



The Log

of the

Central Coast Forest Association

Volume 10, Issue 4

Spring 2011

MAKE THIS CALL IN THE WILD: SHOULD OREGON SHOOT BARRED OWLS TO SAVE SPOTTED OWLS?

February 6, 2011

By Eric Mortenson, *The Oregonian*

A scene that may become more familiar: Barred owls killed in a northern California management experiment bear silent witness to a tough choice. Should Oregon shoot Barred Owls to save Spotted Owls?

Nothing's worked. Not the clamp on federal timber sales that hammered Oregon's mill towns. Not the lawsuits or the listing as an endangered species. The belated work to retain and restore its favored old-growth habitat will take decades to unfold. Twenty-plus years of trying to save the Northern Spotted Owl and it's still slipping away.

Come summer, federal wildlife officials expect to finish a draft environmental impact statement that most likely recommends taking to the woods with shotguns. Over the next year, in three or more study areas from Washington to northern California, they might kill 1,200 to 1,500 Barred Owls - the larger, more aggressive competition that has routed Spotted Owls from much of their territory and become, along with habitat loss, the biggest threat to their survival.

It's a wrenching decision that splits wildlife biologists and environmentalists. Killing one native animal to benefit another - especially a "big, beautiful raptor, a fantastic bird," as one biologist puts it - is such a leap that the U.S. Fish and Wildlife Service hired an environmental ethicist to guide its discussions.

"There is no winner in that debate," says Bob Sallinger, conservation director with the Portland Audubon Society.

Some biologists believe the proposal won't work. More Barred Owls, perhaps hundreds, would have to be killed every year to keep the study areas free of interlopers for three to ten years. One biologist estimated the cost at up to \$1 million annually.

Others oppose intervening in what they see as natural selection at work.

"Population dynamics between two native species should not be artificially manipulated," says Blake Murden, wildlife and fisheries director for Port Blakely Tree Farms in Tumwater, Washington. The company is not anti-owl. In 2009 it agreed to manage 45,000 acres as spotted owl habitat in exchange for protection from additional logging restrictions.

Murden says Barred Owls expanded rapidly because they adapt well to mixed habitat and eat a variety of prey, while Spotted Owls prefer old-growth to nest and, in most of its range, flying squirrels to eat.

"It's a generalist and a specialist," Murden says, and

invariably, the generalist will win.

Northern spotted owl *Strix occidentalis caurina*

Size: 16 to 19 inches tall, up to 48-inch wingspan, weighs 1 to 2 pounds **Appearance:** Medium size, brown with white spots; round-headed, no ear tufts **Life span:** 10 to 20 years **Range:** British Columbia to Northern California **Habitat:** Mature and old-growth forests **Prey:** Primarily flying squirrels and tree voles, more varied at southern end of its range **Reproduction:** Mating season February or March, two or three eggs in nest **Personality:** Curious, associates human researchers with food **Status:** Population declining by 3 percent annually; listed since 1990 as threatened under the U.S. Endangered Species Act because of habitat loss, now losing territory to barred owls

Barred owl *Strix varia*

Size: 17 to 20 inches tall, 40- to 50-inch wingspan, weighs 1 to 2 pounds. **Appearance:** Medium size, brown with white horizontal bars on the chest and white vertical bars on the belly; round-headed, no ear tufts **Life span:** 10 to 20 years **Range:** Originally from East Coast, spread westward across U.S. and Canada, now found throughout the spotted owl's range **Habitat:** Prefers old growth in the Northwest, but highly adaptable; lives in temperate rain forests, wooded swamps, even city parks **Prey:** Wide variety of rodents and small mammals **Reproduction:** Breeds March through August, lays two to four eggs **Personality:** Aggressive, territorial, wary; known in the East as a "hoot owl" because of distinctive call characterized as "Who cooks for you, who cooks for you all" **Status:** Expanded rapidly over past 20 years

Will shooting help? A limited experiment on private California timberland showed spotted owls returned to their original nesting and roosting areas in every instance when barred owls were killed. In one case, a pair that hadn't been seen for more than two years reappeared just ten days after a pair of barred owls were shot.

The biologist who carried out the experiment cautions the results may not apply everywhere. Owl habitat and prey in Oregon and Washington are quite different, says Lowell Diller,

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Owls (Continued from page 1)

with Green Diamond Resource Co., which owns 400,000 acres of timber adjacent to Redwood National Park.

He nonetheless concludes barred owls can be controlled. Choosing to do so, however, is "looming as one of the biggest conservation dilemmas we have faced in the Northwest."

The spotted owl is a conservation icon. Its 1990 listing as threatened under the U.S. Endangered Species Act was the first to have such broad economic, social, and environmental impact.

"We have a huge amount of resources committed to protecting that species," Diller says. "Then we have the barred owl show up."

Down in timber country, Douglas County Commissioner Doug Robertson calls the proposal to shoot barred owls an example of "dysfunctional" forest policy. Counties like his depend economically on federal timber, which Robertson says is managed to benefit a species that can't be recovered.

"When nature takes a turn, it's going to prevail no matter what we try to do," he says. "I've come to the conclusion that it's nonsense to shoot one species to benefit another. I don't think the public will accept it."

We've intervened before. The freshest local example - currently halted by a federal appeals court - is the killing of more than three dozen California sea lions at Bonneville Dam in the Columbia River because they devour thousands of salmon.

Federal agents moved or killed cormorants and terns that feed on juvenile salmon and steelhead in the Columbia. Oregon offers a bounty on northern pike minnows, which also eat young salmon. Elsewhere, Texas landowners kill or trap cowbirds because they invade the nest of smaller songbirds.

But shooting barred owls is a different story. Those against it argue they are a native, not an invasive species, and their threat to spotted owls is due to range expansion and competition.

Some biologists believe barred owls and spotted owls were the same species before diverting into East and West Coast versions, respectively, during the Ice Age. Spotted owls are about 18 inches tall and weigh slightly more than a pound. Barred owls are somewhat larger. The two have interbred in some cases and produced fertile offspring.

At first, barred owls slowly advanced westward with settlers. Barred owls were in Montana by 1909, British Columbia by 1943, Washington state in 1965, and Oregon in 1972.

Population statistics aren't available, but biologists agree the Northwest's barred owl numbers exploded in the past 20 years. Diller, the Green Diamond biologist, believes they either reached a population tipping point of fully adapted to West Coast conditions and became "kind of a super owl."

"They just do everything well," he says.

Spotted owls don't. They've been on the ropes for decades due to heavy logging of old-growth trees. A 1990 report estimated spotted owl habitat had been reduced 60 to 88 percent since the early 1800s.

The decrease of logging has been equally sharp. In 1988, Oregon loggers cut 4.9 billion BF of timber on federal land. The 2009 federal harvest was 240 million BF.

Logging reductions undoubtedly saved habitat, but the bird itself hasn't shown signs of recovering. Spotted owl population estimates are vague, but studies indicate it declines 3 percent annually in much of its range. Some scientists estimate that a couple thousand mating pairs remain, and leave it at that.

Biologists knew as early as 2004 that barred owls were displacing spotted owls. A report that year warned of the "negative impact," and a 2006 report labeled barred owls among the "most pressing threats" to spotted owls.

The 2010 spotted owl recovery plan, to be released in mid-February, concludes "barred owl removal should be initiated as soon as possible." Meanwhile, a Fish and Wildlife Service work group is drafting a parallel environmental impact statement on killing barred owls. It will be finished by early summer.

Conservation groups are waiting to see the statement before committing, but begrudgingly acknowledge they may support barred owl removal on an experimental basis.

"We certainly don't want barred owls killed, but the highest priority has to be placed on not having spotted owls go extinct," says Sallinger, with the Portland Audubon Society. He argues logging weakened spotted owls to the point barred owls could expand rapidly. Amending habitat loss is the first step in rebalancing the playing field, he says. "Going out and killing barred owls, if you haven't taken the other necessary steps, would be really horrific."

Last October, biologist Robin Bown and others from the federal barred owl work group accompanied Green Diamond biologists into the forest. It was near dusk, on a ridge where Diller had seen a territorial barred owl a few days before. He played a recording of a barred owl call, and within a few minutes the targeted bird flew in to investigate.

Diller made sure the area was clear, took aim with a shotgun and blasted the owl from its perch. It was a clean kill, instantaneous.

Diller has a scientific collection permit to shoot barred owls. He and another biologist killed 20 in 2006 and 20 more in 2009. Last summer, he secured a permit to kill up to 70 more over three years in the study area.

The company has a government-approved conservation plan that avoids additional regulations if they maintain habitat for spotted. "The success of that plan depends on us having spotted owls occupy our landscape and utilize our habitat," Diller says. "If barred owls preclude them from using it, then our plan is going to fail."

At one time, Green Diamond had more than 150 spotted owl nesting sites, and biologists saw barred owls perhaps once a year. Now barred owls appear every time Diller turns on his recorded owl calls. "They are taking over," he says.

Barred owls' aggression is their Achilles heel, Diller says. When they hear another owl calling - barred or spotted - they fly to confront the intruder. Less wary than usual, they are easy targets. You don't have to kill them, he says. A measured reduction in their numbers - 10 to 20% - might be enough to allow the two species to coexist. "The worst thing would be to spend millions, kill a bunch of barred owls, and get no treatment effect."

But it's a tough business. Diller says he couldn't watch when he went out the first time in 2006, with the other biologist wielding the shotgun. "It's not something you do casually," he says.

As leader of the Fish and Wildlife Service's work group, Bown believes it was important for team members to see firsthand what they may endorse. They recovered the owl Diller shot and packed it off for study.

Bown also believes a "positive responses" by spotted owls is very likely. Federal wildlife managers, she says, have a mandate

under the Endangered Species Act to give deference to spotted owls.

That doesn't make the decision easy. "It's values and ethics," she says, "and how we look at the world." ■

BOARD OF FORESTRY MEETING

By Eric Moore

It was a surreal experience at the BOF meeting. Even though (our petition to eliminate Columbus Day as a restricted day) had been denied and turned over to committee, they still spoke of it as our petition. I spoke to a misnaming of us (as caught by Dan Weldon) as the Central Coast Foresters Assn. I told them we were happy to have foresters as members, but doubted they comprised 10% of our membership and gave the correct name. There was also some question as to how to name the day. I said we didn't care as long as we got to work on Columbus Day, just like their employees. I also brought up a conflict in their analysis claiming no savings to the State where some of their other paperwork said it would. I told them we believed it would result in a small savings to the state as it would take at least half an hour of staff time to process an exemption. I then mentioned the State's budget. That was when it got very surreal. Richard Ginger of the Sierra Club got up and spoke in our favor as long as it referenced Columbus Day. Motion by Giacomini, second by Nakamura, call it Columbus Day, call us Central Coast Forest Association, say it would save money. Passed 5-1, out for 15 day notice.

So after 8 months and 2 overnight trips to Sacramento it is back to, essentially, our original language. ■

COAST REDWOOD FORESTS IN A CHANGING CALIFORNIA: A SYMPOSIUM FOR SCIENTISTS AND MANAGERS

Date: June 21-23, 2011

Location: University of California, Santa Cruz Campus

Organized by:

- University of California, Berkeley Center for Forestry and UC Division of Agricultural and Natural Resources
- Cal Poly San Luis Obispo Natural Resources Management Dept.
- Humboldt State University Department of Forestry and Wildland Resources

Conference Website: <http://ucanr.org/sites/redwood>

Complete information on the symposium is available at the conference website. The symposium is designed to include both peer-reviewed science papers as well as innovative management and conservation case studies. Authors should specify if their abstract is intended to be a formal oral presentation (peer-reviewed science or case study), or a poster presentation. Abstracts are entered online at: <http://ucanr.org/redwoodabstract>.

Note: It's too late to submit papers, but timberland owners and forest professionals are invited to attend. ■

CCFA has a new address. Please make these changes to your address book:

CCFA

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"THE LOG" HAS A NEW MASTHEAD

By Barbara McCrary, Editor

You may have noticed "The Log" has a new masthead. We decided it was time for a refreshing new look.

We can save money and time by sending each issue of The Log to all members who wish to receive it by e-mail. For this convenience and paper-saving option, please contact the editor at **bigcreekranch@wildblue.net** and be sure to give us your current e-mail address.

You can still receive your news via USPS if you don't have e-mail capabilities or just prefer to have the printed version. Let us know your preferences ■

IN TIMBER CASE, COURT RULES FOR BALANCE ON CO₂

Staff reports

Redding Record Searchlight Editorial

Thursday, February 24, 2011

The legal and scientific issues underlying the Center for Biological Diversity's lawsuit challenging a number of Sierra Pacific Industries' logging plans on the basis of their greenhouse-gas emissions might be complex, but El Dorado County Judge Patrick J. Riley's ruling concludes with a commonsense aside that cuts to the heart of a vital question: Will environmentalists make "the perfect" the enemy of "the very good?"

Riley ruled against the Arizona-based environmental group and for Anderson (CA)-based Sierra Pacific for technical reasons, but then added a brief comment that highlights the challenge of curbing greenhouse gases.

Following the Center for Biological Diversity's demands for "technical and unobtainable information" on greenhouse-gas emissions from specific timber projects, the judge wrote, would build regulatory hurdles so high that they could easily stop logging in the state altogether. (And that might be the point, the judge suggested.)

"Such is a rather unique approach to GHG reduction," Riley wrote, noting that California - one of the few states to seriously address carbon monoxide - already imports 80 percent of its wood despite its abundant forests. Closing in-state industry and importing the remaining 20 percent from states or countries that

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LUMBER MILLS OFFER HOPE Sierra-Cascade Logging Expo Continues

By Dylan Darling
Redding Record Searchlight, Friday, February 11, 2011

As the Great Recession continues to cause tough times for the timber industry, two revamped mills in Northern California are bringing hope. The rebuilt Trinity River Lumber Co. mill in Weaverville and soon-to-reopen Sierra Pacific Industries mill in Tuolumne county show the determination of their owners, say managers with the companies.

"We just have an owner who has committed to the industry and the community there," said Dee Sanders, manager at the Weaverville mill, which started cutting logs again last month after a September 2009 fire closed it for more than a year.

The tone is the same at SPI, which will open the Sonora mill in mid-May. "The family has made a huge commitment in California in rebuilding that sawmill," said Steve Wiard, an SPI timber manager. The remodeled mill can handle all sizes of logs, whereas it used to be limited to timber 16 inches in diameter or larger.

Frank Schmidbauer of Redding owns Trinity River Lumber Co. The north state's Archie Aldis "Red" Emerson owns SPI.

While commitment and determination are plentiful at the 62nd Sierra-Cascade Logging Conference, optimism was harder to find. The conference wraps up today and loggers, foresters, and mill managers there said the industry is still waiting for an economic recovery. "We have some hope for the future, although it is bleak today," Sanders said.

Building Lumber Demand

In particular, the timber industry is waiting for a rebound in the housing market, which would boost the demand for lumber. "There are not enough units being built," said Jamie Crowell, general manager at the Northern California Log Scaling & Grading Bureau in Arcata. A non-profit cooperative, the bureau grades logs as a third party to log buyers and sellers.

New construction remains stagnant around the state, putting the timber industry into a stall. "It really affects the need for lumber," said Matt Cheula, a forester for Hearst Forests, a private timberland company in McCloud. Without the demand for building materials, timberland owners hold off on their harvests. Without logs coming in from harvest, mills wait for wood to cut.

"These are hard economic times for California," said Eric Carleson, executive director of the Associated California Loggers. The non-profit trade group has 300 to 400 loggers as members. Most of the members run family businesses, he said, and have been through downturns in the industry before.

China's Market

While they wait for a building revival stateside, some log sellers have found an eager buyer on another continent. U.S. timber exports to China are surging, according to a Wall Street Journal article this week. Russia, one of China's biggest timber suppliers, increased tariffs on its wood exports in 2007, triggering the surge. Timberland owners in the north state are taking advantage of this market and sending logs overseas, said Rollie Carrick, a supervisor for the Northern California Log Scaling & Grading Bureau, but it's unclear how long the demand will last. He said Japan and Korea have had similar surges before. "All the export is up and down," Carrick said. "You don't

want to count on it too heavy."

Although it's the state's largest private land owner, SPI isn't capitalizing on the China market. That's because the company buys timber from the federal government. One of the clauses in the deals is that SPI doesn't export any of its logs, whether they came from federal or private acres.

A buyer of north state logs himself, Sander is in competition to buy the logs being exported to China. He said China is pulling from his "wood basket" and driving up log prices. "This is a real concern all across the Northwest," Sanders said.

As the mill starts its second life, Sanders said he's hopeful that changes in forest management rules could make more of the public timberland surrounding Weaverville available for harvest. If the overseas market keeps growing, it will become increasingly difficult to keep the mill buzzing with logs from private land.

"China is not going away," Sanders said. ■

ARCHAEOLOGY AND TIMBER HARVEST PLANS

By Jim Hildreth, RPF
CCFA Board Member

Timber harvesting activities involve ground disturbance, which can damage cultural resources. To protect these resources, the California State Board of Forestry has adopted a set of rules that requires an archaeological investigation as part of any Timber Harvest Plan (THP). The legal mandates that require CAL FIRE to protect archaeological and historical resources are found in the California Environmental Quality Act, the Forest Practice Regulations, California Executive Order W-26-92, and the California Register of Historic Resources.

There are three main procedures required in a Confidential Archaeological Addendum to a THP: a check of the state's archaeological records, notification of the Indian tribe that occupied the land as part of its traditional territory, and an archaeological survey of the property conducted by a person with approved archaeological training (often the Forester) or a professional archaeologist. If sites are identified, appropriate protection measures are developed and incorporated into the THP. It is often possible to protect cultural sites with little or no impact to the landowner. With careful planning, the timber harvest can go ahead with some adjustments to avoid the site.

Several of our members have recently asked the CCFA Board about the rules that require an Archaeological Records Check, Native American contact letters, an Archaeological Survey, and a Confidential Archaeological Addendum Report when submitting a THP. According to the laws that govern THPs, this archaeological work must be completed each time a THP is submitted. Our local rules allow selective thinning only, which means most properties are thinned under THPs every 10 to 15 years. Therefore this archaeological work is being repeated every 10-15 years for the same timber harvest plan area. Native American and historic archaeological sites do not get up and change locations – so why is this expensive and repetitive work required each and every time a THP is submitted?

I discussed this issue with one of the CAL FIRE Archaeologists. The Archaeologist reported that the archaeological survey itself does not need to be repeated every time if the previous survey covers the same area. Spot checking or just looking at the known sites to make sure their boundaries are still as previously described may be all that is required.

However, the CAL FIRE Archaeologists that review THPs are aware that just because a property is surveyed once that not all sites are necessarily found. So there is the possibility that a survey may not be required, but in my opinion, don't count on it. And even if this survey is not required, the Archaeological Records Check, Native American contact letters, and a Confidential Archaeological Addendum Report still need to be submitted for each and every THP.

It would be helpful, especially in this time of economic hardship, if there was a limit to the number of times this information is submitted for the same acres under a THP. And there is a precedent - under a long term Non-Industrial Timber Management Plans (NTMP) - this archaeological information is submitted only once. Any change to the rules would require submitting a proposal to the Board of Forestry. But the rules that require this archaeological information were formed as a result of hard fought lawsuits, and I suspect that any changes will be difficult. ■

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Overview of CAL FIRE's Archaeology Program, The CAL FIRE Archaeology Program, Daniel G. Foster, November 21, 2006 <http://www.indiana.edu/~e472/cdf/progsum.shtml>

Protecting Archaeological Sites in California's Timberlands: A Guide for Licensed Timber Operators and Timberland Owners, Daniel G. Foster and Linda C. Pollack (CAL FIRE), April 19, 2010 <http://www.indiana.edu/~e472/cdf/LTOsLandownersGuide19April2010.pdf>

EPA REGS THREATEN A FAMILY-OWNED BUSINESS PLF Wins The Owners The Right To Fight Back

From the PLF Sentry
Pacific Legal Foundation
plfalert@pacificlegal.org

Barnum Timber Co., a small, family-owned timber-growing and harvesting operation in Humboldt County, CA, has been put at risk by the U.S. Environmental Protection Agency (EPA). In the 1990s, EPA designated a local stream as "impaired" because, the regulators claim, there is too much dirt in it and temperatures are too high for a healthy salmon population.

The resulting land use regulations have essentially shut down the company - and for years, the Barnum family has been stymied in its attempt to fight back in court.

Even though the Barnums have gathered a vast amount of evidence to contradict the EPA's "impairment" ruling, a federal district court ruled they lacked "standing" because there was no legal "injury."

The Barnums Can Now Say To EPS: See You in Court!

PLF attorneys just won a precedent-setting victory for the Barnums at the Ninth Circuit Court of Appeals. A panel ruled, 2-1, that the company does indeed have "standing," because a property owner can challenge a regulation that shrinks the land's value.

PFL attorney Damien Schiff describes the implications of this big win - for the Barnums, who can now move ahead against EPA's "impairment" claim - and for property rights generally.

Log on to http://www.youtube.com/watch?v=ynjksLEdCag&feature=youtube_gdata_player to see and hear the PLF attorney who played a big part in winning for the Barnums. ■

Balance (Continued from page 3)

don't give a rip about global warming would not only bypass California's greenhouse-gas limits, but add emissions from shipping for good measure.

In brief, we'd be trading a system that makes a good-faith (and already complex and costly) attempt to harvest lumber while curbing CO₂ emissions for just taking whatever arrives on the ships from Asia.

It wouldn't be the first time California outsourced its pollution to places with lower standards, but here we wouldn't even enjoy the clean air and water in exchange for lost businesses and jobs. Global warming is a global problem, and carbon monoxide produced in Oregon or Russia will trap warmth in the atmosphere no less than the gas from California.

Striking a workable balance under the Global Warming Solutions Act, which California's voters reaffirmed in November, will be tough for many industries in the best of circumstances. But if environmental litigation and extreme regulations simply shut businesses down and send them elsewhere, it will manage the dubious feat of ruining California while doing nothing for the planet. ■

GOP AMENDMENT BANS PAYMENTS TO ENVIRONMENTAL LITIGANTS

Phil Taylor, E&E reporter
E&E Daily, 2/18/2011 <http://www.eenews.net/eed/>

An amendment to the House's continuing resolution approved last night would impose a six-month freeze on payments to individuals and groups that bring successful lawsuits against the federal government.

The amendment by Wyoming Rep. Cynthia Lummis, which passed on a 232-vote, would shed light on what ranchers, farmers, and some Western lawmakers contend is an abuse of taxpayer money by environmental groups.

The amendment halts payments under a little-known law called the Equal Access to Justice Act, which allows individuals and small groups to be compensated for attorney fees after winning a case or forcing a settlement with a federal agency.

Some critics contend that the act has become a vehicle for abuse by environmental groups that sue to block uses of public lands such as grazing and oil and gas leasing.

"I'm pleased that members of Congress recognized the need for a moratorium on these payments," Lummis said after the amendment passed on the House floor, "just so we can take a deep breath and learn where the money is going."

A Republican request to the Department of Justice last Congress for information on who is receiving EAJA funds and how much is being spent turned up no results, prompting the congressional Western Caucus to introduce legislation that would force transparency into EAJA payments (Land Letter, March 4, 2010).

Lummis said she plans to introduce similar legislation soon this year and that she has a Democratic sponsor willing to usher the bill through the Senate. "We need to find out whether the law is being abused," she said. "In the spirit of good government and transparency, we hope to learn if this fund is functioning how it originally was intended when it was passed in 1980."

Lummis' amendment was cheered late last night by

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Amendments (Continued from page 5)

Wyoming Sen. John Barrasso (R), who said he would help push such a provision through his chamber when it takes up its version of the spending bill. "It's very important to the people of Wyoming and I think the people of this country as well," he said.

But Lummis' amendment could backfire, said Kieran Suckling, executive director of the Center for Biological Diversity, one of several environmental groups that has benefitted from EAJA. "A freeze on payments to who?" he asked, suggesting other individuals could suffer without the legal redress EAJA offers.

Suckling said the perception that environmental groups are the only ones benefitting from EAJA payments belies the fact that environmental lawsuits make up a tiny portion of EAJA recipients. Other cases include grievances over trademark infringement and sexual harassment.

"The Equal Access to Justice Act is probably the most important democratic tool that allows private citizens and non-corporations access to justice in America," Suckling said, citing a minimum wage U.S. Postal Service worker who is able under EAJA to sue for sexual harassment as one theoretical example. "For a Republican congressperson to say only wealthy corporations can sue the government is the height of hypocrisy and corporate boosterism." ■

Reporter Sarah Abruzzese contributed.

LOG PRICE TRENDS IN THE SANTA CRUZ MOUNTAINS SINCE 2000

By Gary Paul, RPF
CCFA Director

This is the time of year when timber owners begin to contemplate whether it will be profitable to harvest their timber this season. The question always arises as to whether this is the year to harvest, or should you wait for the markets to improve.

The following table shows the average stumpage prices, dollars per thousand board feet, obtained by timber owners in this region since the year 2000.

Stumpage is defined as the delivered log price, less all logging and trucking costs to get the logs to the mill. The price

YEAR	REDWOOD	DOUGLAS FIR
2000	\$1100	\$370
2001	600	125
2002	475	140
2003	590	160
2004	515	130
2005	685	155
2006	730	175
2007	740	125
2008	545	10
2009	385	0
2010	420	0

is based on the net scale of the log, i.e. the gross volume less measurable defect.

It should be noted that at the beginning of the decade there were four or more mills which were interested in, bid on, and bought timber in this area. Now we only have two mills who buy locally. The amount of demand, of course, affects the price received by the timber owner.

In the year 2000, the price doubled based on the speculation that consumers would pay almost anything to buy redwood. That did not come to pass, as consumers began to buy substitute products instead of redwood, and the price tumbled. The price steadily rose from the depths of 2002 through 2007. In 2008 and 2009, we saw the effects of the major recession on the lumber markets. The lack of new construction led to the demise of the local Douglas fir market. Other factors that led to the down price of fir through the decade included cheap, subsidized Canadian fir lumber and logs coming into the states. Redwood seems to have a life of its own, in terms of price, as it is not tied to housing starts as is Douglas fir, so it cannot be predicted on that basis. Demand depends on discretionary spending on remodeling, new decks, fences, and siding.

This season, we are expecting a modest increase in redwood prices, possibly in the range of \$15-20 per thousand. Fir will continue to have no market, since housing starts are still dismal.

■

FOREST POLICY REPORT

By Alliance 4 Family Forests
March, 2011

The direction of forest policy in 2011 under the most recent **Jerry Brown** Administration remains an unresolved puzzle. It appears Brown will retain a number of Schwarzenegger's Agency and Department heads, including **Mary Nichols** at the Air Resources Board and in charge of the recently enacted Cap and Trade Program. At the Natural Resources Agency, Brown has tapped former Santa Cruz area Assemblyman **John Laird** to be Secretary. Apparently Brown's concentration is exclusively devoted to resolving the \$26 billion-plus budget deficit, which means many department administrators, like interim Cal Fire Director **Ken Pimlott**, will remain on the job until replaced. Appointments to vacant positions on state boards and commissions may be delayed for many months. One of the boards most affected by this unfortunate timing problem is the State Board of Forestry and Fire Protection (BOF). As part of the Public Comment period during the January BOF meeting, A4FF partner **Dan Weldon** told the nine-member board that he appreciated the manner in which they conducted their business during 2010, calling them "The best, most productive Board of Forestry he has observed over the past twenty years." Weldon also expressed his appreciation for the three BOF members whose terms have expired (**Lloyd Bradshaw, Tom Walz** and **Doug Piirto**). Weldon told the BOF that he feels they will find 2011 a difficult year because they will be operating with only five or six members for much of the year.

Marc Andre Re-appointed - On February 17 it was learned that Gov. Brown had re-appointed **Marc Andre** to the BOF, which means there will be at least six members on the BOF going forward. Andre was serving the unexpired term of member **David Nawi**, who left the board last year for a position with the US Fish & Wildlife Service. Andre, an RPF, is the environmental services director for the city of Arcata. Many of

the accomplishments and policies adopted by the BOF occur because of effective committee work in advance of full board consideration. With only six members, committees will be forced to operate with only two BOF members instead of the usual three. In order for the BOF to conduct business, five board members must be present and five must vote in the affirmative to pass new regulations and policy changes.

NTMP Issues Dominate BOF Management Committee Agenda - During the February 2nd Board of Forestry and Fire Protection Meeting a public hearing was conducted to consider a proposed amendment to the NTMP regulation regarding Section 1090.7(e), Notice of Timber Operations (NTO). The proposal was very simple: When submitting a NTO you must also specify the number of acres in each silvicultural prescription to be applied. Several days before the hearing, the A4FF (**Charles Greenlaw** and **Dan Weldon**) submitted a detailed statement opposing the proposed regulatory change while encouraging the BOF to remand the issue back to the Management Committee for further discussion. When Charles Greenlaw presented the A4FF position statement during the hearing, he explained that the Initial Statement of Reasons (ISOR) failed to justify the necessity for the proposed change. The ISOR contained a statement indicating the proposed regulatory change would enable Cal Fire to verify that the NTMP is not harvesting too much timber compared to actual growth in stocking across the entire NTMP area. This purpose of the proposal submitted by Cal Fire is not the one agreed to by the Management Committee when it forwarded the proposed change to the full BOF back in December; moreover the acreage data sought is inadequate to credibly fulfill that purpose. Because the Management Committee is already addressing several other NTMP changes suggested by Cal Fire, Greenlaw recommended the BOF not adopt the proposal and refer it back to Management Committee. After some deliberation, the BOF voted the A4FF recommendation.

Management Committee Concentrates on NTMPs - During the February 1 meeting of the BOF Management Committee, most of the morning session was devoted to discussion of Non-industrial Timber Management Plans. New chairman of the committee is **Gary Nakamura** (UC Cooperative Extension forester from Redding), while the other BOF member remaining with the committee is **Pam Giacomini**. The staff briefing paper, prepared by **Eric Huff**, stated that in 2009 Cal Fire had suggested the following changes in the Notice of Intent provisions:

14 CCR Section 1032.7(d)(4) requires stating the acres proposed to be harvested. This provides a description of the area where the silvicultural prescription will be applied, but may not encompass all potential impacts, such as road or landing construction. In order to better represent the area where all potential impacts will occur, the Board should amend this paragraph to include all acres where timber operations will occur, not just the area where timber will be harvested. In doing so, the Board should consider the current definition of logging area and the lack of definition of plan area. This change is very important to meet the CEQA obligation of full disclosure of the project area.

14 CCR Section 1032.7(d)(5) requires stating the regeneration methods and intermediate treatments to be used. However, by requiring only those silvicultural methods, this

paragraph may not capture all possible treatments that may occur under a plan, such as special prescriptions and other types of associated timber harvesting, and such as road right-of-way or timberland conversion.

The committee discussion on this item involved brief reaction from A4FF (Charles Greenlaw and Dan Weldon), and several RPFs in attendance, including **Doug Ferrier** (Forest Slopes Management), **Frank Mulhair** (Calif Licensed Foresters Assn.), and **Larry Camp** (FLC). Because this proposal has similarities to the Notice of Timber Operations (NTO) Rule Package to be heard the following day before the full BOF, Greenlaw suggested these Notice of Intent issues be bundled with the NTMP NTO package and brought back to the Committee for further discussion. Greenlaw also suggested that when the item is next heard in Management Committee, a Cal Fire staff representative familiar with this issue be present to answer questions, so that, unlike for the NTO acreage reporting proposal, a clear establishment of existing Problem and Necessity for regulatory action (standard ISOR features) will precede development of regulatory text. This set of suggestions was well received.

Increasing NTMP Acreage - BOF staffer **Eric Huff** provided the committee participants with thorough background material concerning NTMPs and the question of increasing NTMP acreage from the current 2,500 acre limit. These materials included the Buckeye Forest Project report from 2003, the summary from the 2004 NTMP Workshops conducted by CDF, and the October 2003 Report to the Legislature about NTMPs. It was agreed that the topic of NTMP acreage expansion was timely because the issue may well be introduced as a bill in the State Legislature for the current session. Huff stated that the BOF "should prepare for a possible opportunity to comment on the proposal." One of the most effective advocates for the acreage increase that morning was **Elizabeth Marshall Maybee**, a southern Humboldt County landowner and member of the Buckeye Conservancy Board of Directors, who said her 3,000 acre forestland would benefit from the NTMP acreage increase. She remarked that ability to qualify for a reasonably inexpensive NTMP would help ranching operations like hers which are facing difficult and costly inter-generational family transfers of their forestland. She argued against additional conditions and costs beyond those currently existing if the acreage of NTMPs is expanded. She emphasized that ranches and timberland over the 2,500 acre NTMP limit are facing a terrible dilemma, either commit to expensive, short-lived individual THPs at a time when fir prices are in the tank, or convert the family forest to subdivision or other uses. "Expanding the NTMP acreage may provide us with another option," she said.

Speaking from a different perspective was **Paul Mason**, former Sierra Club lobbyist currently representing the Pacific Forest Trust, who stated that because NTMPs are such long-term plans, agencies beyond Cal Fire are seeking more concessions beyond those contained in the original NTMP legislation. "Any further legislative attempts to increase acreage would need to also include new additional constraints or compliance requirements in order to move forward," he said. A letter to the BOF from the Forest Guild, a New Mexico-based organization, suggested the BOF should consider NTMPs over 2,500 acres if the land has a conservation easement or if the owner agrees to

See **Report** (Continued on page 8)

Report (Continued from page 7)

higher than minimal stocking levels. **Dan Weldon** expressed his opinion that the public should be supportive of NTMPs and expansion of acreage limits for them. “The fact that NTMPs represent a long-term commitment to maintain the forest in productive forest practices should assure the public that the property is not subject to conversion or development,” he said.

In his minutes written at the conclusion of the lively debate about expanding NTMP acreage, **Eric Huff** wrote, “...staff was directed to research the origins of the original authorizing statute and subsequent attempts to amend it. Staff was further directed to collect relevant NTMP monitoring information by the Department and others, compile additional legislative “wish list” items that various individuals or groups would like to see amended into the legislation along with an acreage increase; and to consult with agency personnel and NTMP proponents on the perceived effectiveness and utility of the NTMP program.” The topic will be further discussed during the March meeting of the BOF Management Committee.

BOF Poised to Pass Columbus Day Petition - On March 2nd the BOF will likely vote to adopt a modest measure of relief from prohibition of mechanized timber operations near residences, and/or log hauling, in central coast counties and Lake County on Columbus Day. While Columbus Day is recognized as a federal holiday it is not observed as a state holiday in California. Since 2001, the area has been subject to special logging activity restrictions incorporated into the Forest Practice Rules. The Central Coast Forest Association, an association of Santa Cruz County-based family forest owners, petitioned the Board of Forestry to repeal all special county rules pertaining only to Columbus Day. Columbus Day falls on the second Monday of October. The timing is crucial for timber and logging operations because it comes at a time when harvesting must be curtailed with the pending onset of winter restrictions.

During the February 2nd public hearing, A4FF partner **Charles Greenlaw**, a forest landowner in Lake County, testified in support of the proposal on grounds that smaller landowners’ harvests are often hard to fit into LTO scheduling. Final approval of the proposal was delayed one month because of minor “wordsmithing” changes which required sending the document out for 15-day public comment. Passage appears all but certain following the March 2nd Public Hearing. When adopted the regulatory change would become effective for the 2012 logging season.

As we learned from **Cate and Eric Moore** of CCFA, the intent of this FPR change is to dispense with the need to apply for a waiver from Cal Fire each year to harvest and haul on Columbus Day, a request almost always granted, and to have unfettered use of this often critical day as the end of summer timber operations season nears. Another purpose is to select a minimally controversial Board-adopted regulation to seek repeal of through the forest owner petition process. These purposes appear on their way to fulfillment. CCFA’s effort constitutes a small but significant reversal to the general trend of growth in burdens in the Forest Practice Rules. This is a process to be used more often, a prospect consistent with Gov. Brown’s mandate for state agencies to seek reductions in regulatory burdens.

Modified THP for Fuel Hazard Reduction - All through 2009 and 2010, The Board of Forestry’s Management Committee has been working up this proposed addition to the

Forest Practice Rules. Its originating proponent is Placer County RPF **Doug Ferrier**, who seeks a simpler, lower cost alternative to a THP for fire-safe treatments in the woods that includes removal of commercial timber as part of the fuel load reduction and as a source of revenue to defray some of the treatment cost. It is the commercial harvesting aspect plus a project time longer than 120 days and unfettered treatment location with respect to roads, buildings, and other improvements that triggers need for a THP-like harvesting permit. Otherwise, reduction of surface and ladder fuels, plus incidental pre-commercial thinning, could proceed without permit but without cost-defraying revenue.

NTMP holders don’t need this proposed regulation, subject to long-term tree stocking after treatment being consistent with their approved NTMP objectives, it appears to us. We in A4FF became Mr. Ferrier’s most prominent supporting layperson allies each month in Management Committee, assisting in the loosely structured conversational format expertly managed by the Chairman, Forestry Professor Dr. Doug Piirto of Cal Poly SLO. Need for fire-resistant forest conditions is obvious and having the intended Mod THP would benefit all smaller-scale forest owners if their neighbors made use of it absent their own NTMP. In a broader sense beyond its clear fire-safe benefits, Board adoption of this proposed enabling regulation will help logger and sawmill survival and constitute another breakthrough rollback of regulatory burdens, perhaps producing motivation for more of the same.

Technical Input to this Fuel Hazard Reduction Rule Proposal - Several times during the two-year gestation of this proposal, Cal Fire staffer **Jeff Leddy** presented to the committee his latest computer-run pictorial representations of fire-caused tree mortality for various baselines and degrees of reduction in surface and ladder fuels within modeled stands as occur in Boggs Mtn. and Latour Demonstration State Forests. Other variables were slope, wind speed, fuel moisture, and harvest level to increase crown separation. South-facing aspect was used for all runs, using the *USFS Forest Vegetation Simulator—Fire and Fuels Extension* software.

These runs produced visual images of fire extent and intensity for each set of conditions, followed by the same view afterward showing the live and dead trees. Appreciation of the results was strikingly immediate and vivid, far more so than written text and tables would be, as little intellect and imagination by the beholder was necessary to “get the picture” of what happens for each “what if” variation in conditions. Anyone seeing the projected visuals can grasp the difference that alterations in thinning, brush clearing, and slash removals make to mostly saving or mostly losing the stand. A refinement to these computer-generated visuals is on-paper photographs that show corresponding degrees of fuel treatment in actual forests, as a guide for treatment planning and achievement. We have urged that, regardless of the fate of this Modified THP rulemaking, Mr. Leddy’s findings be made widely available as public information in the interest of fire-safe projects of all sorts. One general finding is that remaining total surface fuel needs to be held below about 25 tons per acre if tree mortality where the surface fire is passing through is to be minimized. Another is that increasing ground slope increases tree mortality and can be mitigated by increased spacing of remaining trees, up to the slope on which mechanized operations are no longer practical.

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Other Voices During Discussions - Cal Dept of Fish and Game (DFG) was represented throughout discussions, as was Ebbets Pass Forest Watch. Their respective concerns were effects on existing wildlife of the thinning and clearing operations, and excess harvesting plus unwanted visual effects. An underlying fear of abuse of thinning and harvesting discretion by the responsible RPF was expressed by reps from the Central Coast Forest Watch and Pacific Forest Trust at the Feb 2011 Mgmt Committee meeting. It was repeatedly necessary to remind everyone that for this route to encouraging voluntary fuel load reduction to work, it has to be kept simple and affordable in comparison with a standard THP. As such, a “programmatic” approach to satisfying CEQA procedures was understood to be indispensable. Cal Fire’s **Bill Snyder** provided encouragement for trying this solution.

CEQA Environmental Issues - Late in 2010, DFG tendered to the committee a draft 25-page paper concerning “Large Scale Wildlife Impact Analysis” in connection with the subject Mod THP. It sought to answer this question: *How will implementation of a Modified THP for fuel reduction and associated change in forest conditions influence terrestrial wildlife species habitat capability?* Four forest types were studied, the same ones that Jeff Leddy had evaluated. Results: “Habitat capability” was lost for generally 1/3 to 1/2 of the 100-plus species occurring in the forest types studied. It seems clear that returning forest conditions from the choked, unnatural condition they are now in, toward the open conditions they were in for millennia prior to 1849, would have impacts on the wildlife mix favoring the human-caused, unnatural present conditions. A4FF pointed out that the Mod THP for Fuel Hazard Reduction is intended, in the manner of abating an inadvertently accumulated nuisance, to restore generally admired natural conditions of open forest having well-spaced large trees that are resistant to mortality from surface fire, and which does not support high-intensity wildfire. Inconvenience to “nuisance habitat” species is certainly to be expected by restoring the historic habitat characteristic of more than 160 years ago. How this complication in identifying pre-project status quo squares with CEQA mandates is not known to us yet.

What Now? The full BOF has initiated the rulemaking process under the Administrative Procedures Act (APA) by accepting the Mod THP’s text and staff-written Initial Statement of Reasons, and released the standard 45-day Notice to the public. The public hearing will be May 4, 2011, as part of the BOF monthly meeting. These documents are posted on the Board’s regular webpage for Proposed Rule Packages here, all combined: http://www.bof.fire.ca.gov/regulations/proposed_rule_packages/modified_timber_harvesting_plan_for_fuel_hazard_reduction_2011/combined_notice_isor_plead_mthp_fhr.pdf

March 1- 2 BOF Meeting Agenda – The agenda for the March 1st and 2nd Board of Forestry Meeting appears to be typical of how most BOF meetings are structured. The first day has minimally structured committee meetings in which Board members interact with everyone else present and agenda topics are developed cooperatively. Topics tend to be discussed nearly every month and continue this way a year or two before moving to the full Board for a decision. The second day has a tightly structured meeting of the full Board, which receives committee

reports among other routine business, but except for occasional action items like public hearings for proposed regulatory changes, takes little action and initiates little from scratch. Public participation is limited to pre-planned testimony requested earlier in the meeting by request card. Discussions tend to be limited to Board members talking among themselves and with their staff and any invited presenters. Agendas are posted online a week ahead of the meetings, here: http://www.bof.fire.ca.gov/board_business/meeting_agendas/

The March 2nd meeting will feature two Public Hearings:

- *Hours of Work, Hours of Operation, and Log Hauling Exemption, 2010*. This is the so-called Columbus Day Exemption, addressing a petition from the Central California Forest Committee. The BOF is expected to vote in favor, and if they do, the regulatory change would not be implemented until January 1, 2013. A4FF supports this rule change.

• *Special Conditions Requiring Disapproval of Plans, 2010*. As usual the “real action” is on the day devoted to committee meetings. For instance, on March 1st the **Management Committee** (chaired by **Gary Nakamura** and including **Pam Giacomini**) agenda will include:

- *Discussion of Jackson Demonstration State Forest Advisory Group Recommendation for modifications to 2008 JDSF Forest Management Plan*. Little effect on small forests.
- *Discussion of possible revisions to Forest Practice Rules for NTMP Notices of Timber Operations and Harvest Plan Notices of Intent*. This topic is one of great interest to A4FF.
- *Discussion of the NTMP acreage maximum*. Likewise, as already discussed.
- *New and Unfinished business: Forest Practice Rules Guidelines Update (What to do about the Cal Fire Growth & Yield Guidelines document)*. We understand that this unwieldy, contentious, NTMP-affecting document may already be in use as an un-adopted, “underground” regulation, and we seek to get both the character of it and how it’s used straightened out.

The Policy Committee (chaired by **Jim Ostrowski** and including **Marc Andre**) agenda includes:

- *Discussion and review of Board policies for conversion. Topic: Findings of the Board, possible regulations for conversion process*. This topic is in its third year and still is contentious because of Board staff persisting in seeing rollout over ten years from County TPZ status as tantamount to a conversion out of growing and harvesting timber, which if true would need a Cal Fire Conversion Permit also. A4FF partners have been resisting this notion by explaining TPZ law to the Board and staff.

The Resource Protection Committee (chaired by **Pam Giacomini** and including **Bruce Saito**):

- *Review of the draft revisions to 14 CCR 1299 100 foot defensible space regulations and guidelines*. Based on written opening comments floated on Feb 2nd, this effort needs A4FF input lest it go unhelpfully astray with obtuse guidelines and inappropriate definitions of the structures

Report *(Continued from page 9)*

needing the defensible space protection. *Board's Fire Service Realignment Review Process.*

- *Vegetation Treatment Programmatic EIR update.*
- *Regulatory concepts for the Sudden Oak Death Emergency Notice permanent regulation.*

Forest Practice Committee (chaired by **Marc Andre** and including **Jim Ostrowski**):

- *Review of Anadromous Salmonid Protection (ASP) rules related to roads and the Road Rules Task Force regulatory proposal.* This committee invariably is well-attended by capable industry RPFs and rarely has small or nonindustrial forest-peculiar issues that require A4FF participation, a convenient thing since it meets 15 floors apart during the same hours as management Committee where A4FF supplies lots of needed participation. ■

CONGRESS SHOULD STOP FUNDING BIG GREEN LAWSUITS AGAINST THE GOVERNEMENT

By **Ron Arnold**
Washington Examiner

America's taxpayers need to know about a thorny federal program lurking in the Obama budget: the National Fish and Wildlife Foundation. It began decades ago as a millionaire's hobby horse and grew into a Frankenstein monster that today feeds millions of taxpayer dollars to green groups that sue the federal government - and thus sue the taxpayer.

NFWF's origins are bizarre: Congress created it as a nonprofit corporation in 1984, specifying that it "is not an agency or establishment of the United States Government." President Reagan denounced that double talk when he reluctantly signed the bill, writing, "Entities which are neither clearly governmental nor clearly private should not be created."

The intent for NFWF was to develop private sector support for the U.S. Fish and Wildlife Service, a government agency. This perverse purpose allows a well-connected private elite - originally including timber heiress Nancy Weyerhaeuser, oil billionaire Caroline Getty, and now hedge fund billionaire Paul Tudor Jones - to carve out government funds, solicit limitless private funds, and funnel the cash to whom they please, including \$25,000 to Nancy Weyerhaeuser's son Rick for an anti-logging project he ran in Montana - and \$23,500 to a Planned Parenthood-type group in Rajasthan, India, for population control near Ranthambhore National Park.

As it grew, the NFWF gave nearly \$442,000 to the National Wildlife Federation and in return got a lawsuit to divert water from generating electricity in Pacific Northwest power dams - and spill it for migrating salmon. The suit now threatens to remove four vital hydroelectric dams on the Snake River. Another NFWF recipient, American Rivers (\$296,700) is also a party to the suit, which is still in court.

The list goes on and on, lawsuits against fisheries, agriculture, energy, construction, manufacturing, the whole economy. NFWF claims that grantee lawsuits do not use federal money. After examining the Internal Revenue Service Form 990 reports of major litigious NFWF recipients, I found no separate segregated accounts for lawsuits - you can't tell federal money from private - making NFWF's claims appear disingenuous at best.

NFWF's original \$100,000 "one-time seed money" appropriation has bloated to \$53 million in 2009, exactly what Reagan feared when he famously muttered, "The definition of immortality is a government program."

Even though NFWF's wealthy directors should be ideal fundraisers, two-thirds of its income is routinely taxpayer money, and now the Obama administration wants to give it more millions of federal dollars that we don't have.

House appropriators tired to cut NFWF's taxpayer umbilical in 1996. Immediately, a Byzantine cabal of Big Green leaders and hired lobbyists materialized, somehow convincing the appropriators to lay off. Reagan should have added, "Environmental funding is forever."

Last week, a gutsy congressman tried again. Rep. Tom McClintock, R-Calif., chairman of the House Natural Resource Committee's Power and Water Subcommittee, introduced an amendment to the House's \$1.2 trillion continuing resolution bill to permanently defund NFWF.

Once again, Big Greek sent out its minions, and McClintock's amendment failed on a voice vote.

That shouldn't be the end of it. We need congressional hearings to stop feeding taxpayer money into NFWF's funnel. And we need elected officials with the fortitude to instruct the National Fish and Wildlife Foundation's insatiable billionaires to stop feeding at the trough. ■

Examiner Columnist Ron Arnold is executive vice president of the Center for the Defense of Free Enterprise.

SAN LUIS OBISPO PROPERTY OWNERS HIT WITH BIG TREE FINES

By **AnnMarie Cornejo**
SLO Tribune News

Frank and Alida Freda thought they were doing a good thing when they cut down three pine trees on a commercial lot they plan to develop in San Luis Obispo. Then they got a \$41,200 bill for doing it.

The Santa Barbara couple didn't know about the city's tree ordinance—the strictest in San Luis Obispo County—that charges four times the value of the tree cut down if an \$81 tree removal permit isn't purchased.

The Fredas are the first to face such a hefty fine since the new penalties were enacted by the city in June. Before the change, the fine was the cost of the tree.

The couple closed escrow in November on the former Midas lot at 3583 S. Higuera St. and were eager to move forward with plans to clean up the property, which had been vacant for two years, and add a second commercial building toward the back of the lot.

A small encampment of homeless people had been created in the back of the property while it was vacant, and within a week of escrow closing the couple had hired someone to clear out the area of shrubs, litter and other accumulated waste, Alida Freda said. They also hired a friend to cut down the three pine trees toward the back of the lot where they planned to eventually construct the other commercial building. Also cut down was a Brisbane box tree that was leaning into the back of the existing building.

The city received a complaint from a concerned citizen and Keith Pellemeier, the city's urban forest supervisor, notified the Fredas that they had violated the tree preservation ordinance by



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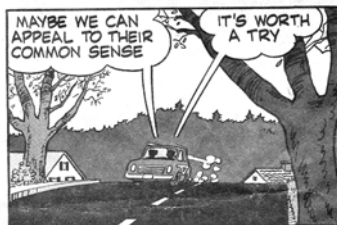
CCFA appreciates your support



Notes From the Nut-House



BLONDIE BY YOUNG & DRAKE



Big Tree Fines (Continued from page 10)

cutting down the trees without a proper removal permit or approved building plans.

The trees were estimated at a total cost of \$5,150. The city then fined the Fredas \$20,600 — four times the value of the trees. In addition, as stipulated by the ordinance, the city fined Willie Cook of Templeton, their helper, another \$20,600.

The couple was shocked at the fine levied, saying they had never been notified about the tree ordinance despite multiple exchanges with the city's Community Development Department.

They then met with Pellemeier to try to remedy the situation by offering to plant up to six trees along the frontage road. The city then asked them to plant 12 trees along the front of the property and pay to water them for five years, Freda said. The city also asked that Cook plant 12 trees behind the property.

At that point the couple decided things had gone too far. They notified Pellemeier that they would not accept the proposal and would only be willing to plant 12 trees, install drip irrigation and pay for the water for two growing seasons - but only if Cook was released from all obligations.

An agreement couldn't be reached, and an appeal is scheduled to be heard by the city's five-person tree committee tonight. The meeting will start at 5 p.m. and be held at the Corporation Yard Conference Room, 25 Prado Road.

"We feel we did nothing wrong, and at this point we feel intimidated and harassed," Alida Freda said. The couple will ask that the fines be removed and that they be able to move forward with their planned project at the site. ■

We're on the web!
www.ccfassociation.org

Central Coast Forest Association
P.O. Box 66868
Scotts Valley, CA 95066



IMPORTANT NOTICE: HELP US COMMUNICATE!

Occasionally we need to rally the membership to respond to abrupt government actions. We must be able to contact you in a hurry in such circumstances. Please submit your current e-mail address to us via our website, www.ccfassociation.org or by e-mail to: ccfa@ccfassociation.org. We will keep it strictly confidential at all times.

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The forests must be, and will be, not only preserved but used, and the experience of all civilized countries that have faced and solved the question show that the forests, like perennial fountains, may be made to yield a sure harvest of timber while at the same time all their far-reaching beneficent uses may be maintained unimpaired.

John Muir

Founder of the Sierra Club in 1895

CCFA's Mission

The Central Coast Forest Association is a non-profit alliance of small forestland owners, forestry professionals and forest-oriented businesses with close affinity to the woods, mountains, streams and wildlife of the Central Coast. Our purpose is to uphold and preserve our values, our property rights and our way of life. To advance this objective, CCFA will:

- *Interact with community, political and environmental interests as a voice for forestland owners.*
- *Understand the news, law and technology of forestry and apply this knowledge for the benefit and protection of forestland owners.*
- *Inform members of matters affecting their lands and forests.*
- *Take political and legal action to defend the rights and property of all Central Coast forestland owners.*