



**DEPARTMENT of AGRICULTURE
and NATURAL RESOURCES**

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PIERRE SD 57501-3182
danr.sd.gov

September 18, 2023

Toni Strauss
US Department of Agriculture
US Forest Service
1019 N. 5th Street
Custer, SD, 57730

Subject: Environmental Review – US Forest Service Spruce Management Project

Dear Ms. Strauss:

The South Dakota Department of Agriculture and Natural Resources (DANR) has reviewed the above-referenced project for potential impacts to natural resources. Based on the information submitted in your letter dated August 23, 2023, DANR has the following comments and permitting requirements.

Air Quality

Based on the information provided, it appears this project will have minor impacts to air quality in South Dakota. This impact would be through source and fugitive emissions. In many cases, an air quality permit is required to operate equipment with point source emissions. A permit application can be obtained from the Air Quality or Minerals and Mining Program. Fugitive emissions, although not covered under State air quality regulations, are a common source of public concern and may be subject to local or county ordinances. Please contact your local officials to discuss requirements regarding fugitive emissions.

For further air quality information, please contact Rick Boddicker, Air Quality Program, telephone number 605-773-3151.

Drinking Water

Based on the information provided, this project will not have adverse environmental effects to drinking water in this area. Should the parameters of your project change, please reach out to Mark Mayer at 605-773-6039 or Mark.Mayer@state.sd.us.

Forestry

The South Dakota Department of Agriculture and Natural Resources, Resource Conservation & Forestry Division (RCF) has completed its review of the Spruce

Vegetation Management Draft Environmental Assessment and respectfully submit the following comments.

We thank you for conducting such a thorough environmental assessment of the proposed spruce management project. We also commend your consideration of, and diligence to adequately address all comments and concerns received during the scoping process. Unfortunately, the modified proposed spruce management activities are very narrow in scope as a result of those efforts.

We support the proposed forest management activities of the spruce project draft environmental assessment and would like to see this very beneficial work get accomplished.

The proposed treatments could be more beneficial and impactful if done in conjunction with other management activities (current and future timber sales or stewardship contracts). As presented, the benefits from the proposed treatments could be limited simply due to the scattered nature of the small acre treatments (average stand size is only 24.1 acres), especially regarding the wildland urban interface (WUI) treatments. Combining treatments could improve the benefits of all proposed activities and improve the likelihood of successfully meeting the longer-term goals and objectives of these treatments. This will also increase the economical and operational feasibility of the project being successfully completed.

Thank you for the opportunity to comment on this project, please contact Amanda Morrison, NR Planner at 650-394-2279 or Amanda.morrison@state.sd.us if you have any questions.

Groundwater

Based on the information provided, this project is unlikely to have adverse effects on ground water quality. Should the parameters of your project change, please reach out to Matt Hicks at 605-773-5337 or Matt.Hicks@state.sd.us. If this project impacts tribal lands, DANR recommends you also consult the tribe's environmental coordinator for any additional conditions.

Solid and Hazardous Waste

It appears, based on the information provided, this project will have little or no impact on solid waste management in the area. If you have any questions, please contact Waste Management at 605-773-3153.

It is not expected that any hazardous wastes sites will be encountered within the vicinity of your project area. However, if road construction is planned for areas within a city or town, the contractor should contact this Department prior to construction. Should any hazardous waste be generated during the implementation of this project, the generator must abide by all applicable hazardous waste regulations. To determine whether your project may generate hazardous waste, visit:

<https://www.epa.gov/hwgenerators/managing-your-hazardous-waste-guide-small-businesses>. If you have any questions please contact Anthony Wagner at 605-773-3153, or anthony.wagner@state.sd.us.

Demolition or renovation of a building structure may be subject to the South Dakota asbestos requirements. If demolition or renovation is part of this construction project, or if the scope of the project changes to include demolition or renovation, please contact Anthony Wagner at 605-773-3153, or anthony.wagner@state.sd.us.

Surface Water

The Water Quality Program has reviewed your request for comments letter. Based on the information provided, the program has the following comments:

All tributaries, creeks, wetlands, and lakes within the vicinity of this project are considered waters of the state and are protected under Administrative Rules of South Dakota (ARSD) Chapter 74:51. Special construction measures may have to be taken to ensure that water quality standards are not violated.

If this project impacts tribal lands, EPA Region 8 may require a NPDES permit for stormwater discharges from construction activities (over 1 acre) or if any construction dewatering should occur; contact Monia Ben-Khaled, Project Officer, 303-312-6209 or ben-khaled.moniam@epa.gov. DANR recommends you contact the proper tribal authorities for any additional conditions.

At a minimum and regardless of project size, appropriate erosion and sediment control measures must be installed to control the discharge of pollutants from the construction site. Any construction activity that disturbs an area of one or more acres of land must have authorization under the General Permit for Storm Water Discharges Associated with Construction Activities. A Surface Water Discharge permit may be required if any construction dewatering should occur because of this project. Contact the Department of Agriculture and Natural Resources for additional information or guidance at 1-800-SDSTORM (1-800-737-8676) or <https://danr.sd.gov/OfficeOfWater/SurfaceWaterQuality/default.aspx>

The discharge of pollutants from any source, including indiscriminate use of fill material, may not cause destruction or impairment except where authorized under Section 404 of the Federal Water Pollution Control Act. Please contact the United States Army Corps of Engineers for more information 605-224-8531.

This project area will encompass multiple waterbodies classified by the South Dakota Surface Water Quality Standards and Uses Assigned to Streams for multiple beneficial uses including: (2) Coldwater permanent fish life propagation waters; (3) Coldwater marginal fish life propagation waters; (7) Immersion recreation waters; (8) Limited contact recreation waters; (9) Fish and wildlife propagation, recreation, and stock watering waters; and (10) Irrigation waters. Because of these beneficial uses, special construction measures may have to be taken to ensure that the 30-day average total

suspended solids criterion and the daily maximum total suspended solids criterion for these waterbodies are not violated. The specific values for these criteria will vary depending on the classified beneficial uses of the waterbody in question. To determine these values please reference:

<https://sdlegislature.gov/Rules/Administrative/74:51>

Tanks and Spills

The Inspection, Compliance, and Remediation Program (ICRP) maintains a database of registered storage tanks and spills/environmental events, including petroleum and chemical releases in South Dakota. Our records show numerous known spills/environmental events and registered storage tank facilities near your project area. For more information about all currently known tanks and spills/environmental events (including pdf copies of case files), please visit: <https://apps.sd.gov/nr42interactivemap>. We also recommend you check the online database as your project progresses, for information about any future spills/environmental events or registered tanks that may be in or near your project area.

While we do our best to maintain accurate information about spills/environmental events and registered tanks, in some cases the location information provided to us may have been inaccurate. If contamination is encountered or if a spill occurs during onsite construction activity, that contamination or spill must be reported to DANR at 605-773-3296 (605-773-3231 after hours). Contaminated soil that has been excavated should be segregated from clean soil and sampled to determine disposal requirements. Further, any piping, equipment, or other material to be placed in a location where it will be in contact with contaminated soil or groundwater, should be evaluated to determine if it is compatible with the contaminant. If you have questions, please contact Baylee Hoff at baylee.hoff@state.sd.us or (605) 773-3296.

Thank you for providing DANR the opportunity to comment on this project. If you have any questions regarding the information provided, please contact me at 605-773-3296.

Sincerely,



Baylee Hoff
Environmental Scientist
SD DANR- Environmental Assessment Contact
Phone: (605) 773-3296
Email: Baylee.Hoff@state.sd.us

cc/e: Paul Thomson, Lawrence County Emergency Manager,
pthomson@lawrence.sd.us