

From: "Jenkins, Melissa - FS" <melissa.l.jenkins@usda.gov>
To: "Dawe, Christine -FS" <christine.dawe@usda.gov>
CC: "Armstrong, Katherine -FS" <katherine.e.armstrong@usda.gov>
"Snieckus, Mary -FS" <mary.snieckus@usda.gov>
Date: 8/19/2021 2:37:25 PM
Subject: FW: Request from WH re: Black Hills and Black Ram
Attachments: [081821 WH Memo Black Ram.docx](#)
[081921 WH Memo Black Hills Timber Program.docx](#)

Hi Christine – Here you go. Let me know if there are any questions.

Thanks!
Melissa



Melissa L. Jenkins
Acting Deputy Chief of Staff
Forest Service
Office of the Chief
p: 703-605-5346
c: 202-744-9094
melissa.l.jenkins@usda.gov

201 14th Street, SW
Washington, DC 20024
www.fs.fed.us



Caring for the land and serving people

From: Fargo, Anna - FS <anna.fargo@usda.gov>
Sent: Tuesday, August 17, 2021 5:42 PM
To: Dawe, Christine -FS <christine.dawe@usda.gov>; Armstrong, Katherine -FS <katherine.e.armstrong@usda.gov>
Cc: French, Chris- FS <Christopher.French@usda.gov>; Harrell, Meryl - OSEC, Washington, DC <Meryl.Harrell@usda.gov>
Subject: RE: Request from WH re: Black Hills and Black Ram

Got it. Thanks, Christine. We will let you know if there are any questions.



Anna Fargo
Acting Deputy Chief of Staff (8/9 8/17)
Forest Service
Office of the Chief
541-675-5011
anna.fargo@usda.gov

1550 Dewey Ave, Suite A
Baker City, OR 97814

www.fs.fed.us



Caring for the land and serving people

From: Dawe, Christine -FS <christine.dawe@usda.gov>
Sent: Tuesday, August 17, 2021 1:51 PM
To: Armstrong, Katherine -FS <katherine.e.armstrong@usda.gov>; Fargo, Anna - FS <anna.fargo@usda.gov>
Cc: French, Chris- FS <Christopher.French@usda.gov>; Harrell, Meryl - OSEC, Washington, DC <Meryl.Harrell@usda.gov>
Subject: Request from WH re: Black Hills and Black Ram

Katie and Anne,

WH is asking for memos that have the agency's official line on Black Hills and Black Ram. Apparently they have a meeting with Rick Bass on Monday about Black Ram. I know R1 has been preparing for a briefing for Senators Pingree on Thursday so perhaps can use those materials to put together something short on Black Ram? I think Frank has a paper on Black Hills already. Defer to Chris on what he wants us to communicate about each. If we can get something by end of week that should work.

Christine Dawe, Acting Chief of Staff
Office of the Under Secretary
Natural Resources and Environment
United States Department of Agriculture (USDA)
406-370-8865
christine.dawe@usda.gov

NRE/FOREST SERVICE BRIEFING PAPER
AUGUST 19, 2021

Topic: Black Ram Project – Kootenai National Forest
From: Chris French, Deputy Chief, National Forest System
(202) 205-1677– chris.french@usda.gov

Issue: Black Ram Project

Background: The Black Ram project is on the Three Rivers Ranger District of Kootenai National Forest, northwest of Troy, Montana, in an area known as the Yaak. The purpose of the project is to:

- Reduce the potential for high intensity wildfire while promoting desirable fire behavior characteristics and fuel conditions in the Wildland Urban Interface and other areas with values at risk.
- Promote resilient vegetation conditions by managing for landscape-level vegetation patterns, structure, patch size, fuel loading and species composition.
- Maintain or improve watershed conditions to provide water quantity, water quality, stream channel conditions, and native aquatic species habitat that support ecological functions and beneficial uses.
- Provide forest products that contribute to the sustainable supply of timber products from National Forest System Lands.

The project is the result of extensive public involvement and government to government consultation with Tribes throughout the project's development and analysis. The local collaborative group (Kootenai Forest Stakeholders Coalition) did not come to agreement on the project and did not submit comments as a group.

- An Environmental Assessment was completed in July 2019, and a Draft Decision Notice and Finding of No Significant Impact were released in September 2020. We received over 240 form letters objecting to the project which were generated by a member of the Yaak Valley Forest Council (YVFC). We also received about 60 comments in support of the project. There were 28 unique comment letters.
- The project area analyzed includes over 95,000 acres on the approximately 2.2-million acre forest. The project proposes 3,904 acres of timber harvest, 7,550 acres of prescribed burning, 580 acres of thinning within stands that are considered old growth, 3.3 miles of new road construction (0.8 mile in old growth stands), and 52 miles of road rehabilitation treatments (long-term storage and decommissioning) that provide watershed benefits.
- Of the 3,904 acres of commercial timber harvest, 2,444 acres are regeneration harvest, including 1,748 acres of clearcuts with reserve trees, and 1,460 are intermediate harvest. The regeneration harvest is designed to emulate some of the characteristics of wildfire by breaking up the continuity of the forest canopy.
- The proposed thinning treatment activities in old growth timber stands are intended to improve the resistance and resilience of old growth stands to disturbances and stressors, such as wildfires, insects, and diseases. An additional 1,551 acres of treatments are proposed within recruitment potential old growth stands that will increase the sizes of old growth stands (or patches of contiguous old growth) over time.
- The project will sustain 67 jobs and \$3.2 million in total labor income on an annual average basis over the anticipated 9-year life of the project.
- Government to Government consultation with the Kootenai Tribe of Idaho and the Confederated Salish and Kootenai Tribes began before the purpose and need were established and has been ongoing throughout the project. Consultation outcomes helped us shape the project. The Kootenai Tribe of Idaho recently objected in writing to statements claiming a lack of proper tribal consultation.

- We are working with the U.S. Fish and Wildlife Service (USFWS) to finalize terms and conditions related to the threatened grizzly bear and its habitat. When those discussions are complete, the USFWS will issue a Biological Opinion (BO). We will consult with Tribes on the final BO and then finalize, sign, and issue the Decision Notice.

Recommendation: Continue working with USFWS to finalize Biological Opinion and sign Decision Notice.

Rationale:

- Under 4 percent of the project area includes timber harvest, 37 percent of the project area is within the Wildland Urban Interface, and 2,137 acres of white pine restoration is proposed.
- YVFC expectations in their communication directly conflict with the project purpose and need as well as the 2015 Forest Plan and the KFSC guidelines.
- The impacts that would result from modifying the project based on YVFC comments include the delay of planned vegetation treatments, the delay of Decision due to change in analysis and proposed treatments, and repercussions associated with not following the 2015 Forest Plan.

NRE/FORREST SERVICE BRIEFING PAPER
AUGUST 19, 2021

Topic: Black Hills National Forest Next Steps

From: Chris French, Deputy Chief, National Forest System

(202) 205-1677– chris.french@usda.gov

Issue: The Black Hills National Forest (BKNF) has been working towards accomplishing their current 175,000 CCF (hundred cubic feet) timber target in Fiscal Year (FY) 2021. Due to newly identified National Environmental Policy Act (NEPA) concerns, the BKNF is now projecting they will accomplish no more than 147,000 CCF overall in FY 2021, with sawtimber volume at 133,000 CCF. The Rocky Mountain Region is developing a path forward for a sustainable, science-based timber program on the BKNF over the next three years considering the NEPA concerns, the recently released General Technical Report 422 (GTR 422) from the Rocky Mountain Research Station, the pending forest plan revision effort, the Black Hills National Forest Advisory Board recommendation, and impacts to the associated timber industry infrastructure.

Background: There is high and polarized interest in the timber program for the BKNF, including heightened interest from Tribes. Sustainable timber harvest levels have been analyzed by several entities over the last year. In October 2020, the Black Hills National Forest Advisory Board (NFAB) put forward a non-unanimous recommended annual sawtimber harvest level of 181,000 CCF. At the request of the South Dakota State Forester, BKNF staff assessed the NFAB's recommendation. In January 2021, a final assessment of that recommendation suggested a range of 64,000 to 88,000 CCF as a sustainable annual sawtimber harvest level. The Rocky Mountain Research Station released GTR 422 in April 2021, which suggested a sustainable annual sawtimber harvest level of 72,400 to 90,500 CCF appeared to be the best option based on multiple scenarios of standing volume, projected growth, and mortality. Other scenarios analyzed in GTR 422 considered a sustainable level of up to 126,700 CCF. The reconciliation report which will address comments from stakeholders for GTR 422 is slated to be released in August 2021.

The current BKNF Plan was published in 1997, and last amended in 2008. The Forest will initiate the assessment phase of forest plan revision this summer and is preparing a public engagement strategy. In the interim, the Region will establish sustainable targets for FY 2022 through FY 2024 that will enable the BKNF to effectively plan a program of work during forest plan revision and provide transparency to industry to inform business decisions until revision is complete. The intent is to balance the need to supply wood fiber to industry and ensure long term resource sustainability.

The region has found potentially significant vulnerability with operating outside mapped Commercial Treatment Areas (CTAs) identified in the Black Hills Resilient Landscape (BHRL) decision which impacted the FY 2021 timber sale program. Timber sales are being repackaged, but not all will be viable after being modified. This will impact the outyear program as well.

The BKNF will complete a Supplemental Information Report (SIR) for the BHRL decision to consider new information, determine whether the original Environmental Impact Statement will need to be supplemented, and consider what volume will be offered over the next three years under that decision. In addition, the BKNF will evaluate new vegetation treatment options and initiate the appropriate level of environmental compliance for all new proposed actions.

The major mill owner has approximately 170,000 CCF left to harvest under contract and a milling capacity of approximately 190,000 CCF annually. Timber industry advocates have stated any reduction below 175,000 CCF will result in further impacts to industry (closure was announced on a mill in Hill City, South Dakota, in summer 2021). The views of the State Foresters of South Dakota and Wyoming are aligned with that of the timber industry. Environmental advocates support significant reductions in the BKNF timber program.

Next Steps: Looking to the future, sound forest stewardship will likely require adjustments to the BKNF timber program. However, long-term forest sustainability will also require a viable timber industry to help maintain forest health and resilience while providing jobs in the rural economy. We are focused on both the short- and long-term future of the Black Hills and are committed to working together with all concerned to find a path forward that ensures we have a healthy forest for all to enjoy its many benefits long into the future.

The BKNF will ensure the long-term sustainability of the timber resource by using the best available environmental, social, and economic science to inform future management during forest plan revision. The following actions are being considered to manage the timber program for FY 2021 through FY 2024:

- For FY 2021 sale program, repackage BHRL sales to include only stands completely within the CTAs and offer planned sales outside of BHRL decision.
 - Based on this reduction in volume and considering volume that can be carried forward in FY 2021, the forest will achieve no more than 147,000 CCF, with 133,000 CCF in sawtimber.
 - Communicate to the public that this is the last year of implementation for the Pine Beetle Response (PBR) decision.
- Proceed with a SIR based on new information for the BHRL project.
 - Narrowly focus the SIR on implementing work within the CTAs only.
 - The forest is working to determine how much volume would be offered in the CTAs over the next three years.
- Continue to evaluate vegetation management treatment opportunities on the BKNF and initiate the appropriate level of environmental compliance for all new proposed actions.
 - By moving forward with new decisions and completing the BHRL SIR, we will limit litigation risk associated with BHRL and have decisions that better reflect the current conditions on the landscape.
 - The goal would be to have new implementable decisions by mid FY 2022.
- Based on the assessment of treatment opportunities and considering the Forest Inventory and Analysis data, the Rocky Mountain Research Station GTR, and NFAB recommendation, determine the timber program levels over the next three years. Initially, 125,000 to 145,000 CCF annually was being considered over the next three fiscal years to balance the upper end of the GTR scenarios and the need to support industry in the area. However, initial assessments of available volume by the forest are 15 percent below these levels.
 - Any timber program level over the next three years will balance the need to adjust timber volume to a long-term sustainable future while factoring in environmental, social, and economic considerations, serving as a bridge until all factors can be fully analyzed during forest plan revision.
- As soon as possible, conduct a series of virtual engagements with Congressional offices, Tribes, States, and stakeholders to share FY 2022-2024 program levels, initiation of a SIR for the BHRL project, the status of active decisions, and the intent to begin the forest plan assessment phase this summer.
- Publish a Notice of Intent to begin the assessment phase of plan revision for the Black Hills Land and Resource Management Plan in summer 2021. The plan revision process will be open and transparent with robust public involvement. The long-term timber program will be determined through this planning process.
- Improve relationships with Tribes by gauging their interest in developing an agreement to assist the BKNF with critical precommercial thinning work to keep forests healthy and productive and increase growth of trees into the sawtimber size class.