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May 26, 2015
Director Cal Fire
135 Ridgeway Ave.
Santa Rosa, Ca 95402

Dear Director,

The following comments pertain to 01-15NTMP-005-SON which I have recently had the opportunity to review. Please have this letter submitted into the record and give these comments your full consideration.

General Comments

Large Trees: The area covered by this NTMP contains scattered large trees according to the NTMP. Some are greater than 100" dbh. Trees of this size exhibit characteristics beneficial to canopy dependent wildlife and are often deficient in the landscape. They are also a source of mature snags, and are the most fire resistant because of bark thickness. Large trees should not be removed unless absolutely necessary for safety issues, nor should they be removed simply because of the presence of insects or disease which is a naturally occurring and cyclic process.

There is likely lots of second growth double or triple stemmed trees that could be productively thinned. These are commercially viable trees that can be logged without taking more out larger, older trees that would be contradictory to the goal of keeping the "forest health and integrity" and "visual aesthetics."

This logging plan will remove large trees that should be kept to preserve wildlife habitat. Protecting wildlife habitat is a goal of the Forest Practice Rules.

Greenhouse Gases: California's forests play a critical role in the State's carbon balance, with the unique capacity to remove CO₂ from the air and store it long-term. According to the California Board of Forestry, the forest sector provides the only mechanism for a net removal of Greenhouse Gases (GHGs) from the atmosphere.

According to the California Board of Forestry, link below,

http://bofdata.fire.ca.gov/board_committees/interagency_forestry_working_group/current_projects/ifwg_task_2_final_3_20_12.pdf

the forest sector target is to have a net sequestration of 5 million metric tons of carbon dioxide equivalents in 2020, maintaining current sequestration levels.

The Forest Practices Act was amended in 2011 to recognize role of forest carbon sequestration in meeting CO₂ sequestration goals. Changes included addition of PRC 4512.5 (a)-(e), PRC 4513 and PRC 4551. These additions to the Forest Practice Act require the BOF to ensure that rules and regulations that govern the harvesting of commercial forests meet AB 32 greenhouse gas reduction goals.

This specific project has not accounted for its contribution to atmospheric GHGs, thus it is inconsistent with the Forest Practice Rules. The GHG section of the NTMP (Pg. 182) states in effect that the contribution of this one project to overall emissions is small. This is true but the GHG regulations require that each individual project large or small be accountable for its emissions and reduce GHGs in proportion to its scale.

Herbicide Use. The plan states in Section 2, Page 6 and elsewhere that herbicides may be used and that is covered in a separate regulatory process. In order to properly evaluate the plan as submitted, it is necessary for details about which herbicides are to be used and where they are to be used. The plan does not contain enough information to evaluate potential environmental effects of herbicide use, if it would cause “significant, long-term damage” or cause a “taking” of a threatened species, in this case the salmonids in Coleman Valley and Salmon Creeks. The plan does state that herbicides will be used and establishes some limits on their use.

Herbicide Impacts on Fish, for example, Atrazine is one of the most commonly used herbicides in the world, has been shown to affect reproduction of fish, according to the U.S. Geological Survey (USGS) study. (“Commonly Used Atrazine Herbicide Adversely Affects Fish Reproduction”, May 20, 2010). Glyphosphate, commonly sold as “Roundup”, also has been observed to have adverse impacts on fish, see “Journal of Crop and Weed”, Pgs. 236-249, 2009.

Because the plan does not provide details about herbicide use it cannot be properly reviewed and is thus in violation of the Forest Practice Rules.

Unstable Areas and Erosion Control Plan. Because there is a Class II stream within the plan area which feeds a Class I stream (Salmon Creek) downstream, managing sediment and erosion is critical especially since much of the property is as stated in the plan to have a moderate to high erosion rating.

Unstable area "A" (discussed on Pg. 21) is stated to be the most unstable, located S of Coleman Valley Road. It is between two class III streams. Immediately adjacent to or within this unstable area is an exception skid trail. The location of this skid trail is contradictory to the letter of (or at least spirit of) regulations that prohibit logging roads and skid trails in drainages. The probability of sediment from this unstable area going downstream into Coleman Valley Creek and thus into Salmon Creek is obviously very high. The plan presents no factual evidence that excessive sediment will not end up in Salmon Creek. Overall there are

150' of new skid trail on slopes over 55%. Sediment from these either goes into the Class II on the property or into the Class III which feed Coleman Valley Creek.

Drought Impacts. The last few years have not had typical rainfall so the flow in watercourses may be lower than normal. Areas that might be wet at other times may be dry under the current conditions so there may be wet areas of proposed logging operations that are more sensitive than they appear at the current time. This makes it unlikely that the stream designations today will be correct over the lifetime of the plan, which is close to 100 years.

Salmon Creek Watershed Impacts

The Salmon Creek watershed has been extensively studied, a management plan produced and over the past 15 years over ten million dollars of grant money has gone into the study and implementation of projects to improve salmon habitat, from putting roads to bed, repairing riparian zones and placing wood in creeks. Since 2008 hundreds of spawn ready salmon have been planted into the creek each winter by CDFW and have successfully produced hundreds of baby coho, officially an endangered species. In summer months low water limits coho survival, in the winter months it is sediment that most endangers the young fish in the creek--not only impairing their breathing but also accumulating at tributary mouths to prevent passage to the estuary and ocean.

The road building and tree removal envisioned by the Browder THP plan will also decrease summer fog drip into the creek, a critical source of precipitation in this area. Winter rains (if we ever get them) will deliver increased sediment to Coleman Valley Creek and on to Salmon Creek where it could be disastrous for these fish and undue to efforts to improve the watercourse.

The plan ignores the impact of decreased fog drip on the levels of the watercourses and therefore the impacts on the fish, thus impacts the endangered salmonid population.

It simply makes no sense, it is poor government and contrary to state environmental regulations to log in a watershed that government resources are being utilized to protect and restore.

This is highlighted in a article which appeared in the Santa Rosa Press Democrat 05/14/2015, Page B02, the first portion of which is below.

THE PRESS DEMOCRAT 5/14/2015 - MARY CALLAHAN

The California Department of Fish and Wildlife is hoping to foster partnerships with Sonoma County landowners in four critical coho salmon spawning watersheds to help juvenile fish survive a fourth year of drought.

The department is hosting two informational meetings in the coming week. The first is tonight at Salmon Creek Elementary School in Occidental. A second meeting will be held May 21 in Windsor.

The renewed effort to engage property owners in the fight to keep the endangered salmon species alive comes a month after the agency and state water regulators mailed urgent pleas to 654 landowners, asking them to voluntarily reduce water diversions and maintain flows in four key coho breeding streams — Mark West, Green Valley, Mill and Dutch Bill creeks.

The state wants to ensure that juvenile coho ready to leave the creeks have enough water for passage into the Russian River and on to the Pacific Ocean between now and June 30, and that younger fish born this spring have enough cool water to survive the summer in shrinking streams.

Specific Comments Page by Page

Section II

Pg. 5 The plan states that the NTMP covers 320 acres of which 210 acres is non-timberland grassland and 110 acres is timberland. The plan also states that not more than 20% of the NTMP area shall be harvested by this method. Does this percentage include the non-timbered grassland so that 64 acres will be logged or only the timbered area so 22 acres will be logged. If the former is the intent than 64/110 timbered acres will be logged, over 60% of the timberland making the impact close to a clearcut.

Pg. 8 It is stated that in June 2014 a survey found 54 large trees with the potential for wildlife habitat were observed. However only 33 large trees will be retained as wildlife habitat. It is acknowledged in the Forest Practice Rules that it is desirable to keep as many of the old trees for wildlife as possible, this plan will log more than 60%. How many of these trees are to be logged for safety reasons ? More wildlife trees should be preserved to put the plan in better conformance to the Forest Practice Rules.

Pg. 20 Paragraph 21. Why is use of ground based equipment unavoidable on unstable soil areas ?

Pg. 37 No WLPZ is defined for the Class III watercourses. The maps show logging operations close to these watercourses. Forest Practice Rules for 2015 (916.4, 936.4, 956.4 Watercourse and Lake Protection [All Districts](c)) says that this shall be determined on a site-specific basis. In order for the plan to be properly reviewed the extent of the Class III WLPZ should be determined and indicated on the maps.

Pg. 45 Water drafting from Coleman Valley Creek is to be about 3000 gallons/day, up to 25% of stream flow. This is to be done 8000' upstream of the natural barrier, the end of the Class I stream and will reduce water levels downstream in Coleman Valley Creek and in Salmon Creek which it feeds, stressing protected salmonids. This is especially true in a drought as we are currently experiencing. It is stated that pool levels will decrease and water temp increase but the canopy will protect pools. No quantitative evidence or analysis is presented to show that remaining canopy will provide sufficient protection to keep stream temperatures from rising. This will impact fish habitat and kill the protected salmonids. The failure of the plan to provide quantitative information and analysis about canopy cover retention is contrary to the Forest Practice Rules.

Pg. 47 In-Lieu practices propose to reconstruct roads for access to existing landings and skid trails. Map Points 18 and 19 are close to Class II Coleman Valley Creek. Since these are within the Class II WPLZ Core Zone, alternatives should be examined that do not infringe upon this zone. This is especially for the landing zone, point 19 which is closest to Coleman Valley Creek. Is it possible to locate a landing zone on the branch of the nearby logging road that runs N/S ?

Section III

Pg. 94 Exception Practices to the standard Forest Practice Rules are described with the statement that they are necessary to provide the property owner with flexibility for maximum sustained production. However no quantitative measures are provided to justify this, beyond the blanket statement that it is necessary. No alternatives are examined to these exception practices.

Pg. 125 It is stated that one of the goals is to utilize the property for recreation. How will this goal be met if this is private property ?

Pg. 125 No quantitative information or analysis is provided about how the plan as written will meet the stated objectives.

Section IV Cumulative Impacts

Pg. 134 states all redwood including large old growth were removed around 1900. But the tree survey shows there are redwoods over 100" in diameter. They are likely to older than 115 years. A complete survey and a consistent picture of the old trees on the property now and proposed for logging is necessary to evaluate the long term impacts of this plan. Will the old growth trees be left for the long duration of the plan which plans logging activity out to 2115 ?

Pg. 137 states that this plan covers 320 acres or 3.8% of the Fay Creek Watershed planning area. However not all of the Fay Creek Watershed is forested, what is the percentage of the forested area that will be logged, this is a more relevant figure to evaluate the impacts of this plan?

Pg. 140 states that "Current and residual canopy will provide sufficient shade to maintain current water temperature controlling effects. However no data is provided to support this, such as the fraction of the canopy that will be removed or any calculations about the sun falling on the streams and warming them.

Pg. 142 Discusses the use of Dust-Off (magnesium chloride) for dust abatement. Biototoxicity was said to be examined for 48 hrs. What happens after the 48 hours, is this long enough to determine possible toxic effects on animals in the treated area especially including protected fish in the streams?

Pg. 167 The plan states that the streams in the watershed are not listed but nevertheless they flow into the Salmon Creek which is salmonid habitat. The lower parts of Coleman Valley Creek is also salmonid habitat. What flows from the logging area into Salmon creek like herbicides, warm water and sediment will have a negative impact on the fish there. The fact that the creek is not listed does not mean that the endangered fish have less protection.

Pg. 174 Recreational Resources: The NTMP area is close and adjacent to the Grove of the Old Trees. The forest stand is continuous with it and some of the logging is adjacent or close to this grove so recreational impacts are likely on this resource. The logging area is visible from Fitzpatrick Lane on the way to the Grove of the Old Trees so will degrade the recreational value of that resource.

Pg. 182 GHG Emissions. The statement that the GHG emissions from this project are minuscule compared to total GHG emissions are true but is irrelevant. Enormous GHG emissions are caused by many small projects and cumulatively have a great deal of impact on our climate, even though each has a tiny impact by itself. See the more detailed comments about this issue above.

Pg. 182 - 183 the plan states on the one hand that logging this tract will sequester carbon by incorporating the wood product in buildings. And on the other had states that the reduction in logging statewide has already reduced carbon emissions so substantially that the impact from this project is slight. It seems that this logging project both sequesters carbon and reduces emissions yet overall the decline in the logging industry in California contributes to reduced emissions. These statements are contradictory. Logging either sequesters carbon or the decline reduces emissions but not both. Quantitative analysis is required to determine the GHG impact unique to this specific plan to ensure it is consistent with recent California legislation, see the detailed discussion above.

Pg. 187 The logic that the NTMP is like a "mitigated negative declaration" and therefore does not require alternatives is invalid. A Mitigated Negative Declaration may be adopted when there is no substantial evidence in light of the record that the project, including the mitigation measures, may have a significant effect on the environment. This clearly does not apply in this case because even with the mitigation measures in place there is the potential for a significant effect on the environment from several causes including stream sedimentation, herbicides getting into streams, CO2 emissions and loss of habitat. See ([CEQA Statutes Section 21064.5](#) and [CEQA Guidelines Section 15070](#)).

Pg. 188 The plan uses circular logic in the claim that since the Forest Practice Rules have been followed there are no impacts and therefore it is not necessary to provide reasonable alternatives. The Forest Practice Rules are designed to allow a reasonable trade off between environmental impact and maintaining a supply of commercial timber. There are many alternatives possible within the Forest Practice Rules that may be selected, each of which will have environmental trade offs depending on the trees to be cut, topography, accessibility and economic feasibility. The claim that by following the Forest Practice Rules there is no possibility of a significant impact is not supported by logical arguments and is not the intent of the Forest Practice Rules. There is no statute that states or evidence presented that adherence to the standard Forest Practice Rules will inevitably result in negligible environmental impact,

thus making consideration of feasible alternatives unnecessary.

Furthermore, many exceptions are proposed in this plan which are contrary to the standard Forest Practice Rules so the project as proposed does not adhere to the Forest Practice Rules anyway.

Pg. 191 Project Alternatives. Some of the Project Alternatives are obviously straw man arguments stated only for the purpose of dismissing them. Forest Practice Rules requires feasible alternatives to be identified and analyzed. Only the Alternative Silviculture section analyzes a reasonable alternative.

Pg. 194 Alternative Silviculture. The arguments against Alternative Silviculture are mostly that they do not satisfy the landowners needs. This essentially this becomes an economic issue – the alternative silviculture methods are more costly or will produce less income for the landowner. The Forest Practice Rules state that feasible alternatives must be considered and do not state that the only acceptable alternative is the one that produces the most income. Thus the Project Alternatives Section is not in accord with the Forest Practice Rules.

Pg. 195 States that upgrading and using the existing road system is superior to helicopter yarding because of the long term environmental benefits of improving the roads. This is very positive and may be true. Is this definitely part of the plan, which roads are most prone to erosion and how much sediment will be kept from the streams by the proposed improvements ? Will this commitment to improve roads remain through the long life of this plan and be in force even if the property changes hands? Specific, detailed road improvements should be made an integral part of the plan with a time line for them in place.

Pg. 196 Insufficient analysis is done for the "Alternative Project Size" and Alternative Timing options. Relatively minor modifications of the plan are possible that would greatly reduce the impact on the watercourses, wildlife and better protect the forest. How about logging only 2 or 3 of the proposed groups? Or timing logging operations every 20 years rather than every 15 years? Avoiding the largest wildlife trees entirely, safety considerations permitting ? Staggering the groups? For one example, alternative 3 argues for Group Selection rather than only Single Tree Selection, can Single Tree Selection be done in one or more of the areas? Of course not every possible alternative can be considered but it is not in accord with the Forest Practice Rules to have many straw-man alternatives and just a few feasible alternatives.

Pg. 197 Given the great flexibility within the FPRs, the blanket statement that the only the selected alternative can comply with them is not likely to be correct. Alternative silviculture approaches that are closer to the landowners stated goal of preservation may be possible yet they are not considered and should be added to this plan.

Pg. 199 The Cumulative Impacts Section is unusual for plans of this type because it shows no analysis of previous logging activities on this site, adjacent sites or elsewhere in the watershed. Over the time period of this NTMP which is very long, how will other nearby logging activities combine with this one to have a cumulative impact ? The Cumulative Impacts Section should be revised to take these considerations into effect in order to be consistent with the Forest Practice Rules.

Thank you for your attention,

Dr. John W. Cruz

Forest Unlimited Logging Review Program Manager