

National Forest Advisory Board (NFAB) Meeting

January 7, 2009 – 1:00 p.m.

Mystic Ranger District, Rapid City, SD

Members Present:

Tom Blair, Chairman; John Culberson, Alternate Vice Chair; Mac McCracken, Becci Jo Rowe, Hugh Thompson, Donovin Sprague, Sam Brannan, Carson Engelskirger, Bill Kohlbrand, Pat McElgunn, Doug Hofer, Daniel Hutt, Bob Paulson, and Everett Hoyt.

Forest Service Representatives:

Craig Bobzien, Dennis Jaeger, Frank Carroll, Steve Kozel, Bob Thompson, Dave Thom, Tom Willems, and Twila Morris - Recorder

Others:

Approximately 10 members of the public, and three congressional representatives; Chris Blair (Johnson – D, SD), Mark Haugen (Thune – R, SD), and Rick Hanson (Herseth Sandlin – D, SD), were in attendance.

Members Absent:

Jim Heinert, Jim Scherrer, Nels Smith, Tom Troxel, and Nancy Kile

Welcome and Roll Call:

Chair Blair: Quorum present, called the meeting to order at 1:02 p.m. Welcome everyone; please turn off your cell phones.

We're a little early in the month for this meeting because of our Legislative session. Senator Royal "Mac" McCracken is finishing his last meeting today. From the Board, and from my chair, we thank you, Senator, for your time and effort. Thank you very much for being a part of our Board. Craig Tieszen, retired police chief from Rapid City, and newly elected State Senator, will be replacing Senator McCracken.

Thank you to the Job Corps for the refreshments.

Approve November Minutes:

Blair: Are there any changes to the November minutes? Hearing none, the minutes stand as reported.

Approve the Agenda:

Blair: Are there any changes to the January Agenda? Motion to approve Agenda made by McCracken, motion seconded by Paulson. The Agenda stands as prepared.

Meeting Protocols:

Blair: In the next couple months, some of us will come to the end of our term.

Carroll: Technically, there is a six year limit to serve. If you would like to be extended, we can do that too. For all of those who are at the six year limit, we would like you to stay. We plan to have new elections in May or June, which will give those hitting the six year ceiling time to decide if you would like to continue.

Blair: By the end of February, please let Frank know if you would like to continue. I think in the first go round, there were 80 some people who applied for the Board. At that time, we started with 14 seats. We do have an impact on how the Black Hills is managed, and we set precedent for how other Forests take civilian input.

HOT TOPICS

Bobzien: Thanks Tom.

Thank you very much Mac for your service in the past year, not just here on the Board, but also to the State.

Open Space Letter: A year ago this Board worked on a letter that was sent to Congress. The work you did a year ago still stands today, and I would recommend re-submitting this letter to the new Congress because I believe it is still of importance. I can't lobby, but I think it was good work, and I suggest you re-submit. As a Leadership Team we made a decision to hire a new position to work on land acquisition. Our hope is that we will be so successful that we'll have partners that want to help us.

Travel Management: This will be our day to go over the Business Plan Working Group's Special Recreation Permit Fee Draft Proposal. We'll get an update on what the Working Group has done and the conclusions they've come to at this point.

Pine Beetle and Biomass: Kurt Allen will present an update on the Pine Beetle situation in the Black Hills. We've had considerable interest in Biomass, folks looking at our smaller trees and slash piles. Dave Thom will give you an update.

Economic Stimulus Package: The Forest Services is in the process of responding to an Economic Stimulus package in terms of what might be accomplished in the next 12 to 18 months. The Forest Service has presented their package of about 5.5 billion dollars in projects and facilities maintenance. There will be a lot of interest at the State and County levels to invest in infrastructure, upgrades etc.

Appointments: Secretary of Interior – Secretary Salazar of Colorado. Former Governor of Iowa, Tom Vilsack will be Secretary of Agriculture. Senator Salazar had a very good working relationship with the Rocky Mountain Region, and Tom Vilsack was a very popular Governor. The Undersecretary of Agriculture has not been named.

Paulson: Do we need a motion from the Board to re-submit the open space letter?

Blair: Yes, is there a motion?

Paulson: I motion to re-submit the open space letter.

Culberson: I second the motion.

Brannan: What is the open space letter about?

Paulson: A process that would allow banking of funds to acquire parcels of land, but would not require an exact exchange.

Blair: Particularly the millstone around the exchange is a dollar for dollar match, so some banking of funds would allow exchanges to occur. We would like to take away some of the impediments that seem to be the problem. In this day and age, the Black Hills is so urbanized and there are so many small parcels of private ownership.

Paulson: Would it be appropriate to table the motion, and distribute the letter to the Board for review before we mail it back out?

McCracken: To defer the action would be appropriate. Sam would like to see a copy of the letter and I believe that is fair.

Blair: We'll defer till the Board has a chance to look at the letter, then we'll re-distribute.

Round Robin – Member Perspectives on the New Administration:

Paulson: I sent a letter to the Board last week. I'm hoping that we do indeed find more common ground to work in this coming year.

Brannan: From the Energy and Mineral branch, it is very up in the air because there are many stimulus packages being announced. We're hoping we can help out when/where we can.

Rowe: I am encouraged by the new administration. Their focus on healthy forests will be good for us. The Obama administration is interested in collaboration. It seems like there will be more of a focus on the Forests dictating the politics rather than politics dictating the Forests. When it comes to climate change, bug infestations, etc., I'm hoping the new administration will give the Forest more power. I'm looking forward to progress.

Hutt: I'm encouraged to have some collaboration as well. A big issue will be energy, from my position; energy is going to be a key issue. We are facing some constrictions in areas such as transmissions, which leads to higher costs and the postponement of new facilities, etc.

McElgunn: We're waiting to see where the stimulus money goes. Every city and county has a list of what needs to get done. The key is in getting the projects ready to go. They're following the DOT process, which means it goes into priorities they have, and it will be interesting to see how it trickles down to the City and County. Mayor Hank's commercials have come from a grassroots effort, local businesses driving the commercials. The commercials have come under some criticism, but I believe we are doing pretty well in Rapid City. We ride the middle of the curve and we never get to the top or the bottom. The challenges are significant. We continue to be encouraged. The State Legislature will be in session next week, and we won't see Mac there. The Legislature will have real challenges with budget, etc. It will be a long session, but we'll continue to be optimistic.

Kohlbrand: We'll just have to wait and see when the words turn into deeds. We hope the Administration will allow the Black Hills to be a working forest, and continue to manage the forest aggressively.

H.Thompson: I see the Forest Service over the years, having to react to a huge swinging pendulum. I expected that and was pleasantly surprised with the first two appointments. Senator Salazar does know about natural resources, having headed up the Colorado Department of Natural Resources. I had high hopes that Gail Kimbell could bridge the transition; that is yet to be seen. I've read about the possibility of them putting political appointees in positions. We're watching to see just how far the pendulum is going to swing and whether or not you'll have to react to radical changes. Good luck to all of you in the Forest Service.

Engelskirger: I'll side with Hugh on this with the pendulum swing theory. It seems like the new administration is kind of in the middle of the road on Forest policy, so it will be interesting to see where we come out.

McCracken: In my opinion, there are two big issues that all of us will be facing: the economy, and our foreign policy. We need to get that straightened out, and then there will be a lot of things fall into place. The third thing I would mention is the word ethics.

Hofer: From a State Legislature point of view, we'll see 40% new Legislators, and a bunch that have moved and changed positions. It will be a real changing face, and the new folks face difficult issues. This will rank as one of the more difficult session, and it could get contentious. There is already posturing for the next gubernatorial race because Rounds is term limited. Financial issues will be first and foremost. It will be an interesting legislative session to follow, and whatever comes out will make a big impact on the next four to six years in SD. My biggest regret is that Senator McCracken will not be a part of it all. The new faces and new issues that the State faces are many. By design, we may not have any reserves left by the end of FY10.

Paulson: Any idea how what Vonk's thoughts are on Vilsack?

Hofer: I don't think Jeff would mind if I share this, Jeff feels that Vilsack is a very bright and capable man to run the Agency – that's half the battle. Jeff has a lot of respect for him.

Sprague: The areas I'm hopeful for are minority affairs, economics, and the war. Minority Affairs: There has been a lot of talk in Indian Country about the new administration. With new appointments, for the first time, we'll have more Native Indians in the legislature, and help from Daschel's office, will create needed change. The reservation is the poorest county in the Nation. The unemployment rate for Sioux Falls and Rapid City is 3.4% for Rapid City, but that is not real reflective for the Native American side. Before the casinos, we had 90% unemployment, and it is still around 58%. The reported unemployment number comes from folks registered with the SD Job Services, people who are currently using job services, so what about all of these people who have given up on looking for work? The War: Native Americans have the highest participation rate in the war, more than any other culture. It is only right then that we have some rights at the Legislative level. Economics: I just met with the Governors Interstate Indian Affairs Commission. This is a group of people who met to discuss economic and education issues. I met our representatives from SD for the first time. People on the reservation don't know these people at all. I've been invited to other states as a presenter to help with education. It is networking and unity process. Also, education cuts, we're always looking for money to fill in there.

Culberson: There's already been some benefit for Custer County. Saving the Secure Rural Schools Act in the bail out was a bonus. Unfortunately, it decreases over the next few years. The transportation backlog is huge. The gas tax hasn't increased for several years, and we aren't driving as much as we have in the past. The way I understand it, they are looking for projects that are ready to go. My backlog on gravel is half of our mileage; 200 miles out of 400, that's a big deal. The Cheyenne River bridge has been in the works for 10 years. I think we can put that to work, my perspective is to spend some of that money in our Country rather than other countries. We had two brand new public safety training centers, but yet the kids are still going to the same schools as they were 30 years ago. If I had to work for the Forest Service, with what I see, I couldn't work under that system. If the Custer County Commission mucked in my business, like the Government mucks in the Forest Service business, I couldn't do it. At Mike's retirement party, someone mentioned "the old forest service". Mike represented the old Forest Service. The Forest Service has their hands tied. That is systemic with Federal services. I don't blame the Agency as much as I blame the politicians. I agree with Sam, on the open space issue. You can't take ten years to do a land exchange.

Blair: I'm enthused about the new administration, and certainly the appointments that will affect us. How it will affect SD given that the two main industries in this State, agriculture and tourism affect everyone? In the Black Hills tourism affects most of us either directly or indirectly. I'm really concerned about the economy, and tourism is a discretionary income, which is the first thing to be cut in peoples budgets. It's a multiplying affect; we are a rubber tire affect in SD. We need good roads, and bridges, etc. We get our money from the rubber tire market, DOT etc. Fewer dollars means fewer miles traveled means fewer dollars. We saw it some this summer; but it scares me what next summer will bring. When we had the Governor's Task Force, we talked about utilizing gas tax, and we got a definite no. It took me awhile to understand that. Over the last 1 ½ year, the writing is on the wall, there is no money. When you look at other funding methods, it becomes a difficult thing. I think almost anything that is going to be passable, will have to be self funded because there is no money. So unless we see this turnaround on a Federal level, and the prediction of more jobs, I see our economic problems continuing for the next several years. And it doesn't make any difference which side of the aisle you sit on. It will be a time will tell situation, I'm cautiously enthused, but I think this will be a tough summer. I agree with Mayor Hanks, I believe we are a bright spot in the nation. I think South Dakotans are eternal optimists. We do what we need to do to get the job done.

Jaeger: New Black Hills National Forest position announcements: Mike Lloyd, Hell Canyon District Ranger retired; Lynn Kolund will be replacing Mike. Lynn comes from Alaska, and he just completed a detail in DC. We expect Lynn to be here on March 1st. Jeff Tomac and Kelly Honors will be acting till Lynn arrives. We have a new Heritage Resource Manager coming on board in February. Dr. Mike Hilton will be coming to the Black Hills from California. Mike started his career on the Black Hills. Our new Physical Resources Staff Officer is Claudia Hill; Claudia will be here in a couple of weeks. She comes with an outstanding resume, and is highly recommended.

B.Thompson: Before Christmas we were out burning some piles not too far from the Johnson Siding country. We had some neighbors that got excited because they saw the piles burning from their door. Typically we put announcements in the paper and on the radio, but when you're burning these piles, or broadcast burning, conditions can change and the notices don't always get done. We did not go door to door in the affected communities. I've since talked with some of them, and apologized for the lack of communication. We will amp up our efforts to inform people. KOTA asked me to come in and talk about prescribed burning. Most folks here are well aware that this forest is an active forest. From our perspective thinning the forests, removing some of the mass is important. Doing that creates piles of slash. The practice used to be to leave the piles in the woods, but we've moved to piling and removing the fuel load. We've tried to utilize the material – we have a tremendous resource. In some cases, we've been able to get some of these piles chipped and hauled to Merillat. It only makes sense to use these piles, but right now our only option is to burn the piles.

McElgunn: I know what the Forest Service is doing, and I knew what the temperatures were that day, and I knew it was a good day to burn. Others thought the canyon was burning – some just don't know. People who live out in the forested areas, should have known that there was no threat, there was snow on the ground, good moisture. People who live in the woods sometimes have no idea about the management, and they need to learn.

Kohlbrand: Have you ever considered using KV money or something to subsidize utilization of the piles? If the piles are handy, they'll go get them, but to get into the heart of the hills is another story.

Bobzien: That will be included in our Biomass discussion, as Bob said, we are looking at ways to use the piles.

B.Thompson: Some of the chipping we did took some creativity to make it worth while, but we got it done. Our biggest concern is having so many big piles needing to be burned.

Culberson: The Johnson Siding fire department was getting called in the middle of the night regarding those burning piles.

B.Thompson: Pat said it right that there are a number of people who live in the woods who really don't know, and that is our job to inform them. We'll redouble the efforts. When I talked to the folks, they appreciated that we were doing it; it was just that they didn't know we were going to do it.

Culberson: The trickle down affect that getting calls in the middle of the night is of consideration as well. The firefighters miss work because of these late night calls.

Break: 2:00 – 2:10

REGULAR AGENDA

Blair: We are going to have a discussion on travel management, and our draft business plan. Frank is handing out Draft 7 of the Business Plan. This is not for the public, it has not been adopted. Craig I'll let you lead off.

Bobzien: You heard comments on this in October, and more discussion in November. Tom has chaired the Business Plan Working Group. The Working Group has put a lot of time into this. This Business Plan would be for a special recreation permit fee to use the trails on the SD portion of the trails. The purpose of the discussion today would be to take comments and suggestions back to the Working Group to refine the Business Plan. After the Working Group makes the necessary changes, it will be taken back to the parent Board next month.

After a lot of discussion, the Working Group has come up with a range for the fee rather than a specific dollar amount. If it remains in a range, the recommendation would be to operate somewhere in the range, then I would have to make the decision, we have to have a decision to go forward. Charging a fee was from the premise that this would be an active system. That is a system with loops, challenges; a quality system, along with all the aspects of education, maintenance, enforcement, etc. On the last page, it gives some ideas of what we've heard, and gives the merits of a higher fee, and a lower fee. We're looking for input to help form the recommendation.

Blair: This is just a draft. We've talked about OHV for about four years. We've come to a time to refine the Business Plan, I want to go down through the plan and talk about individual items, with our reasoning for each. If something jumps off the page that you can or cannot support, we'll talk about it.

Remember, we don't have and haven't found a valid mechanism to measure the number of people coming to the Black Hills. We have a feeling for the number of vehicles that are licensed in the state of South Dakota, we know what other states do, we know that we have substantial visitation, but to put an absolute number, to say we're going to sell 15,000 stickers, or 30,000 stickers, is blowing smoke – we don't have a good idea. We know there are 50,000 to 60,000 OHVs in the state of South Dakota. We also know that there are 10,000+ vehicles sold. There is a gray area of vehicles that are not licensed; there are a substantial number out there that have not been registered with the State. We know there are different ways that different states (surrounding) handle things, as far as licensing, registration, stickering, etc. Wyoming has a valid off road vehicle system. We've been a passive open system, and we know that that has created some problems, which is why we are where we are today.

This process will be reviewed on an annual basis for awhile, because we'll have a better idea from year to year how things are going. We also know from a marketing experience, what may work and what may be a detriment. We have to create a balance this first year. We kind of know what we want to put on the ground, but it will all be determined by dollars raised. It all starts and ends with money. We know some of the stuff in the business plan is not front loaded, even though we say we'll put x amount of dollars into a certain area – those will happen as we move into the system. For example, in the first year, we'll have a higher capital equipment

budget than years later.

In paragraph number one, there are three categories of fees being discussed, annual, weekly, and commercial. There is a range for each. In some of the categories, there is resistance to agree on a number. Jim Thompson said, if you send it, they'll spend it – which is probably the truth. Some resistance is with the spread; if you send it will they spend it appropriately? If we tighten the parameters a little, most of the payers of the system will be more comfortable.

Bobzien: Some of the members of public here today have been involved with every meeting of the Business Plan Working Group. How would you like to involve them today?

Blair: We don't normally take public comments till the end of the meeting, but we have folks that have attended the meetings, I would like them to be able to comment. If we wait we'll lose the essence of the comments.

Starting in the first paragraph, Proposed Action, the recommended fee per vehicle annually is \$20 - \$40. We've bounced around on this number a lot. Some of the things that come into play are what we need to try to raise money for a viable product. We're selling a sticker that allows you to use a product. If the product isn't a good enough product, sticker sales won't be successful. There is the possibility that many of the vehicles that come to the Black Hills, won't necessarily ride on the trails. We have a road system that ATVs will go on if the ATV is licensed. So we are almost our own worst enemy by having a licensed system. There are only four states out of 50 that license ATVs.

For example, in Deadwood, If I have a casino that has 90 devices, and I put a new building in across the street with another 90 devices, I become my own competition. 90 plus 90 does not result in 180 devices in use. We in the Black Hills are our own competition. We have roads and a trail system.

We thought it was reasonable for people coming from out of state to visit or others on vacation to buy a temporary sticker. Then of course we have the commercial vehicles. We don't have a lot in the Black Hills , but it is growing, so what is the proper number to put on a commercial vehicle?

H.Thompson: Ultimately you are not looking at a \$20 - \$40 range; you are looking for something to go to the RO with a definite figure.

Bobzien: That would be the goal; the range is because we could not settle on a price. We will have to submit an exact value.

McCracken: What is the proposed timeline for submittal of this document?

Bobzien: If we have a recommendation in February, we would send it to the Regional Forester. They have a larger group that looks at these across the Region, but within a month or two they would respond back and say that our elements meet all the guidelines, there for we will endorse this. We then would ratify it with the Board. Best case scenario would be three to four months. We've worked on this so long we want a quick turn around.

Blair: Our mandate is implementation in 2010; we're not up against the wall, the longer the Regional Office takes to review the longer out we'll be.

Carroll: After this Board has voted and we have a permit fee authorized then we have to wait six months to put the fee into place. We also have to have a motor use vehicle plan in place before we start charging the fee.

McCracken: So we're a minimum of nine months down the road on this.

Bobzien: The Board, in deciding to make this an active system, has to determine a way to have the financial where with all to make this work. In the next months, to have the RRAC support this, we have to have a mechanism, with revenue coming in. I could make a recommendation on an active system at that time. The timing and when the Board acts is important. We'll be out with our draft, we'll have a recommendation in the spring, and these and other timeframes will fit.

Paulson: Is this Business Plan synced up with the closed vs. open designation?

Bobzien: That comes with the decision, they are on parallel tracks but they are separate. The publishing of the motorized use map will trigger the designated open system.

Brannan: The other 46 states will have to follow?

Blair: We'll have that discussion later, because there are other nuances.

Brannan: Is there a problem with the \$20 – \$40? Do both of those scenarios work for the Forest Service?

Bobzien: Yes, that was the range. We can't pin down a number, which is why we've worked in the annual monitoring, so that everything from the numbers sold, to the maintenance done will be reviewed.

Brannan: I commend you for trying to have a trail system defined. I won't second guess the work of the Working Group. The only strong opinion I have is to go on the low side of the fee. It's always safer to allow the locals the benefit of having a low enough fee that they will be able to participate.

Rowe: From draft six to draft seven, we lost the attachment. It gave the range of other national forests, which would allow the Board to determine how we came up with the numbers.

Carroll: It was inadvertently left off. (Copies were made and distributed).

McElgunn: Do you have the ability of indexing, or to adjust the fees over time?

Bobzien: We did not discuss indexing, but more of the discussion was to have an annual review that might include changing the fee system. If you start low, you could then determine if you need to go higher.

Blair: It is important to know where we're at at the end of the year. This is an item that is going to grow. We're getting into business and we have to respond to that. It will have all different concepts, such as inflation, etc.

Kohlbrand: In the last month I've been trying to pick peoples brains, and overwhelmingly, they didn't realize that you needed license plates to ride the back roads, dirt roads, etc., and most of those folks didn't understand why they would have to buy separate stickers for SD/WY. Folks will licensee the pickup first, and leave the ATV home if need be. A lot of these folks aren't big trail riders, they are just out for hunting, etc. I don't know if the solution will be to include more mixed use so they feel like they are getting something. These folks will buy a sticker in Wyoming and maybe South Dakota, but most people will not pay \$40.

Hofer: Help me understand the WY/SD difference from the Forest Service point of view. The purpose of the fee is to generate money to operate an active OHV trail system in the Black Hills. If you go to the second paragraph on page two, it says the RRAC recommendation applies to South Dakota. Is that suggesting that the fee to ride on these trails in the Black Hills will not be assessed in Wyoming?

Bobzien: Correct. Also the fees will not be reinvested in Wyoming.

Hofer: Has the Forest Service established or anticipate establishing some kind of relationship with the State of Wyoming, where they will take some of the revenue they are generating and pass that on to the State of South Dakota?

Bobzien: Yes, we expect revenue. At this point we assume the amount of revenue they provide is enough to support the trails we designate.

Hofer: How many miles of level two roads do we have in the Black Hills?

Willems: It will vary between alternatives, but a ball park figure is 2,500 miles.

Hofer: We anticipate a trail system that is designated for OHV use, 350 – 700 miles, some would be current level two roads, and some will be new trails.

Bobzien: The level twos would be connectors.

Blair: But only as they are connectors.

Hofer: As worded here then, the fee would only apply to those people riding on the 350 – 700 mile designated OHV system only. The rest of the level two roads would be open to anyone who was properly licensed.

Carroll: Vehicle and operator.

Blair: Doug brings up a point; the vehicle and operator have to be licensed. There are 46 states that aren't licensed; it doesn't matter if you're licensed as an operator. Then there are those who will show up with an operator that is under age. They could ride on the trail system, not the level two roads.

Hofer: Designating some level two roads as mixed use, tell us again, what it means, in terms of usage.

Bobzien: Mixture of licensed and unlicensed vehicles.

Hofer: 300 – 700 miles of trail is really not tied to the number of miles you may designate as mixed use. You may designate the majority, or some part, so that means an OHV that isn't licensed may be able to travel that road, but it doesn't mean they would have to pay the fee.

Bobzien: The goal is to have the OHV trail system. We recognize that some of the trail will be level two roads. In 2009 or 2010 when we adopt this plan, we will have included some of these loops, some may be roads today, but we'll designate the roads as trails with the idea of having a variety. Over time, I see more trails, and fewer roads. We can't start out using all trails, and no roads.

Hofer: There would not be a trail pass for the roads.

Bobzien: We get appropriated funds to maintain roads, so we don't want to double bill.

Hofer: I was hopeful that for the unlicensed vehicles on the mixed use roads, you could charge the fee and would charge.

Bobzien: I understood that real well. We could do that, but there is an issue nationally about charging people to use roads because they already pay taxes. We want to focus on trails specifically designed for OHVs.

McElgunn: 46 states don't license for highway use. If someone from a state that doesn't license comes to the Hills, all they have is a driver's license. They'll drive across these trails, and they'll be in violation. We'll have tourists come to the Hills who may never drive on the trails. A lot of these people don't even have a license on their vehicle.

Carroll: If they're not licensed they won't be on the roads.

Blair: South Dakota is unique, whether they are correct is another statement. We've discussed this substantially. We're almost doomed by not having the ability to make all ATVs/OHVs stickered.

Mumm: The deal is, the situation that Pat described, is not being created by the designated route system, by going to the designated route system, proper education, it has been our experience that you reduce the number of incidences. Technically that situation exists now. It has been tolerated. With the designated route system, it is changing everywhere.

Blair: It's almost a catch 22 type of a problem. Greg is absolutely correct. It will take time.

McElgunn: Start low if you have the ability to adjust, you'll have more participation.

Paulson: What does the Wyoming fee generate?

Kohlbrand: It's \$15 per sticker.

Jaeger: Steve, what does the fee generate for the Black Hills?

Kozel: \$10,000 for education and law enforcement, and an additional grant for a land exchange in the amount of \$26,000.

Jaeger: We submit our proposals, and we compete for what we need. We've been running \$10,000 – \$20,000, but that can only be used on the Bearlodge.

Paulson: How many miles are enrolled on the Bearlodge District?

Kozel: 200 miles of roads enrolled.

Blair: How many stickers sold?

Kozel: I don't know.

Rowe: I saw their business plan, and 1.4 million comes to mind.

Kozel: Sold nearly 30,000 stickers one or two years ago and it has been a steady increase.

Blair: Moving on with the proposed Business Plan, site description, does anyone have any heartache with this paragraph? Any problems with the Market Description paragraph?

Paulson: Sioux Falls is a significant user, you don't mention other users. Don't know if you want to get that detailed.

Blair: Down to the Current Use paragraph, we picked a number at the low end.

Patty Brown: Do you want to include the retirees in the Market Description? And you list only 5% of the users are from out of state?

Blair: That's a dart at a board, we just don't know. I think we missed the mark on current use also, but I have nothing to back that up.

Paulson: Is there a way to have a survey about this sort of work? Could the State use their person for a survey? He's always asking about use?

Hofer: I'm not sure how he would be able to do it. He would just be surveying the hunters. It's a broader group than he has access to.

McElgunn: Is the State Office of Tourism done surveys based on this type of information?

Rowe: They do not currently have a way to monitor the count on OHVs coming in.

Blair: I've talked with them for three years trying to get a feel for this. They have no tracking mechanism.

McCracken: One more time – the rationale is to charge a fee for South Dakota people to use the trails in the Black Hills National Forest. We're not going to charge a fee for those from Wyoming in the Black Hills NF? Correct?

Blair: No, if you come over from Wyoming, you need a sticker.

Hofer: What about the South Dakotan that goes to Wyoming?

Blair: You would need a sticker.

McCracken: The rules applicable to Wyoming and South Dakota will be universal.

Blair: From our stand point, yes.

McCracken: Bill, what about Wyoming?

Kohlbrand: I think it's a whole different deal, Wyoming is roads, and South Dakota is trails.

Kozel: In the alternatives, there will be a trail system laid out. Currently it's just roads.

Blair: To ride in Wyoming on a level two road, you have to have what?

Kozel: A sticker or a license.

Bobzien: Enrolled roads.

Hofer: So all of the designated trails will be in the State of South Dakota.

Mumm: Under this proposal, first of all in the Wyoming side, they are going to be working within the Wyoming confines. When they designate roads or trails, they are enrolled in the Wyoming side; you have to have a sticker. When you come to the State of South Dakota, if you are going to ride any of the trails, you'll need a sticker. There is a line of division, when you are in South Dakota, on the Black Hills National Forest on the trials system.

Hofer: Is the Forest Service planning to construct OHV trails in the State of Wyoming in the future?

Jaeger: The alternative is being considered, and includes a trail system in Wyoming.

Hofer: What will happen if and when the state of South Dakota starts to license OHVs. Are you going to then abolish this fee, then seek an arrangement with Wyoming?

Bobzien: We are going to work with the State model of the snowmobile system. There is no mechanism to do this in the State of South Dakota. Absent that, we have moved forward with this fee system. In the future, if the State decided to do that, it would be considered. We're pursuing this so we have a means of revenue.

Hofer: It just seems like the best interest of the OHV community would be to treat Wyoming and South Dakota the same way so that you have the ability to develop the trail system regardless of the boundary between the states. Eventually there will be opportunities for partnerships. This could have gone another direction with the idea that there aren't enough resources to do the job.

Bobzien: We're doing this in the interest of having an active system.

Blair: Steve, tell me, in Wyoming, if I buy a sticker to be in the enrolled system, is the trail system only on Federal ground?

Kozel: No, it is on Federal, State, and Counties, it is multi jurisdictional.

Blair: Are the roads that are enrolled multi purpose? You could have pickups, and 4x4s, on the same road?

B.Thompson: Distinction between roads and trails. A trail is designated for an OHV (including jeep trails that pickups can use.) The only way you'll be on this trail is if you have sticker. If you have a license plate, you would not be ok on the trail without a sticker.

Kozel: When you say licensed, you have a plate, and a licensed driver.

Blair: In all cases the driver has to be licensed on any road in South Dakota. If I'm from a state that doesn't have OHV licensing, I need a license and sticker on roads, just a sticker on trails.

Blair: If they are getting state dollars in level two roads, why couldn't we be doing the same?

Bobzien: Federal recreation passes.

Blair: If we have a section of road, level two road, if I'm a licensed driver, and have a sticker, I could be on that road. If I'm an unlicensed driver, I cannot be on that road. We would be breaking the law by allowing unlicensed minors to ride on those roads.

Blair: You don't see the state jumping on board and allowing funds to go to the Forest. If a bill was passed to allow travel on level two roads, this would fly in the face of the law. We're inviting lots of people to come to the Hills, and we're trying to develop a trail system, but we're setting up road blocks because of the areas minors can't ride. One of things we talked about early on is about having to ride in 20 miles then turn around and come out the same way you went in.

Rowe: The system is not doomed. I appreciate this page that shows the low end and the high end. When we compare to other forests, the least amount of trails we might have is far more than anything other Forests have. It's so much more than they've ever had.

Blair: There will be another segment of people that will figure out where they can ride with no sticker at all, and they will take the chance to jump across to another portion of the trail to ride without a sticker.

B.Thompson: Highway only; needs license plates, is highway legal, and need a driver's license.

Hofer: In South Dakota that could be an ATV, but someone comes here from another state, you could not get it plated.

B.Thompson: The term level two is confusing, but a mixed use route would be a case where you could have both licensed and unlicensed vehicles. We would have to pre-empt the States laws to do this, and a 10 year old would not be able to use that route because it is a road, and by definition, you have to have a driver's license. If you ride on a road, you'll need to meet the licensing requirements. The trails, you need a sticker, and it is open to the minors.

Blair: If you use Tom's numbers, we have 2,500 miles of level two mixed used roads.

B.Thompson: Level two is not mixed use. We define our maintenance by Levels. Level two is dirt.

Blair: How many miles of mixed use roads do we have? *(Not many, this number will be part of Craig Bobzien's decision.)*

Hofer: We need a fourth example for the non resident. There will be some of the highway, county road or above status, but you have some level two roads that are not going to be mixed use. So in that case the rules on those are going to be, if you're a non-resident, you can't ride on them legally. It's not just the highways; it will be some of the back country roads also.

McCracken: What about people who come here to get their South Dakota drivers license, such as permanent RVers?

B.Thompson: The State of South Dakota will plate their vehicles. It's the States issue, not ours.

McCracken: So they could live in Nebraska and plate their vehicles in South Dakota?

B.Thompson: They could ride the roads where they meet the requirements.

Jaeger: Whether it's two track or a paved road, you still have to have a license.

B.Thompson: If there will be mixed use designated, from a safety stand point, it would make more sense to use lower level trails.

Hofer: I would like to go back to where Becky was. We have to give this a try. This is about as good as it's going to get under the State laws, and other limiting factors. It will be confusing to the user, we probably can't change that. Ultimately, it should lead to a discussion led by the OHV community, is this going to work, or does there have to be some changes in the State laws. None of this is going to change what the Forest Service needs to do.

McElgunn: of these 300 - 700 miles of roads, how many miles of mixed use are there?

Bobzien: We haven't done the analysis, but it will be in the minority.

McElgunn: There are solutions to it, it's not like it is half the route.

Blair: We have two discussion points to go. Take this home, read it, use e-mail to comment. We're going to Pierre in a couple of weeks, and we'll discuss with Tourism, GF&P, it's not over with. Adjustments will have to be made as they come.

3:35 – 3:40 Break

Blair: Our next topic is Pine Beetle mortality in the Black Hills of South Dakota, current situation and prognosis.

Kurt Allen: Entomologist with Rocky Mountain Region, USFS. Brief overview of where the Black Hills is at with the Mountain Pine beetles.

Overview:

- First described as a species from the Black Hills was originally called the Black Hills beetle.
- First recorded outbreak in the Hills occurred beginning in the 1890s.
- A stand typically loses about 55 > 7 in. dbh trees per acre over a three year period.
- The denser the forest the more loss sustained.

Region wide perspective in ponderosa pine: Colorado, 535,000 acres affected; Wyoming 70,000 acres affected; South Dakota, 340,000 acres affected.

Lodgepole pine: Colorado, 2 million acres; Wyoming, 300,000 acres affected.

Blair: You tossed out really large numbers, 1 million trees > 7 in. dbh killed in a year. When that is compared to the total number of trees, how many is that? How many trees are there?

Note: In 1999, before major fires, there was an estimated 140 million trees greater than 5" diameter on the Black Hills National Forest. (DeBlander 2002 RMRS report).

Blair: The Black Hills is one of the most prolific Forests as far as tree growth.

Paulson: What do you attribute no outbreak on the Nebraska to?

Allen: The Nebraska just isn't the same Forest, more open, dryer, rockier, not real suitable habitat. The Custer National Forest is similar to the Nebraska National Forest.

Carroll: So we are saying that in some areas, we are seeing up to 10 times as many beetles as before, but because of management, we are holding steady. Did the cold hurt these beetles?

Allen: As of yesterday, there was no mortality due to the cold.

Hoyt: Are there any predators?

Allen: Woodpeckers go after the beetles. There are other insects that feed on the beetles, but the problem is that for whatever reason, the predator populations don't ever catch up to the beetle population to make a dent on them.

Carroll: Tom Troxel is a natural predator for the beetles.

Paulson: What does it take to kill the beetles?

Allen: A cold temperature spell at either the end or beginning of the season, would affect them. As it gets colder and colder, the beetles adjust, and the cold will probably not affect them.

Thom: What is the inside bark temp, and number of days of cold needed?

Allen: Wind chill means nothing, the temperature under the bark is usually 10 degrees warmer, so generally -30 to -40 for 48 hours is what it would take to kill the beetles in the middle of the cold season.

Hoyt: Why did the other cycles come to an end?

Allen: The infestation in the 70's ended mostly because of aggressive treatment. Going back further, it was probably more of just running out of habitat.

Blair: Do wet years have an affect?

Allen: The tree's only defense is the pitch to flush the beetles out. This past year we saw that, but before that it's been six to eight years since trees produced pitch. So their only defense mechanism was gone, so yes, having more water does help. We have so many beetles that they can overcome the trees defense at the moment.

Rowe: What is the distance a beetle can go? If they like dense forests, what would the distance be to cut down on their ability to be mobile?

Allen: They can go a long ways – up to a mile. Typically they won't go more than 50-100 feet. The adult beetle is only around for a couple of weeks before it dies.

Carroll: What's the point of thinning trees if they can fly so far?

Allen: Thinning trees creates bad habitat conditions for the beetles and strengthens defense mechanisms for remaining trees.

Rowe: 2001 seemed to be the onset of this last infestation. The average duration is 8 – 13 years, so what are the chances that in another four years, the beetles will begin to die off on their own.

Allen: We're hopeful that the numbers will go down in the next few years. It still depends on the condition of the Forest.

Thom: Biology and Ecology: What is being done?

- Forest plan direction: Minimize susceptibility to mountain pine beetle epidemics by reducing average basal area to 70 sq feet or less.
- Manage vegetation near recreation facilities to retain desired conditions... Treat insects and diseases to reduce mortality.

B.Thompson: If you take something down to 70 basal area, the problem you get is that within 10-20 years, they're back up to 90, so if you want to try to maintain 70, you have to go down to 50 or so in order to get it to 70 in the long run.

Paulson: What is the lag time between sale and harvest?

Thom: We have some sales now that we are requiring urgent removal, and it can be as quick as two weeks. If they are not urgent, it can be two years or more. Road reconstruction, etc., does take time.

Hoyt: Do beetle killed trees have any commercial value?

Thom: The tree has value while the canopy is still green, but when it turns brown the value of the tree is nothing.

Engelskirger: The brown trees are actually salvageable; but the beetles are in the green trees. Essentially you have to treat on a landscape scale.

Rowe: So the Forest Service is strategically planning out ahead, and the timber sale serves as the buffer between infested areas, and non-infested areas.

Culberson: I am highly supportive of the Forest Service and their process. But it does not come without a cost. When you get into an urgent removal, all of a sudden a five year process is compressed to five months, so the number of trucks is compressed into a short period of time. This is hugely expensive to deal with.

Thom: This is the same effect the producers feel, they will have five operations going on in one sale, so they shuffle all of this, and it is a cost to the producer and a cost to the community. Presumably there will be fewer trucks next year in Custer County. But I should note that it is a cost to the producer and a cost to the County/Community.

Biomass:

Thom: The Forest Service is burning slash piles in the Forest, we call those piles biomass. There are thousands of slash piles created each year.

We've had people approach us for electric co-generation opportunities, using biomass to burn to make electricity. We are working on refining our numbers, so that interested parties have a better idea of what is available.

Policy questions: What are the effects of hauling those piles across the Forest Service and county roads? If you take a chipper or grinder to get rid of the material, there's always a cost involved with that.

Until we resolve this, and there are good markets available, we'll still burn piles. After about three years of sitting, they become more difficult to process and the value declines.

In the mean time – woody biomass is biological material, trees. Boards are also biomass. The saw timber program is used as a mechanism of removing biomass from the forest.

Paulson: Lack of certainty of supply and duration is the issue. For someone to invest that kind of money, they need assurances. You can't assure a supply to anyone. The companies can't make an investment on a 10 year commitment, they need longer term contracts.

Thom: That is correct, as part of our policy, we have stewardship contracting, but we are still scoping this out.

Culberson: Where is the biomass coming from for the Star Academy?

Thom: Baker Timber products, takes two trucks of biomass a week to Star Academy. KL Process and design is about at that same level. Chadron State College takes more than that but not much comparatively.

Culberson: Anything in the works for smaller projects?

Thom: The VA is interested in a wood heating system, the State Veterans Home may also be.

Blair: The Lead Deadwood High School is going to produce a wood heating system. It's easy to fall back once we're back to \$1.50 a gallon for the gas, so we have to make sure the policy makers know that we're moving forward. Environmental groups are afraid that we will become fuel farms. We have to keep this topic on the table.

Thom: We want to make sure that we are doing the most we can within our expertise, which is not how to market or make a profit off biomass. Right now, the amount of biomass we are talking about is very consistent with our Forest Plan. Finding a way to dispose of biomass in a cleaner, more sustainable way will make us better off.

Rowe: I assume that the energy content of a healthy tree for biomass is better than a bug tree, but could the bug trees be used for biomass?

Thom: Right now live trees are the only ones that are profitable, so we would have to invest public dollars to go back in and harvest the dead trees. The producer pays for the live trees.

Blair: The Government has subsidized the production of everything imaginable; we should start subsidizing the harvest of trees for biomass use. This could be part of the Presidents initiative.

End of biomass topic.

Hofer: What is our plan for the Working Group Business Plan?

Blair: We'll see if we can re-refine with the Working Group, and get a better recommendation to bring back in February. We potentially have eight or nine months before implementation.

Paulson: Who will be here in February?

Blair: Let's do a vote in March, when everyone is here.

Kohlbrand: Would it be beneficial to invite someone from the State of Wyoming to attend in March, incase there are more questions about they Wyoming trail system?

Blair: That might be beneficial.

Public Comments ~ Chairman Blair

Chair Blair: If anyone from the public wishes to address the Board, please do so.

No Comments.

Adjournment:

Chair Blair: If there is no other business to come before the Board, I will ask for a motion to adjourn.

Motion made by McCracken and seconded by Paulson. Meeting adjourned at 4:40p.m.

2009 Meeting Dates:

March 18

April 15

May 20

June 17

July 15

August 19

September 16

October 21

November 18