

Neiman Timber Co., L.C.

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Mr. Steve Kozel
Northern Hills District Ranger
Black Hills National Forest
2014 North Main St
Spearfish, SD 57783

Attn: Buffalo Forest Health Project

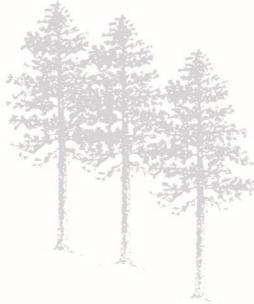
Dear Mr. Kozel,

Neiman Timber Company, LC would like to thank you for the opportunity to comment on the Buffalo Forest Health Project (BFHP). We support that the Northern Hills Ranger District (NHRD) is considering a vegetative management project for forest health in this area. Although this area has seen a variety of vegetative treatments and natural mortality events (Mountain Pine Beetle and tornado) over the past 30 years, there is still work that needs to be done in the project area for forest health purposes.

Proposed Activities

Neiman Timber Company, LC has been a primary partner with the Black Hills National Forest (BHNF) over the past several decades to carry out previous vegetative work within the BFHP area. As such, we are very familiar with the current vegetative conditions within the project area. The purpose of and need for action stated on page 7 of the Proposal and Opportunity to Comment (proposal) is too narrow in focus given the current conditions of forest health within the project area. In addition to the purpose and need stated on page 7, Forest-wide Goal 10-07 and 10-08 should be utilized to include a need to increase forest health by reducing risks to Mountain Pine Beetle (MPB).

The NHRD has violated the Forest Plan direction by placing a higher priority on Management Area (MA) Objective 5.1-204 (Habitat Structural Stages (HSS)). This objective is not a Forest-wide Standard or Guideline, nor is it the Goal for the Management Area's Forest Communities. In fact, the goal of MA 5.1 Forest Communities is stated in 5.1-201 of the Forest Plan-*Manage tree stands to emphasize timber products, forage production, and water yield.*



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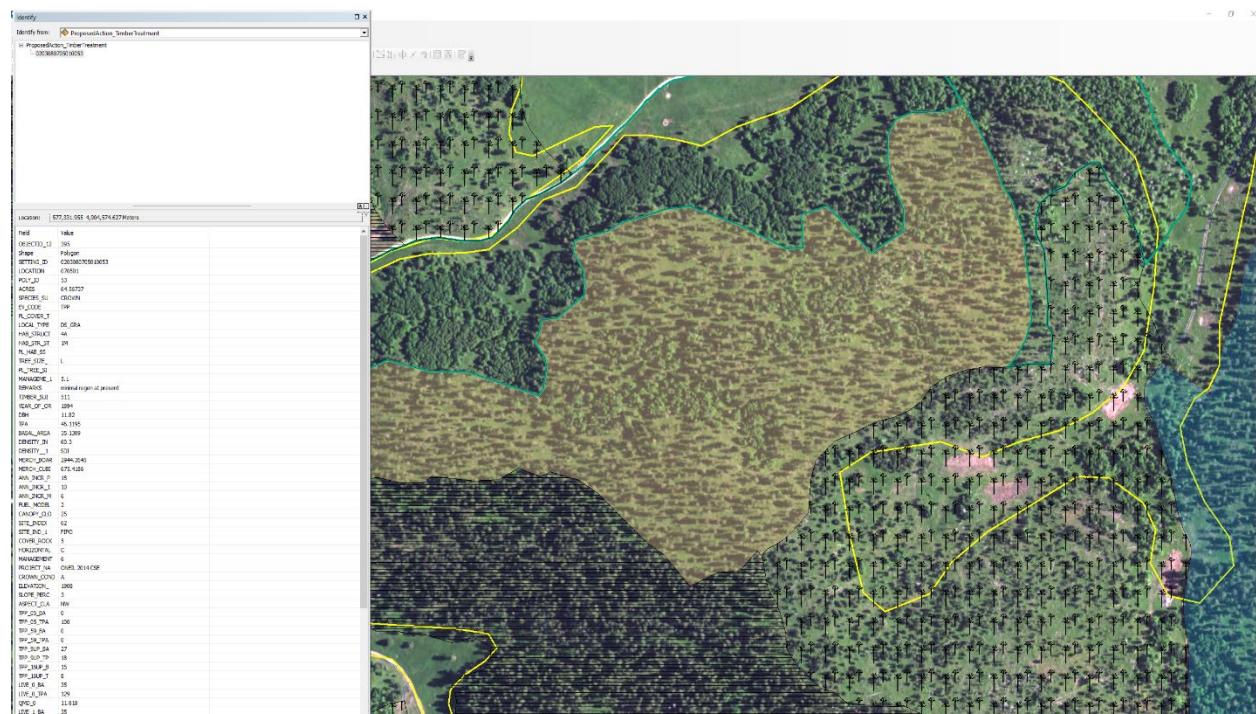
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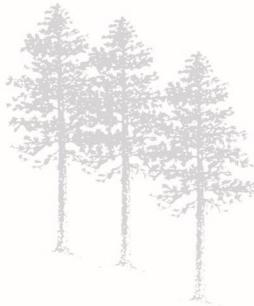
Under the **Commercial Pine Harvest** section of the proposal, the BHNF makes the following statement:

The primary focus for commercial pine removal would be structural stage 4A stands to address structural stage objectives for MA 5.1 and to promote regeneration of existing pine stands. Most acres of structural stage 4B and 4C pine would be deferred from harvest, although some acres may be thinned to reduce fire hazard in stands immediately adjacent to occupied private land, major ingress/egress routes, or other improvements

The BHNF has also noted in their stand data that there is current MPB activity in some of the 4B and 4C stands and yet treatment is still being deferred. It is unacceptable to defer treatment simply because of HSS objectives and not prescribe commercial thinning within 4B and 4C stands. These are the stands that this project needs to be focusing on for treatments.

In addition, the BHNF is also prescribing treatments, such as Shelterwood Removal (SR) harvest in some stands that may not be ready for an SR. For Example:





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In the above picture, the stand colored in light yellow has SR listed as its “scoping treatment”. It also states that there is “minimal regen at present” in the stand’s “remarks” attribute. The dark stand below it has also been deferred from treatment for HSS reasons and yet is at high risk for MPB infestation.

It is clear that by allowing HSS to rise to the highest, single priority, that the NHRD will not be able to properly manage the forest in accordance with the Forest Plan and federal policies and direction.

Recommendation

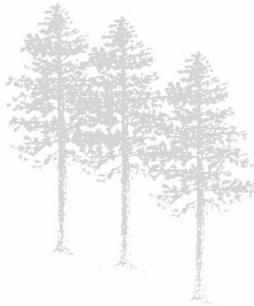
- It is our recommendation that the project be completely re-evaluated with a more holistic approach to meeting the actual needs of landscape to increase the forest health within the project area. Given stand structures within the project area and existing MPB populations, the focus should be on reducing stand densities of 4B/C stands. The prescriptions should vary between Commercial Thin and Shelterwood Establishment depending on existing structure. In addition, stands should still be evaluated for SR, commercial hardwood enhancement and meadow enhancement where it is silviculturally appropriate.
- We agree and applaud the Prescribed Fire design criteria stated on page 11:

Prescribed fire would only be implemented in areas that have received some form of prior vegetative treatment. If a proposed burn unit has not been previously treated, or if additional treatment is necessary to meet burn objectives, prescribed fire implementation may include pre-treatment of non-commercial fuels.

Implementation would also include the construction of containment lines as necessary based on site conditions.

We recommend that mortality limits for Prescribed Fire be included in the design criteria similar to the direction by BHNF Supervisor Mark Van Every in a white paper he wrote for the forest on February 15, 2018. This letter addressed mortality limits for prescribed burning following a failed prescribed burn in 2016 that resulted in high overstory mortality. The direction included the following limits:

Mortality Limits



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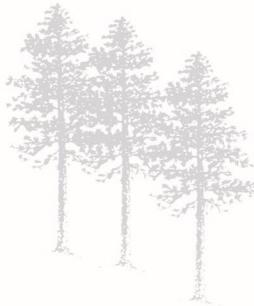
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- *Mortality limits should not exceed 5% in timber that is 7" dbh or greater in the suitable base.*
- *Mortality limits for timber less than 7" dbh, inside the suitable base will be determined based on approved silvicultural prescription.*
- *Mortality limits for all diameter classes outside of the suitable base will be determined based on approved silvicultural prescription.*
- *Determination of operable/inoperable ground should be made in consultation with Industry.*

In addition, all approved Prescribed Fire Plans must be signed by a certified silviculturist and existing burn plans already approved should be amended to include the mortality limits identified above.”

Neiman offers the following recommendations regarding prescribed burning:

- **Mortality limits** must conform to the February 15, 2018, BHN letter regarding prescribed fire mortality.
- There should be **zero mortality** of trees over 16.0" DBH in old-growth stands and goshawk nesting habitat.
- Prescribed burning should not cause any stand currently meeting the **Mehl definition of old growth** to lose that designation due to the loss of trees 16.0" DBH and greater, the creation of openings, or both.
- **Pretreatment of “doghair” stands** within prescribed burn units should be required to reduce the likelihood of killing trees 7.0" DBH or greater or creating large openings.
- We also agree and support the inclusion of a Sanitation/Salvage Harvest clause in the project. However, this should not be viewed as a reason to defer treatment of 4B/C stands.



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- We recommend that non-commercial thinning spacing should be no more than 12 feet apart.

We appreciate the chance to submit comments on this project.

Sincerely,

Paul Pierson

Paul Pierson
Neiman Timber Company, LC