

Forest Communiqué

The Voice of Forest Unlimited
PO Box 195 Cazadero CA 95421 707.632.6070

Court Rescinds Fay Creek THP

Carl Wahl

On November 18th, the Joy Road Area Forest & Watershed Association (JRAFWA) prevailed against CDF and the landowner in Sonoma County Superior Court. Judge Lawrence Antolini's decision found the Fay Creek THP and CDF's approval process defective in three ways and rescinded CDF's approval of THP 1-01-219.

The first defect concerned CDF's lack of public re-notification after the inclusion of an alternatives analysis in the THP. Throughout the five-month long public comment period, association members took turns driving to CDF's Santa Rosa

See Fay Creek... page 7

Mere Wrist Slapping Won't Do

For our members that avidly follow environmental legal prosecutions of bad actors, here is an update of Forest Unlimited's legal action against a developer on Ida Clayton Road. As you may remember, two and a half years ago, Forest Unlimited, whose primary mission is to prevent unnecessary destruction of watersheds, was compelled to follow up on unpermitted development of steep slopes on Mount Saint Helena where the regulatory agencies left off.

After concerned citizens alerted the regulatory agencies of the unpermitted landclearing activities, the clearing was stopped. The landowners had, without

See Wrist Slap... page 3



A FUNDRAISER FOR FOREST UNLIMITED

Brunch

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Enjoy a delightful brunch in historic Cazadero among old growth forests at this annual fundraiser for Forest Unlimited.

Featuring...

- MC Bill Bowker from KRSH radio
- Ragtime Piano with Tom Lough
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- Environmental Awards presented to local watershed groups
- Special guests including Supervisor Mike Reilly

Sunday, June 13

9:30 am - 12:30 pm, Brunch served at 10:00

CazSonoma Inn

Directions: Take River Road west through Guerneville to Cazadero Hwy. Turn right and travel 2.6 miles to Kidd Creek Road and the sign for CazSonoma Inn. Turn left and travel 1 mile to entrance.
Inn phone number is 632-5255 / web cazsonoma.com

Tickets \$23 advance, \$28 at door, available at Copperfield's Bookstores; River Reader, Guerneville; Levin & Co. Booksellers in Healdsburg

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Forest Unlimited
PO Box 195
Cazadero CA 95421
707.632.6070



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.

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From the desk of the
Executive Director

IN A WORD . . .



By the Book

Definition of Timberland

Vineyards are eating up the forested hillsides of Sonoma County. Theoretically, the California Environmental Quality Act allows California residents to insist upon environmental review of timberland conversions to agriculture. Responsible landowners apply to The California Department of Forestry for a Timberland Conversion Permit. Others avoid the expense and delay of CEQA review by claiming the land isn't officially "timberland". CDF is only too happy to overlook mischaracterization of land as non-timberland.

Few people realize how restricted the Board of Forestry's definition of timberland is. The Forest Practice Act defines "Timberland" as an area where "commercial species" now grow or have historically grown. But the Act leaves to the Board of Forestry the task of defining "commercial species". You might think even non-commercial species have some sort of protection. Think again. Only conversion of commercial timberland is subject to CEQA review because it requires approval of both a Timberland Conversion Permit and a Timber Harvest Plan by CDF. Non-timberland can be cleared without CDF permits.

One would assume that the definition of "commercial species" includes hardwoods as well as conifers, but one would assume wrong. In spite of the fact that tanoak is milled for hardwood floors and oak is routinely sold as firewood, CDF considers neither of these trees a commercial species. Indeed, no hardwood is. Consequently, hardwood land may be converted to vineyards without a Timberland Conversion Permit or a Timber Harvest Plan. That usually means no CEQA review, which is one reason why so many oak woodlands are disappearing only to be replaced with vineyards.

“...hardwood land may be converted to vineyards without a Conversion Permit or THP”

Further complicating the picture is the fact that timberland is defined differently in each of the five CDF jurisdictional Districts. Sonoma County has land in two different districts so two different definitions apply here. Redwood and Douglas Fir are considered commercial species in both districts, but, again, not hardwoods. The Boundary between the Coast District and the Northern district is Highway 101 from the northern county line to state Highway 128 at Geyserville. The Boundary follows highway 128 through Alexander Valley and Knights Valley to the Eastern County line near Calistoga. This puts Mt. St. Helena and areas east of Geyserville and Cloverdale in the Northern District. Santa Rosa, Guerneville, Sebastopol and the Coast Beaches are all in the Coastal District. The Russian River wanders in and out of both districts.

The Board of Forestry's Definition should be changed. Minimally, commercial species should include oaks. Please write the Board of Forestry and your State Representatives asking for such a change.

Sustainable Economics 101

Ponzi Economics, Part II: *Identifying the problem*

In our last issue I discussed why endless economic growth is a fraud on the public, a Ponzi scheme royal. The two pillars of endless economic growth are increasing population and increasing consumption. Neither are sustainable. Like a bacterial culture in a petri dish, if humans continue to increase exponentially, they will outstrip the planet's finite resources. Likely, before that happens, population will be brought in line with the world's resources by famine, disease or death due to resource wars.

Humans will only consume so much. They can only eat so much, use so many cars, TV sets and other stuff. Many are already rejecting consumerism on moral grounds. After saturation of consumer demand comes recession. If the ability of the environment to supply resources and cleanup are reached first, depression results. Unlimited growth equals death, extinction and dissolution.

**“ Nations bend to [the corporate] will,
creating empires to supply their resources...”**

A system that must kill to feed itself is predatory. A predator with an insatiable appetite will starve to death. Large publicly traded corporations are predators. They cannibalize capital, resources, local markets, and future productivity all for ever-increasing growth. They even absorb other companies and suck the life from them. They cannot help it. They are designed to do it. It is time to redesign them.

Nations bend to their will, creating empires to supply their resources, energy and market needs, even if it means driving humans to starvation, destroying human and labor rights or killing people outright. History teaches that empires eventually run into the simple fact that resources are limited. It is why Rome fell. The resources stolen were no longer sufficient to support the armies required to extort them.

A pyramid scheme steals from future participants. Corporations run on credit are stealing from future investors, promising to pay with resources that may never be there. They do not produce wealth. They mine it. Until it's gone. In the next issue of Forest Communiqué, I will suggest solutions for a truly sustainable economy.

Rick Coates is the Executive Director of Forest Unlimited

Wrist Slap... from page 1

independent environmental review, altered streambeds, cut trees, and stripped the 40 to 60 acres of steep hillsides with heavy equipment. The agencies investigated but did nothing to the culprits accept to require them to go back and get permits. This development took place at the end of summer when erosion potential was very high.

Forest Unlimited stepped in and filed suit against Ronald Neuman and his companies in November 2001. The neighboring grape grower, threatened and injured by the destruction of the hillside above it filed a separate action in October of 2001. The District Attorney filed criminal charges the following year.

Forest Unlimited alleged that the defendants violated rules meant to protect watersheds from unnecessary destruction and that they engaged in unfair competition by choosing to develop the property without applying for a single permit.

After vigorous prosecution, Forest Unlimited has settled this matter. Forest Unlimited trusts that property owners, as well as the environment, will benefit from this type of prosecution in so far as violating environmental laws will result in something other than a mere slap on the wrist.

Environmental Video Showing in Jenner

Environmental attorney **Sharon Duggan** won an important victory against Pacific Lumber Company last year. See a video of her recent visit and talk in Sonoma County on Saturday, April 24, at the Jenner Playhouse.

Community potluck at 5pm, video at 7pm.

This free event is sponsored by Forest Unlimited and the Jenner Watershed Group.

CDF Cancels Approved Jenner THP Under Pressure

On March 4, 2004 Jenner residents rejoiced when California Department of Forestry (CDF) made an unprecedented decision to cancel Sonoma Coast Associates' approved Timber Harvest Plan (THP 00 040 SON). On the advice of counsel, CDF determined that the Department's approval of this Plan must be withdrawn, since the Plan does not, in all respects, conform to the Forest Practice Rules (14 Code of California Regulations §§ 898.1, 898.2).

On August 15, 2001 Paul Carroll, Jenner's attorney, cited these two regulations repeatedly in a lawsuit filed by Jenner and the County of Sonoma, accusing CDF of approving a Plan that failed to (1) protect against degradation of water quality and adverse impacts; (2) mitigate cumulative impacts on Jenner Creek (sole source of domestic water supply); (3) provide adequate public notice; (4) approve an amendment as a substantial deviation; (5) allow public review of wildlife surveys; and (6) properly describe and mitigate operations near or on archaeological sites.

Jenner's struggle is not over. This THP may be resubmitted. Jenner must contend with THP 1-99-464 SON, which is currently in the approval process. Nevertheless, the town is gratified that the new Burton amendment to the Public Resource Code has been implemented since this THP was first submitted. The town hopes the gains achieved stand firm. CDF's withdrawal has sparked new support for the cause to protect the Jenner watershed. Residents recently organized a breakfast fundraiser at the River's End Restaurant, and volunteers continue to monitor Jenner Creek daily.

Please consider becoming a member of Forest Unlimited

Members receive the quarterly newsletter, Forest Communiqué, notification of special events and workshops, and notification of logging in their watershed. Your tax deductible contribution will help fund forestry education programs and forest preservation, protection, and enhancement projects.

- Please let me know when the next Forest and 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__ \$15__ Other \$__

Name _____

Address _____

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email _____ Phone _____

Your watershed _____

Forest Unlimited

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Contact Forest Unlimited at PO Box 195, Cazadero, CA 95421 • 707.632.6070

Are They Logging in Your Watershed?

The following are logging plans and timberland conversions currently under review by CDF in Sonoma County. Listed is the official CDF plan number, the landowner, the watershed, size, silviculture and status for each. Comments to CDF should be addressed to Director, 135 Ridgway Ave, Santa Rosa, CA 95401

1- 00-484 SON; Richardson; Haupt Creek; 55 acres; Clearcut, Seed Tree and Selection. This plan which contains old growth, is 6 miles southeast of Stewart's Point on a tributary to the Gualala River. At the second review, so many public members came, a larger room had to be located. Thanks to Friends of the Gualala River and others, this plan was denied!

1- 01-171 SON; Codorniu; Grasshopper and Little Creeks; 105 acres; Conversion permit no. 02-506. The local THP assessment has been sent to the CDF in Sacramento. CDF Sacramento has designated this as a Negative Declaration rather than a full EIR. How a conversion can be less damaging to the environment than a THP which is equivalent to a full EIR is inexplicable. Friends of the Gualala River have retained an attorney and are challenging CDF's designation. Those concerned should send comments to Frank Ramirez, CDF, POB 944246, Sacramento, CA 94244. Potential use of pesticides and depletion of water supplies due to proposed vineyards are a concern. Forest Unlimited held two training sessions with a neighborhood group in the area of Horicon School on Annapolis road. Codorniu, Napa Inc. is a Spanish multinational.

1- 01-223 SON; Peter Michael Winery; South Fork Gualala River; 70 acres; Conversion. The conversion is under Sacramento CDF review. Public Comment is still open. The area is near Seaview Road just over the ridge from Fort Ross State Park. This is the same general area that Peter Michael attempted to illegally convert but was halted by a Forest Unlimited suit. The new plan covers an area much larger than the previous attempt. In spite of the fact that it will destroy a wetland, CDF has been recommended it for approval. It is awaiting the writing of the Official Response.

1- 01-297 SON; Benbow; Pocket Canyon Creek; 181 Acres; Selection, Alternative Prescription, Rehabilitation, and Seed Tree; This plan borders Scenic Highway 116. Forest Unlimited held two training sessions for the Pocket Canyon Protection Group which has done amazing work defending their watershed. See story this issue.

No number; Neuman; Kellogg Creek; 40-60 acres; Conversion. Forest Unlimited has filed suit alleging that the

required permits for logging trees to convert forest land to agriculture, grading and contouring, and watercourse alteration were not obtained. See story in this issue.



"And see this ring right here, Jimmy? ... That's another time when the old fellow miraculously survived some big forest fire."

1- 02-019 SON; Brown; Buckeye Creek; 18 acres; Conversion. This plan is about 1.5 miles northwest of Annapolis. Some of the neighbors of this plan site have sued the owners for violations of covenants and restrictions on the property's deed. Superior Court has granted a preliminary injunction. A motion for summary judgment has been filed. Mediation is in progress.

1- 02-216 SON; Sonoma Timber Land and Trust, Zeigler, Benbow; Pocket Canyon Creek adjacent to Highway 116, 185 acres; Selection, Alternative Prescription. See story in this issue for details.

1- 03NTMP-017 SON; Bohemia Ranch, LLC; Grub, Duvoul and Margaret's Creeks; 560 acres; Selection, Group Selection; Commercial Thinning, Rehabilitation.

1- 03-008 SON; Gualala Redwoods; Wheatfield Fork Gualala River; 117 acres; Clearcut.

1- 03-020 SON; Gualala Redwoods; South Fork of the Gualala River; 111 acres; Clearcut, Selection.

1- 03-075 SON/MEN; Gualala Redwoods; Rockpile Creek; 129 acres; Clearcut, Seed Tree Removal.

1- 03-089 MEN/SON; Gualala Redwoods; Big Pepperwood Creek; 140 acres; Clearcut and Selection. This plan is just 1000 feet from the Gualala River. It is awaiting a preharvest inspection.

1- 03-097 SON; Moran & Schach; Livereau Creek; 11 acres; Selection.

1- 03-221 SON; Mendocino Redwood Co.; Tobacco Creek; 227 acres; Alternative Prescription, Group Selection, Rehabilitation. The review team recommended approval and public comment closed 3/5/04.

1- 03-224 SON; Soper Company & Russian River Redwoods; Austin, Bull Barn & Kidd Creeks; 280 acres; Group Selection, Alternative Prescription; Rehabilitation. See article in this issue for details.

Cazadero:

Kidd Creek THP

Robert Feuer

A timber harvest plan(1-03-224) in the Bull Barn Gulch area, bordering on Kidd Creek and Austin Creek near Cazadero, has aroused much community opposition. Local people have met several times to plan strategy but the odds are against them as they fight the monolithic forces of the timber industry and the State of California. This plan would have a devastating effect on 280 acres of redwoods, pine, madrone and tan oak.

Possibly the strongest case made by the local citizens is that this plan is proposed in an area that historically has been unstable and has been the site of slides that have caused significant property damage in the past. Residents of Cazadero Highway are especially threatened by the prospect of heavy machinery hauling logs and grading roads in the steep hills hovering above their homes. People are also fearful of heavily laden log trucks

pulling out into a road that can be hazardous due to fast moving traffic and sharp turns. The use of helicopters is a safety issue also and no one is looking forward to the prospect of a noisy summer.

Fire is always a threat at that time of year as hills dry out. Wildlife issues include spotted owl habitat and the probable presence of marbled murrelets at certain times of the year.

The planned use of herbicides in an area that contains numerous watercourses could have an effect on aquatic life below in Austin Creek and the Russian River into which it feeds. Also to be considered strongly is the pristine nature of the area, still recovering from the wounds of timber harvests in the not too distant past.

Public help is greatly needed at this time and if you would like to get involved in any way please call Robert at 707-874-2324 or Larry at 707-887-7433.

Pocket Canyon THP gets Stalled

Elizabeth Christie

In July 2000, our neighborhood was stunned to learn there was a proposed THP (1-02-216 SON) of 195 acres and a vineyard conversion of 50 acres between Mays Canyon Rd and Odd Fellows Road on Hwy 116, just outside Guerneville. We immediately formed Pocket Canyon Protection Group (PCPG), became educated by Forest Unlimited and started the very, very long process of learning what we were in for!

Since that summer, we have written hundreds of letters to CDF, Water Quality, and County and State Officials. We have hired a geologist and a hydrologist, also Fred Euphrat Ph.D and Paul Carroll Esq. for our legal advice. We have raised money through a Music Benefit in 2002 and a Beer Fest in 2003, both at Stumptown Brewery, various garage sales, flea markets and even sitting at different food markets in the area with raffle tickets and change cans. PCPG has had numerous articles in the Press Democrat, RR Monthly and Sonoma Times. We have had interviews on KSRO and KRCB radio.

The good news is that it is four years later and it still is not approved through CDF. PCPG has managed to have one THP

completely withdrawn and each succeeding THP returned numerous times for clarification from Glen Edwards of GTE Associates in Ukiah and Charles Benbow of Sonoma Timber and Land, LLC in Garberville. They have since removed the vineyard conversion and changed many of the logging methods first proposed. The suit by the Joy Road group has forced CDF to re-open the THP comment period. On Feb 19th, CDF held the Second Review. From what was said by Leslie Markham of CDF and Cheri Blatt of Water Quality, the THP looks like it could be approved before this is in the mail!

Water issues, both quality and quantity, are our biggest concern and our strongest argument. Potential sedimentation and increased turbidity threaten both the existing shallow wells as well as confirmed steelhead habitat. There are over 70 homes and small businesses that could be affected. In addition, Pocket Canyon is designated water scarce by the County.

Assuming the THP is approved, we will have 30 days to file for an injunction.

Logging Plans... from previous page

1- 03-237 SON; Mendocino Redwood Co. & Jackson Family Estates II, LLC; Wheatfield Fork of Gualala River, Crocker Creek; 344 acres; Alternative Prescription; This plan is adjacent to the Gualala River. CDF is waiting the RPF's responses to their recommendations. Agency preharvest inspection reports have not all been filed yet.

1- 04NTMP-001SON; Rangle, Mittura, McNamara; Wheatfield Fork of Gualala River; 74 acres; Selection, Group Selection, Transition, Commercial Thinning. Non-

industrial Timber Management Plans are open-ended logging plans that, after approval, can continue indefinitely for years. They are usually limited in how much can be cut in a particular time period and the types of silviculture that they may use. This plan is waiting Preharvest Inspection Reports before going to second review.

1-04-030 SON; Hanson and Wilson; Buckeye Creek, **Conversion. CDF wants to issue a mitigated Negative Declaration for this conversion!**

Thinking Outside the Box

Working Community Forests

Donald S. Kemp

In the paragraphs that follow, an attempt is made to describe the “working community forests” model relative to other forms of forest management. This model brings new tools to the challenges of maintaining what is, in the eyes of many, a diminishing resource.

Let’s begin by thinking of redwood forestlands as economic assets which produce outputs in the form of products and services. The outputs can be broken down into two major categories: those for which a market currently exists and those for which one does not. The output for which a market exists is timber. The other outputs, those with nascent or nonexistent markets are the non-timber products such as clean air and water, recreation, aesthetics, climate stabilization, rainfall, ocean productivity, fertile soil, watersheds, waste processing, nutrient cycling, food, fuel, fibers and pharmaceuticals.

Which of these product groups are commercial or industrial property owners motivated to cultivate and harvest? Obviously, it’s the ones for which there exists a marketplace through which they are able to create the cash flows needed to cover the costs of ownership and operations. This doesn’t mean that owners don’t value the non-timber outputs of their land, but they are driven by economic forces to stress the timber products.

The community at large receives a proportionately larger part of their benefits from the non-timber outputs. This does not mean that they do not value the timber production. They most certainly do benefit from the employment opportunities and tax revenues that result from timber production. However, the property owners are the more direct beneficiaries of these activities. The communities collectively receive relatively more value from the non-timber products than do the owners. Thus, the private property owner and the community frequently have different preferences with respect to the management of forestlands upon which they are both dependent. Since the preferences of the property owner dominate, their actions are frequently at odds with the larger community.

“...the private property owner and the community frequently have different preferences with respect to the management of forestlands upon which they are both dependent.”

These differences are at the heart of the legal and regulatory strife that we see today between private landowners and community advocacy groups. The traditional approach to resolving these conflicts has been increased regulation of forest practices. However, this approach results in a zero sum outcome at best. Increasing regulation gives the community more of what it wants, but it comes at the direct expense of the private landowners and of the community’s share of employment and

tax revenues. These measures are a form of involuntary surrender of the landowner’s property rights. Some may feel that this surrender is justified and some, obviously, will not. However, in a society based solidly on the primacy of property rights, widespread use of expropriation is unlikely to be a viable long-term approach to resolving conflicts. At some point, the accumulating negatives of the regulations outweigh the diminishing positives and everyone loses. At some point tighter and tighter market impeding regulations will accelerate the land’s conversion to non-forestry use such as residential, non-timber agriculture or manufacturing.

“...if a land trust hold the exclusive property rights to the land, the land is more likely to be managed in a way that is more consistent with the community’s overall preferences.”

An alternative approach is to realign forestland ownership voluntarily so that the gains of the one side do not come at the expense of the other side. The most common approach is for a governmental or philanthropic organization to purchase the land at a fair market value and take it out of or “protect” it from timber production. This has been the traditional approach pursued by the land trust movement. The idea is, that if a land trust hold the exclusive property rights to the land, the land is more likely to be managed in a way that is more consistent with the community’s overall preferences. The biggest advantage of this approach is that the original landowners become voluntary participants in a transaction that reflects the market value of their property rights as opposed to having their property rights involuntarily reduced. While this approach has produced many outcomes that are advantageous to both the public and private interests, there are limits to its reach. For one thing, a non-working forestland is not always in the best interest of the public for economic or ecological reasons. For another, the pool of money available to these kinds of transactions is limited and is likely to become more so in the light of tighter public budgets.

The Redwood Forest Foundation (RFFI) has developed a new forestry management alternative that is based upon the same property rights principles as the land trust movement, but draws upon a much larger pool of investable funds. In this approach, the community (in the form of a not-for-profit organization) purchases the forestland at a fair market value. However, this approach differs from the conventional land trust approach in two significant ways:

First, the objective of the property transfer is to manage the land according to sustainable forest practices, not to take it out of production. The proceeds from these sustainable management practices are used to service the debt incurred for the original purchase. Depending on the arrangement, the original landowner

Thinking... from previous page

could remain on the land and continue to work the land under a management fee agreement. While the former owner's profit potential would be reduced, their capital would be freed up and the financing costs and other costs of ownership would be reduced.

Second, a substantial portion of the funds required to purchase the land are provided by international capital markets. The financial burdens of the resulting debt are softened by the tax exempt status of the borrower and by the lack of the need for cash or monetary "profits." (The tax exempt status of the Community Forest Bonds is currently under debate in the US Congress.) Instead, as part of the deal, the community agrees to take its profits primarily in the form of the non-timber outputs of the forestlands over which they now exercise more direct stewardship. If the management practices result in proceeds in excess of debt service, these funds are returned to the community. For example, they could plow the funds back into the land in the form of a lighter harvest rate or pay the debt down ahead of maturity. At the end of the funding period, which could last up to 40 years, the forestlands are owned outright by the community in perpetuity.

For more information about RFFI, see www.rffi.com or contact Don Kemp at don@kemphouse.com.

Donald Kemp is the Director of the Redwood Forest Foundation

Fog drip

Fog drip, they say,
replenishes the aquifer.
Redwood needles pull
moisture from the mist,
guiding it down to the roots -
and below.

Even in the driest years
these patient old ones
remain ever green.

Some people are like that.
They find the goodness there is
and draw it down,
sustaining themselves
while feeding the deeper stream.

They don't demand attention;
they don't seek profit or approval.
Usually they don't even know
they are doing this.

Do the redwoods know - or care -
where the water goes?

Francis of Assisi called down grace
by the simple act of gratitude.
The foxes and the sparrows
drank deeply from his fog drip.

-Larry Robinson

Fay Creek... from page 1

office each week to check the THP file for significant updates. Judge Antolini ruled that, "Merely keeping the public comment period open does not satisfy the requirements of notice and re-circulation. As long as the new changes are 'significant' the agency must do more than passively let people examine the THP; it must actively inform the public that changes have been made and provide the information."

“ ...It is a mere opinion [of CDF] utterly lacking in facts or even a brief explanation as to why there will be only a minimal loss in fog drip and water supplies. ”

The second defect concerned CDF's response to detailed, researched public input on how the THP could adversely affect fog drip, ground water recharge and understory vegetation. In addressing an environmental issue, CDF must back its conclusions with "substantial evidence." Judge Antolini ruled, "Substantial evidence must include facts, reasonable assumptions predicated upon facts, and expert opinion supported by facts. The statement (about fog precipitation) that, 'It is not expected to be significant. No significant decrease in water yield is expected from a decrease in fog drip' can hardly meet this burden. It is a mere opinion utterly lacking in facts or even a brief explanation as to why there will be only a minimal loss in fog drip and water supplies. The only evidence in the entire record contradicts CDF's assertion."

The third defect Judge Antolini ruled was that, "There is no substantial evidence, or any analysis or evidence at all, regarding the cumulative impacts of the harvesting with residential development [slated to follow the THP]. As with fog drip, therefore, [CDF's] decision in this regard completely lacks supporting substantial evidence."

On January 17th, CDF appealed Judge Antolini's decision. JRAFWA has retained attorney Edwin Wilson to defend Antolini's ruling. If upheld, Antolini's ruling could make case law and have far-reaching implications on the way CDF does business. It would affect all THPs in California by making CDF address public concerns in a meaningful, factual way and by making CDF keep the public informed of THP changes. CDF is sure to fight this decision hard.

So far, JRAFWA has prevailed in every phase of this case: obtaining a temporary restraining order (to prevent cutting the trees), obtaining a preliminary injunction, and winning the case in court. JRAFWA and Mr. Wilson now feel confident in prevailing against CDF in appellate court, but JRAFWA needs financial support to make the best presentation possible.

Forest Unlimited is supporting JRAFWA in this effort and urges you to contribute to this cause. Contributions may be tax-deductible if checks are made out to "Forest Unlimited" with "Fay Creek THP" in the memo area.

Forest Protection Workshops

Sign up now!

Forest Protection Workshops cover forestry law, public oversight of the government's review of logging and strategic forest protection techniques. Learn how to effectively defend Sonoma County's forests and watersheds. \$10 materials charge. Call 707-632-6070 to RSVP. All workshops are on Saturdays from 12 Noon to 2 PM usually at an outdoor forest location.

2004 Schedule

April 18

June 20

July 24

September 25

October 24

Let Forest Unlimited train your watershed group in forest protection. Forests are crucial to the health of a watershed. To schedule a special workshop for your group, call 707-632-6070.

Does your watershed need a protection group? We can help you establish one. Give us a call!

Mark Your Calendar!

Forest Unlimited *Brunch/Auction Fundraiser*

At the beautiful
CazSonoma Inn
Sunday, June 13



See front page for details or call Pam at 523-4861

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