



**Norbeck Society**

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Steve Kozel, District Ranger  
Chris Stores, Project Leader  
Northern Hills Ranger District  
Black Hills National Forest  
2014 North Main Street  
Spearfish, SD 57783

April 7, 2023

Re: Chimera Fuels Reduction Project EA

Dear Ranger Kozel and Project Leader Stores,

As part of our mission to advocate for sustainable use of public lands, Norbeck Society comments reflect a desire to support a management approach for the Black Hills National Forest (BHNF) that recognizes the imperative of protecting and enhancing the biocomplexity of forest ecosystems that serve and support growing numbers of people. A vision for long-term sustainability of all aspects of the land is paramount.

The Norbeck Society wishes to ensure that benefits flow perpetually to those who come after us. People in the future will rely on the graces of the Black Hills National Forest just as we do.

On the following pages, you will find our comments on the Chimera Fuels Reduction Project EA.

Thank you for the opportunity to provide input to the USFS about the management of the BHNF.

Sincerely,  
The Norbeck Society

# Norbeck Society Comments Chimera Fuels Reduction Project Environmental Assessment

## Northern Hills District, Black Hills National Forest

April 7, 2023

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| Chimera EA | <ul style="list-style-type: none"> <li>Commercial thinning of up to 13,265 acres to reduce pine stand density and reduce the fire hazard rating of stands within the WUI. Thinning operations would be carried out through a variety of methods including but not limited to ground-based logging, cable logging, and helicopter logging, depending on terrain and accessibility of treatment units.</li> <li>Liberation cuts on up to 4,060 acres to meet management area objectives, create a mosaic of forest conditions, and to move those stands toward their desired future condition.</li> <li>Commercial and non-commercial thinning of pine on up to 1,480 acres of hardwood stands and 250 acres of meadows to limit pine encroachment, provide habitat diversity, and enhance natural fuel breaks. Treatment type would be dependent on stand-by-stand conditions.</li> <li>Non-commercial thinning of pine on up to 26,640 acres to reduce fuel levels. Treatment methods could include but are not limited to lopping, chipping, crushing, piling and burning, and creating fuel breaks along roads and adjacent to private property.</li> <li>Prescribed fire on up to 12,000 acres of pine stands to reduce fuel loading and continuity and to increase the quantity and quality of forage for big game and other wildlife. Prescribed burns would be conducted when weather and site-specific stand conditions allow.</li> <li>New road construction of up to 32 miles would be required to carry out all proposed commercial timber harvest treatments. Any new roads constructed under this project would be closed following use and would not become part of the Forest road system. Road construction mileage is an estimate based on GIS analysis; final locations and distance will be determined through field recon and disclosed in the environmental assessment. Non-commercial treatments would be implemented utilizing the existing road system.</li> <li>Closure of up to 17 miles of existing NFS roads or motorized trails would occur in several locations to limit resource damage, reduce open road density in big game winter range, and address safety concerns. Roads that would be considered for closure include: 168.2B, 169.1D, 170.5B, 170.5C, 170.5G, 171.1B, 172.1, 180.1E, 180.1I, 538.1A, 541.1D, 542.1A, and 8041.</li> </ul> | Northern Hills District, BHNF | April 2023 | 54,482 acre area<br><br>38,500 acres of NFS land<br><br>19,055 acres of commercial treatment (50%) | EA<br><br>Wildfire resilience Healthy Forests Restoration Act (HFRA, 2003)<br><br>or<br><br>Western Firesheds Emergency Action Determination (EAD) under Section 40807 of the 2022 Bipartisan Infrastructure Law (BIL) | Overlapping with Spruce BHRL MPBRP Mineral and others |
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In these comments, we will identify opportunities, concerns, and issues as requested.

### 1. Current Situation is inappropriate for a large logging project.

**The Chimera project proposes to authorize mechanized commercial treatments on at least 50% (19,055 acres) of National Forest Land in the Project Area at a time when the Black Hills National Forest:**

- has been cut unsustainably for at least 12 years as demonstrated in multiple reports on Forests of South Dakota.
- has lost over half its inventory of merchantable timber in 25 years as found in General Technical Report 422 (GTR-422) “A Scenario-Based Assessment to Inform Sustainable Ponderosa Pine Timber Harvest on the Black Hills National Forest.”
- has had no project monitoring done for the Mountain Pine Beetle Response project and the Black Hills Resilient Landscapes Project.
- has a Forest Plan Revision that is overdue. Options in Planning are being severely limited by the unsustainable logging on the Black Hills National Forest.
- is not moving towards Habitat Structural Stage Objectives as was overwhelmingly advertised on TV and newspapers, NFAB, and other public forums since the inception of the BHRL project in 2016.
- is not moving towards Habitat Structural Stage Objectives which was part of a legal settlement resulting in the Phase 2 Amendment of the current Forest Plan.

Also, the Black Hills National Forest is the subject of Regulatory Capture by the timber industry and is actively being de-forested without regard for the better judgement of many within the agency and outside it.

Unanswered questions about the current condition of the Black Hills National Forest make the timing of this project inappropriate:

- In spite of the assertion that this project would adhere to direction established by the Black Hills National Forest Land and Resource Management Plan as amended by the Phase II Amendment (Forest Plan) (USDA Forest Service 2006a), the Black Hills National Forest is actually failing at many of the Goals in the FLRMP including **Goal 3: Provide for sustained commodity uses in an environmentally acceptable manner**. Per information received by recent FOIA, we are aware that the forest is so timber-poor that it can barely produce a three-year outlook on its timber program. Most of the inventory is now on the Northern Hills District. **Can Northern Hills District provide sustained yields while fulfilling projected timber targets for the Forest in perpetuity?**
- The Black Hills National Forest is subject to President Biden's executive order requiring a review of old growth and carbon sequestration abilities. This includes the Northern Hills District and the area of the proposed Chimera Project. **The Chimera project area must be reviewed for old growth and mature timber. If there is no old growth now, then the Forest Service must set aside mature stands to become old growth. Will the Northern Hills District commit to perusing the Chimera Project area for stands on the cusp of becoming old growth and set aside 5% of the project area for this potential?**

## **2. HFRA authority: The Chimera Fuels Reduction Project (Chimera Project) is *not* consistent with the authorities listed in HFRA Title I Section 102(a):**

**The Norbeck Society believes the Northern Hills Ranger District should prioritize President Biden's Executive Order *before* embarking on the Chimera project.**

Per Executive Order 14072, the Black Hills National Forest must evaluate the project area for old growth and mature stands before embarking on this project. The current draft EA for the Chimera Project includes cutting on over 19,000 acres of mature forests.

**The Norbeck Society has serious and well-founded concerns about the ability of the Northern Hills District to mitigate fire hazards.**

The Northern Hills District of the Black Hills National Forest had not made a serious attempt to determine how to best mitigate fire risk. If they had, then fire modeling would be used to determine actual risk and where treatments would be most effective. Also, the understory and trends in stands no longer containing a commercial project and in early stages because of recent logging should have been considered.

Instead, in the Chimera draft EA, stand density is used. Slope, wind, distance to inhabited structures, accessibility/roads, and the condition of surrounding stands is completely ignored. These factors along with the inability of the Forest Service to conduct small tree

thinning and prescribed burning to a meaningful degree make the claims made in the Chimera EA about the extent of fire risk post-project quite overblown.

Since being “treated” to mitigate fire risk in the past 20 years and especially in the most aggressively BHRL-“treated” areas of the Northern Hills, there is now an ocean of dangerous regeneration.



The stand in the photo above is not rated as “High or Very High Fire Hazard” but if it isn’t already, it will be high or very high fire hazard by the time the Chimera project is completed – and yet the map showing post project fire hazard does not reflect that. Instead, Chimera analysis seems to assume that all untreated areas will remain static.



The same area, shown again, is certainly a candidate for hardwood restoration which could be accomplished without commercial logging. Yet, it will not be touched in the Chimera Project.



This photo shows the line between some private land and Forest Service land in the Chimera Project area. Note the ladder fuel on USFS land on right vs. removal of same on private land on the left.



This photo shows what's happening due to recent "fire risk mitigation" in the Cougar Timber Sale area on the Northern Hills District immediately south of the Chimera project.

The Chimera project cannot fulfill the need to mitigate fire risk because -as always on the Black Hills National Forest- the actions that would really help mitigate fire risk (non-commercial thinning and prescribed burning) will not be done to an effective degree. It is now predictable that once the timber treasure is taken, freshly liberated thickets of doghair will grow even faster, mostly untended. The Chimera project will *enhance* the risk of severe fire effects. The effects of “management” on the Black Hills National Forest has been creating more and more smaller and smaller, more fire prone trees.

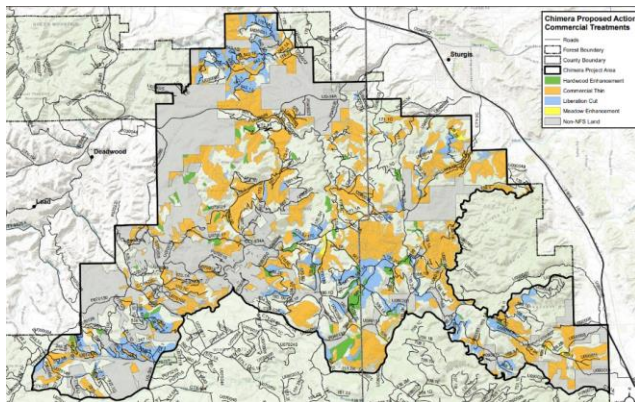
If the Forest Service has a plan for changing that, i.e. a lot of IRA money, then the Forest Service should apply that *first* to other recently logged areas of the Northern Hills District where post-logging fire risk is increasing exponentially.

**There is an opportunity to change that: in general, when planning vegetation management activities, set stops at which no more commercial treatments can take place until a commensurate amount of restorative actions have been taken, i.e. small tree thinning and prescribed burning. We would like to see this happen in the Chimera Project. For example, non-commercial thinning and burning on 60 acres would trigger 10 acres of commercial logging. This is the kind of discipline it will take to effectively address vegetation issues on the forest.**

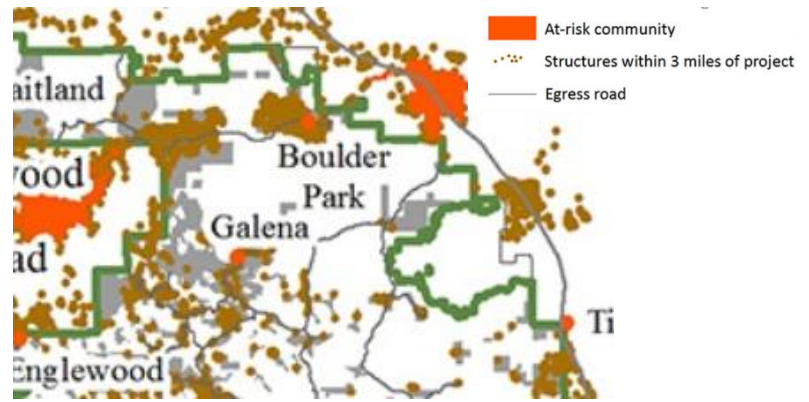


Billions of untended young trees across the Northern Hills District are quickly increasing fire-risk.

Please explain why proposed treatments aren't focused in the WUI and confined to WUI where private landowners have done similar treatments on the private land adjoining Forest Service?



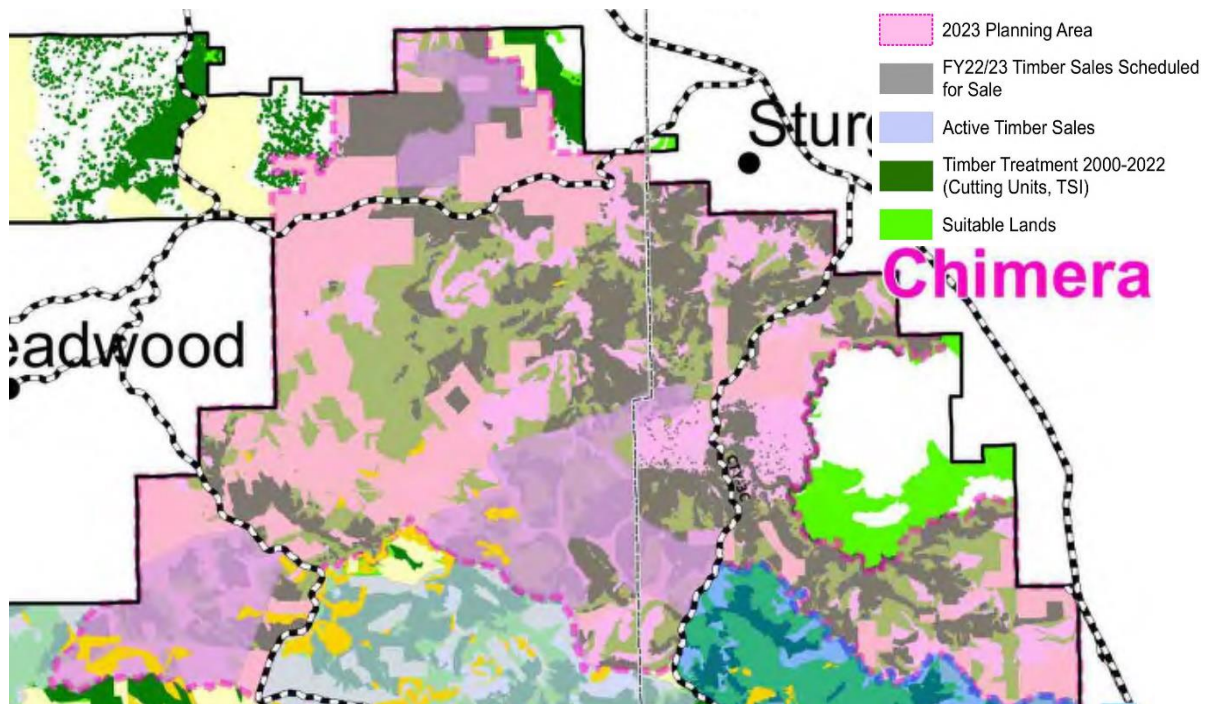
Chimera proposed actions 2023



Black Hills Resilient Landscapes (BHRL) 2019

3. **The Norbeck Society is concerned that the proposed treatments will take place in areas recently hosting logging equipment. The cumulative effects (logging, ohvs, and cattle) in the Chimera Project area are not trivial and in many cases will negatively effect the natural ecology of the Black Hills.**

Including 51 harvests between 1949 and 2021. Indeed 13,370 acres (35%) have been harvested commercially in recent years (plus another 12% of non-commercial harvests). Chimera project area is also hosting logging activities at present.



Map of Chimera area with active and past timber sales.

**4. The Purpose and Need of the Chimera EA stated purpose and need are incongruent with the expected outcome which is already visible in many other parts of the Northern Hills District.**

Examples are in no short supply. As explained above, the project will not increase the resiliency of the forest and communities. There is an opportunity present, and that is to use the IRA money to work on small trees already growing out of control now on the District. That is where the emergency is, not doing more logging. The District has demonstrated it is presently incapable of enhancing or promoting meadows or hardwood stands as demonstrated in recent vegetation treatments purported to do so. Examples:



Recent hardwood “enhancement” Northern Hills District  
after large trees cut, small non-commercial trees remain



Recent meadow “restoration” on the Northern Hills District  
before the 160+ year old fire-proof trees were cut.

## **5. Proposed Action (Alternative B) vs. Alternatives A and C, and Concerns that Alternative B puts many important values at risk.**

The proposed action (Alternative B) will do much harm to the native plants, soils and much of that damage will be irretrievable. In addition to releasing huge amounts of carbon due to use of heavy machinery throughout the logging and milling processes, the proposed action will also leave the existing plants and soils less able to store carbon because of the damage to the soils and plants, and loss of carbon-storing trees.

Because much of the reason people want to live near the forest is the native plant habitat and dependent wildlife, it behooves the Northern Hills District to *not* select Alternative B.

**The Chimera EA clearly states that Alternative B would damage known resource concerns in the project area, including raptors, bats, martens, sensitive plants, soils and hydrology. This makes Alternative C preferable by far of the two action alternatives.**

**Of the action alternatives, C is also preferable in terms of roads – please decommission even more roads. OHVs are (second only to logging) doing too much damage on the forest. No more roads!**

**Where conducting commercial thinning, the Forest Service should abandon the even-aged method, switching to uneven-aged management. If the purpose is to mitigate fire risk, the best available science shows uneven-aged management is more effective.**

### **Weeds:**

The Northern Hills District needs to figure out how to effectively address weeds - big problem.

### **Habitat Structural Stages:**

How does the Chimera Project move the Northern Hills District toward Habitat Structural Stage (HSS) objectives? Please show the existing condition of HSS, and what will they be post-project in each management area.

### **Hydrology and Soils:**

Excessive logging can easily cause water tables to drop and in fact this has been reported to be occurring in many areas of the Black Hills.

Soil compaction is a long-term and cumulative impact and can be detected up to 80 years or more after logging. This is especially true when the damage occurred on fine textured, moist soils.

To add to the problem, soil compacting events are often repeated time after time on the same parcel of forest, or in a chronic fashion, such as persistent summer cattle grazing occurring seasonally over 100 years. The cumulative impacts of multiple entries for logging accompanied by persistent cattle grazing have significantly damaged the soils in the Black Hills. A loss in pore space has a dramatic effect on soil aeration, loss of plant vigor, decrease in water infiltration rates, increase in overland flow, soil erosion and sediment delivery issues, high energy flooding, and late season drought.

There are three ways to alleviate compaction:

- Mechanical
- Wet/ dry or freeze/ thaw events (natural)
- Soil biologic activity (natural)

By far the most effective way to relieve compaction is to enhance and promote soil biologic activity. In a forest setting the most effective way to increase soil biologic activity is to provide fungi and soil microorganisms with a digestible source of carbon. This simply means leaving a reasonable amount of slash and coarse woody debris on the surface. Decomposing fungi will force their way through compacted soil to the surface and pull surface carbon to depth. Not only do the fungi de-compact damaged soils, but they also create and maintain water-stable aggregates. Heavy organic surface loading can reduce the time to alleviate compaction from 80 to about 25 years.

Soils are further influenced by logging as decomposition rates increase while annual litter contributions decrease. Exposing the forest floor to sunlight increases the temperature of the surface, increasing the litter and duff decomposition rate. Simultaneously, the remaining small trees provide a fraction of the annual litter fall that large trees contribute.

### **Botany and Wildlife:**

We are concerned about the tapestry of native plants and animals that are unique to the Black Hills.

Northern long-eared bat (*Myotis septentrionalis*): The determination of effects for Alternatives B and C is “may affect, likely to adversely affect” for the northern long-eared bat. Based on this determination, formal consultation with the US Fish and Wildlife Service under Section 7 of the Endangered Species Act must occur. Since maternity roosts are used May through August, no disruptive activities may occur during those months.

The Northern Hills District is known to host hibernacula and summer roosts for this species. In Roosting habits of four bat species in the Black Hills (2001), Cryan, Bogan, and Yanega state “The availability of suitable roosts influences the distribution and abundance of bats. Quantifying roosting requirements is a necessary step toward effectively monitoring, managing, and conserving bats.... *Myotis septentrionalis* consistently uses trees. Roost trees were consistently among the largest available and were found in areas of relatively high snag densities. Maintaining forests with high snag densities and large trees will likely benefit bat populations in the Black Hills.”

See also: [IV \(usda.gov\)](#) Conservation Assessment for the Northern Myotis in the Black Hills National Forest South Dakota and Wyoming, Dr. Cheryl A. Schmidt (2003)

Northern Goshawk (*Accipiter gentilis*): Unfortunately, we cannot assume that structural stage objectives are being met forest-wide. In fact, we know they are not being met. That makes the Chimera planning area key to their persistence in the Black Hills.

Not all mature trees on suitable lands are available for harvest because the current Forest Plan limits logging to protect wildlife by meeting objectives for vegetation structural stage distributions. The Forest Plan’s **Habitat Structural Stage Objectives are designed to ensure species viability. BHNF FLRMP Goal 2: Provide for a variety of life through management of biologically diverse ecosystems.**

#### **Objectives 4.1-203, 5.1-204, 5.4- 206, 5.43-204, and 5.6-204:**

Meeting or moving towards Habitat Structural Stage Objectives has been an emphasized part of the FLRMP (remember the BHRL Project?) Indeed, the Forest Service has legal obligations to the public regarding the provision of habitat for wildlife in its pact with the American public.

The Forest Land Resource Management Plan and Forest Plan Habitat Structural Stage Objectives are rooted in a court settlement. The Black Hills National Forest 1997 Revised Land and Resource

Management Plan (1997 Revised Forest Plan) was approved on June 24, 1997. In 1999, Deputy Chief James A. Furnish signed a decision addressing several appeals of the 1997 Revised Forest Plan affirming most appeal points; however, he found that additional evaluation of the sufficiency of the plan in providing for the diversity of plant and animal communities and species viability was needed and thus, the Phase II amendment provided management direction to adequately provide for species diversity and viability. The Phase II amendment fulfilled components of a Settlement Agreement for Civil Action No. 99-N-2173 (U.S. District Court for the District of Colorado, September 2000).

A significant Forest plan amendment, it ensures viable populations of native and desired non-native species are maintained by Goals and Objectives that protect habitat to sustain species viability and diversity. It also contains Standards and Guidelines for wildlife and plant species to ensure compliance with the requirements of the National Forest Management Act, its implementing regulations, and agency policy. *Given Forest Service Habitat Structural Stage data for the Planning Area and Forest Plan direction, how will the Forest Service adhere to its commitment to ensuring a viable Goshawk population while decreasing and targeting nesting habitat with the Chimera Project?*

The Northern Hills District of the Black Hills National Forest contains the most medium to high quality nesting habitat for the Northern Goshawk in the region. A new study validates what BHNF nest-site monitoring data and related studies have previously concluded regarding forest changes within the past 30-40 years. Habitats, and specifically nesting habitat, for Northern Goshawk have been and are declining in availability. This study confirms that the most significant Goshawk habitat losses have occurred in the past 15 years. In [Evaluation of Northern Goshawk Nest-Site Data and Population Status in the Black Hills National Forest of South Dakota and Wyoming: Changes in Nest-Site Habitat Suitability and Related Forest Attributes](#), (2021) Bruggeman and Kennedy state, “Through a combination of timber harvest practices and unpredictable natural disturbances, our results suggest the BHNF has lost much of its high-quality Goshawk nesting habitat over the past 30 years. Furthermore, the remaining high-quality habitat has become increasingly fragmented. Given the loss of high-quality habitat and limited data documenting Goshawk use of lower-quality habitat, the BHNF may be moving away from management objectives established to ensure Goshawk population viability.” See: [T-84 bruggeman kennedy final report northern goshawk.pdf \(sd.gov\)](#)

USFS Region 2 rationale for the Sensitive Species status included that “management strategies of the Forest System have substantial potential for determining the future of this species within the ecosystems of R2.”

The Black Hills National Forest is legally obligated to ensure that ample habitat will be conserved to minimize the potential for federal listing of this species. Given Forest Service Habitat Structural Stage data for the Planning Area and Forest Plan direction, how can the Forest Service justify further decreasing and targeting potential Goshawk nesting habitat on the project level? Forest Service is obligated to provide habitat for the Northern Goshawk and its prey.

## **6. Conclusion**

**With the past and current history of the FS inability to implement design criteria and follow standards and guidelines before, during and after a project is completed, we would vote for Alternative A. However, the residents in the Chimera project area need fuel reduction,**

**specifically a menu of action that includes noncommercial thinning and prescribed burning, not just commercial treatments.**

Alternative B should not be considered as ecological values in the area would incur much damage, perhaps never recovering, and leave homeowners in more danger from wildfire.

**If the Forest Service is confident it has the funds and manpower to meet the Design Criteria listed in Appendix A of the Chimera EA, pages 67-73, and keeps liberation treatments to less than 1%, takes the 10-year time frame to complete, and is diligent in monitoring, then we would choose Alternative C. Please conduct the project in step with the necessity of complying with Executive Order #14072. Please use uneven-aged management where possible.**

In this conversation, we are a voice for a large group of stakeholders including those who are residents, business owners, recreationists, tourists and those seeking the solace of nature. Who will speak for the forest if not those who love the forest itself? We believe in science-driven actions that enhance the forest land assets held dear by most stakeholders, not political-industrial actions that impoverish the land and the people. We have given plenty of examples within our comments to support our recommendation.

**We view it as appropriate that the Beaver Park Roadless Area was excluded from this project.**

Our forests and wildlands have given all they can give, and it is past time to put our energies into honest forest stewardship.