



DEPARTMENT OF GAME, FISH AND PARKS
Division of Wildlife – Regional Office
4130 Adventure Trail
Rapid City, South Dakota 57702-0303

February 3, 2020

Mystic Ranger District
Attn. Jessica Eggers
8221 S. Mt. Rushmore Rd.
Rapid City, SD 57702

Re: F3 Jenny Gulch Exploration Drilling Project

Dear Jessica,

As requested by Black Hills National Forest (Forest Service) at the January 16, 2020, interagency scoping meeting for the Jenny Gulch Exploration Project (Project Area), South Dakota Game, Fish and Parks (GF&P) presents the previously provided wildlife and Forest Plan Management Area issues:

- 1 [1. Bighorn sheep seasonally occupy areas in the Project Area in the spring and summer. Bighorn sheep are sensitive to disturbance during spring and summer and are especially vulnerable during parturition.]
- 2 [2. Osprey (*Pandion haliaeetus*) and Northern Goshawk (*Accipiter gentilis*) nests are identified near proposed project access routes by the South Dakota Natural Heritage Program (NHP).]
- 3 [3. Dakota Vertigo (*Vertigo arthuri*), a land snail, has NHP occurrence records in the Project Area. Records indicate the land snail inhabit north facing slopes at areas having moist and concentrated forest litter.]
- 4 [4. Smooth Green Snakes (*Liochlorophis vernalis*) and the Black Hills Redbelly Snake (*Storeria occipitomaculata pahasapae*) are identified by the NHP in the Project Area. Both species have been recorded along roadways that follow intermittent stream drainages]
- 5 [5. GF&P agrees with the Forest Service that project area mine adits should be identified and designated as potential bat habitat.]
- 6 [6. Forest Plan, Management Area 8.2 (Developed Recreation) is included inside the "Project Boundary", and contains "Drill Pad Locations". The "Activities and Opportunities" table in the Developed Recreation section of the Forest Plan indicates "No New Mineral Development", in the Management Area. GF&P requests the Forest Service determine if a conflict exists between Forest Plan Directives for Developed Recreation and the proposed project.]

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GF&P provides the following information to support Alternative Development, Design Criteria, and Analysis Review for identified wildlife and Forest Plan Management Area issues.

- 1
- 1) Bighorn sheep: In South Dakota bighorn sheep are highly valued as a charismatic big game species, an iconic symbol of the western United States, its value as watchable wildlife, and as a regulated hunted species. The Forest Service recognizes bighorn sheep as a Region 2 Sensitive Species.

Bighorn sheep have a narrow habitat niche and high fidelity to traditional birthing and rearing areas. They also tend to be more vulnerable to anthropogenic disturbances than habitat generalists such as mule deer. Studies also indicate pedestrian interactions cause bighorn sheep to abandon preferred lambing habitat.

Project related activities near the bighorn sheep's selected habitat must be curtailed during their use periods. Forest Service analysis review and design criteria formulation must consider the important bighorn sheep use areas displayed on the Forest Service biologist's map and derived by GF&P studies. All Project Area activities, including administrative, employee or contractor access on NFSR 671 (Sunnyside Gulch Road), must be restricted during critical season use periods on the bighorn sheep area. A spatial buffer must keep exploration activities beyond identified habitat to ensure full use by bighorns is not diminished by personnel, vehicles or noise. A seasonal buffer from April 15th to August 31st is implemented in conjunction with the spatial buffer as the period defining bighorn sheep use and restricted mineral development activity.

Wiedmann, B. P., and Bleich, V. C. (2014) Demographic responses of Bighorn Sheep to recreational activities: a trial of a trail, *Wildlife Society Bulletin* 38, 773-782.

South Dakota Department of Game, Fish and Parks. 2018. South Dakota Bighorn Sheep Management Plan 2018-2027. Completion Report 2018-02. South Dakota Department of Game, Fish and Parks, Pierre, South Dakota, USA.

<https://gfp.sd.gov/UserDocs/nav/managementplan-bighornsheep.pdf>

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- 2) Osprey is a state threatened species and the Northern Goshawk is a Forest Service Region 2 Sensitive Species. Both Osprey and Northern Goshawk are Species of Greatest Conservation Need in South Dakota's Wildlife Action Plan. The NHP classifies both raptors as rare. The Forest Service analysis review and design criteria formulation should identify species specific spatial and temporal buffers for nest sites of both species. Information on nest buffers can be found on the US Fish and Wildlife Service's Mountain and Prairie website.

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- 3) Dakota Vertigo is a species NHP classifies as rare. The snail's preferred habitat is a forest dominated by white spruce or ponderosa pine; north-facing slopes; limestone or schist substrates. The Forest Service analysis should determine the potential occurrence of snail habitat to inform design criteria that minimizes ground disturbing activities. GF&P suggests incorporating onsite visits while planning for new roads, drill pads and staging areas, to identify and avoid the snail's preferred habitat.

Anderson, T. (2004, November 4). Mystery Vertigo (*Vertigo paradoxa*): a technical conservation assessment. [Online]. USDA Forest Service, Rocky Mountain Region. Available: <http://www.fs.fed.us/r2/projects/scp/assessments/mysteryvertigo.pdf> [01/24/2020].

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- 4) Both the Smooth Green Snake and the Black Hills Redbelly Snake are classified as rare by the NHP. The Black Hills Redbelly Snake is also a Forest Service Region 2 Sensitive Species and a Species of Greatest Conservation Need. Design criteria like those

10 { recommended for the Dakota Vertigo will also minimize impacts to both snake species. GF&P also suggests including scree and talus slopes that can provide hibernacula. }

11 { 5) Loss and disturbance of habitat is a significant threat to bats, particularly those using caves and mines as hibernacula. Analysis should include the occurrence of Project Area features that host bats. Design criteria should require documentation and habitat searches, followed by spatial and seasonal buffers on identified features. Design criteria will also specify that exploration company employees and contractors are excluded from entering caves or adits during winter hibernation periods that begin in September and lasts through May. Aside from bat hibernation disturbance, seasonal buffers, minimize the threat of humans spreading the fungus which causes white-nose syndrome to some bat species in the Black Hills. }

South Dakota Bat Working Group. 2004. South Dakota Bat Management Plan, Wildlife Division Report 2004-08. South Dakota Department of Game, Fish and Parks, Pierre, SD, USA.

12 { 6) The Forest Service should assess the inconsistency between the proposed project and the Forest Plan Management Directives for Developed Recreation. GF&P finds Guideline 1519 (Developed recreation areas are unavailable for mineral leasing) and Standard 1510 (Developed recreation areas should be withdrawn from locatable minerals) inhibits mineral development in Developed Recreation. GF&P finds opportunities for plan amendments and administrative changes in 36 CFR § 219.13. }

GF&P trusts that the Forest Service agrees that the identified issues provided here are substantive and therefore require full analysis that result in design criteria, mitigation or project alternatives. Should the Forest Service, or "Prime Consultants", require information on the identified issues, or additional assistance from GF&P, my contact information is below.

Sincerely,



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"Serving People, Managing Wildlife"

The Division of Wildlife will manage South Dakota's wildlife and fisheries resources and their associated habitats for their sustained and equitable use, and for the benefit, welfare, and enjoyment of the citizens of this state and its visitors.