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 February 20th, 2025

James Gubbels, District Ranger
 Thawney Stottler, District Resource Planner
 Mystic Ranger District
 Black Hills National Forest
 8221 South Mt. Rushmore Road
 Rapid City, SD 57702
 Submitted via <https://www.fs.usda.gov/project/blackhills/?project=67518>

Dear Forest Service Staff,

We are concerned for potential violation of law, regulation, and policy. These concerns are related to the National Environmental Policy Act (NEPA), Habitat Structural Stages (HSS), Management Indicator Species (MIS), Culmination of Annual Mean Increment (CMAI), Allowable Sale Quantity, (ASQ), and other related matters. We hope these problems are cured as you move forward.

1. Pe' Sla,

We are confused by the mention of the "Pe' Sla Fuels Reduction and Vegetation Management Project". We are not aware of any scoping associated with this project. Is the Sawbuck project the umbrella NEPA to the "Pe' Sla Fuels Reduction and Vegetation Management Project"?

Please also explain how the funding commitment to the Pe' Sla project is not a pre-decisional commitment of funds. How can grant money, and grant money from a federal agency, be passed on without NEPA analysis and decision? Clearly, that would be a violation of Federal Acquisition Regulation (FAR).

a.) Confusion on pass through money -

It is understood that the Pe' Sla proposal has recently secured funding for the next four years, in partnership with a keystone partner. We think it is the National Baptist Convention (NBC) that gained a Keystone Agreement through the Wildfire Crisis Strategy Team. Is a Forest Service entity passing through the money to them?

To gain grant money would require a NEPA decision to support the activities, a clarity of acres, and types of treatments to meet the authorized use for those funds as designated and authorized by Congress. Please clarify this situation.

b.) Please consult with the tribes on what to do on Forest Service lands that are part of Pe' Sla. Please also consult on what to do about roads and public access on or near Pe' Sla. Please also consult on plans for the parts of the forest that are near to and also lands visible from Pe' Sla. Please discuss any traffic or dust increases expected in Pe' Sla. Please consult on what to do in the watershed that is shared with Pe' Sla.

2. Goshawks/Bats/Woodpeckers and other rare species

The Sawbuck Forest Management Project includes 4,000 acres of commercial harvest that includes Overstory Removal/Shelterwood, Patch Clearcuts, Seed Tree Cut/Shelterwood Establishment, and Group Selection treatments that are proposed in stands that will continue to push mature stands to younger stand structures, creating stands that no longer can serve as critical nesting and foraging habitat for the Northern Goshawk.

If this project does move into analysis:

`Please disclose how many of the 25 known Goshawk nest sites have had success over the past 5 years and explain how the district will ensure a viable Goshawk population.

`Catalog the current condition of the 4821 acres of nest area stands that are mentioned on page 17 of the scoping letter.

`Describe the degree to which the larger areas surrounding nest area stands support Goshawk prey habitat now and at completion of the Sawbuck Project.

`In addition, please be transparent in how vegetation treatments will move stands away from, or toward, mature HSS and how that is distributed within the project area as well as across the entire Mystic District.

Please fully disclose past monitoring done for goshawks and bats and what will be done in the future. Please fully disclose past monitoring done for black-backed woodpeckers and their habitat and what will be done in the future. How many stand acres have been burned by recent wildfire & are recent enough to provide for the woodpecker population growth?

Please fully disclose any impacts to rare species and rare plant communities. Please protect rare species & their habitat and also rare plant communities.

Please fully disclose invasive plant species in the area and how you will prevent & contain weeds.

Please fully disclose monitoring for species associated with interior forest conditions & evaluate the impact to interior forest species that want dense stands of trees.

3. Cumulation of Mean Annual Increment

The National Forest Management Act (NFMA) directs that stands shall generally have reached the culmination of mean annual increment (CMAI) before a regeneration harvest. This would apply to overstory removal, clearcutting, shelterwood, and seed tree harvests (even-aged management). NFMA also restricts harvesting to the productive timberland, where there is assurance that such lands can be adequately restocked within five years after harvest.

The Sawbuck Forest Management Project includes 4,000 acres of commercial harvests that include clear-cuts, seed trees, and shelterwood treatments that are proposed in stands well under the CMAI age stated in the Black Hills Forest Plan.

If this project moves into analysis, disclose the CMAI for all stands proposed for commercial treatment, including the site index. In addition, include an alternative that excludes commercial timber harvest.

4. Allowable Sale Quantity (ASQ) - Sustained Yield

The Sawbuck project includes 4,000 acres of commercial harvest that includes clear-cuts, seed tree, and shelterwood treatments that are proposed in stands well under the CMAI age as stated in the Black Hills Forest Plan or modeled through the agency's own Forest Vegetation Simulator. There is no disclosure on how many of the commercially treated 4,000 acres will contribute to the volume sold and thus to the ASQ.

We fear that the project's proposed commercial harvest treatments will contribute to an unsustainable forest wide cut and are in violation of NFMA and MUSYA.

If this analysis moves forward, please disclose the annual timber volume offered since October 31, 2005. In light of no annual monitoring reports by the Black Hills National Forest, please disclose this information. In addition, include an alternative that excludes commercial timber harvest.

5. Reforestation

As the Sawbuck Project moves through the NEPA process, please address the following questions:

- Identify the number of acres of planting that the District has promised to do or needs to do to be compliant with NFMA. Display the acres and time frame planned to accomplish this work.
- It is unclear how many acres are proposed for final harvest treatments such as clear cuts, seed tree, shelterwood, and overstory removal in the Sawbuck project. The analysis will need to disclose the number of acres requiring reforestation and then speak to how planting will be accomplished within the 5-year timeframe required by NFMA for reforestation.

6. Cumulative Effects

Please fully disclose the cumulative effects of all the recent past or ongoing timber sales in the area, combined with the Sawbuck proposed sales.

How many already approved projects will overlap in real time with Sawbuck?

7. Watershed deterioration

Please fully disclose the project's impacts on watershed deterioration.

8. Steep slope logging

On page 14 of the scoping letter, it states that, "*Steep slopes necessitate specialized harvest methods. Winch-assisted or tethered logging a technique new to the Black Hills, may be suitable for these areas. This method can be costly. Particularly combined with post-harvest treatments. While currently unfunded, we are including this option in the proposal as funding may become available in the future. Skyline logging, a traditional and cost-effective method for steep slopes, has been used on limited acres within the project area. It remains an option for a small percentage of the area and would complement operations on less steep terrain.*"

We are very concerned about steep slope logging, so please disclose how such complies with the Forest Plan, how much taxpayer money must be spent to underwrite steep slope logging and how this will impact habitat structural stages, soils and water quality.

Often in the past, you designated steep slope stands as HSS 5, as logging them would be too difficult or expensive. If you log them now, what happens to the forest wide amount of HSS 5, which is currently below Forest Plan objectives for percent of the Forest in HSS 5?

7. Aspen and Hardwoods.

We object to removing any aspen/birch stands and hardwoods stands. Instead, we want the Forest to work to increase such stands. We believe aspen stands are resistant to fire and they don't catch the mountain pine beetle.

We object to removal of aspen or pine from mixed stands. Mixed stands provide for great diversity of birds, that benefit bird watchers, especially if near water. They provide a great visual resource.

Please provide an alternative in which you increase aspen/hard wood stands, spruce & protect mixed stands

8. Late Successional Landscapes, Research Natural Areas and Botanical Areas

Please protect Late Successional Landscapes, Research Natural Areas and Botanical Areas from commercial logging. We are afraid of the pressure to increase the annual pine harvest will result in inappropriate logging in these areas.

9. Please redo the Scenery Management System analysis for the area.

The 1996 SMS review is too old and too much has changed on the forest, in the last 29 years. It needs to be redone. Protection of scenery is important in a forest with lots of access and much recreation. SMS should allow greater importance to visuals along trails.

We want more areas designated for higher value scenic objectives, especially if viewed from Pe' Sla.

10. Please re-evaluate the area for Recreational Opportunity Spectrum Classes.

We want a greater percent of the forest put into higher end (more primitive) ROS classes.

We want more Semi-primitive Non-Motorized areas on the Forest. We don't want new roads. We want more closures of existing roads and more existing road template obliteration. We don't want more new roads to be created or reconstructed and then closed to create new paths for the OHVs to drive on.

We want a reduction in OHV access.

If this area does not have areas that currently qualify for SPNM class, we want an evaluation of an alternative that reduces roads and timber sale impacts on the pristine nature Of the forest, that would move the area towards a SPNM class future.

11. Giant Slash Piles

Please discuss all the giant slash piles you will leave & their impacts to visuals & recreation. Please discuss how you mitigate impacts to soil that will be left under the burned pile. Please discuss how

you will clean up partially burned branches & logs left as debris after the burn. Please discuss weeds at burn site. Please discuss how wildlife who make homes in piles will be burned alive & the quality of their deaths.

Thanks,

A handwritten signature in black ink, appearing to read "Nancy Hilding", with a stylized flourish at the end.

Nancy Hilding & Sara Johnson