in this population is affected annually by disease (notably epizootic hemorrhagic disease), vehicle mortalities, and legal harvest. Habitat plays a critical role in productivity and winter survival, influencing annual populations levels more indirectly. Hence, WTD numbers are not an appropriate MIS. If the BHNF decides to stay with WTD as a MIS, then a measure of productivity and survival rather than total population should be used. It is suggested that preseason fawn:doe ratios and yearling-buck:doe ratios be monitored on the BHNF to better gauge habitat conditions.

32) **White-tailed deer Direct and Indirect Effects:** It is stated, "Moderately dense stands (structural stages 3B and 4B) provide some forage and cover". "Some" is a vague word. In all reality, these stands provide little or no forage or cover, but are probably used as transitional and loafing habitat, or when deer are displaced from preferred areas. Finally, juxtaposition of various forage and cover types are not addressed in the plan, or by Alternative. If this critical element of habitat (arrangement) is left up to project level planning, then there are no guarantees that habitat effectiveness for WTD will be maintained or enhanced.

Page 3-209: "According to Forest-wide vegetation modeling, the amount of dense cover (structural stages 3C, 4C, and 5), including thermal cover, is expected to remain similar to existing conditions for all alternatives." If this is the case, then no real range of Alternatives exists, and it is doubtful any improvement in habitat conditions for many emphasis species will be altered under any Alternative. Too much dense forest made up of too small of trees is precisely the problem on the Forest today.

Section 3-5, Demand Species: Mule deer are completely ignored as a demand species, while elk, turkey, and three species of trout are considered. Mule deer hunting and associated recreation are significant on portions of the BHNF. In fact, hunters harvest many more mule deer annually than elk, and probably turkeys as well. Habitat changes on this forest over the past century have greatly affected the number and distribution of mule deer, and each Alternative could affect this population to different extents. Erroneous statements in Table 2-4 regarding mule deer and the lack of their inclusion as a demand species are deficiencies and a shortcoming of this plan.

Section 3-5, Demand Species (elk): It is stated that silvicutural treatments have had a negative impact on elk forage. While this is true in relation to montane meadows, it is likely the opposite in many timber production stands. The BHNF has been converted from a heterogeneous ponderosa pine savannah to a more monotypic stand of ponderosa pine. While this probably had an overall, negative effect on elk, silvicultural practices sustaining this system over the past quarter century have resulted in secondary habitat conversion favoring mule deer and elk over white-tailed deer in many areas.

Section 3-5, Demand Species (elk): It is stated the Wyoming's current population objective for elk in the Black Hills Herd Unit is 500. While this is technically correct, we cannot derive a valid estimate for this population given data collection limitations. It is

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believed this herd is currently four or five times above objective, and the objective is unreasonably low. Consequently, this herd is not being managed towards its numerical objective, but rather to minimize depredation and maximize recreation.

37) **Section 3-5, Demand Species (wild turkeys):** The vast majority of wild turkeys, at least in the Wyoming section of the BHNF, do not winter on Forest, but rather at lower elevations on private property associated with agricultural operations. No mention of this is made in this section, nor consideration given to this fact. Instead, the discussion about the range of Alternatives effects assumes turkeys are wintering on the BHNF, which is generally not true in Wyoming.

38) **Table 3-56, Fire Management Direction Summary:** Nowhere is wildland fire seen as an appropriate management response. This is unnecessarily restrictive. There are many areas on the Forest, especially in MA 5.1A, 5.4, and 5.43 where letting some wildfire burn under safe conditions would be preferred. This forest is fire adapted, and controlled burns do not always do the job intended, plus they are quite costly. The Jasper Fire was very beneficial for deer and elk in the Black Hills. An increase of fire on the landscape would be beneficial and would help preserve forest heath.

39) **Page 3-277:** The plan states, "Alternative 3, for example, targets structural stage diversity and large trees across the forest. Alternative 6 emphasizes fire hazard reduction primarily in the Wildland Urban Interface. It is important to note that as long as goals, objectives, standards, and guidelines are met that additional timber harvest would be possible up to the ASQ identified in the 1997 Revised LRMP." If that is the case, then timber harvest should be increased under Alternative 3 to provide greater stand diversity.

Thank you for the opportunity to comment.

Sincerely,

Vern Stetter

for BILL WICHERS
DEPUTY DIRECTOR

BW:VS:as
cc: Mary Flanderka-Governor's Planning Office
USFWS

DEC 13 2004 00200

CROOK COUNTY BOARD OF COMMISSIONERS
P.O. BOX 37
SUNDANCE, WYOMING 82729-0037
(307) 283-1323

October 17, 2004

RECEIVED OCT 21 2004

Governor Dave Freudenthal
Office of the Governor
State Capitol, Room 124
Cheyenne, WY 82002-0010

Dear Governor Freudenthal:

Crook County seriously questions the justification for the proposed Research Natural Area (RNA) designations in the Draft Environmental Impact Statement (DEIS) for the Phase II Amendment for the Black Hills National Forest; we are opposed to all nine candidate RNAs. A tangible need and purpose for the designations are not specified in the DEIS. Regarding the candidate RNAs proposed in Crook County, we find those proposed designations to be in direct violation of our 1998 Land Use Plan for Crook County. We also believe the management planning process for RNAs to be in direct conflict with the letter and intent of the National Environmental Policy Act (NEPA).

We are enclosing here copies of letters Crook County has sent to the Forest Service regarding RNAs. We have, in good faith, presented to the Forest Service clear opposition to RNAs throughout the amendment process. The January 24, 2002 letter was Crook County's letter of comment during the Phase II Amendment scoping period. The December 16, 2002 letter to Jeffrey L. Ulrich was in response to the list of specific RNA candidate sites being developed during the planning process. The November 5, 2003 letter was in response to the imposition of special limitations and considerations on candidate RNA sites located within proposed projects within Crook County.

Four of the nine candidate RNAs are located in the Bearlodge Ranger District in Crook County. The candidate sites are Geis Spring – 577 acres, Cranberry Springs – 1,840 acres, Sheep Nose Mountain – 1,007 acres, and Upper Sand Creek – 840 acres (total of 4,264 acres). The four sites impact five active grazing allotments. If designated, the sites will remain RNAs in perpetuity. In Crook County, we already have 11,345 acres of forest system lands managed as roadless/quasi-wilderness areas. If the proposed RNAs in the Bearlodge are designated through Phase II, Crook County will have about 8% of its forest service acreage taken out of multiple use management.

Because the specific management plans for each of the candidate RNAs are not determined until *after* the sites are actually designated, there is no way of analyzing impacts to grazing and other uses and impacts to private property adjacent to and nearby those areas. We see this as a serious violation of our land use plan, which requires state and federal agencies to notify the county and allow local input on actions that could potentially impact the custom, culture and economy of Crook County.

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According to the first section of the Council on Environmental Quality (CEQ) Regulations, which describes the essence of NEPA, environmental information must be "available to public officials and citizens before decisions are made and before actions are taken" [Sec. 1500.1 Purpose, (b)]. In the case of RNAs, important specific information about how those sites' resources will be managed is not available for public analysis before designations are made. The RNA designation process appears to run counter to the letter and spirit of NEPA.

As a cooperator on the Phase II Amendment process, we did not have an opportunity for substantive input on the RNA issue. We were told that the analysis of potential RNA sites was part of the legal settlement which led up to Phase II. We see a huge difference, however, between being required to analyze suitability of sites and actually proposing designation of those sites.

We respectfully request any support that you and the State can provide on the RNA issue.

Sincerely,

Floyd Canfield

Floyd Canfield
Chairman

Encl.

cc - Mary Flanderka, Policy Analyst
Greg Bischoff, Trails Program Mgr., State of Wyoming, Department of State Parks & Cultural Resources
Wyoming Game and Fish Department
Wyoming Department of Agriculture
Wyoming Division of Forestry
Representative Mark Semlek
Senator Chuck Townsend
U.S. Representative Barbara Cubin
U.S. Senator Craig Thomas
U.S. Senator Mike Enzi

WYOMING HOUSE *of* REPRESENTATIVES

January , 2005

Black Hills National Forest
Phase II Amendment
P.O. Box 270990
Littleton, CO 80217-0017

Rocky Mountain Regional Forester,

The purpose of this letter is to provide comment in the Phase II DEIS Amendment with particular concern regarding the proposed candidate RNA designation in some of the alternatives being considered. My opposition to the RNA designations is primarily based on my belief that the proposal is in violation of the Crook County Land Use Plan, and secondly, the process that is being followed might be in conflict with the management planning process of NEPA. Lastly, the desired outcomes of the RNA designation could be accomplished through other methodology.

In 1998, as a member of the Crook County Board of Commissioners, we established a Land Use Plan that clearly described the social, economic, cultural and historical importance of natural resource production including timber and agriculture for the past 100 years for the residents of our county on both public and private lands. I believe to move forward with any of the alternatives that include candidate RNA designation would be a violation of our county's Land Use Plan because the proposals take forest service acreage out of multiple use.

I am very concerned that the process for the consideration of the RNA designation was not an open and public process until the alternatives were established. I believe the major issues addressed in Phase II Amendment DEIS have very significant impact on our forest and every possible means to receive science-based input to address these concerns should have been employed throughout the entire process. I would think the NEPA process would require this type of thorough public input.

I am also concerned about the basic concepts and methodology used in the RNA proposals. The DEIS defines an RNA as a physical or biological unit in which current natural conditions are maintained insofar as possible for the purpose of conserving biological diversity, conducting non-manipulative research and monitoring, and foresting education. During the past 100 years of Agency management, if there was concern about biological diversity in the forest under multiple use concept, protective measures would have been implemented to address this concern. I do not believe a scientific research basis exists to justify the setting aside the experience of a century of multiple use to logically believe that RNA designation would provide more exacting science than the time-honored use.

HOUSE DISTRICT 1 • 1307 D Road • Moorcroft, Wyoming 82721
TELEPHONE (307) 756-9294 • **WEB SITE** http://legisweb.state.wy.us

In regard to the non-manipulative research and monitoring, I would submit from the customary standards of applied or basic research the following research practices would need to be considered:

*What is the current hypothesis regarding the scientific concerns involving the established management plan?

*Should the field of study be smaller to carefully control the scientific examination?

*What have been the results regarding the Upper Pine Creek RENA in the Black Elk Wilderness area that would justify the additional designation of RNA's in the Black Hills National Forest?

In summary, I fully support the comments submitted by the Wyoming and South Dakota Cooperating Agencies and respectfully request responsible evaluation be given to their inputs.

Thank you for your consideration of all the comments submitted in evaluating this very important issue.

Sincerely Yours,

Mark A. Semlek
Representative, House District 1, Wyoming State Legislature

Representative Mark Semlek

HOUSE DISTRICT 1 • 1307 D Road • Moorcroft, Wyoming 82721
TELEPHONE (307) 756-9294 • WEB SITE http://legisweb.state.wy.us

Name: Rep Jane Warren

Address: 1203 Park

City/State/Zip: Laramie Wyo 82070

DEC 14 2004

00205

Dear Forest Service:

Please consider these my comments on the Phase II Amendment. Please adopt the Black Hills Conservation Alternative. The Alternative calls for:

- [x] Increased protection of old growth through enforceable standards;
- [x] Scientifically-based standards for protecting rare and imperiled wildlife, fish, and plants;
- [x] Scientifically-based standards for protecting important wildlife habitats, like streamside willows, burned areas, wetlands, caves, standing dead trees, and white spruce.
- [x] Emphasizing natural processes in remote areas;
- [x] Protecting all roadless areas as recommended wilderness;
- [x] Protecting rare and unique plant communities through Research Natural Area designation;
- [x] The designation of "survey and manage" species; and
- [x] Increased monitoring.

Sincerely,

Jane Warren

This is our future for our kids. We can protect our future now.

Thank you

Jane Warren

COMMITTEE ON
ENERGY AND COMMERCE
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TELECOMMUNICATIONS AND THE INTERNET
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COMMITTEE ON RESOURCES
SUBCOMMITTEES
ENERGY AND MINERAL RESOURCES, CHAIRMAN
NATIONAL PARKS, RECREATION, AND PUBLIC LANDS

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www.house.gov/cubin

DEC 13 2004

00199

Congress of the United States
House of Representatives

BARBARA CUBIN
WYOMING—AT LARGE

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December 7, 2004

Mr. Brad Exton, Supervisor
Black Hills National Forest
25041 North Highway 16
Custer, SD 57730-7239

SENT VIA FAX: (605) 673-9350

Dear Mr. Exton:

I have been contacted by several constituents, in addition to the Crook County Commissioners, who have expressed serious concerns about the Research National Areas (RNA's) proposed in Phase II of the Black Hills National Forest (BHNF) Revisions Plan. I believe you will find the enclosed correspondence that I have received (in addition to several telephone calls) to be self-explanatory. I want to reemphasize the concerns of my constituents in that it clearly appears the proposed RNA's are all encompassing and will socially and economically adversely impact grazing, timber harvest, recreation and other uses of forest service lands in Crook County.

I would respectfully request your thorough review and full consideration of my constituents' request for reconsideration of these proposed RNA's based on the United States Forest Service (USFS) rules and regulations and prior to completing your final decision. Please provide me with as much information possible about this proposed action including, but not limited to, what options are available to my constituents outside of their specific comments.

Additionally, in light of the seriousness of this issue, I believe the time frame in which my constituent's are allowed to officially comment on the preferred alternative is insufficient and warrants an extension. You may direct your reply to me at Post Office Box 44003, Casper, Wyoming 82602-5014; or fax (307) 261-6597. My State Director, Jackie King, is available for questions or comments regarding this matter in my Casper office at (307) 261-5585.

PRINTED ON RECYCLED PAPER

DEC 1 3 2004 00200

Thank you for your timely attention to this matter. I look forward to hearing from you.

Sincerely,

Barbara Cubin

Barbara Cubin
Member of Congress

BC\jk

enclosures

cc: Mr. Rick Cables, Regional Forester
Mr. Steve Kozel, Bearlodge Ranger District

WYOMING

00296

DEPARTMENT OF STATE PARKS & CULTURAL RESOURCES
DIVISION OF STATE PARKS, HISTORIC SITES AND TRAILS

Pat Green
Division Director
State Parks & Historic Sites
2301 Central
Barrett Building 4th Floor
Cheyenne, WY 82002

(307) 777-6323
FAX (307) 777-6005

DEC 16 2004

BHNF Phase II Amendment
PO Box 270990
Littleton, Co 80127-0017

Dear Planning Team:

Thank you for the opportunity to comment on the Black Hill National Forest Phase II Amendment EIS. Motorized recreation, both summer and winter, are very important to many users. Snowmobiling is a major recreation draw in the Black Hills and greatly supports the local economies. I do not believe that snowmobile or off road vehicle (ORV) use have been given much consideration in the DEIS.

Lack of Snowmobile and ORV Study
Table 3-61 on page 3-270 shows no recreation activity or user days from snowmobilers or ORV users. Both of these uses should be listed in this table. If they were under the category of "vehicular travel" the table is certainly flawed. ORV use could come under this heading although it should not, but in no way can snowmobile use be considered here. These uses, their demographics and impacts are different from "vehicular traffic" and should have their own category within Forest recreation.

Table B-9 on page B-24 again lumps different uses into categories. I can only assume the "Mechanized Travel" category includes vehicles, orv's, bicycles, etc. These uses and their expenditures are very different and thus should be in separate categories. Also, I must also assume snowmobilers, skiers, and snowshoers are lumped in the "Winter Sports" category. Again, these uses and their trip expenditures are very different. The 2000/01 Wyoming Snowmobile Survey (McManus, Coupal, and Taylor): University of Wyoming, Department of Agriculture and Applied Economics found Non-Resident Per Person Daily Trip Expenditures to be $98.99 and Resident Per Person Daily Trip Expenditures to be $68.50 and Commercial (rented or guided) Per Person Daily Trip Expenditures to be $180.27. This in comparison to $41.04 stated in the DEIS shows where these uses need to be analyzed and considered on their own.

RNAs
Without considering snowmobile use in the DEIS, the studies done to enhance RNA designation are flawed. It is stated that site specific visits were done in 2002. These

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visits seem to have been done at some time outside of winter as the comments and observations reference "past cattle use, dispersed recreation (e.g., primitive camping and hunting), ATV use on primitive trails, and limited amounts of noxious weeds (i.e., hounds tongue, cheat grass). Many of these couldn't have been observed if a snow pack had existed. In section 3-6.2. one of the goals is "To select RNAs in areas where human impacts (since settlement) and conflicts with existing land uses (recreation, mining, livestock grazing, and timber harvest) are limited". Without analyzing for winter use, this goal is not met.

Sheep Nose Mountain
The Sheep Nose Mountain area is an historic snowmobile area. The trail to the summit has in the past been an official trail and is very popular. Snowmobile Trail K is west and northwest of the boundary and Trail B is west and southwest of the area. Having established trails in close proximity and historic use of the area by snowmobilers, the statement that "The site is relatively insulated from outside human influences..." is incorrect. It is evident this area was not analyzed for winter use.

Upper Sand Creek
It is stated there is evidence of ATV travel in this area. As unmanaged OHV use is one of the Chief of the Forest Services' top priorities, this area could better be used to manage the growing number of OHV/ORV use on the Forest. This area is also used by snowmobilers and thus has not been analyzed for winter use.

Cranberry Springs
ATV use on primitive trails in this area. ATV use on trails goes directly with the National OHV policy and should be promoted, not eliminated. This area also is a snowmobile area and it is evident was not analyzed for winter use.

These are just 3 examples of where more analysis would need to occur before designating any new RNAs. I support Alternative 6 with the new RNA designations removed.

Sincerely,

Greg Bischoff
Trails Program
Wyoming Department of State Parks and Cultural Resources
2301 Central Ave. Barrett Bldg.
Cheyenne, Wy 82002
(307) 777-7550