

National Forest Advisory Board Meeting

February 18, 2015

Mystic Ranger District

Members Present:

Vice Chairman Bill Kohlbrand, David Hague, Lauris Tysdal, Linda Tokarczyk, Lon Carrier, David Brenneisen, Tony Leif, Danielle Wiebers, Keith Haiar, Nancy Trautman, Alice Allen, Bob Burns, Jeanne Whalen, Mary Zimmerman

Members Absent:

Dick Brown, Jessica Crowder, Susan Johnson, Jennifer Hinkhouse, Mike Verchio, John Gomez, Craig Tieszen, Wayne Bunge

Forest Service Representatives:

Craig Bobzien, Jerry Krueger, Scott Jacobson, Beth Doten, Ben Schumacher, Shirlene Haas, Steve Kozel, Scott Haas, Ralph Adam, Bonnie Jones Patty Lynch, Kerry Burns, Greg McGranahan, Twila Morris

Others:

Approximately 20 members of the public were in attendance. Four Congressional Representatives were also in attendance; Kyle Holt (Noem – R, South Dakota), Mark Haugen (Thune – R, South Dakota), Jeff Marlette and Katie Murray (Rounds – R, South Dakota)

Introduction & Welcome:

Kohlbrand: Call the meeting to order, 1:00 p.m. Welcome everyone, I'm Bill Kohlbrand, and I'm filling in for Dick Brown. I hope you all enjoyed summer last week, welcome back to winter; which is fitting since we'll talk about over snow topics today.

Approve the Agenda:

Kohlbrand: You all have an agenda, if there are no changes, could I have a motion to approve the agenda? Motion made by Lon Carrier second by Alice Allen. All in favor of the agenda as it is presented, say aye, opposed say no; the agenda is approved.

Approve the January Meeting Notes:

Kohlbrand: The draft meeting notes were sent out and corrections were made; can I have a motion to approve the January meeting notes? Motion made by Alice Allen second by Danielle Wiebers. All in favor of the notes as presented, say aye, opposed say no; the January meeting notes are approved.

Housekeeping:

Bobzien: Thank you Mr. Chairman. Welcome members of the public today. We have a full agenda today and we've reduced a couple of topics in order to fit it all in. Those that are brand new, the emergency exits are on both sides. Thank you for checking in at the front desk.

Meeting Protocols:

Kohlbrand: Welcome to our visitors today, members of the public, staff and other guests. Please put your cell phone on vibrate or shut it off.

We have a panel today with representatives of the over snow travel issue. Normally we wait till the end of the whole meeting to take questions, but today we'll fit questions for the panel in during the panel time, with a limited time for each person to speak.

Everyone at the table with the exception of the panel members should be voting members, or alternates. If you have questions, please direct them to the chairman, please keep things to the point, and avoid long comments so we don't waste these folks time; if you don't get a chance to speak, get with the people that represent your area of interest, and they can forward your comments or concerns on to the appropriate Forest Service representative.

With that, we'll get into hot topics.

Hot Topics

Legislative Updates - Federal

Kohlbrand: Our first item is Legislative updates, on the Federal side, Mark, would you like to start?

Haugen: My name is Mark Haugen, I represent Senator John Thune. The Senate is out this President's Day week. The Senator is in Brookings and Watertown tomorrow for town hall meetings.

The last couple weeks they have been held up over the Homeland Security Bill. The controversial part of the Bill is that it doesn't fund the Presidents part of immigration. It's been filibustered three times now; finally, the federal judge said that it was unconstitutional, so maybe that will move it along. The Senator is working on several large issues, Keystone Pipeline and the projected veto of that, use of force against ISIS, and the Trade Promotion Authority to mention a few.

The Waters of the US Rule got pulled back a little bit, a little breathing room. The Endangered Species Transparency Act tells agencies that they must provide details about why they list a species and what made it endangered or threatened.

A bit of good news on the listing by the Fish and Wildlife of the Northern Long Eared Bat; they have come out with another comment period with the proposal of a 4D Rule, which is about the best we could hope for.

I would like to point out that the Senator is the head of the Commerce Committee; they had a hearing on rail and transportation issues. Hardest hit was ranchers and farmers, the Senator had South Dakota folks out talking about that and has been working with the railways, it has eased up and they passed some things that have bought a little breathing room. Another reason there is a

little breathing room is the issue with the Union; they've slowed down so the ships have also slowed down and the rails haven't had to ship things.

Just a reminder, we are no longer in the office on West main. We moved to the old packing plant area; Founders park – off Omaha street. Rounds staff is in our old office.

Kohlbrand: Thank you Mark. If there are no questions for Mark, Kyle, would you like to go next please?

Holt: We have some good news on the Waters of the US Rule. EPA is trying to change the definition; they withdrew the interpretive portion, which made it more confusing, so hopefully we'll get the whole rule withdrawn. Keystone pipeline, the House passed their latest version, the Senate passed, and the House approved the Senate's version, the president has threatened to veto. Small Business Tax Relief Act; to make permanent the tax extenders that expire in 2014.

Kristie and the South Dakota Senators have started a Wednesday morning chat, where they will all take the time to sit and visit with you if you are in DC. If you are planning to go to DC, let us know and we'll try to make arrangements for you to meet with them.

Kohlbrand: Thank you Kyle. If there are no questions for Kyle, we have Jeff and Katie here today from Senator Rounds' office.

Murray: My name is Katie Murray; I'm here with Senator Rounds' West River Director Jeff Marlette.

We've been busy setting up our new office at 1313 West Main. One of the things that has not come in yet are our business cards, so here is some information for you;

Our phone number is 605-343-5035, and you can find all of our contact information on our website. The Senator was sworn in in January; he is on several committees, the Armed Services Committee, Banking Committee, Veterans Affairs Committee and the Environment Affairs Committee.

The Senator has said that the Committees are very active; and there have already been numerous hearings. The Senator was at the White House when the President signed the Clay Hunt Suicide Prevention Bill. The Senate is in recess, so the Senator was in Rapid City yesterday, Pierre today, and Sioux Falls tomorrow.

The Senator's focus is on constituent services, so along with Jeff and Myself, there will be three additional Staff here in Rapid City to assist constituents.

Kohlbrand: Thank you Katie, Jeff, do you have anything you would like to add?

Marlette: Katie did a very good job and covered it. We are excited to get out and get to know the issues. The West River Region covers 13 counties; the Pierre office covers the central part of the state, and the office in Huron covers the Aberdeen and Watertown areas. The Senator believes in governance from the ground up not the top down; so we plan to be very active with our constituents. As Katie said please stop in, get to know us, we look forward to working with you.

Kohlbrand: Thank you Jeff. The State Senators, Tieszen and Verchio are not here today. Commissioner Whalen, would you like to share what you have for Wyoming?

Whalen: I made contact with all three offices, and Senator Barrasso's office had nothing to report. Senator Enzi is the Chairman on the Budget Committee. Representative Lummis will chair the caucus for the 114 Congress.

Both Lummis and Wales introduced the National Forest System Trails Stewardship Act, to help with the back log of trail maintenance in the wilderness. The issue is not dead yet.

Kohlbrand: Does anyone have any questions for any of our Congressional representatives? If not, we'll turn it over to Supervisor Bobzien for Hot Topics.

Forest Service Hot Topics ~ Craig Bobzien

Bobzien: Thank you, Jeff and Katie with Senator Rounds' office; welcome to your first time here representing Senator Rounds. The BHNF Advisory Board is only one of two such Boards on the 155 National Forests. We are fortunate to have this Board and hope that you'll find it informative and helpful in the future.

Our topics today include the over snow panel; Mark (Haugen) said there is interest in the NLEB; Scott Larson with the Fish and Wildlife is here. And Dave Thom and Jim Scherrer representing the Mountain Pine Beetle Working Group are here to speak to our veg management plans; focused on the MPB strategy and a recommendation for a vote. These topics are all very important to shape our current and future actions.

Regular Agenda

Over Snow Use Forum

Bobzien: For the Board and audience, I want to welcome our panel today. Why this is important today; we are a multiple use National Forest, this is a public forest, with intermingled private land in South Dakota and Wyoming; we are going to talk about how we work on National Forest system lands in cooperation with partners and States, and how we form policy that allows people to enjoy and use National Forest lands.

Our first focus will be on our over snow panel; this is a prestigious panel; leaders in each of their realms. We won't go too far into it today, but an additional item is the recent rule, Subpart C regarding motorized over snow travel; this is part of a rule that is an unfunded mandate, and we'll need to do it in the future. It's a 52 page rule, and we will take it up in more detail next month. This is motorized over snow rule. Today we'll hear about both motorized and non-motorized. We have both types of activities.

We'll hear about the interests of our various current users that we have, some have been using the forest for decades, some less. Thinking of you as Board members, thinking about public safety, business uses, recreation uses, etc.; this discussion is to develop back ground, from the view point of the States, and others. We have this set up for about 5 to 7 minutes per panel

member. The interests that they have; the past use, partnerships, challenges, issues, looking into the future; we'll roll all of this into next month.

Kohlbrand: Thank you Craig, we'll go ahead and hear from each panel member, and then we'll take questions at the end of their presentations.

Duane Sutton

- South Dakota Snowmobile Association
 - President of American Council of Snowmobile Associations.
 - 1000 to 1100 families across the state are members of the Association; we are the voice of organized snowmobiling in SD.
 - State and National Level, snowmobilers had groomed trails to themselves. As technology has evolved, we are faced with dealing with and working toward a relationship with cross country, fat bike, and tracked ATV and UTV users.
 - Trails are all groomed by GF&P; in the Black Hills volunteers groom all the trails.
 - Safety is the biggest issue, and we're looking at a tracked ATV our UTV, with these on the trails, safety is our biggest concern. The speed on the trails can be considerable. Safety is the thing we are addressing across the nation.
 - The SD Snowmobile Association is funded with a portion of the gas tax, which hovers around \$12,000 to \$14,000 per year. More and more people are leaning toward putting tracks on the ATV, and using it in the winter and summer, so we'll see how this affects our gas tax funding.
 - Gas tax funds the state snowmobile trail system. The excise tax and license fee goes in to the system as well. There are some sleds in the state for use on private land.
 - The partnerships and grooming relationships, GF&P is our closest partner, we partner with them to groom the trails.
 - In addition, we partner with the Forest Service. There are lots of miles of trails on the FS, we rely on the use of those public lands to maintain the loops and groomed trails. Critical part of trail program.
 - Another very important part is working with land owners for our ability to cross their lands.
 - Another new user is the dirt bike conversion riders – dirt bike with a track on the front.
 - The issues; most concerned as our sport continues to evolve, our goal is to develop relationships, so we can all experience the benefit of the trails to the extent possible to enjoy the trails on National Forest and on private land.
 - Publication for anyone who wants one: Facts and Myths about Snowmobiling and Winter Trails.

Shannon Percy

- SD Game Fish & Parks , Division of Parks and Recreation
 - The SD GF&P, Division of Parks and Recreation is charged with managing South Dakota's Snowmobile Trails Program. The program is administered by Trails Program Specialist in Pierre and District Park Manager in the Black Hills.
 - The BH Snowmobile Trail System is maintained through a cooperative agreement with the USDA Black Hills National Forest, Bureau of Land Management,

Barrick Mining Co., and Wharf Resources. Thirty miles of the system are made available through a cooperative agreement with the Wyoming Division of State Parks and Historic Sites. A large portion of the trail system runs across private property where Land Use Agreements are signed between GFP and private land owners permitting snowmobile use during a specified time. Six permanent staff, along with 20 seasonal workers groom, sign, and maintain the 350 mile trail system.

- The Snowmobile Advisory Council is a citizen advisory group for the state's Snowmobile Trail Program. The seven-person council was established in 1980, and has been a very useful forum to ensure that snowmobilers' best interest are considered in the expenditure of the dedicated snowmobile funds. GFP staff meet with the Council three to four times each year to receive endorsements for budget, trail reroutes, and to inform them of other snowmobile trail related issues. The governor appoints each members of the Snowmobile Advisory Council for a three-year term.
- Grooming Schedule: The SD GF&Ps owns six sno-cats stationed in the Black Hills. Monday thru Wednesday they run three sno-cats averaging 13 hour shifts. Thursday thru Sunday they run two 10 hour shifts with six sno-cats.
- Funding Sources: The South Dakota Snowmobile Trails Program is funded 100% by snowmobile license sales, the 3% excise tax charged on the sale of new and used snowmobiles in South Dakota and the gas tax charged on 125 gallons of gasoline for each snowmobile registered in South Dakota. These fees are only associated with resident snowmobilers.
- South Dakota's miles and miles of snowmobiling trails are a valuable resource for the state economy. The economic impacts of the snowmobiling industry on the state are substantial. Considering that upkeep of trails is funded entirely by snowmobilers, without contribution from the state general fund, this is a particularly an efficient recreational industry. Specifically we find that \$131.6 million of state Gross Domestic Product (GDP) is attributable to the direct and indirect effects of snowmobiling. This was determined in the January 2012 Economic Impact Study.
- Partnerships: South Dakota Snowmobile Association (SDSA) is an organization committed to developing and promoting the sport of snowmobiling in South Dakota. Game, Fish and Parks, Snowmobile Advisory Council, and SDSA all work hand in hand in providing an enjoyable snowmobile experience for both resident and non-resident snowmobiling enthusiasts. SDSA board meetings are held in conjunction with the advisory council meeting so all three parties can work together managing the trails program, promoting special events and the sport in South Dakota.
- The Trails Program Specialist and the BH District Park Manager works with the Department of Tourism to promote winter trail activities and events, snowmobiling in South Dakota, trail conditions, and updating the snowmobile map annually. An average of 30,000 maps are printed per season and distributed to the public at no cost to the user.
- Snowmobile clubs host many events which support their local communities such as snowmobiling safety courses for all ages and levels of snowmobile riders and club rides which help support local businesses on the trail.
- We also partner with two cross country ski clubs to help maintain their cross country ski trails.

Kim Raap

- Wyoming Trails Work Consultant
- Wyoming Snowmobile Trails:
 - About 2,000 miles of snowmobile trails statewide: 66 miles in the Bearlodge area and about 55 miles connected to the main Black Hills system operated by SD GFP
 - Statewide, some trails have heavy joint use: dog sleds, cross-country skiing, and fat bikes.
 - Tracked OHVs fit the WY snowmobile definition, so there is some of that use.
 - Heavy hybrid use (ski/snowboard access) to backcountry via snowmobile.
- Partnerships:
 - Partners with the Bearlodge Snowmobile Club (Sundance) for operation of Bearlodge area trails (safety shelter & trail cleaning)
 - Trails Program grooms Bearlodge trails with state-owned Sno-Cat and seasonal employee
 - Contracts with SD GFP for grooming & daily operation of WY portion of Black Hills snowmobile trail system
- Trail Grooming:
 - WY Trails spends about \$1.5 million per year statewide on trail grooming
 - \$1.1 million on contract grooming
 - \$400,000 on state-operated grooming
 - Contract rates cost up to \$20 per mile of grooming
 - Groomer depreciation alone costs \$32.30 per hour for state-operated Sno-Cats – which translates to \$5.38 per mile @ 6 mph
- Key Points:
 - **Funding:** All users must pay their fair share. WY uses \$400,000 to \$500,000 per year of RTP Diversified grant funding in its snowmobile trail grooming program to help justify allowing non-snowmobile uses on trails otherwise funded solely by snowmobilers
 - **Landowner Permission:** this is critical; includes agency as well as private lands interface
 - **Safety:** Joint use requires extra efforts for education of all users – on-the-ground advisory signing as well as messages in maps, brochures, user group newsletters / newspapers, etc.
 - **Grooming:** Must fund enough grooming repetitions to maintain a firm trail base that matches traffic volume and use patterns from all user groups – fat tire bikes in particular need a firm trail
 - **Sufficient Trail Width For Uses:** Snowmobile width is 48” or less, so groomer drags are 8’-6” or 9’ wide in the Black Hills
 - Fat tire bike use must be single-file versus side-by-side
 - Tracked ATV width = 52” (needs 9’ wide drag)
 - UTV: Tracked 50” model Polaris RZR = 61” (needs 10’ to 11’ wide drag)
 - UTV: Tracked Polaris Ranger (68.5”) & tracked JD Gator (70.5”) = needs 12’ to 12.5’ wide drag
 - **As OSV Travel Map Is Developed, Broadly Assess Needs Forest-Wide Versus Only In The Traditional ‘Snowmobile Trail’ Areas:** Recognize there are other potential OSV travel needs outside the primary Snowbelt during short duration snow events
 - Cabin access

- Hunting access
- Other recreation access
- Other uses access, etc.

Wyatt Hansen

- Black Hills Nordic Ski Club, Northern Black Hills
- Mission:
 1. Promote XC skiing in the Black Hills
 2. Provide groomed XC ski trails
 3. Host competitive XC events
 - Club established in 1985
 - Roots go back to the mid-70s
- Membership:
 - 50 + members and families
 - Dues \$20-\$40/year
 - Primarily from Northern Hills
 - Ages 5-65 – Mostly Baby Boomers & Generation X
- Club Budget:
 - Generate \$1,000-\$1,500 in revenue each year
 - Bigger purchases through SDGFP Trail Grant
 - Expenses
 - Fuel Grooming
 - Liability Insurance/FS Permit
 - Grooming Equipment
- Current BHNH Use:
 - Big Hill Trail System
 - Special Use Permit (15 Dec-1 Apr) \$136
 - Public skier/snowshoer throughput over 1,000 season
 - 5,000' elevation ensures trails have consistent snow coverage
 - Within 8 miles of Spearfish
 - Variety of gentle to moderate terrain
 - Trails marked and developed
- Partnerships:
 - Black Hills National Forest Service – Northern Hills (Bonnie Jones) & Bearlodge Districts
 - City of Spearfish
 - South Dakota Game Fish & Parks
 - Spearfish School District
 - Local Businesses = Economic Impact
- Issues:
 - Walkers/Dogs
 - Fat Bikes
 - Logging Operations
 - Snowshoes
 - Snowmobilers
- Way Ahead:
 - Trailhead Development
 - Parking on trail side

- Picnic area/shelter
- Drinking Water
- FS support with trail maintenance and development (logging, grading/gravel, erosion control)
- Equipment Support

Special thanks to Bonnie and the crew, we've had great support. Also, Steve Kozel at BL has done a nice job on getting them some equipment to use over there, and we plan to work with the Northern Hills on this as well.

Adrian Whitmore

- Fat Bike, Sundance Chain Gang Mountain Bike Association (SCGMBA)
 - SCGMBA is a Wyoming registered nonprofit in good standing.
 - Volunteer membership of 15 volunteers of hiking, biking, and equine disciplines.
 - Current winter use includes grooming and trail maintenance of the Fish Canyon recreation Area, an ongoing trail project to encourage fat biking in the region.
 - SCGMBA hosted the Bearlodge Mountain Classic, with proceeds from the event being used to purchase a snow groomer for use in grooming trails for fat bike use.
 - Working relationship with the Bearlodge District to develop a fat bike area in Black Buttes. This was done for the reasons of trail congestion, user conflicts, safety, and solitude; also to be in compliance with Special Order BKF-112-2011.
 - The Global Fat Bike Summit in Jackson Wyoming had 150+ attendees from State and Federal agencies, land managers, clubs, and private landowners.

Perry Jewett

- Fat Bike Rider, Ridge Rider Group
 - Ridge Riders, established in 1985, host various events and adopt a trail projects mostly out of the Northern Hills District. Bonnie has helped us out a lot.
 - We've hosted the "Dakota 5-0" for 15 years, gravel road races, up to 210 miles in one day. 28 snow bike races, which have been well attended.
 - Fat Bike developed in Alaska, and is gaining popularity here in the United States.
 - You need a groomed surface, some type of road bed. Access to snowmobile trails would be great.
 - Issues; current and anticipated use; growing sport.
 - Snowmobiles like deep snow; fat bikes are limited to staying on the trails.
 - A lot of trails are limited to snow amounts; so a year like this is perfect for fat bikes, because we can ride from snow to dirt, to gravel, etc.
 - Snowmobiles and fat bikes are on opposite ends of the spectrum; fat bikes would like quieter settings to ride in.
 - I have had no conflicts using the trails, we stay to the right, we hear snowmobiles when they are coming; we encourage head lights and tail lights, and we wear reflective clothing.
 - Pay to use; we all agree that we should have to pay to use the trail; similar to the Mickleson trail. We as fat bikers are willing to pay also.
 - Fat bikers don't want to sink into the trail, and we like to avoid heavy traffic.
 - It is a fun, growing sport.

Kohlbrand: Let's take a 10 minute break, and we'll come back with questions after the break.

Kohlbrand: (Return from Break) At this point the Board will ask questions first; after we get around the Board we'll open it up to the rest of the audience for questions.

Tysdal: My question is for Shannon; could you clarify the easement and private land process? You make it sound like you have easements across all private land, and I don't think that's the case.

Percy: Easements that we have in SD, the GF&P pays the landowner's taxes for that piece of land for that year, where the snowmobile trail crosses private land. They don't pay in Wyoming. It's not every landowner.

Hague: Are you getting revenue from out of state snowmobilers?

Percy: There is a \$40.00 five day permit; but if they are licensed in another state we honor their license.

Tysdal: Does reciprocity work or not?

Percy: I know there is some animosity in our own group, about why we pay in other states, but with our funding source, we have enough money to do what we are currently doing, if one of those things falls off we would look at a change.

Brenneisen: Is there a proposal to change the regulations or is this strictly informative; is there something we should expect coming down the pike as far as a regulation change?

Bobzien: Two things; one is for the Board to consider a regulation change in the future; the second area is on the new rule. I talked about the Subpart C of the Motorized Travel Management Rule, which is a rule for over snow motorized travel that has just come out; it does not have due date or any special funding. We have a number of both non-motorized and motorized use and some uses aren't on the panel such as horse, mule, dog sledding; so it's a matter of public policy making at what time and how should we apply that regulation and some practical applications of over snow use. Given that it will come out of our recreation budget, but there is also an interest and a need. But we'll be applying both over the snow use, and provide advice to that end.

Today we've been successful with a lot of cooperation to start a conversation with people that have a keen interest in the forest and have ways to work together to that end. That's a lot. Why here today, we need advice back from the Board on how to proceed in how to shape our future.

Hague: I have a question for Adrian and Perry; the safety issue - with vehicles moving three mph and others moving 50 mph that is a safety issue; any ideas on how to mitigate that risk?

Jewett: As cyclist we ride on the road quite a bit, so we are used to it. We stay to the right, wear high visibility clothing, lights, and we can hear the snowmobiles coming. I've never had a problem. We stay to the far right; we anticipate, hold your line, and ride single file. Naturally the potential is there, we use common sense.

Whitmore: We went to Fish Canyon to eliminate ourselves from the issue. We don't want to tick off the cross county skiers. Where we are, we don't see snowmobiles unless they are not where they are supposed to be. We would eliminate the conflict with the Fish Canyon Plan. Our groomer is only two feet wide, so it isn't suited for snowmobile use.

Burns: What is the width that we groom trails in the Black Hills and are we thinking about widening that so that two machines could pass each other? It seems like it would be wide enough for a bike to go by if two snowmobiles could pass each other.

Percy: Currently two widths; on the extreme Northern Hills on the Mickleson Trail, we use an eight foot groomer on the trail because of the nine foot bridges. Machines can pass but it is tight. About 12 foot is as wide as we get.

Kohlbrand: Other questions from the Board? If not, we'll open it up to the audience for questions.

Scherrer: I would like to have a specific explanation Craig as it relates to Subpart C. There was an article in the Rapid City Journal that caused me to twitch. As a survivor of the Travel Management Group; what it seemed to indicate is that it's a precursor to what we dealt with on Travel Management where the whole forest is closed unless designated to be open. The folks I know that love to travel on the trails on the open spaces, that was not going to be able to be the case, if that is what it means, that's a big change.

Bobzien: There's a provision to provide large open areas. Thru public involvement is where we would decide where would those areas be; we have good examples of where those areas would be.

Kohlbrand: Anyone else in the audience have a question?

Griner: Sam Griner, Prospectors of the Black Hills. It seems as though the BBNF has a real infinity with the BH Mountain Bike Association. I've been trying to get an issue resolved for a couple of months now. You know how I feel about this Mr. Bobzien, everyone has their own place, and everyone should be able to go where they want to. We have mountain bikes running down across our claims, and when we have people that say they are coming right up on them; as a safety officer, I'm concerned, and if you witness it first-hand it is entirely different than hearing about it. I've been to this District Office twice and I was told not to confront them because what am I going to do if they beat me up? You remember my answer to that I'm sure. We had our first meeting of the year, trying to get some resolution, as far as putting a post with a caution sign near our claims, but we were told we couldn't do that because we would be liable, I guess you take that as a challenge, when you see caution; all of a sudden that is a challenge. We have tried to get this resolved, now we've had another meeting since then, and we were told that we should have an orange cone to set out; that is just impossible to do.

Whitmore: Are you suggesting that the fat bikers see the caution sign as a challenge, or are you talking about the Forest Service? Where is your Claim?

Griner: I'm talking about the fat bikers. My claim is in Foster Gulch – just outside of keystone.

Whitmore: Most bikers are very cautious about the terrain, and would not see a caution sign as a challenge. Come talk to the Bike association.

Griner: We have members all across the united states that come here to prospect, and we can't have them in harm's way.

Whitmore: We don't take anything like that as a personal challenge.

Kohlbrand: Sir, if you have a question, please try to articulate that. There would be a chance at the end of the meeting for other questions or comments.

Griner: We don't have the capability because we are a large club, we were told to put out an orange cone, when we have a club meeting, we will put out a cone, every month, on all our different claims, and we'll do this till September, we'll put out cones to warn bikers that we'll have prospectors in the stream. This is the other thing; I'm really ticked off about this. If you run into our prospector, we'll sue that guy and we'll sue you, the Forest Service Mr. Bobzien.

Bobzien: We understand the nature of your concerns Mr. Griner.

Griner: [Interruption]

Bobzien: Our focus today is on the over snow panel and you will have to bring your concerns to the Forest Service at a different time; thank you Mr. Griner.

Kohlbrand: Are there any other questions?

Carrier: You said your groom width was 12 foot; is there a lot of trail that you don't have that ability to go 12 feet on?

Percy: Most of our trails we do a double pass, but there are areas that we only get nine foot. There are spots that we get eight to 12 feet groomed.

Whitmore: When we decided to groom, the Forest Service offered to give us a 57" groomer, we chose not to pursue that, we bought a groomer that is only two feet wide. In Fish Canyon, there are old two track roads, and they are between 10 to 12 feet wide, so if I want to put in turns on a trail, or a straight line run, I can do that. It's labor intensive.

Tokarczyk: This question is for Adrian and Perry; have you considered looking at other areas on the Bearlodge instead of just looking at the trail in Fish Canyon? Are you trying to figure out how to put it in a specialized use area to avoid conflict? Are there other areas you could find on the Black Hills so that you aren't sharing trails?

Whitmore: What I learned at the Summit I attended is that shared use is what we are all looking at eventually. The Bridger Teton expressed the amount of acreage vs amount of use is by far a different definition than ours here. In Fish Canyon we like to have a separate area. There are other areas that would be good, but if they are south facing, they don't hold snow, if there are snowmobile trails that aren't being used that would be great.

Jewett: At the Big Hill area there is room, there are areas that there are no snowmobiles, not necessarily on their snowmobile trails, but in the same general areas. There are areas that are set aside for skiing, and they would be suitable as well if no-one is using the trail.

Wyatt: On behalf of cross country skiers, there is room for multiple uses on the trails, but how you keep the respect is the issue. I've been fat biking a few times, and it was fun, but when they are on the trails, it's just two different trails type uses.

Whitmore: When you have a user that is an excellent fat biker, that understands the usage of the trail and the rules, there are no problems. The rule is if you leave an impression that is more than an inch deep, you should get off; it's self-policing, on our own. Fish Canyon is good for my Club and for our Community.

Kohlbrand: We really want to thank the panel for participating today; thank you for your time. This was very informative, and a good start to the conversation.

Bobzien: Thank you panel members, great job. We appreciate your participation. We work with motorized trail groups too; you have great data that will help us. Let's give them one last round of applause for a job well done.

Kohlbrand: Up next we have Scott Larson with the US Fish and Wildlife Service. We'll take a short break to dismiss the panel.

Northern Long Eared Bat Proposed Listing Update ~ Scott Larson

Kohlbrand: The next item on the agenda is on the Northern Long Eared Bat proposed listing update.

Bobzien: I'd like to introduce Scott Larson who is the South Dakota U.S. Fish and Wildlife Service Supervisor. Today Scott is going to go into detail about working with the Northern Long Eared Bat (NLEB), a species that is important to all of us.

Larson: I'd like to go through the handout that has been passed out. Please feel free to ask questions as they come up. NLEB was proposed as endangered species in Oct. 2013. When this happened, we held several comment periods. The final decision was extended to and will be made on April 2, 2015. We were provided information and input to look at the idea of either having the bat listed as endangered or threatened. With the 4D rule, the bat would be listed as threatened. We needed to get this information out to the public to meet the deadline; otherwise the decision wouldn't be available by April 2. The comment period ends March 17. There are 14 days from when the comment period ends and we have to have the decision published. If we were to use the 4D rule, the bat would be listed as threatened, not endangered. This proposal is almost entirely due to White Nose Syndrome (WNS). WNS is an exotic fungus that showed up primarily on the East coast in areas like New York and New England where the population is down 90-99%. WNS has expressed itself on the population for 7-8 years and is spreading west and we don't have any information that shows this is slowing down. This bat could go completely extinct or come close to. The map shows the range of the NLEB with 150 mile buffer zone around documented cases. We've become better at documenting the bat and we have better testing techniques. The 4D rule would have different regulations in different zones. All activities

would have incidental take, meaning when people are carrying out activities that would be prohibited under the rule, these activities wouldn't be prohibited until the buffer zone reaches certain areas. We wouldn't be under the more stringent regulations. I would expect in the next 2-3 years, WNS will crop up closer and closer to us. If we have a 4D rule, there would be flexibilities. Inside the WNS zone, there would be exemptions for Forest Service activities. It would cover most of the forest management activities that we have here in the Black Hills. There would be clearances for existing right of ways, native prairie management, exemptions to remove hazard trees and projects that result in minimal tree removal. Anytime the 4D rule was in effect, you could remove bats from structures and houses. There would be a 1 year extension or grace period for researchers to not have an interruption to their research. There would be buffer zones around high vernacular when we have roost trees. In June/July is usually when the bats have babies and there would be ¼ mile buffer from the known occupied roost tree.

Allen: What would be the implications to people on private land doing private timber activities?

Larson: Those exemptions would cover private land. If there are areas with known hibernacula there may be some discussions needed.

Burns: Is there a large population of bats in the Black Hills?

Larson: In the studies, there tend to be the 2 - 3 species that are most common in the area. What we are finding in other studies is that the bats are detected where there is a large batch of trees. They also concentrate around caves and mine shafts before hibernation.

Wiebers: There is a concern in the energy and mineral departments. If we can't clear cut anything within ¼ mile, you've taken out a huge area and this is too broad to not be addressed in the mineral and energy sectors.

Larson: That ¼ mile is only for when they are hibernating. Clear cuts could be done outside that time and not be impactful to the bat.

Zimmerman: Can you give us a definition of clear-cut?

Larson: We have not defined "clear-cutting" in the rule, but normal clear cutting practices would occur under the 4D rule. Where that clear cutting comes in to play is if you have a known roost tree, but if you're not within ¼ mile of that tree, you're not restricted.

Brenneisen: The conservation measures just apply within the buffer zone?

Larson: Correct.

Brenneisen: So the ¼ mile buffer around the known high vernacular would not be an issue at this time?

Larson: The Forest Service would need to do some paperwork that would need to be done between the two agencies.

Brenneisen: How does timing change the buffer zone?

Larson: Annually we will update this map and put it on our website, probably after the testing has occurred for the season.

Whalen: I did listen into the last fish and wildlife teleconference and there were comments from the whole country. My concern is that there has not been enough research done to even know where these bats are. Why isn't there a state by state assessment of where these bats are? So science is going out the door because you are making a judicial decision. How long has your research occurred on the Forest?

Bobzien: Some of the research has been private contractors. Kerry Burns will be able to speak more to your question.

Kerry Burns: We have research going back to the 90's. There are surveys that determine the presence, absence and movements of bats. There is also research that talks about what type of trees they use and how far they fly. It is difficult to get a population study and it is expensive. But the Forest research goes back to the 90's and we have some data on the high vernacular. There is still room for improvement with the research. But the bats are pretty evenly distributed across the Forest.

Larson: Where the service has lost litigation is when we don't act. There will always be unanswered questions. We can do nothing or move too fast and it's about striking a balance.

Kohlbrand: Would the board like to take any action from what we just heard? Do we support the 4D? If the board supports the 4D, would we want to submit a letter?

Whalen: Now that this has been re-opened, we can submit? I don't like to see it listed at all, but I'd support this board writing a letter saying we reluctantly support the 4D rule.

Tysdal: I don't understand why we want to list the bat when WNS comes from the east coast. How come these people don't have to deal with this?

Larson: We started this in 2012 and it's been here since 2006. This disease, WNS, is what's driving this listing.

Krueger: What is the projection for spread throughout the rest of the range? How long before the Black Hills will be visited by WNS?

Larson: It's estimated to get into the Wyoming area in about 3 years. We can anticipate a few year lag time before we start to see the NLEB drop off, this is not a long projection in terms of biology.

Hague: Where does this fungus come from?

Larson: It may have come from Europe. NLEG looks to be the bat that is being affected the worst.

Tysdal: Have you tried to put a stop to this?

Larson: Volatile compounds have been tested. These are not ready to go prime-time and would you put something like that in a cave? They are having some success in a laboratory, but still have a lot of challenges to overcome.

Zimmerman: Could you review the populations of all bat species and to what extent this disease is impacting all bat species?

Larson: In the east, there was a review on the NLEB. There have been other reviews done but they didn't have as big of an impact. Some species at risk are down while some of the others listed are getting hit hard. As you get west, there are different species than from the east and this could potentially spread to the west coast.

Allen: Has it been around long enough to see populations recover or stabilize?

Larson: The little brown bat was hit hard and it appears to be stabilizing.

Brenneisen: I think Jeanne wanted a response from the forest products industry. The preferred option would be to continue as we are going. Probably, our best hope is to list the bat as threatened with the 4D rule. Our other concern and the board can discuss, is what changes in forest management practices that the Black Hills National Forest would put in place following a listing. Is that anything anyone in the room is ready to talk about?

Wiebers: Since they are encouraging the areas where these bats can be, are they pushing the buffer farther to the west?

Larson: Its range tends to stop about Wyoming.

Wiebers: Is that based on habitat? Would the population push the growth of the disease and if you change management to encourage bats here, wouldn't the disease grow?

Larson: We aren't changing management that would restrict it until the disease arrives.

Bobzien: In regards to forest management activities, it's about understanding the science and the threat. It's clearly caused by the WNS which is thought to spread bat to bat with some indication or theory that it could be spread by humans. A few years ago, an adaptive cave management plan was put in place which is similar to this map. We are trying to reduce the threat. The bottom line is we want to have measures in place for the bats and their needs. Regarding the preferences and types of habitats that they use, we have some information from biologists. The key is trying to understand the health, well-being of the bat and basing it on science and putting it into practice as it indicates.

Kohlbrand: If we feel we have some sort of consensus, we could entertain submitting a comment on the 4D rule. Or is it too aggressive to take action?

Tysdal: I'll move/motion to write a letter to support the proposed 4D rule.

Leif: I'll second the motion. Our past discussion was that we were concerned about South Dakota carrying the burden. Until we are impacted by WNS, the implications are pretty minimal. I think this is a plan that we should support.

Allen: Those conservation measures are the sole impact on timber management activities within the red area. Even if the red area moves over, then as long as we implement those conservation areas that is the only impact on timber management, correct?

Larson: When we talk about Forest Service lands, there is section 7 and those measures are higher up. Did we adequately explain those in the rule? There is more on what we thought were forest management activities. This is a cliff note version of what's in the rule.

Tokarczyk: From your motion, does that say we are supporting the species as threatened or are we not for a listing? If it is listed, do we support the 4D rule?

Tysdal: I don't want to list it, but this gives us a step in the right direction.

Whalen: Do we say we would rather not list it or if we have to, than we just say we support the 4D rule?

Tysdal: Do you have wording that you want to use other than this piece of paper?

Kohlbrand: If the board chose to support some of this, we could appoint 3 people that could craft the wording that we want. Linda's point is important. Do we support having it listed as threatened and the 4D rule or if it is listed, do we only support the 4D rule?

Tysdal: It doesn't say anything about supporting it being threatened. This tells us what we should do if it spreads.

Larson: It doesn't say anything about if it should be listed as threatened, but it talks about if it is listed then supporting the 4D rule.

Zimmerman: Can someone explain the role of this board writing a letter to the U.S. Fish and Wildlife Service?

Bobzien: It is within the purview of the Board to do so. Scott has said there is an open comment period. It is important to the Black Hills National Forest and it is appropriate for the board to act within the time frame that they have offered.

Hague: If it is listed as a threatened and we use the 4D rule, does it become a law for all time?

Larson: Until it is changed by the same law making process and the public comment period we have gone through to get it to this point.

Tysdal: If we do nothing, are you going to do this anyway?

Larson: If it is listed as threatened, the 4D rule would likely be included.

Leif: Whether we like it or not, the service is going to have to do something. The obligations of federal law make the action of no listing, highly unlikely. I seconded the motion saying this 4D rule works for us, to not impose the same level of implications that are being imposed on the rest of the country. Based on that idea, this is a good compromise. They've done a good job coming up with something that makes sense and we should support it.

Bobzien: It's important to include the why, make it science based and ask "why would you support this?" That's been the mindset we've had.

Larson: The Fish and Wildlife service is going to use the best available science. That means what science is available today.

Burns: I agree this is a good plan and we ought to support it. It's going to be listed on whether they are disappearing. I call for a vote.

Kohlbrand: Those in favor, please raise your hand. 9 in favor, 3 opposed. Motion is carried and we need some volunteers to draft the letter. The letter has to be out before our next meeting.

Tysdal: Can we see the letter that is going to be sent?

Kohlbrand: Yes, we will send it by e-mail.

Whalen: Who signs it?

Kohlbrand: Dick Brown or myself.

Leif: I volunteer to help and have some of my staff help with the letter. I'd like to see some past letters from the board so we get some of the same format.

Kohlbrand: Craig can you send us previous board letters?

Bobzien: Yes and we will provide some of the science.

Allen: I also volunteer.

Kohlbrand: Alice Allen and Tony Leif have volunteered. Is there anyone else who would like to volunteer?

Wiebers: I will volunteer as well.

5 – Year Timber Sale/Vegetation Action Plan Recommendations ~ Jim Scherrer

Kohlbrand: Let's move onto the mountain pine beetle update. Jim Scherrer and Dave Thom will present.

Scherrer: I cannot recall our group ever sending a letter to anyone other than to the Forest Supervisor. There might not be any templates for you, but there might be a template/letter that was sent from Lon to Craig. I'd like to tell you that on behalf of the working group, we'd like to thank Dave Thom. He has been instrumental in helping to bring these recommendations to you. The recommendations have had the eyes of multiple disciplines/agencies and my role is to give you a quick update of where we are right now. In December we held a meeting and the Forest Service, South Dakota Department of Agriculture, Wyoming foresters, counties and the timber industry were all represented. At that time, Bobzien had asked for recommendations for mountain pine beetle management. At the last NFAB meeting, the information was incomplete

and it was not until the aerial photography was utilized and analyzed that we were able to come up with recommendations for today's meeting. There were 28 attendees at the meeting on February 28, 2015. There was a request from the Forest Service to quantify recommendations related to the 5 year timber plan. On February 4 a meeting was also held with a subgroup. A complex series of recommendations was finalized and a subgroup of that subgroup met again to finalize recommendations. Detailed recommendations were presented to Forest Supervisor Bobzien. From that date until now, we have had the benefit of working with Dave Thom on those recommendations. They were similar to what we presented in early January, but now they have been seen by the experts. Bottom line, these recommendations have been reviewed and supported by all of the people I've mentioned. Dave is going to bring everyone up to speed on these recommendations and if you have questions, Thom is here to answer them.

PowerPoint: 5-Year Timber Sale/Vegetation Plan Recommendations ~ Dave Thom, Black Hills Regional Mountain Pine Beetle Working Group Coordinator

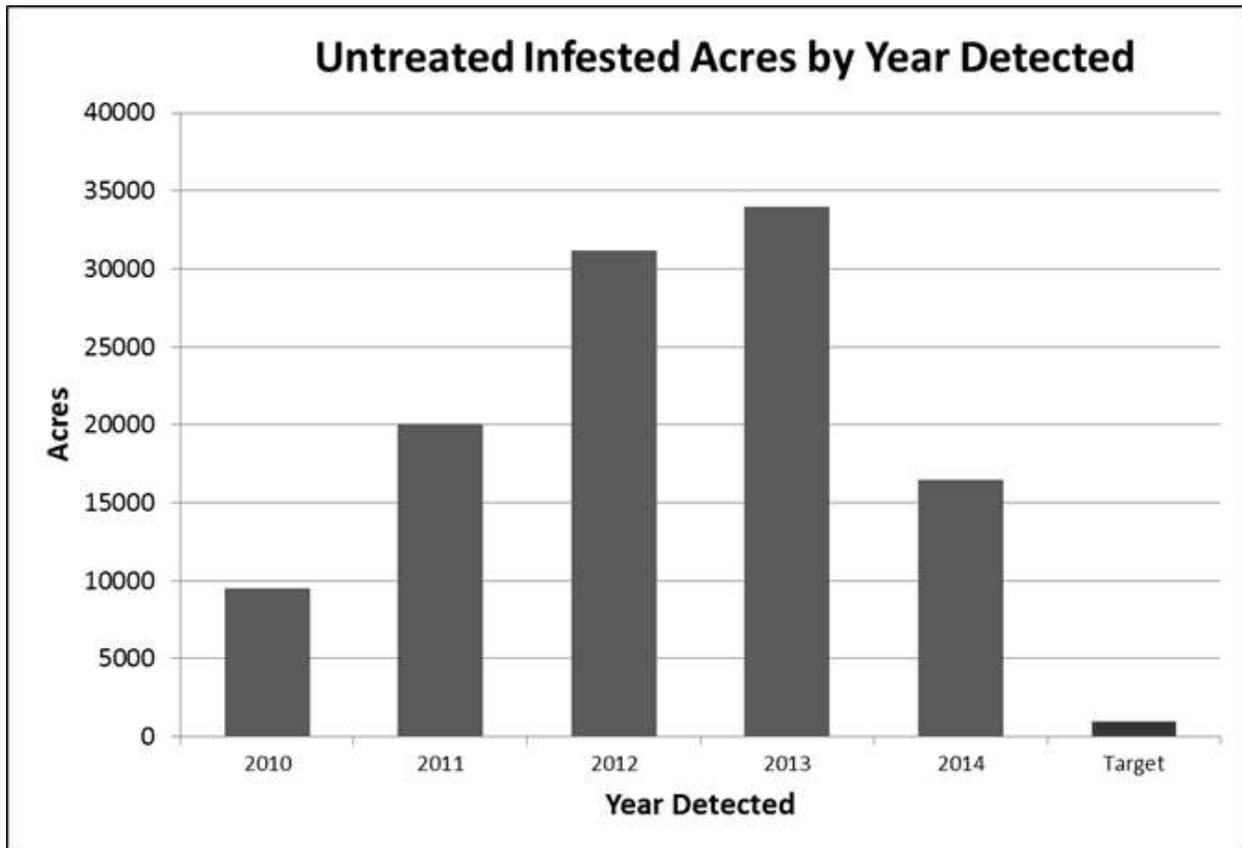
Black Hills Regional Mountain Pine Beetle Strategy

1. Beetles – lifecycle and status of epidemic
2. 5-Year Timber Sale MPB WG Recommendations (key points)
3. NFAB WG Proposed Recommendations (2) to FS

Epidemic Status

<http://www.fs.usda.gov/detail/r2/forest-grasslandhealth/?cid=stelprd3829150>

- 438,000 acres affected since 1996
- 111,000 acres new untreated, infestation since 2010
- Populations slowly declining (overall, but...)
- Areas at high risk for expansion:
 - West central – SD/WY state line
 - NW corner
 - SE of Custer
- Active management helping reduce population



How to Continue Progress?

- Non-Commercial (treat in place)
- Cut and Remove (timber sales)

5-Year Timber Sale Plan - WG's Key Points

1. Continue expediting review and approval of MPB projects.
2. Increase percent of project area treated (thinned).
3. "Recovery zone"...remove beetles, thin trees...not detract from other zones.
4. Adjust timber sale schedule ... highest MPB threat...
5. Non-commercial treatment priorities (if funded) ... "Tactical Teams" in March/April.

NFAB – Forest Health WG

Recommendation #1 - ...re-enter the *restoration/recovery* zone - treat infested trees and thin live trees while still stumpage value.

- ...not at expense of treatments in the "Holding" or "Leading Edge" areas...treat high percentage of project area...

Recommendation #2 - ...strategic adjustments to the current BHN Current and Future Timber Sales Plan (2015-2019)

- Various considerations...

Scherrer: What you have in front of you, is 3 & 4 key points, in addition, the recommendations given to Forest Supervisor Bobzien. This is the same that the entire working group is giving him and his people so that they can work with others to make decisions.

Kohlbrand: There has been a lot that has gone into this process. It took a lot of compromise and discussion to come up with this. It's not perfect, but a proposal to key on the areas that Kurt Allen identified as critical areas where the mountain pine beetle is increasing. It's not going to be easy to implement. A lot of work went into this and they tried to account for everyone's concerns. What we would like to see is a motion to accept the two recommendations provided. They are a little different than the original proposal.

Burns: I'll move that we accept.

Tokarczyk: I'll second it.

Whalen: When is the current and future timber sales planned for 2015?

Kohlbrand: We are in fiscal year 2015. We are looking at 2016/2017 and then 2018 may be adjusted based on more photos.

Tysdal: What does that do to your saw mill?

Brenneisen: This wouldn't change the volume sold per year. This would include going first to the areas where we can do the most good, some of the areas that are historically the best timber producing areas and/or areas where there have been treatments and by going back in, we could finish the job. I would say that we are in favor of making the changes that have been proposed by the working group.

Tysdal: Does the industry have a change in production?

Brenneisen: I don't see a change in production. For the most part, the industry is interested in live trees. There is very little market for the dead/red trees. The forest would have an interest in trying to salvage that material but the market is limited. With Recommendation 1, the work done in that recovery area will not retract from the path that we have been following for the last several years in trying to get ahead of the infestation. We do have the capacity to accept a higher sale volume from the forest.

Kohlbrand: All in favor of the proposal please raise your hand. All in favor, the motion is carried. Does anyone have any comments or discussion before opening up for public comment?

Whalen: I just wanted to commend District Ranger Kozel for opening Cook Lake for ice fishing. We have heard that they are going to do some geological studies. I'd like to see this on the agenda for March or April to give the public time to plan their summer.

Kohlbrand: Nancy, any information regarding the South Dakota legislature?

Trautman: There was some confusion on the funding that the state provided for mountain pine beetle. They took control before counties were applying within their county. The senate went off the floor this morning with one vote against to provide \$1.9 million for mountain pine beetle. About \$350,000 would go to Custer State Park and the rest would be spread out. This will go to the house appropriations and we don't know if that will change the amounts. When Governor Dugaard brought out funds, there was \$500,000 left over that they have just now found. I would say we may have some help with those funds.

Allen: One item to share, the mountain pine beetle working group has been going since before I came on (NFAB) under the all lands policy. We had our property thinned by Neiman Timber Company. Our property is surrounded on three sides by Forest and we want to thank Neiman. They were great to work with. We had 3 truckloads of trees removed. It took Neiman about 2 hours to cut the trees down, a couple of days later they cut them up and then a couple of other days after that they hauled them off. It looked beautiful. Thanks to everyone!

Brenneisen: Since our last meeting, the Northern Hills Ranger District sold the Limestone Ridge timber sale and to me it is what PBR should be about. They identified this area in November and by January it had sold. Hopefully this is a sign that we are picking up steam with PBR. This sale is big, it moved fast and it's going to do a tremendous amount of good. The State of South Dakota and Lawrence County assisted with the marking and the district folks were up there putting in boundary. It was an all hands approach and it exemplifies what we should be doing.

Public Comments

Kohlbrand: Does the audience have any questions or comments?

Mr. Griner: My question is about the pine beetle. There are a couple of ways of controlling it. Is aerial fertilizer a via-able way to control mountain pine beetle?

Thom: There is a local vendor that is aerially applying some kind of chemical. It hasn't been proven that this works. The only way is to spray an insecticide on the bark. The beetle walks around on the bark and dies. There is no way to get at those bark beetles once they are inside the tree.

Griner: He's saying that a very healthy tree is spitting the beetles out.

Thom: That's true. A healthy tree can pitch mountain pine beetle out.

Griner: I represent the mining prospectors, but that's not the only passion I have. My wife and I like to travel around the Black Hills. We like to investigate. Is this (NLEB) going to restrict this?

Bobzien: It may. There is special interest on whether there are hibernacula. There is the possibility of the spread of WNS from hibernacula to hibernacula.

Griner: I'd really appreciate if you'd put this mineral withdrawal through.

ADJOURN

Kohlbrand: Are there any more comments? If not, could I have a motion to adjourn; motion made by Alice Allen and seconded by Danielle Wiebers. The motion passed unanimously.

The Meeting adjourned at 4:40 p.m. Next Meeting is scheduled for Wednesday, March 18, 2015.