

## Lawrence County Natural Resource Committee Meeting Notes

3/10/23

**Attending members:** Bill Coburn, Bruce Outka, Commissioner Richard Sleep, Don Hausle, Senator Randy Deibert, Mitch Iverson, Sherry Smith, Ron Moeller, Paul Pierson, and Mike Whalen.

**Guests:** Steve Kozel, District Ranger, Northern Hills District, Black Hills National Forest (BHNF), Amanda Morrison, Planner, SD Dept. Ag. and Natural Resource Conservation and Forestry, Ben Wudtke, Black Hills Forest Resource Association (BHFRA).

**Remote Guest.** Tom Troxel, BH Forest Resource Association

### **LiDAR:**

Paul opened the meeting by discussing LiDAR. He discussed the LiDAR QA-QC review that was discussed at the last meeting. Richard Sleep asked about follow up on LiDAR sample areas done by County. This resulted in discussion about the potential for expanded use of LiDAR using higher accuracy. Paul said there has been some movement by USFS on use of LiDAR on a forest-wide basis. Collection of data would be completed when there is no snow on the ground. Amanda Morrison with SD Ag. Nat. Resources said a scope of work with USGS has been completed. She said there is a push to get Forest-wide LiDAR analysis/interpretation work done in a timely manner. Normally this takes a lot of time, but this can be compressed by using multiple contractors. Mitch Iverson mentioned the need to consider other potential uses of LiDAR beyond forestry. Livestock and wildlife big game forage production was one possible resource to be considered. Randy Deibert said if the county or state wants higher density in certain areas, now is the time to bring it up.

### **Rail Shipping of logs:**

Richard Sleep asked if rail shipping of logs from CA to the Black Hills would lessen the job opportunities for local loggers. Paul said it would not, at least in the long term, as the Hullette and Spearfish Mills do not have adequate local timber to keep operating unless the rail project continues. If these mills close, this will lower job opportunities in the woods in the long term. Neiman has been shipping logs to Upton, WY previously on the mills own dime. Paul went on to explain that there are other forests with not enough milling capacity which creates the opportunity to ship and mill logs at the SD and Wyoming mills. Paul said that the current project is a pilot project funded with federal money through a partnership with Nat'l Wild Turkey Federation, USFS, and Neiman. Paul said that this approach is eventually going to be a competitive process.

### **Chimera**

Steve Kozel handed out copies of the Draft Chimera Environmental Assessment (EA). He said the project was started in Oct. of 2021. Seventy percent of the project area is in high to very high fire hazard rating. There is a lot of wildland fire interface (WUI) with many homes scattered throughout the project area. The overall goal of the Chimera project is to drop 50-75% of the fire hazard to moderate or low. The first public scoping was in February of 2022. About 60 people attended a scoping meeting in Sturgis.

To provide some background on this project, Steve explained that the USFS Chief identified priority "at risk" fire sheds throughout National Forests. The BHNF is in the top 10. Initially there was only one action alternative in the Chimera EA but they created another alternative which would have less of an impact on wildlife and sensitive

plants (Alternative C). There is also the current management alternative which is considered a no action alternative (Alternative A). Randy asked if they would get some funding out of the 2 billion federal infrastructure package. Steve said that probably will; eventually. The N. Hills Ranger District hosted two meetings with the conservation districts and the State of SD to coordinate this effort and include private land. The private land portion of this project would be done by these entities. Randy asked if the committee received the draft EA before it was released to public. Steve said yes. Mitch said the committee received it about 10 days before it went public.

At this point, there was a group discussion about the coordination between the Lawrence Natural Resource Committee (the Committee) and the N. Hills Ranger District. Some things that went well, were the Committees involvement in the Interdisciplinary team (IDT) meetings through Bill Coburns attendance and involvement. Steve said some areas were added based on Bill's input. He also coordinated important access. From the perspective of Bill and Mitch, portions that did not go well were the committee's late notification and involvement in the project and the lack of flexibility. Lawrence County was not notified of the project until a year after the project had been initiated. There also could have been more involvement in other stages of the environmental assessments such as the impact analysis.

When asked about incorporating flexibility as previously requested by the Committee, Steve responded that individual forest treatment types were set for specific areas and could not be changed after the decision was signed. Mitch expressed concern about setting rigid treatments when information about conditions on the ground was limited. He asked how long it would take to finish treatments. Steve replied that it could take up to ten years. This sparked a discussion about the potential change in condition in ten years and the inability to respond to these changes without having to go through the entire NEPA planning process again. Steve said that even though the Rx fire treatment areas include large expanses of the project area, Rx fire would not occur in all areas, only in areas to be determined after the EA and decision was signed. This approach would be used for implementation of Rx fire but not for other types of treatments.

Steve summarized the alternatives as follows:

Alternative A: This alternative is a continuation of current management. None of the actions proposed in the Chimera EA would be implemented. This alternative provides a baseline for comparison of the action alternatives. Actions approved from previous decisions would continue to be implemented.

Alternative B: Steve said the proposed action is a modification of alternative B. This alternative has the most acres of commercial, non-commercial thinning, commercial liberation harvest and logging on steep slopes. Many treatments are on slopes over 40%. Bill Coburn asked if acres could be moved in or out of treatment types based on actual conditions on the ground at the time of the treatment. Steve said it is possible but very difficult due to the US Fish Wildlife Service (FWS) consultation requirements about the northern long eared bat. Steve said that steep slopes and left over slash from branches is hard to address in this project. Its not possible to take every stick out but they do not want to leave too much slash on the ground. The goal with Alternative B is to move the high to very high fire hazard classes down to 26% of the project acres (currently 70% of the acres in the project area is high to very high rating).

Alternative C: This alternative responds to concerns about maintaining forest structural stages for wildlife and sensitive plants. This alternative has much fewer acres of commercial, non-commercial thinning, commercial liberation harvest and does not provide for logging (commercial treatments) on steep slopes. The acres of Rx fire is the same under Alternatives B and C.

Comparison of Alternatives in the Chimera EA (Table 5, Page 8 of EA)

Action	Alternative A	Alternative B (Proposed Action)	Alternative C
Commercial Thin (acres)	0	11,705	2,957
Non-Commercial Thin (acres)	0	25,374	14,229
Commercial Liberation Harvest (acres)	0	2,036	845
Non-Commercial Thin in Liberation Unit (acres)	0	2,036	1,242
Commercial and Non-Commercial Hardwood Enhancement (acres)	0	1,475	1,475
Commercial and Non-Commercial Meadow Enhancement (acres)	0	248	248
Prescribed Fire (acres)	0	11,997	11,997
Potential Acres of Steep Slope Logging (acres)	0	7,514	0
New Road Construction (miles)	0	7.7	0
Existing Road Reconstruction (miles)	0	125	35
Existing Road Maintenance (miles)	0	35	10

The figures listed above include USFS managed lands only. The fire risk acres described previously also include USFS lands only. Amanda said that wildfirerisk.org shows fire hazard on private and state lands. This site is a wealth of information. Ron asked Steve why he picked the project area instead of other high elevation areas. Steve responded that it selected because of the District’s knowledge of the area and the opportunity to reduce fuels in this area. He also brought up the number of homes interspersed with USFS lands in this area and the front country development near interstate 90.

Steve showed several maps that displayed the treatment type for each alternative with various colors displaying specific treatments. Mitch pointed out that on the maps, Rx fire would be allowed over vast areas, yet other treatments were restricted to very small, specific areas. This provides much flexibility to implement Rx fire treatments in various areas across the landscape but no flexibility for other treatments. The possibility of providing larger areas and identifying different treatments that could be applied based on conditions was discussed at a previous meeting. This would provide flexibility to address differences in expected and actual conditions at the time of the treatment.

Mitch stated that there are several ways to provide flexibility. Another option is condition based management which is type of adaptive management. Steve had previously stated that he opposed this type of approach because of past experience and confirmed that he still felt this way. This approach uses an “if” and “then” approach. If certain conditions are found, then treatment appropriate treatment would be applied. Under this approach a decision matrix of conditions with corresponding treatment options is developed to provide choices based on conditions at the time of treatment. Mitch stated there are many examples where this approach has been used successfully and many other Forests are using it. The most recent example is the Invasive plant EIS that was recently completed on the Bighorn NF. In this case, the Bighorn NF EIS did not attempt to limit treatment types to very specific areas, it provided a suite of treatments based on conditions at the time and described when and how a treatment would be applied through a decision tree. Steve was concerned that consultation about the northern long eared bat would make incorporating flexibility difficult. Mitch responded that he is already

proposing using a flexible approach with Rx fire treatments by making treatment areas very large and then stating that Rx fire would only be used on a portion of these areas. This is a form of flexibility that could be applied to all treatments. Steve said that Rx fire this is different. Several committee members later noted that they are using the same flexible approach with precommercial thinning but not commercial treatments in the Chimera proposed action (Alternative B).

Steve said consultation with US Fish and Wildlife Service (FWS) on the northern long-eared bat (a threatened species) will take up to 135 days. Because of the length of this consultation, they have already moved forward on consultation based on the alternatives that have been developed. At the end of the meeting, Steve said they are going to request an emergency action determination for the Chimera project. This would require approval at the higher levels of the USFS. If this is approved, no objections could be issued and the project could proceed immediately.

**Zeppelin Project:** Steve brought up another proposed forest treatment is in the works on the Northern Hills Ranger District. There was limited discussion about this project except that an initial Interdisciplinary team meeting (IDT) meeting was held and the project is a forestry/fuels treatment.

Bill recommended that a subgroup be developed consisting mainly of foresters and people knowledgeable about planning and NEPA to develop comments about the draft Chimera EA. This was forwarded as a motion by Don Hausle and approved by the committee. Paul Pierson, Mitch Iverson and Bill Coburn were identified as subgroup members. Once comments are developed, they will be sent out to the Committee for review and then forwarded to the County Commissioners. Bruce said normally that certain requirements must be met for this type of work but clarified that this meeting is treated like a County Commissioner meeting and these requirements would not apply since the meeting is open to the public. Comments need to be received by the N. Hills Ranger District by March 28.

#### **Other items:**

Bruce Outka asked Amanda if the Black Hills Resilient Forest meeting are open to the public. After some discussion it was decided that this is yet to be determined.

3/14/23 update: Next Committee meeting will be Friday, March 24 **not** March 20<sup>th</sup> as originally planned. Meeting will be in the County Commission room. The change in meeting time was made to allow the Chimera subgroup additional time to review and develop comments to the N. Hills Ranger District about the Chimera EA. The subgroup will meet on March 20 at 2:00 PM to develop comments.

#### **Follow up items:**

Submission of comments to County Commissioners and then to N. Hills Ranger District by April 7

Notes taken by Mitch Iverson