



Central Coast Forest Association

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.

CCFA Legal Battle Moves to the State Supreme Court

In the most recent action on our lawsuit against Santa Cruz County's draconian timber harvest ordinances, the State Supreme Court has accepted the County's appeal of the case. CCFA President Peter Twilight, in the last issue of *The Log*, discussed our resounding victory at the Appellate Court and the County's decision to appeal the case to the Supreme Court. We have been notified that the Supreme Court agreed to accept the case.

CCFA's opening brief to the Supreme Court states that we welcome the opportunity to have the controversy settled for good, and that we base our case on the conclusions of the Appellate Court judges who, in their written decision, clearly and unequivocally agreed with every point of our arguments, rejecting the County's positions.

While all of CCFA's legal expenses depend on contributions by members and friends, the County is not deterred by their huge (taxpayer-financed) litigation cost. Additionally, the County government is fully aware that the extended litigation postpones implementation of the Appellate Court order to abandon the onerous ordinances.

All Santa Cruz County forestland owners will be directly affected by the Supreme Court's decision. Also, the eyes of forestland owners and county governments across the state are focused on this case since, should we lose, it would encourage other counties to attempt similar anti-logging ordinances.

Our next year or two of legal action will be expensive, and any financial help from members or friends is very welcome. Contributions can be made to:

CCFA Legal Fund
Box 1670
Capitola, CA 95010

CCFA and Big Creek Lumber Co. Petition State Fish and Game Commission

CCFA has joined Big Creek Lumber Co. in petitioning the State Fish and Game Commission to delist coho salmon in all streams south of San Francisco. This petition is similar to those filed earlier to delist local coho at the Federal level, but as a result of our continuing research, the case is now much stronger.

In order to qualify for listing under the California Endangered Species Act, a species or subspecies must *be native and represent an important component in the evolutionary legacy of the species*. Additionally, the listing must be based on the best scientific information available. We have conclusively proven by an extensive multidisciplinary study that coho salmon south of San Francisco do not qualify for listing under the California Endangered Species Act. We find that: 1) there is no archeological or historical evidence of permanent coho populations here prior to the 20th century, 2) coho were artificially introduced in 1906, 3) they could not survive here without continuous hatchery restocking and 4) they do not have distinct physical or behavioral characteristics that distinguish them as genetically different. Thus, they are not native, could not be a link in the genetic heritage of the species, and do not qualify for listing under the California ESA.

The original petition and status review upon which the Commission listed these coho contain erroneous assumptions, flawed logic, unjustified conclusions and irresponsibly neglect the majority of the valid scientific information cited in our petition.

The CCFA-Big Creek petition was the culmination of studies conducted over several years by CCFA and Big Creek researchers. It was formalized during the past several weeks by Fabian Alvarado, researcher with Big Creek, Bob Briggs of CCFA and Bud McCrary, a fourth generation Santa Cruz County forest professional and co-owner of Big Creek Lumber Co. The full text of the 68-page petition can be accessed on the CCFA website, www.ccfassociation.org.

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WHO IS THIS MAN, AND WHAT IS HE DOING?

Meet him on Page 2 and read the answer



Things the Sierra Club Never Told Us

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

Dale Geldert of Oceanside Named Head of CDF

A retired Oceanside fire chief whose career in firefighting took him from the Navy to the U.S. State Department was named director of the state's fire and forestry service.

On June 26th Gov. Arnold Schwarzenegger appointed Dale Geldert, 61, to head the California Department of Forestry and Fire Protection. Geldert would replace Andrea Tuttle, who became a target of fierce criticism following the October fire siege. One of the more controversial holdovers from the administration of Gov. Gray Davis, her departure comes none too soon for her critics, who heaped scorn on her after the October fires that killed 17 people and destroyed more than 2,400 homes in San Diego County alone.

She especially drew the criticism of Assemblyman Jay LaSuer, R-La Mesa, who was frustrated over delays by CDF in dispatching firefighting aircraft in the county and its reluctance to use military helicopters to fight the fires.

"I see nothing but rigidity at the top of that department," LaSuer had told reporters. He made similar remarks as a member of the governor's blue-ribbon fire commission, formed to investigate the handling of the October fires.

Tuttle even testified before the commission in San Diego that CDF had bowed to public pressure and ordered "cosmetic drops" of fire retardant by air tankers, which may have reassured residents but did little to fight the flames. Such comments, in turn, did little to endear Tuttle to her critics.

LaSuer responded with a four-page letter to Schwarzenegger calling for her dismissal. "This state cannot afford leadership at any level that fails to employ common sense," he wrote.

Having a career background in firefighting would make Dale Geldert a sharp departure for CDF at the top. Tuttle's background was in zoology, marine ecology, and staunch environmentalism. The man she replaced as CDF director, Richard Wilson, had been a cattle rancher. †

HISTORICAL NOTE: From the Boulder Creek Mt. Echo

Proposed Forest Reservations - page 2 - May 5, 1900

A movement, initiated by the S.C. Board of Trade, is underway to have the general government purchase and maintain as forest reservations the Felton big tree grove and Big Basin timberlands.

Introducing Fabian Alvarado Researcher and CCFA Webmaster

All CCFA members and others interested in private forestland ownership should be introduced to Fabian Alvarado, the webmaster for CCFA's website and the author of an extensive research into the history of coho salmon in the streams of Santa Cruz County. He is a bright and impressive young man with tremendous enthusiasm.



Born in San Jose, Costa Rica, he and his family moved to San Jose, CA when he was three years old, and he spent his childhood there. After finishing his college general education requirements he moved out of the San Jose area. For the next few years Fabian worked as a whitewater rafting guide on the American, Kings, and Tuolumne Rivers while pursuing emergency medicine and volunteer firefighting. In 1999 he decided to finish an undergraduate degree or two. His aversion to large urban universities led him to UC Santa Cruz, where he double-majored in cultural anthropology and environmental studies. He continued to guide river trips in the spring and summer seasons.

Through the Education Abroad Program at UCSC he spent a year in the West African country of Ghana. There he developed a thesis for each of his majors. For his anthropology major he studied traditional medicine and religion (which are closely intertwined) in a small coastal village where he spent most of his time. For his environmental studies major he founded a nature center in collaboration with the grandson of the chief priest of the same village. In addition to boasting one of the few remaining patches of forest in the area (complete with a monkey sanctuary), this village borders one of the most significant wetland estuaries in the region. The wetland harbors a number of valuable species including sea turtles, transatlantic migratory birds, and mangrove forests. Unfortunately, Fabian found that nearly no conservation or educational efforts were in place and the wetland was quickly succumbing to the resource needs of a financially impoverished and growing population. During the course of his work he learned that his education had not prepared him to deal with the dangers of tunnel vision resulting from overzealous, ethnocentric, and hypocritical American environmentalism. His experiences in West Africa taught him a great deal about the delicate balance between environmental protection and people.

As a tangent to the nature center, Fabian also developed a child sponsorship program and a pen pal program with a primary and junior secondary school in the same village. He says the children there feel lucky to have some education, but most families cannot afford to pay for it, as the government there does not offer it free. As opposed to candy, children there are thrilled with gifts of pens, pencils, paper, books and other educational materials. (At this point Fabian's eyes light up and

See **Fabian** (Continued on page 3)

Minutes From the CCFA Annual Meeting - 4/14/04

President Peter Twilight announced a couple of awards that CCFA won in 2003:

California Forestry Association awarded CCFA the 2003 Grass Roots Achievement Award.

California Forestry Association awarded Bob Briggs and Fabian Alvarado the Forest Research Award.

The treasury is in moderate shape.

In 2003, the lawsuit went to appellate court. We recently received the appellate ruling that awarded CCFA and Big Creek every point. Copies of the ruling were available at the meeting and are also posted on the CCFA website, www.ccfassociation.org. Bob Briggs and Bob Berlage are points of contact for details.

The petition to delist coho salmon as an endangered species south of San Francisco is proceeding. The first petition was lost in NMFS. A second was submitted utilizing new information. It is working its way through the system. Bob Briggs and Fabian Alvarado are points of contact for details.

CCFA is monitoring and commenting on the Regional Water Quality Control Board's waivers for timber harvest plans. Peter Twilight is the contact person for details on the RWQCB. THPs used to have a general waiver since the water issues were viewed as covered under the Forestry rules. The waivers expired and have not been locally renewed. Waivers are now being issued individually, with some very onerous requirements attached, specifically monitoring requirements. CCFA members are pushing back, challenging the basis for the new requirements, which have not been shown to be scientifically useful. The waivers are also adding a significant amount of time to the THP procurement process; you must apply for the waiver 120 days before a Board meeting to get it on the Board's agenda. There are indications the Board is getting displeased with the amount of time being consumed in the forestry arena when they have real problems like contaminated water table to contend with. This is useful strategy to keep in mind in the push for the return of general waivers.

The Emergency Services Office is pushing Habitat Conservation Plans through the fire Districts. The state has no codes or regulations in place yet but is still forcing the Fire Districts to enforce the codes coming down. They want to make it illegal to touch a bush or twig without a federal permit. The San Lorenzo Property Owners Association has advised the local Fire Districts not to sign up to anything they don't have all the details on.

Cate Moore presented the report from the State Level as monitored by our sister organization, the Forest Landowners of California.

CCFA has a new newsletter editor, Barbara McCrary. CCFA has a website with Fabian Alvarado its webmaster.

The election for the directors whose term was complete in 2004 was performed. Marty Morey was nominated from the floor to join the previously nominated slate. Cate Moore, Eric Moore, Gerald Nelson and Peter Twilight were elected.

Submitted by Cate Moore, secretary

Fabian (Continued from page 2)

he radiates enthusiasm. It is clear that this project is dear to his heart.)

He returned to the US in July of 2002 but went back to Ghana in January of 2003 for two months. He graduated from UCSC in June of the same year. For more information about the nature center, pen pals program, or student sponsorships, log on to www.tsokomey.org.

While in Davenport one day, a chance encounter led him to his first sight of the valley in which Swanton nestles. It took his breath away and he knew he had found the place he wanted to live. He rented a room in a house in "downtown" Swanton, and soon made a connection with his new neighbor and Big Creek Lumber Co. co-owner, Bud McCrary. Bud needed someone to do extensive research on the history of coho salmon in Scotts and Big Creeks and Fabian was well qualified. He was equally impressed by Big Creek Lumber's commitment to the environment and sound stewardship for the last half-century. During his research, Fabian pored through early scientific and historical documents, repeatedly finding clear evidence indicating that coho were absent in coastal streams south of San Francisco until the Santa Cruz County Brookdale Hatchery introduced them in 1906. His research was added to archaeological documentation of local Indian middens, where bones of steelhead, but none of coho salmon, have been found. It is hoped that this information will assist in persuading the government to delist coho as endangered in streams south of San

Francisco Bay, since they have prehistorically and historically been incapable of surviving without hatchery support. Fabian feels that if it is the public will, we can continue to maintain coho here (as we have for about 100 years) without the blunt power and stringency of the Endangered Species Act. "It is wrong and unnecessary," he says, "to disenfranchise the responsible residents of what are already Santa Cruz County's most pristine watersheds." †



Fabian raft-guiding on the south fork of the American River

Commonsense Management of Resources: Beware the disconnect between lumber and forest

Bob Berlage

Wednesday, April 7, 2004 (SF Chronicle)

Where do meat and vegetables come from? How about two-by-fours? Did you say farms and forests, or did you choose grocery and hardware stores? Modern conveniences tend to sever our cultural ties to the land that feeds and shelters us. They distance us from how natural resources become comfortable homes, dinner tables and more. That disconnect can do great harm.

The decline of California's public forests and forestry industry is a prime example. California's foresters ultimately provide everything from paper towels to pool tables. They replant far more trees than they harvest, and a recent Cal Poly San Luis Obispo study found they meet the highest standards for protecting fish and wildlife as well as soil, air and water quality. Yet foresters have been vilified so effectively that in the past 10 years, more than half of California's mills have closed and 4,000 jobs have been lost.

It may not be well known, but California's private-sector forestry industry has practiced sustainable forestry for decades. More northern spotted owls are found in California's regularly harvested forests than in our public forests (according to the state Forestry and Fish and Game departments). In one case, fish samples taken as the result of a stream being listed as impaired produced nearly half a million young anadromous fish.

During 30 years of caring for forestland, I've been called a rapist, a murderer and more. I can't help but wonder: Where is all this anger coming from?

As a post-graduate anthropology student, I learned that human reality is surprisingly flexible; our perceptions of the world are far more amenable to manipulation than many expect. Combine this with our enormous environmental disconnect, and it's no mystery how misinformation and political agendas can take root.

Many environmental activists -- not all, but many -- play on fear to fill their coffers. According to the Sacramento Bee, environmental activist organizations received \$3.5 billion in 1999. Some spent more than 40 percent or even 50 percent of that money on fund raising. The New York Times reported that the Sierra Club has an \$83 million budget this year. These organizations often convince politicians from urban areas, who have neither delicate ecosystems to worry about nor hydrology experts or wildlife biologists on staff, to buy into their arguments. It's sort of like a representative from rural Redding writing tough crime legislation for urban areas such as Los Angeles. Meanwhile, activist agendas are advanced. As a result, timber harvests have plummeted since 1990, leaving public forests to become overgrown, often to more than 10 times their normal density, and making them susceptible to disease and insect infestation.

The irony is that urban constituents consume more forest products than anyone. They create the biggest demand for

Governor Would Cut Logging Red Tape: Fewer rules, higher fees proposed

Reprinted from Santa Cruz Sentinel

Saturday, May 15, 2004

Gov. Arnold Schwarzenegger wants to make it easier for timber companies to get approval for logging plans in exchange for a \$10 million increase in state logging fees.

The state should cut its "overly burdensome" reviews of logging plans, mimicking the one- or two-page applications and brief one-stop reviews required by neighboring Oregon, the governor said this week in his revised budget plan.

The proposal is meeting mixed reviews.

Representatives at Davenport's Big Creek Lumber, though unfamiliar with the specifics of the plan, welcome changes that would ease the red tape for timber harvests.

"Californians consume more forestry products than most anywhere else, yet they say don't log in my backyard," spokesman Bob Berlage said Friday. "That's immensely hypocritical."

Logging opponents, however, criticize the Republican governor as catering to corporate interests at the expense of the environment.

Schwarzenegger's plan amounts to "massive regulatory relief for the industry," said the Sierra Club's Paul Mason. "Oregon has extremely lax forest practice rules. They're certainly not the state we want to be emulating."

California requires detailed timber harvest plans prepared by licensed foresters and other professionals. The typical plan runs 100 to 500 pages, costs \$43,000, and waits 65 days for state approval - a delay that climbs to an average 85 days for logging plans along the environmentally sensitive North Coast.

Though California Forestry Association president Dave Bischel likes the idea of trimming the state's review process, he objected to paying the \$10 million in higher fees that the governor has proposed. The industry shouldn't have to pay more than the actual cost of reviewing timber harvest plans, he said, and the cost should drop considerably if the process is altered as Schwarzenegger plans.

Schwarzenegger wants to let harvest plan approvals remain in effect longer, expand a single plan to include entire watersheds, and reduce the paperwork. Plans still would be reviewed by the departments of Conservation and Fish and Game and the state Water Resources Control Board under the administration's proposal. Environmental groups contend those reviews are often ineffective.

"Details of that have to be worked out, but certainly the intention is to maintain a high level of environmental review," said Bill Snyder, the forestry department's resources chief.

A second Schwarzenegger initiative would spend \$39 million in Proposition 40 bond money over five years for prescribed burns and other forest thinning to protect Sierra Nevada waterways. CDF proposes to thin 105,000 acres to protect 1 million acres of watersheds.

"It's a very important program and an example of the state thinking creatively to find fire prevention funds," said Jay Watson, director of The Wilderness Society's wildfire program. |

See **Berlage** (Continued on page 5)

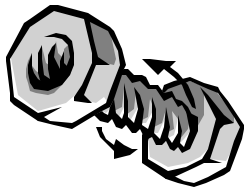
Berlage (Continued from page 4)

trees to be cut, yet many representatives of urban areas block timber harvesting. So California imports 75 percent of its lumber, according to the state Forest Products Commission, generally from such places as Canada with less stringent environmental regulations.



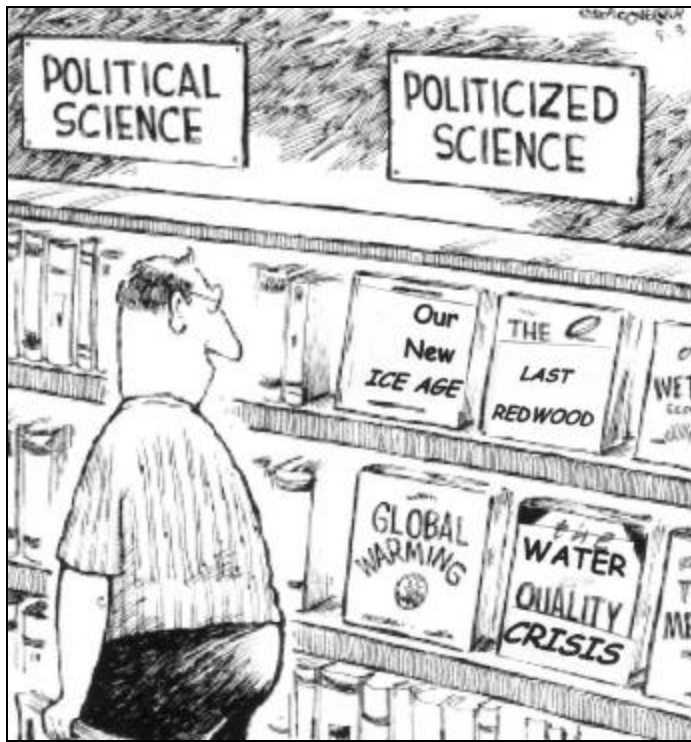
Excerpts from
**The Yosemite Grant:
1864-1906**

Things the Sierra Club Never Told Us—Part 2



**Notes from the
Nut-House**

If you can't reason with them, try scaring them



“For the most part, critics have completely ignored the improvements. The media does not report them. Leading politicians ignore them. Vice President Gore has written, in *Earth in Balance*, that journalists should downplay scientific finding of ecological improvement because good news may dilute the public sense of anxiety.”

Excerpt from “The Great Salmon Hoax” by James Buchal

“The fear is there because if your goal is to raise funds, you have to scare people. You can't tell people things are getting better and here's the data. You have to tell people things are worse, you have to scare people.”

Michael Shermer, in a TV interview by John Stossel on ABC's 20/20

“Beyond the river we come to the winter residence of Mr. Hutchings—a large cabin made of hewn logs, warm and snug, a huge stone fireplace at one end; hanging shelves containing some two hundred and fifty volumes in the corners; fishing rods, guns, and rifles along the walls; and a pair of snowshoes, indispensable to that snowy region. Near the house are shed and hay racks, and a fruit and vegetable garden of several acres—at least one acre in strawberries. In the rear of this house, and fronting the hotel, is the far-famed and beautiful Yo-Semite Fall.”

As time went on, Hutchings added lean-to rooms made of boards to three sides of the main log structure..... A small attic served as an extra bedroom, and once as a place of refuge when the Merced River overflowed its banks in the winter of 1867-68.

Realizing that he needed lumber in order to improve his hotel accommodations, Hutchings hired two local men to make boards from logs, using a primitive pit-saw.

About the spring of 1869, Hutchings had a water-powered sawmill packed in from San Francisco with the hope of improving his lumber output. Unfortunately, no one in the Valley could get the mill to operate. In late November, Hutchings solved his problem by hiring an itinerant thirty-one-year-old shepherd named John Muir, who arrived at the hotel looking for a job.

“I had the good fortune to obtain employment from Hutchings,” Muir wrote in his memoirs, “in building a sawmill to cut lumber for cottages that he wished to build in the spring, from the fallen pines which had blown down in a violent windstorm a year or two before my arrival.” Muir set up the sawmill on Hutchings’ claim along the most easterly branch of Yosemite Creek, not far from Yosemite Falls. On March 20, 1870, he wrote his brother: “I have completed the sawmill here. It works extremely well.”

Linnie Marsh Wolfe, Muir’s biographer, described the 1870-71 construction work in her book, *Son of Wilderness*: “As soon as enough lumber was piled up, building began. In this, John had the help of two carpenters, but being more deft with hammer and saw, he was largely responsible for the improvements. He not only did much of the partition work in the hotel itself, but planned and built in large part the artistic River and Rock Cottages. †

Man’s freedom consists solely in this; that he obeys the laws of nature because he himself recognizes them as such and not because they have been imposed on him.

Mikhail Bukunin (1814-76)

Central Coast Forest Association

Membership / Renewal / Contribution

Name _____ Date _____

Enclosed is \$ _____ for: New Membership Membership Renewal Legal Fund

Home phone _____ Work phone _____

Address _____ City _____ ST _____ Zip _____

Signature _____ E-mail _____

Please make checks payable to:

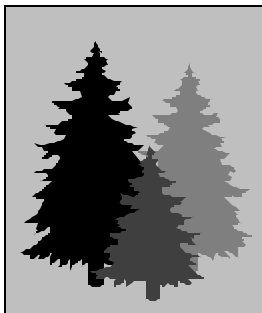
Central Coast Forest Association P.O. Box 1670 Capitola, CA 95010

<u>Membership Category</u>	<u>Dues</u>
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Individual -----	\$ 50
Professional -----	\$250
Business -----	\$500

**CCFA needs your support,
so we can fight for YOUR property rights.**

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