

# ITERATIVE PROJECT CHARTER

SPRUCE EA – BLACK HILLS NATIONAL FOREST

## PROJECT IDT ASSIGNMENTS & PROJECT SCHEDULE

Roles/responsibilities and personnel assigned are described in Appendix A: Roles & Responsibilities

Information about the project timeline is included in [Appendix B](#).

## INFORMATION SHARING/COMMUNICATION & PROJECT RECORD MANAGEMENT

The IDT will use the established Spruce EA channel in Microsoft Teams to facilitate information sharing and as a collaborative working environment for all draft documentation. **IDT Members are required to house all draft or working versions of documents on this site.** This will allow the IDT Leader to find documentation necessary to respond to line officer requests for status updates and facilitate response to potential FOIA (Freedom of Information Act) requests. IDT Members can find the following information (and more) on the site: IDT Member contact information, examples and templates, meeting notes, maps/spreadsheets used for project development etc.

When documentation is considered final and is necessary to be included in the project record, it will be filed in the [Project Record Pinyon folder name and hyperlink](#) created in Pinyon. **No working versions of documents should ever be filed in this folder.** The only instance in which a draft document should be included in this folder is if it is a necessary part of the administrative record to show how/why aspects of the project may have changed. If you put a file in the Pinyon project record folder it should be a version you are comfortable having shared externally and going forward as part of the potential administrative record.

**The NEPA Strike Team Leader developed project record operating norms**, including orientation to the project record structure and naming conventions, and **communicated these to the team** during the **1/7/2022** IDT meeting. A copy of the operating norms is included in the project record. IDT Members are expected to comply with these norms and are responsible for including documentation associated with their resource area or role as the project is developed.

The following **GIS protocol** should be followed for the Spruce analysis:

All specialists work should be in the Shapefiles folder under your specific program area. (e.g., [T:\FS\NFS\BlackHills\Project\SO\1950SpruceEA\GIS\Shapefiles\Botany](#))

You may add more subfolders within your program area folder....*consider this your workspace.*

For MXD, save to your MXD folder ([T:\FS\NFS\BlackHills\Project\SO\1950SpruceEA\GIS\MXD](#)) and name and date it (e.g., SpruceEA\_Botany\_01062022). You can have multiple mxd's if you need them.

**IDT Members are expected to work in Arc GIS and not from their desktops, as well as complete the metadata for any GIS products you develop individually.**

If you have issues accessing SharePoint, the project record folder on Pinyon or the T:/GIS project folder, notify the IDT Leader so they can request and/or grant the necessary permissions for you.

## PRELIMINARY PROJECT INFORMATION

Initial project information can be found in the [Pre-NEPA Project Assessment](#).

## PUBLIC ENGAGEMENT & CONSULTATION

### PUBLIC INVOLVEMENT, COLLABORATION AND/OR COORDINATION

Based on the nature of the project location and anticipated interests/concerns, the Responsible Official wants to ensure the following interested parties or organizations are including in pre-scoping discussions, scoping and/or comment period opportunities and/or any other opportunities for public engagement and collaboration:

- [Mailing Lists](#)

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### PUBLIC INVOLVEMENT & COLLABORATION NOTES

### CONSULTATION WITH OTHER AGENCIES & TRIBES

Based on the nature of the project location and anticipated interests/concerns, the Responsible Official wants to ensure the following agencies and tribes are consulted and/or coordinated with:

- [Tribal Contacts](#)

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### CONSULTATION NOTES

## PURPOSE & NEED

The purpose and need statement for this Project needs to reflect integrated resource discussions and must be approved by the Responsible Official before the IDT moves forward with developing the proposed action.

### PURPOSE & NEED NOTES

Responsible Official Jerry Krueger approved the Purpose & Need on 2/10/2022.

## PROPOSED ACTION

The Responsible Official will approve the proposed action that is carried forward into the NEPA process. This proposed action needs to both anticipate the issues it will generate and be able to accurately gauge the resources (people, time, computers, etc.) necessary to successfully complete the project.

The IDT needs to **identify design criteria/features that are necessary to ensure compliance with the Forest Plan and other applicable laws/regulations**. If a design feature adequately addresses a resource issue/concern, then there should not be additional discussion of that issue/concern during analysis as design features are considered part of the proposed action. It is understandable that not all issues/concerns can or will be addressed through design features; therefore, the description of the proposed action that goes to the public should disclose any unresolved issues or tradeoffs to help the public better understand the IDT's thought process.

### PROPOSED ACTION NOTES

Responsible Official Jerry Krueger approved the Proposed Action on 2/10/2022.

## SCOPING/COMMENT PERIOD

**CE:** Scoping should consist of a well described purpose and need and proposed action as there is not an additional opportunity to comment. Furthermore, discussion should be included as to why the IDT does not anticipate

extraordinary circumstances based on preliminary effects considerations. A legal notice is not required to initiate scoping.

**EA w/ Combined Scoping Comment:** Unless informed otherwise, scoping will be combined with the formal 30-day public comment period, which requires publication of a legal notice in the newspaper of record. A well described purpose and need and proposed action are necessary as there is not likely to be an additional opportunity to comment. Furthermore, discussion should be included as to why the IDT does not anticipate significant effects based on preliminary effects considerations.

**EA w/ Separate Scoping & Comment:** Unless informed otherwise, scoping will be conducted separate from the formal 30-day public comment period. A legal notice is not required to initiate scoping. Scoping should consist of a well -described purpose and need and proposed action. Modifications to the proposed action and/or development of action alternatives will be based on issues identified during scoping. The 30-day comment period should consist of a “draft” EA comprised of all required content for an EA, as outlined in 36 CFR 220. The 30-day comment period will be initiated with publication of a required legal notice in the newspaper of record.

**EIS:** Scoping will be initiated with publication of the NOI in the Federal Register. Scoping should consist of a well -described purpose and need and general aspects of the proposed action, with more detail provided for those aspects of the proposed action that are more defined. Modifications to the proposed action and/or development of action alternatives will be based on issues identified during scoping. The 45-day comment period will be initiated with publication of the NOA of the DEIS in the Federal Register (followed by publication of the legal notice in the newspaper of record). The DEIS should consist of a all required content for an EIS, as outlined in 40 CFR Part 1502.

### SCOPING/COMMENT NOTES

Scoping was initiated on 2/22/2022.

The comment period was initiated on [Click or tap to enter a date.](#)

### COMMENT CONSIDERATION

While response to comments is only required for an EIS, all comments are considered by the Responsible Official. Documentation of comment consideration (or response to comments if required), can be found in the project record.

### ISSUES/EFFECTS ANALYSIS

The table below captures disposition of the issues and rationale for the determination. Further discussions for issues eliminated from detailed study or analyzed in detail can be found elsewhere in the project record (e.g. specialist/technical reports) or in the environmental analysis document.

### NOTES FOR ISSUES/EFFECTS ANALYSIS

Responsible Official [Name](#) approved the Issues to be Analyzed in Detail on [Click or tap to enter a date.](#)

**Table 1: Issue Disposition Matrix**

Issue	Analysis Determination	Explanation	Pertinent Project Record Documentation	Assignment
<i>Threatened, Endangered and Sensitive Species</i>  <i>Proposed timber harvest activities could have an adverse affect on listed species and lead to a loss of viability for other at-risk species</i>	Analyze in Detail	<i>Unacceptable adverse effects to threatened, endangered and sensitive species are not anticipated; however, since a BA/BE are required, direct, indirect and cumulative effects should be analyzed. Demonstrate that we've fully considered potential effects to TES species. EA can refer to BA/BE in the Project Record.</i>	20180130_QRS_CommentLetter	Johnson

	Choose an item.			
	Choose an item.			
	Choose an item.			
	Choose an item.			
	Choose an item.			

**ISSUE.** An issue, as it relates to NEPA analysis, is an expression of a potential environmental, social or economic effect of all or part of the proposed action. Issues should be expressed as a cause/effect relationship, with the “cause” being some part of the proposed action and “effect” relating to another resource or component of the environment. For example a simple issue statement might be “the potential for proposed newly constructed roads to increase sediment delivery to Buzzard Creek”, where the proposed new roads would be the “cause” and sediment in Buzzard Creek would be the “effect.”

Issues should be described in more detail in specialist reports and/or the environmental analysis document. The issue column can simply identify the resource or component which may be affected (e.g. visual quality) or can provide more explanation/context if needed.

**ANALYSIS DETERMINATION.** This column captures how important the issue is and indicates how much analysis and documentation is needed to adequately address it. The regulations for implementing NEPA provide direction to focus analysis on those issues truly important to the decision and to discuss only briefly other than important issues. The following options for entry into this column are based on that direction:

**DISMISS.** The issue can be dismissed with a brief explanation as to why it doesn’t merit detailed study or full disclosure. The reasons for dismissing an issue are usually because it’s irrelevant to the proposed action or it’s beyond the scope of this site-specific analysis. For a project that proposes trail maintenance on a section of trail not located near a stream or other water body, an example of an issue that can be dismissed is sediment delivery to streams. In this case an explanation may simply be provided on the matrix (that’s it) or if there is high public concern we may choose to explain why this is not an issue in chapter II of the EA.

**ELIMINATE FROM DETAILED STUDY.** This determination is for issues that are relevant (i.e. there is some potential cause/effect relationship) but will have little or no effect because effects will be adequately reduced or eliminated through practices established as effective (design features or mitigation measures).

Provide documentation in the project file that provides an explanation as to why we can conclude that there will be little or no effect and/or why the applied design feature (identified as part of the proposed action) will be effective. This documentation can rely on literature, monitoring information, other analyses for similar projects, professional experience or simple logic. Any references relied on to support conclusions should be included in the project file. The information can be included in the project record or the analysis document (EA or EIS) if needed, such as under a heading titled “Issues Not Analyzed in Detail”.

Mitigation measures identified during effects analysis (to stay below a certain threshold of effect) should be discussed with the line officer and if approved identified in the pertinent resource effects discussion and carried forward into the decision.

Note that an issue should not be “eliminated from detailed study” if it could be a factor which may lead to a decision for the no action alternative or for one alternative over another.

**ANALYZE ISSUE IN DETAIL.** If an issue cannot be dismissed or eliminated from detailed study, it should be analyzed in detail. Issues to be analyzed in detail are those where the predicted effects of the proposed action are such that it leads the team to develop another alternative or it is identified as a potential factor in deciding between an action alternative and the no action alternative. Other reasons for analyzing an

*issue in detail is if it's a topic of high public interest or that another law, regulation or policy requires its analysis such that full disclosure is determined to be appropriate.*

**EXPLANATION.** For issues dismissed or eliminated from detailed study, this column summarizes or references the explanation for doing so. For issues to be analyzed in detail, this column can provide more specific direction on what level of documentation or analysis is needed/sufficient.

**PERTINENT PROJECT RECORD DOCUMENTATION.** This column simply ties the issues identified to any corresponding comments brought up by the public or the IDT team. It provides tracks to show how the Responsible Official considered public comments or addressed issues during the interdisciplinary process. Cite to the file in the project record (comment letter, IDT meeting notes, specialist email etc.).

**ASSIGNMENT.** This is the person responsible for completing the analysis for that issue.

## ALTERNATIVES

**An EA does not require the development and analysis of action alternatives.** The Proposed Action may be modified during the NEPA process based on input received from the public, other agencies, and Tribes or as a result of the effects analysis findings (i.e. adding mitigation measures). If modifications to the proposed action are not sufficient, alternatives to the Proposed Action may be developed. The Responsible Official/LOIC must be briefed prior to the IDT moving forward with development of any action alternatives. If alternatives were considered but not analyzed in detail, at a minimum this information needs to be documented in the project record but it does not need to go into the EA unless there is good rationale for doing so.

**An EIS must consider appropriate alternatives that could lessen significant impacts.** The Proposed Action may be modified during the NEPA process based on input received from the public, other agencies, and Tribes or as a result of the effects analysis findings (i.e. adding mitigation measures). If modifications to the proposed action are not sufficient, alternatives to the Proposed Action may be developed. The Responsible Official/LOIC must be briefed prior to the IDT moving forward with development of any action alternatives.

## ALTERNATIVE/MODIFIED PROPOSED ACTION NOTES

Responsible Official **Name** decided on **Click or tap to enter a date.** that no action alternatives would be developed. The following modifications were made to the proposed action:

Or:

The alternatives included in the EA/EIS were developed by the IDT and approved by Responsible Official **Name** on **Click or tap to enter a date.**

## ADMINISTRATIVE REVIEW PROCESS

Responsible Official **Name** has reviewed the environmental analysis and findings associated with the applicable regulatory framework and approved starting the objection period on **Click or tap to enter a date.**

## ADMINISTRATIVE REVIEW PROCESS NOTES

The objection filing period started on **Click or tap to enter a date.** and ended on **Click or tap to enter a date.** **Number of objections received** were received. The legal notice and copies of objections can be found in the project record.

The objection reviewing officer provided/did not provide instructions. All instructions were complied with as of **Click or tap to enter a date.**

## POST DECISION/PRE-IMPLEMENTATION COORDINATION

Spruce EA

The decision was signed on [Click or tap to enter a date](#). The following coordination needs to occur prior to implementation:

## APPENDIX A: ROLES & RESPONSIBILITIES

**Names will be updated if/when people assigned to the following roles change.**

The following people play a key role in developing this project:

### RESPONSIBLE OFFICIAL – DEPUTY FOREST SUPERVISOR, JERRY KRUEGER

The Responsible Official is tasked with providing timely and clear direction to the team at the following key stages, as well as when other issues are brought forward:

- Purpose and need review and approval to establish the scope of the proposed action (before developing proposed action);
- Proposed action review and approval (pre-scoping/public comment);
- Briefing on issues raised during scoping/public comment and determination if additional action alternatives are needed (post-scoping/public comment);
- Recommendation and approval of issues to be analyzed in detail (post-scoping/public comment and before starting effects analysis);
- Briefing on final effects determinations in the analysis document and approval of draft decision document rationale (prior to initiating the public objection period);
- Briefing on issues raised in objections (if any received) and recommendation on how to proceed with objection review and response process (post-objection period if objections are received);
- Briefing on any instructions received from objection reviewing officer and approval on how to proceed (post-objection review and response process); and
- Approval and signing of final decision document (after completing all instructions from objection reviewing officer).

### LINE OFFICER IN CHARGE (LOIC) – DEPUTY FOREST SUPERVISOR, JERRY KRUEGER. UPDATED 3/1/2022 TO FOREST SUPERVISOR, JEFF TOMAC,

The LOIC is the first point of contact for the IDT Leader and IDT. They will provide guidance to the IDT regarding the collaborative process in order to develop a preliminary Proposed Action, assist with reviewing and determining data collection and analysis needs, review resource analysis findings, and communicate with collaborative participants as needed.

### IDT LEADER – JODI LEINGANG

The IDT Leader will:

- Lead the IDT and facilitate the exchange of information between the decision maker and the IDT.
- Establish and maintain an internal SharePoint site for the Project to assist the IDT in better coordinating and sharing information and to be more responsive to Forest Leadership Team and FOIA inquiries;
- Keep the public informed through various means (e.g. frequent emails/mailings, news releases, posting information to external project webpage etc.);
- Assist with the collaborative process and facilitate public meetings/field trips;
- Work with team members to establish analysis and data collection needs commensurate with the complexity of an EA project (in coordination with Responsible Official);

## Spruce EA

- Serve as writer/editor and coordinate development of the project file; and
- Track the progress of environmental analysis and coordinate with and assist the Responsible Official with drafting of the decision document and rationale.

The team leader is granted authority to assign tasks and deadlines for work necessary to complete the milestones. The team leader is also tasked with the following deliverables:

- Final purpose and need statement
- Final proposed action description
- Cover letter and purpose and need/proposed action description for public scoping/comment period
- Legal notice for 30-day comment period
- List of recommended issues to be analyzed in detail
- Effects analysis document and draft decision document for objection period
- Legal notice for objection period
- Completed issue analysis form and organized project record (all documentation to date) and record index to facilitate the objection review process (if objections are received)
- Updated effects analysis document (if needed) and final decision document
- Final project record:
  - Review of resource specialist folders to ensure organization and completeness;
  - Inclusion of documentation that:
    - demonstrates compliance with the Forest Plan and applicable law/regulation;
    - shows the agency's thought process and tracks during project development, such as team meeting agendas and notes, emails/letters/documents with guidance on how to address issues/situations that arise, line officer briefing materials etc.;
    - shows correspondence or communication with any other agencies, organizations, tribes, partners etc.
  - Inclusion of all public letters/comments, legal notices, draft and final effects analysis and decision documents.

## NEPA COORDINATOR – JODI LEINGANG

The NEPA Coordinator is tasked with the following deliverables:

- Review of all public letters, legal notices, effects analysis documents and decision documents, and the project record to ensure compliance with requirements associated with NEPA, administrative review (objection) regulations, and other applicable laws/regulations.
- Covering for the team leader as needed (i.e. when the team leader is on annual leave, attending trainings or otherwise unavailable) to keep the project on track.

## IDT MEMBERS

The following resource specialists are assigned as core IDT members:



Spruce EA

<b>Project Role/Responsibility</b>	<b>Staff Assignment</b>
Botany	Terry Miller
Contract COR	Name.
Fire/Fuels	Chris Stover
Fisheries	Doug Middlebrook
GIS	Tim Davis
Heritage/Cultural Resources	Martha Mihich
Hydro/Soils	Chad Hermandorfer/Don Seale
Lands/Special Uses	Name.
Public Affairs	Pam King
Range/Weeds	Cissie Englebert
Recreation	Bill Jackson
Sale Prep/Implementation	Name.
Scenery/Visuals	Bill Jackson
Silviculture/Vegetation	Tom Lowell
Transportation/Engineering	Name.
Timber	Tom Lowell
Wildlife	Doug Middlebrook

The IDT Members will:

- Develop a coarse (primary) filter process to identify opportunities areas;
- Collaboratively develop the interdisciplinary Proposed Action;
- Determine the analysis methods and data collection needs specific to each resource to address issues and/or demonstrate compliance with the regulatory framework specific to the resource;
- Work with the IDT Leader and Responsible Official to set data accuracy standards specific to each resource; if necessary, coordinate and/or collect additional field data specific to each resource in order to complete analysis;
- Communicate information to others about the field or specialty that a member represents and work as part of an interdisciplinary team to integrate information across resource areas;
- Conceptualize, solve problems and remain flexible;
- Participate as needed in the collaborative process and provide the IDT Leader with necessary information for public meetings/field trips;
- Agree to resource analysis documentation standards and be responsible for including all applicable records for inclusion in the resource folder in the project file;
- Agree to and meet project schedules and timelines and communicate early and openly when these timelines/deadlines cannot be met.

Team members/resource specialists are tasked with the following deliverables:

- Providing input to the purpose and need;
- Assisting in development of the proposed action, to include design criteria necessary for protecting resources or reducing undesirable impact levels;

## Spruce EA

- Developing documentation<sup>1</sup> that demonstrates compliance with:
  - the Forest Plan (this can be done using a consolidated Forest Plan Consistency Table);
  - laws/regulations pertinent to the resource;
  - effects analysis that supports a conclusion of whether effects will be significant to the resource.
- Completing documentation necessary to facilitate and complete consultation processes with regulatory agencies, such as:
  - biological assessments (BA) for consulting with the U.S. Fish & Wildlife Service; and
  - reports to the State Historic Preservation Office for heritage/cultural sites.
- Project record documentation for the resource area that is organized and named according to the operating norms communicated by the team leader.

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<sup>1</sup> Specialists should complete documentation in the most efficient and effective means possible. This means a traditional “specialist report” is not needed if the specialist can accomplish the documentation by other means – such as writing to a consolidated Forest Plan Consistency Table, writing directly to the effects analysis document or documenting analysis/findings in email communication to the team leader.

## APPENDIX B: PROJECT TIMELINE

The Project Timeline is an estimated schedule for the project. It shows the key steps and check-off points for the project and the dates they need to be completed by in order to meet desired timelines. *The timeline may be evaluated and updated by the ID team leader, as needed, throughout the process; however, no changes should occur prior to consulting the LOIC and/or Responsible Official.*

Timeframe	Detailed Steps
January 3-7, 2022	Set up the T-Drive with project file folders
January 3-7, 2022	Set up Pinyon folder with project file folders
January 11, 2022	Project kick-off meeting
January 14, 2022	Pre-NEPA Assessment Complete
January 18-26, 2022	Draft purpose & need, proposed action (including connected actions), map of potential treatment areas, Forest Plan consistency review
January 18-26, 2022	IDT identify 'red flags' or topics that need additional discussion
<b>February 10, 2022</b>	<b>Responsible Official checkpoint – Approval of final purpose and need for action and proposed action</b>
February 8-10, 2022	Writer-Editor services
February 15, 2022	Send Tribal engagement letter
February 22-March 24, 2022	30-day scoping period – Send letters/emails and update PALS
March 25-April 1, 2022	Content analysis of scoping comments; consolidate and summarize scoping comments.
April 4-8, 2022	Finalize modified proposed action
April 8, 2022	<b>Responsible Official checkpoint – Approve issues, refinements to proposed action alt, additional alternatives (if needed), alts considered but not analyzed in detail, range of alternatives, cumulative effects projects to be considered</b>
April 12, 2022	Chapters 1 and 2 completed
TBD, 2022	Conclude SHPO Consultation
TBD, 2022	Inform USFWS about upcoming project and share appropriate timelines/due dates needed.
April 13-April 27, 2022	Draft specialist reports and/or Chapter 3 effects sections
TBD, 2022	Draft BA submitted to Forest for review.
TBD, 2022	Forest reviews Draft BA.
TBD, 2022	Continued coordination with regulatory agencies re: any changes to the project, including timelines/deadlines (USFWS & SHPO)

Spruce EA

<b>Timeframe</b>	<b>Detailed Steps</b>
April 28-May 5, 2022	Prepare and submit draft EA
May 6-13, 2022	Forest/District conduct internal review of draft EA
TBD, 2020	Final BA Draft submitted to Forest and FWS for review.
May 16-20, 2022	Writer/Editor
May 16-20, 2022	Revise EA and update specialist reports, as necessary based on Forest review. Revise BA, as needed.
<b>May 20, 2022</b>	<b>Responsible Official checkpoint – Review effects analysis, check-in prior to comment period*</b>
May 23-June 22, 2022	Release EA for 30-day comment period – Send letters, update PALS, legal notice, and hold meetings (if desired)
June 23-29, 2022	Comment content analysis
June 30-July 7, 2022	Discuss and prepare response to comments
July 8, 2022	<b>Responsible Official checkpoint – Review response to comments and discuss decision rationale for draft DN*</b>
June 30-July 11, 2022	Revise and finalize specialist reports/resource input to NEPA
June 30-July 11, 2022	Finalize EA/prepare DN and FONSI
July 12-July 15, 2022	Conduct internal review of DN/FONSI (to include writer/editor services)
TBD, 2022	Biological Assessment submitted to and accepted by the Services
TBD, 2022	SHPO (Concluded until individual timber sales are identified)
July 2022	Finalize project record
July 18-September 1, 2022	Release EA and draft DN for 45-day objection period – Send letters to those with standing, update PALS and legal notice
September 8, 2022	With No Objections – Responsible Official Signs DN
September 2-October 17, 2022	With Objections - 45-day Objection Resolution