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Forest Communiqué

The Voice of Forest Unlimited

Spring 2010

Sheephouse Creek's RPF

In 2008, Registered Professional Forester (RPF) Glen T. Edwards wrote a logging plan, on behalf of a land owner in the Sheephouse Creek watershed near the newly acquired Jenner Headlands, and submitted it to Cal Fire. This watershed is especially important because it has been selected by several government agencies to use in a coho breeding program. Coho are on the verge of extinction. Forest Unlimited was contacted and, consequently, helped to organize and train Friends of Sheephouse Creek to review the plan.

In the process of reviewing the logging plan, Friends believed it uncovered a number of errors and omissions. Thanks to the persistence of Friends, Cal Fire returned the plan to the forester twice for non-conformance with forestry regulations! At this writing, the plan has yet to be resubmitted.

In the opinion of Friends, the errors and omissions were so egregious that they filed a formal complaint against the RPF's license in July of 2009. The complaint charged that: Edwards failed to explain that the logging was proposed in a coho salmon watershed and did not show this on his maps. This failure to show Sheephouse Creek, and a tributary, as spawning and rearing habitat for anadromous salmonids seems hard to believe since many of this RPF's logging plans have been located in the Russian River Basin, where these species are listed and protected.

The complaint also alleged that Edwards relied on outdated lists of rare and endangered species nullifying the validity of the scoping process. RPF's are required to use the best available scientific data. In Friends opinion, the RPF gave misleading statements on the existence of northern spotted owls in the plan area. Only after public comment and Fish and Wildlife Service intervention did the forester undertake the required survey and discover that the plan area contained an Owl site.

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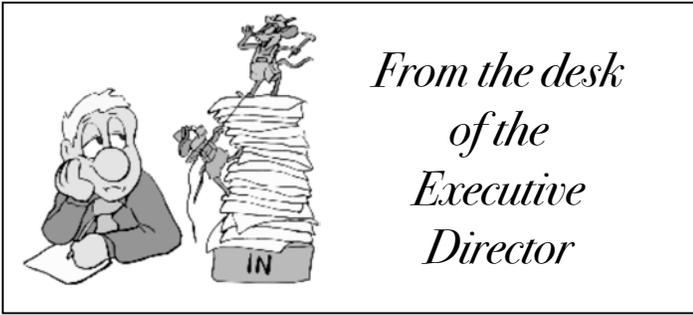
Bohemian Grove Sued

In May of 2006, the all-male Bohemian Club filed a logging plan with Cal Fire. After reading the plan, Forest Unlimited realized that this plan was quite different from their previous logging plans. The new plan nearly tripled the intensity of cut to unsustainable levels, targeted old growth redwoods and firs, and permitted logging in perpetuity once approved.

Forest Unlimited helped to organize and train a group of concerned citizens who decided to call themselves the Bohemian Redwood Rescue Club (BRRC). They carefully reviewed the plan, known as a Non-industrial Timber Management Plan (NTMP) and discovered many errors and omissions. Cal Fire is supposed to review logging plans for accuracy and compliance with the California's Forest Practice Rules. But it was the public, not Cal Fire that found the errors and omissions, then forced an unwilling Cal Fire to address them.

The original plan claimed there was no old growth in the area. BRRC mapped old growth within the plan. After successive revisions the amount of old growth mysteriously grew from zero acres to 54 acres and the Department of Fish and Game decided that it was potential marbled murrelet habitat and put some of it off limits to cutting. The murrelet is an endangered species. The Bohemian Club is still claiming that they will not cut old growth, yet the final version of the plan still allows and even requires cutting old growth to reach the proposed volume of timber. The plan's author, forester Nick Kent claimed that the plan would return the forest to its original old growth character. A distinguished Professor of Wildlife Management at UC Berkeley called that conclusion "erroneous".

Continued on page 3



Stumps from the logging of mature redwoods along Redwood Highway just north of Santa Rosa

Making More... Fixing Less

Well, they are at it again. CalTrans contractors are busy cutting more mature redwoods along Highway 101 to make room for more automobile habitat. At a time when the climate is warming dangerously, CalTrans, with the encouragement of our local government, is cutting redwoods which remove the greenhouse gas carbon dioxide from the atmosphere so we can increase the number of carbon dioxide producers on the freeway.

Why? What causes this insanity? Is it ignorance of science? Is it selfishness? Or is it that our representatives pay more attention to the auto lobby than they do to the health and safety of their constituents.

Yes, they supported the SMART train, but then undercut its ridership by expanding 101. And now, for the same reason, Golden Gate Transit is considering suspending routes to Sonoma County.

Public Policy has serious consequences. Last year the automobile killed 33,963 men, women and children in the US. This is far more than our losses in Iraq and Afghanistan. Trains accounted for only 971 fatalities and nearly half of those were caused by, you guessed it, an automobile. These numbers will pale into insignificance to the loss of life due to global climate change.

Climate change is the single largest long-term threat to forests, not to mention, species survival and water resources. So why do we take the problem so lightly? The Board of Supervisors should be leading the charge for alternative transportation.

We need more rails, less asphalt. We need more bike trails interconnected with neighboring counties and no new highways. We need more electric cars and charging stations and fewer SUV and Hummers. We need more, safe, convenient and on-time public transit.

And, yes, we need more carbon fixing trees and fewer carbon spewing autos.



Forest Unlimited is a 501 (c)(3) organization whose purpose is to protect, enhance, and restore the forests and watersheds of Sonoma County. Forest Unlimited educates the public about logging plan review, forestry law, and regulation.

www.forestunlimited.org

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Threat of County's Grading Ordinance

Why do we care about how the county of Sonoma permits grading? Grading, of courses, poses potentially lethal effects to creatures of low mobility, disturbs soils and slopes, removes vegetation, and thus poses potentially significant environmental impacts.

Many are unaware that the county added a new ordinance to the books, known as the Grading Drainage and Vineyard/Orchard Site Development Ordinance (2009) that modifies the process of obtaining a grading permit with respect to agriculture. The intent behind the ordinance is clearly to simplify the process of obtaining a grading permit for vineyard development.

Through the new ordinance, the permitting authority for these types of grading activities would now be the county Agricultural Commissioner's office (and no longer the Permit and Resource Management Department-PRMD).

By designating some of the most highly damaging clearing, ripping, land planning, "ministerial" activities, the county has relinquished its responsibility for possible consequences for such grading activities on neighboring properties and the environment. This designation also subverts public participation in and oversight of such activities because by declaring this type of grading to be "ministerial" and not "discretionary", the California Environmental Quality Act (CEQA) would not apply.

Do we really want vineyard development rubber stamped when adverse impacts on the environment and neighboring lands are well documented?

Forest Unlimited and friends are challenging this new vineyard grading ordinance on the basis that the new law artificially distinguishes between various types of grading activities, the consequences of which can result in significant potential impacts to land and water, and are advocating stronger safeguards.

Boho Lawsuit *(cont. from page 1)*

BRRRC discovered that the plan contained more than the 2500 acres than was permitted for an NTMP. The Bohemian Club actually has 2649 acres of forestland. Instead of rejecting the plan outright, Cal Fire, desperate to cover its incompetence, devised a strained interpretation of the law to allow the Bohemian Club to omit acres by means of conservation easements. The Club had to shop for an organization that would provide easements because local organizations understood that such easements would only facilitate logging and not protect forestland. The Rocky Mountain Elk Institute in Montana finally provided the easements.

The Bohemian Club claimed that the plan was designed to reduce fire danger. BRRRC submitted reports by several experts that concluded the opposite. One called it a commercial logging plan "in drag" as a fire protection plan.

The original NTMP claimed that endangered species were not present. BRRRC submitted evidence to the contrary. The Bohemian Club's forester claimed that the plan would reduce any negative effects on salmon to insignificance. At BRRRC's request, Fisheries Biologist Patrick Higgins evaluated the plan. He submitted evidence to the record that stated, "The proposed activities under the Bohemian Grove logging plan are exactly the opposite of what is needed for the recovery of fish and wildlife in western Sonoma County and the lower Russian River."

After articles appeared in the Los Angeles Times, the San Francisco Chronicle, The Press Democrat, The North Bay Bohemian, The Washington Post, KPIX television, and Vanity Fair, the Bohemian Club hired a public relations firm. Reporters began to complain of being verbally abused by the Club's hired spokesman.

BRRRC submitted evidence from experts in biology, fire ecology, forestry, geology and aerial mapping. As a result, the plan was repeatedly revised. In spite of all of the evidence, Cal Fire approved the NTMP on December 29, hoping to catch BRRRC off guard during the holidays. They failed.

On January 28, one day before the right to sue ran out, BRRRC and Sierra Club filed a lawsuit in Sonoma County Superior Court against Cal Fire and the Bohemian Club charging "abuse of discretion". Hat's off to the Sierra Club for their continued early support of BRRRC and their willingness to add their name, prestige, and money to the suit! The full text of the legal petition may be viewed at forestunlimited.org. For further details, visit savebohemiangrove.org.

Checks to support BRRRC may be written to Forest Unlimited with BRRRC in the memo line.

Forest Unlimited's Redwoods Restoration Project

Thanks to the tremendous effort of Carl Wahl, Bob Nelson, and their team, Forest Unlimited planted over 1500 two-year old bare root redwood seedlings for reforestation and erosion control at Shone Farm (the agricultural educational facility of SRJC and located about 1-mile north of River Road at the intersection of East Side Road and Trenton Healdsburg Road). An additional 600 live oak seedlings were planted on this 300-acre public property. Dozens of volunteers participated in this two-day event, many from Kasey Wade's SRJC class. Lunch was provided.

If you are interested in participating in next year's Reforestation Project, we will publicize this in our fall newsletter and on our Forest Unlimited email list.



Project coordinator Carl Wahl describes the proper way to plant redwood seedlings to volunteers for the annual tree planting



Volunteer plants oak seedling to reforest the open, treeless areas.



Volunteer Joan Linney with FU Board Members Jim Newman and Rick Coates

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Sheephouse RPF (cont. from pg 1)

In addition, the complaint alleged that the RPF misrepresented and incorrectly described roads and reconstruction of roads throughout the plan and that Edwards engaged in the practice of geology without a license when he described a potential haul road to be in very good shape and in need of no grading or shaping for use as a haul road. An independent engineering geological study conclusively states that this proposed use will result in catastrophic failure of the road into the stream.

Friends believe that the RPF failed to analyze the impacts of the plan on and off of the proposed logging site as he is required to do by CEQA and that Edwards did not properly describe nor map areas of geologic instability and high erosion areas (see "Geology is Foundational in a previous FU newsletter). Logging landings and haul roads are not supposed to be constructed on these sites nor is heavy equipment to be operated there.

Furthermore, the Friends charged that the RPF did not correctly describe stocking standards for a Coastal Commission Special Treatment Area, nor did

he adequately evaluate the present "stocking levels" (the amount of standing timber). And finally, Friends alleged that the RPF presented outdated information for Sudden Oak Disease.

This is not the first time this RPF's license has been challenged. The Board of Forestry (BOF) found that "Contents of numerous past THP's were incorrect, incomplete, misleading in a material way, or insufficient to properly evaluate significant environmental effects (BoF Case # 261). In 2000, Mr. Edwards was found by the BoF to be guilty of gross negligence and material misstatement of fact with numerous logging plan submissions, as well as a failure of professional responsibility.

On February 24, 2010, despite Cal Fire's rejection of the RPF's plan and the numerous problems, the BoF concluded that Friend's allegations were simply "paperwork errors common to a complex and iterative harvesting plan approval process" and due to "the size and breadth of harvest planning documents". When the BOF fails to enforce its own rules, is it any wonder that most logging plans are riddled with errors and omissions? Enforcement might help put the "professional" back into the title "Registered Professional Forester".

Clip and mail back with your check in the envelope provided. Thank you!

Become a Member of Forest Unlimited

Your tax deductible contribution will help fund forestry education programs and forest preservation, protection, and enhancement projects. Members receive a quarterly newsletter, notification about special events, workshops and logging in their watersheds.

*Please let me know when the next **Forest & Watershed Protection Workshop** will be in my area _____*

YES! I would like to join Forest Unlimited to further your work! (Dues are tax-deductible as permitted)

___ \$200 ___ \$100 ___ \$50 ___ \$35 ___ 20 Other \$ ___

Name _____

Email (for alerts & treeless newsletters) _____

Address _____

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Your watershed _____



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Maacama Watershed Alliance Appeal

The Board of Zoning Adjustments approved a Use Permit for the Delectus Winery on April 8, 2010. An appeal was filed by the Maacama Watershed Alliance and concerned citizens of Knights Valley. The appeal triggers a public hearing with the Board of Supervisors, on a date to be determined. We'll keep you posted.

North Coast Stream Flow Coalition

In addition to Forest Unlimited's participation in the Sonoma County Water Coalition, we are also a representative in a larger coalition of environmental organizations called the North Coast Stream Flow Coalition. This organization recently formed due to the widespread dewatering of north coast streams due to rampant vineyard and other agricultural diversions. The current focus has been on improving state water policy on instream flows and enforcement (AB2121).



Board Members Tom Veader and Rick Coates tabling at the Mermaid Festival in Monte Rio

Grading Ordinance *(cont'd from pg 3)*

We would like to see Sonoma County use more (not less) discretion when considering granting permits for grading. We are calling for a process that allows public participation and appropriate environmental review for projects and activities that remove vegetation, compact the soil, and alter the grade or topography of the land. Grading activities can contribute to landslides, loss of topsoil, land compaction, increased sediment, and water runoff leading to degradation of waterways.

To rubber stamp the approval of vineyard grading and development activities removes important safeguards like the California Environmental Quality Act (CEQA), and as written, the new ordinance compromises protection of natural resources held in the public trust.

Pocket Canyon Conversion Update

The ten-acre conversion from forest to vineyards by Paul Hobbs (Napa County winery entrepreneur) is undergoing review by Sonoma County and Cal Fire. This plan, if it gets approved, will set a precedent in the county, because it triggers the county's timberland conversion ordinance, not yet tested.

One of the future projects subject to the conversion ordinance is Preservation ("Devastation") Ranch, which plans on clearing 1600 acres of mostly ridge-top forest land. This is clearly a devastating project and must be stopped!

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