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Comments:

Please see attached signed letter in PDF format for the Wyoming Game and Fish Department's comments.

Thank you



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October 30, 2017

WER 13860.00a  
US Forest Service  
Black Hills Resilient Landscapes Project  
Draft EIS  
Crook and Weston County

BHRL Project  
Black Hills National Forest  
1019 N. 5<sup>th</sup> Street  
Custer, SD 57730

To Whom it May Concern:

The staff of the Wyoming Game and Fish Department (Department) has reviewed the proposed Black Hills Resilient Landscapes (BHRL) Project Draft Environmental Impact Statement (DEIS) located in Crook and Weston County. We offer the following comments for your consideration.

### **Terrestrial Considerations:**

1 The Department recommends a strengthened partnership with the Black Hills National Forest. We believe the best way to ensure success for this project is to work collaboratively with key partners, such as the Department. We look forward to improving our working relationship to benefit the landscape and wildlife that depend on it.

The key to ensuring viability and / or benefiting most wildlife species in the Black Hills is to create and maintain a diversity of structural and stocking conditions of ponderosa pine on the landscape. This can often be accomplished in conjunction with treatments designed to augment wildfire protection, control and diminish insect infestations, and enhance timber production. To be successful, careful consideration is required of treatment design, implementation measures, timing, and post-treatment activities to ensure project goals are achieved while undesirable side effects are avoided or mitigated. To be most effective, consideration must be given to the design, implementation and timing of specific projects in relation to the surrounding ecosystem at a variety of scales.

It is difficult for the Department to make site specific comments on the BHRL project as presented in relation to impacts (positive and negative) to wildlife because the exact timing, extent, and type of treatment in most cases are not specified. The Department requests close coordination with the USFS in order to help consider and plan individual projects as they are

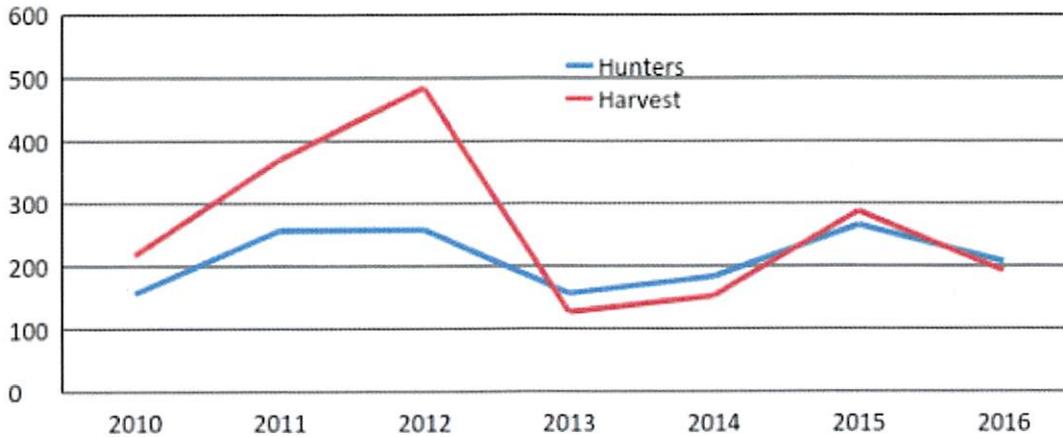
developed and implemented under the BHRL framework. We would like to create a process wherein local Department personnel would be invited to participate in planning specific projects. In addition to coordinating project design, we recommend implementing collaborative on-site visits similar to how we work with the Bureau of Land Management for oil and gas development.

In addition, the Department also proffers the following comments relative to the BHRL DEIS:

- The Department appreciates clarification on the potential locations for prescribed fires that are currently planned.
- Openings in the forest canopy are important for the habitat and edge effect they provide for many species. However, the National Forest Management Act specifies that “lands treated with regeneration harvest such as patch clearcut must be adequately regenerated within five years after harvest (16 USC 1604(g)(3)(e))... (and) to ensure that this regeneration requirement is met the BHRL specifies that most patch clearcuts would be less than two acres in size; but, may be as large as 10 acres as long as they are designed so that adjacent pine, with an effective seeding range of approximately 1.5 tree lengths, can provide a high probability of seeding in the patch.” Because of this, and the need to have openings persist throughout time on the forest, it would be beneficial to design a rotating matrix of patch clearcuts across the forest. This is something that could be worked into individual projects as our Department and the BHRL work together to design and implement projects through enhanced coordination.
- The BHRL DEIS notes, “For select species, site-specific surveys are typically conducted prior to vegetation treatments in order to determine whether mitigation, such as limiting work during a certain time of year, is needed. Under some circumstances, it is acceptable to analyze and document expected effects based on the assumption that a certain species is present, in lieu of conducting site-specific surveys (USDA Forest Service 2015a).” This again exemplifies an area in which project coordination between local USFS and Department personnel could provide enhanced benefits to project review, design and outcome.
- As we noted in our scoping comments, “The BHNF is already the most road dense forest in the National Forest System. Constructing new, permanent roads will only increase the road density and human disturbance. Careful evaluation at the specific treatment level in each instance needs to take place in order to minimize new road construction. In line with this, we highly encourage only temporary roads be constructed. Roads which are then to be decommissioned and obliterated at project completion. A guiding principle in the project should be no net gain of roads (open or closed) on the BHNF.” This is an area where closer coordination between our agencies could offer enhanced benefits to project review, design and outcome.
- In relation to black-backed woodpeckers, the U.S. Fish and Wildlife Service recently completed their review of this species and determined ESA listing is not warranted. However, the BHRL DEIS notes, “The Black Hills population is somewhat isolated from the rest of the North American population and has been petitioned for listing under the

- 5 Endangered Species Act as a distinct population segment. The US Fish and Wildlife Service is expected to make a listing decision in September 2017.” This section should be updated to reflect the newest information available.
- 6
- A local population of bighorn sheep (BHS) has become well established on Elk Mountain since the early 2000’s. This is most ostensibly due to wildfires and resultant loss of pine cover across the mountain. We recommend that no pine regeneration activities be implemented within occupied BHS seasonal ranges.
  - The BHRL DEIS states, “Recent estimates place the South Dakota elk population level at about 3,200 (Huxoll 2010), which is a decline from 2001 levels. No population estimates are available for the Wyoming portion of the Black Hills. The Wyoming elk herd appears to be growing but at a slower rate than in the past (Sandrini 2012). The BHNF has committed to managing habitat for 4,350 elk, which is the combined population objective established by the two state game agencies in 1996 (objective 217).” This statement should be revised to reflect current conditions based on the following:
    - 7 ○ The Department has been managing the Wyoming segment of the Black Hills elk herd towards non-numerical objectives since 2013. The current management objectives and anecdotal population estimates for this herd are as follows, and are taken from 2016 annual job completion report as detailed below:  
[https://wgfd.wyo.gov/WGFD/media/content/PDF/Hunting/JCRS/JCR\\_BGCASP\\_ER\\_ELK\\_2016.pdf](https://wgfd.wyo.gov/WGFD/media/content/PDF/Hunting/JCRS/JCR_BGCASP_ER_ELK_2016.pdf)
    - The Black Hills Elk Herd Unit is managed for 60% or greater landowner and hunter satisfaction. The management strategy is private land (*which means we do not seek to manage towards any specific bull to cow ratio*), with a secondary management objective seeking an annual bull harvest (based upon tooth age data) comprised of 20% aged  $\leq 2$  years old; 60% aged 3 to 5 years old; and 20% aged 6 years old, or older ( $\pm 5\%$  in all categories). These management objectives and strategies were adopted in 2013.
    - No formal population estimates are available for the Wyoming portion of the Black Hills, as a population model has not been constructed for this herd due to difficulties in obtaining sex and age composition data from aerial surveys. Field personnel anecdotally estimated Wyoming’s Black Hills elk population to have numbered about 2,700 at the close of the 2016 hunting season, although only a portion of these elk (~50%) occupy national forest lands at any point in the year.
  - 8 • The BHRL DEIS states, “Long-term habitat and population trend data for grouse suggest declining aspen habitat and grouse numbers (USDA Forest Service 2015b). On the other hand, harvest data (*Sandrini 2005*) suggest ruffed grouse numbers are increasing.” This is no longer the case, as ruffed grouse numbers are stable in the Wyoming portion of the Black Hills. In general, hunter participation and active license numbers generally track upland game bird populations (Strickland et al., 1994). Based upon this assumption, recent participation and harvest data from Wyoming hunters suggest ruffed grouse numbers have been generally stable for the past seven years. It should be noted that comparable harvest and hunter data are not available prior to 2010. See graph below:

### Estimated Ruffed Grouse Hunters and Harvest Black Hills of Wyoming



- 9 • Hazard tree and fuels removal is needed near the head of Pole Cabin, as beetle kill of large trees in this area is prevalent, and falling dead trees present hazards to travel on the Pole Cabin Road (USFS Rd. #802). Since it does not appear this type of treatment is planned for in this area, the Department recommends reconsidering this decision in regards to public safety.
- 10 • The Department strongly supports creation and enhancement of meadows, grasslands and hardwood stands (especially hardwood stands associated with riparian areas). These habitat types, as noted in the project description, are critically important for a wide variety of wildlife and provided needed habitat diversity on the BHNF. We encourage maximizing treatment breadth and design to augment these habitats to the greatest extent possible. This is a good example of where closer collaboration between our agencies could provide tangible project benefits.
- 11 • The Department supports and appreciates the deferment of treating some areas to move larger proportions of the forest towards structural stage 5 in ways that encourages development of a variety of understory components.

#### Aquatic Considerations:

12 The Department recommends that projects work to increase or optimize deciduous woody communities, particularly aspen and willow, in riparian corridors wherever possible. This includes areas such as shaded fire breaks and beaver habitat for increased water retention. Pine thinning or removal within riparian areas should be considered where indicators for deciduous replacements occur, and where physical impacts of the pine removal can be mitigated.

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Thank you for the opportunity to comment. If you have any questions or concerns please contact Joe Sandrini, Senior Wildlife Biologist, at 307-746-4646, Paul Mavrakis, Sheridan Region Fisheries Supervisor, at 307-672-7418 ext. 236, or Karen Rogers, Staff Policy Analyst, at 307-777-5003.

Sincerely,



Angi Bruce  
Habitat Protection Supervisor

AB/kr/ml

Enclosure

cc: USFWS  
Joe Sandrini, WGFD  
Justin Binfitt, WGFD  
Travis Cundy, WGFD  
Paul Mavrakis, WGFD  
Chris Wichmann, Wyoming Department of Agriculture, Cheyenne

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#### Literature Cited

Strickland, M. D., H. J. Harju, K. R. McCaffery, H. W. Miller, C. M. Smith, and R. J. Stoll. 1994. Harvest Management. Pgs 445-473 in T. A. Buckhurst (ed.): Research and Management Techniques for Wildlife and Habitats. The Wildlife Society, Bethesda, MD.