurate and valid.

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