



The Log

of the

Central Coast Forest Association

Volume 13, Issue 4

April 2014

REGULATORY RELIEF FOR SMALL LANDOWNERS AROUND THE CORNER?

By Colin Noyes, Forester, Big Creek Lumber

The task of trimming down the requirements needed to develop a timber harvest permit is now before the California Board of Forestry and Fire Protection. As some may remember, in 2013 Assemblyman Wes Chesbro, (Democrat from Arcata), introduced and eventually passed AB 904 in an attempt to bring reform to California's timber harvest permitting system. In its early stages, AB 904 contained language supporting the development of a permit similar, but less costly to produce than a Non-industrial Timber Management Plan (NTMP.) This portion of the bill was eventually scrapped because of concerns voiced from the environmental corner. As AB 904 continued on its trajectory to the Governor's desk, pressure from local environmentalists mounted in an effort to exclude the Southern Sub-district from AB 904s provisions. In an unfortunate last minute political maneuver, the Central Coast was cut out of the legislation by politicians from districts on which not a single natural coast redwood tree stands. The California Board of Forestry and Fire Protection is now attempting to pick up where AB 904 left off. The Board is pursuing a two-pronged approach to develop more streamlined, and therefore less costly permitting options for small landowners.

The first draft document we have seen from the Board is a Modified Non-industrial Management Plan (MNTMP). In its current form, the MNTMP seeks to allow landowners who own less than 320 acres of timberland to forego costly timber cruises and instead rely on higher levels conifer retention after each harvest to satisfy sustainability requirements. Admittedly, the ideas contained within this draft are susceptible to change, but it is a good starting point, and leaves important room for compromise as this permit option moves forward.

The second idea is to create a permit similar to the Timber Harvest Plan (THP). Right now the Board has been looking at a 40-acre cap. The general concept is that if a harvesting project is small enough and meets some additional requirements, that much of the repetitive and less important information Foresters are required to write into THPs today could be eliminated. The landowner and Forester could focus on real environmental concerns and what actually matters.

The hope is that in the end, Board action will produce a more palatable result compared to a piece of previously hijacked legislation. Although the Board of Forestry is more insulated from the political processes that eventually parsed out the

Central Coast from AB 904, it is certainly not immune. This is why CCFA and its members are encouraged to remain diligent in their efforts to support the Board wherever possible. The California Licensed Foresters Association and Forest Landowners of California will certainly be on the frontlines of the charge to bring meaningful reform to small family forests. CCFA is poised to lend valuable support to their efforts, especially for landowners here on the Central Coast. We intend to keep you informed as the Board proceeds. It will be critical for the Board to receive comments from small forest landowners and it will likely be necessary for us to testify at Board hearings as they get closer to finalizing their regulations. ■

A HISTORY OF THE HAINES RANCH

By Walt Haines

In the later 1880s, my great-grandfather, Edward O. Haines, and his son David A. Haines, were employed as wood cutters by F.A. Hihn, a prominent citizen, timber operator, and a very large landowner in Santa Cruz County. He also founded Capitola, had numerous lumber mills, and his holdings included land in the Soquel Augmentation Rancho above Aptos, along the headwaters of Valencia Creek and the Fern Flat Road, which included the future Haines Ranch off the end of Rider Road in Corralitos.

Their work consisted of road building, logging, peeling tan bark, cutting cord wood, and land clearing.

Early on, my great-grandfather and his wife resided in Santa Cruz on Pine Street near Hanover Street.

In 1888, he signed an agreement with F. A. Hihn to purchase land for the sum of \$650 at 8% interest, and he built a house on 2 lots in the now defunct town of Valencia near Aptos.

In 1894, Edward Haines, age 45, and his son, David (my great uncle), age 21, and his other son, Harry (my grandfather), age 13, signed an installment land sale with F.A. Hihn to purchase what was to become the 136-acre Haines Ranch for the sum of \$4,094.10 at 6% interest.

They traded the house in Santa Cruz for \$934.75 towards the ranch contract in 1894. They traded the lots and house in Valencia for \$1,000 toward the contract in 1910. The remaining sums were paid in contract work, apples, tan bark, cord wood, and split stuff. The ranch was deeded in 1923 upon fulfillment of the contract.

Ed took possession of the ranch in 1894, along with his wife, my great-grandmother Rossana, aged 50, their sons David and Harry, and daughter Maud, aged 12. This is where I now reside with my ranch partner and brother-in-law, Ron DeBenedetti, and our families. It is now known as the HD Ranch on Haines Road

Haines Ranch (Continued on page 2)

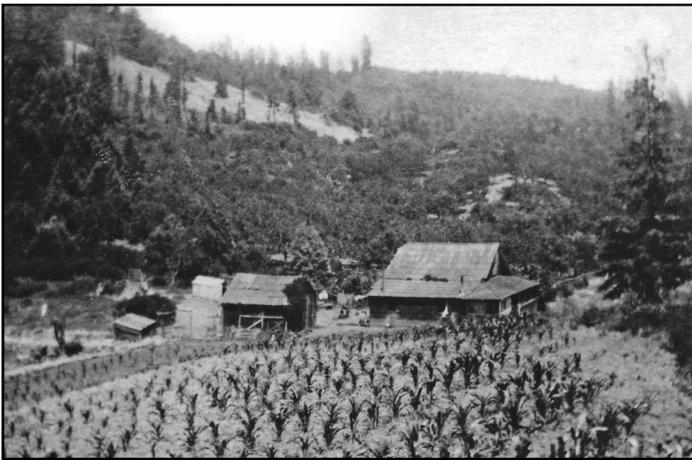
Haines Ranch *(Continued from page 1)*

in Corralitos and consists of 66 of the original 136 acres. Ed went to Alaska during the Gold Rush in the early 1900s.

Later, Dave and my grandmother Eulalia (Harry's widow) shared ownership. My great-uncle Dave lived and worked on the ranch until 1946 when my father and his brother bought our Dave's share. I was three years old at the time, and some of my earliest memories are of visiting the Haines Ranch and my great-uncle Dave. I visited throughout my childhood in the later 1940s and early 1950s. After my dad acquired an interest in the ranch in 1946 right after World War II, he and the rest of my family helped tend the apple orchards, picked apples, and sold them to Rider's Apple Shed. My family lived nearby in San Mateo County and visited the ranch regularly.

Grandfather Harry lived in San Francisco and passed away in 1923. Uncle Dave passed away in 1952. My grandmother Eulalia passed away in 1958.

Part of the ranch was planted in apples and the rest was worked for tanbark, etc. and was not used for timber until my



The Haines Ranch c. 1918

father acquired the entire ranch in 1958. Ron and I sub-divided and acquired our parcels in the 1960s.

In my later teens during the early 1960s, I developed a keen personal interest in the Haines Ranch and a fondness for it. I started taking my friends to the Ranch to camp many times a year. Sometimes we stayed in the ranch house and other times we camped outdoors. I also hunted on the property. It was very remote and far from any neighbors.

One of our first uses of the timber on the ranch was to sell logs to the Frontier Village Amusement Park in San Jose for constructing the log fence around the park fort. We got \$1.00 for each 6-8 inch pole.

In the fall of 1958, our family conducted a timber harvest on the ranch. We moved to the ranch temporarily and I transferred to Watsonville High School for the fall semester. (I drove my Model A six miles to the Corralitos Market to meet the school bus, even though I had no driver's license.) We used the creek as our refrigerator as there was no electricity. We then left for the winter, and when we returned in 1959, we found the original ranch house in disrepair. Vandals had used it for rifle and shotgung practice, and it was essentially destroyed.

We tore down the original ranch house and salvaged some of the lumber for its replacement. The replacement house was used

by my parents until it was destroyed in the 1989 Loma Prieta earthquake, the epicenter of which was less than a mile from the ranch.

The mile-long road into the ranch was not passable in winter and had a tendency to get washed out and overgrown if not maintained regularly. After my sister Lois married Ron DeBenedetti, he and I entered into an agreement with my father to build and maintain the ranch road as an all-weather road in exchange for parcels of the ranch. My father had bought a tractor in 1946 which we used to pull an antique grader on the ranch road. We installed many culverts, the trenches for which we dug by hand. We were hopelessly stuck in the mud innumerable times. Joe Cutler, owner of the Corralitos Market, got us free from the muck many times. (We still use that original 1946 Ford 2N tractor.)

After the road was finally constructed, we moved to the ranch in 1972 and used generators for electricity. I lived in a modular home and Ron and family lived in the ranch house.

Ron and I built our own homes in 1974. We acquired electricity from P.G.& E. in 1976. It was a very long power line of 3.5 miles and took 93 poles to construct.

We both raised our families on the ranch. Ron and my sister Lois had 4 kids and I had 2.

One of Ron's sons and both my son and daughter now reside on the ranch with their families, which include a total of seven grandchildren.

We've had 5 timber harvests beginning in 1958 with Scarborough, 1968 with Holmes, 1978 with Harwood, 1993 with Sequoia, and 2010 with Big Creek. We have an NTMP. The original timber of the Valencia and Aptos Creek watersheds was clear-cut in the late 1800s through the early 1900s. ■



The HD Ranch today, photo taken from approximately the same location as in the photo at left

THANK YOU !

We take this opportunity to thank all of our renewing members and those who donated generously to the legal fund. The legal fund is not used for general expenses but is saved in case we have to take an issue to court to uphold our members' private property rights and the right to use our lands as we see fit—with care.

CALIFORNIA LEGISLATION UPDATE - 2014 SESSION

By Cate Moore

The 2014 legislation session is off to the races. The deadline to submit bills (Feb 21) has passed and your CCFA board has filtered through this year's offerings. We are currently tracking 20 bills from last year and 67 bills that were introduced this year. Since the list is far too long to discuss each bill individually, we will discuss them in terms of the broad themes that we have detected in this year's offerings.

There are a tremendous number of "spot" bills, which are bills that serve as placeholders. The text in these bills typically takes an existing law, changes a few words, and lets it sit until the real language has been crafted offline. At any time during the legislative process, the new language can suddenly be amended in, so these bills need to be watched. Anyway, due to this, we cannot take a stand on the majority of the bills as currently written.

We will be making regular posts on our website in the legislation section under "Current Issues" (<http://ccfassociation.org/category/legislation/>). These updates will contain a link to our legislation status table, where you can see the latest on each bill and our take on it. The table includes a link to each bill's data in the legislature so you can read the text and status for yourself. We invite your comments and insights.

Forestry/Timber

Most of these bills are place holders. There's not enough written there to make a stand on. The rest are by and large minor improvements to existing practices. AB 1867 and AB 2082 are currently the bills to watch for innovation as the state tries to get a grip on managing fire hazards and wildland management where the main goal is not maximizing conifer production.

CCFA supports the following bills:

AB 2112 - widens the window within which the landowner may file for an extension to his THP

AB 2184 - allows excess AB 1492 funds to be used for grants to remediate forest land used for illegal marijuana plots

CCFA supports the following bills if modified:

AB 1867 - adjusts the defensible space parameters for thinning cuts done for fire protection. CCFA has concerns about a number of the requirements, including as the expense of requiring an RPF, the cost and complexity of preparing required documentation, the retention standards are too high, and the verification measurements do not necessarily reflect the original stand.

CCFA opposes the following bills unless modified:

AB 2239 - requires a landowner who has an NTMP on the parcel he is selling to notify the purchasing party of the NTMP's existence. The purchasing party has 1 year from this notification to assume the plan. Our major objection is language in the bill that implies failure to notify will be a crime.

We remain ambivalent on **AB 2142** because we are not sure how this would play out in practice. The intent is to require any wood harvested from the state forests be processed in in-state mills. There have been problems in the past of manufacturers who have mixed state/federal logs, which must be processed locally, with logs bought from private landowners which may be exported before processing. The way this is prevented is to require manufacturers to only process their logs locally for at least 2 years to ensure they don't export and that they can't mix reserved logs in with their more recent purchases. The

problem is that the only real local market for Douglas Fir is unprocessed logs taken to the Port of Oakland for export to China. We would love to make sure our local mills get wood to process, but are our buyers going to be prohibited from buying Soquel forest redwood if they send our Douglas fir to China?

The forestry bills on our Watch status are:

AB 468, AB 1740, AB 2031, AB 2082, AB 2595, SB 1345.

SRA fee modifications

There are a few bills that make minor changes to the SRA fee. Some of them are useful and some just move the pieces around on the table. None of them kill it.

CCFA supports the following bills:

AB 1519 - removes late fees from SRA fees.

AB 2048 - changes billing from properties with structures to properties with habitable structures so you can't be billed for your burned house.

The following bills are on our Watch status:

AB 1954, SB 1413

Water Supply and Control

Due to this year's extraordinarily low rainfall, water is a very hot issue in Sacramento. We have six major water bond bills, a few localized water bonds bills, ground water management plans, and tweaking of water rights. The bonds are variously allocated for: water quality improvements including ground water cleanups, infrastructure improvements, protecting lakes, watercourses and watersheds, water efficiency measures, and finally (sort of at the bottom), water storage. The usual glamour topics are there, including allusions to climate change (which justifies water storage), ecosystem protection and restoration, wildlife corridors and Delta sustainability. Our interest in the water bond bills centers on: the water bonds include watershed management and habitat plans in them as well as new capture and storage facilities, which may impact us in forestry. There are opportunities for funding for thinning if we can successfully explain how thinning overgrown vegetation will reduce wildfire hazards and improve dry-season ground water supplies. Possible obstacles include wrong-headed approaches to watershed management that would prevent thinning and the realization that they are going to have to build the new reservoirs somewhere.

CCFA supports the following bills with modifications:

AB 1905 - allows the construction of small domestic, small irrigation, and livestock stockponds. The bill adds the ability to use stockponds for fire protection. We would like to see the ability to use any of these small diversions for prescribed fire also and the usage limits lifted for all fire protection/control purposes. We need safe harbor in case these ponds get colonized by red legged frogs or other threatened or endangered species.

AB 2465 - provides a tax benefits for people building small water diversions in salmonid streams for freeze protection of crops and other agricultural uses. We would like to see these ponds used for fire protection and prescribed fire operations with no usage limits on these functions. We need safe harbor in case these diversions get colonized by red legged frogs or other threatened or endangered species.

The following bills are on our Watch status:

AB 1331, AB 1445, AB 1630, AB 1632, AB 1674, AB 1739, AB 2686, SB 848, SB 927, SB 936, SB 938, SB 1049, SB 1168, SB 1398

Wildlife and Habitat

Forest management and wildlife habitat are very closely intertwined. Here's what's going on in this arena this year. The bill to watch is **AB 1514**, which looks like a multi-species safe harbor.

Legislation update (Continued on page 4)

Legislation Update (Continued from page 3)

The following bills are on our Watch status:

AB 896, AB 1514, AB 2193, AB 2684, SB 1410

Trespass

All rural crimes begin with trespassing. There are some gaps in the current law when trespassing occurs on working forests, and these placeholders may offer opportunities to fill these gaps.

CCFA supports the following bills with modifications:

AB 1686, SB 1295

Land Management and Rural Living

These bills have primarily to do with how we manage our lands as rural properties, including mitigation for land conversions to less green uses and programs for encouraging sustainable management. The dogs pursuing bears and bobcats is back. Again. There are both opportunities and obstacles in these bills.

CCFA supports the following bills:

AB 1709 - Young hunters don't need to pay for adult hunting licenses until they are 18.

AB 1711 - requires economic impact assessments for new regulations. We may need to remind them that economic impacts also affect private parties and not just government.

AB 2402 - Grants for noxious weed management

The following bills are on our Watch status:

AB 1799, AB 1961, AB 2205, AB 2629, SB 930, SB 1086, SB 1353

Greenhouse Gas/Carbon Sequestration

Greenhouse gasses is another darling of the legislature. There is a prevailing belief that there will be billions of dollars coming into the state from the cap and trade auctions. Forestry's ties to the greenhouse gas world lies in biofuel opportunities and operating expense increases due to carbon taxes on the fuels and lubricants we use in our equipment.

CCFA opposes the following:

SB 1156 - We see nothing but increased fuel and lubricant costs coming out of this one.

The following bills are on our Watch status:

AB 1639, AB 1763, AB 1970, AB 2050, AB 2363, AB 2348, AB 2390, SB 916, SB 1121, SB 1125, SB 1268

Board composition

We deal with the water quality control boards and the Coastal Commission regularly, so we need to stay aware of changes to rules specifying in their composition.

The following bills are on our Watch status:

AB 1707, AB 1807, SB 1096

"Last year's lurkers"

These bills made it least through their house of origin to the other house, but have stalled during the 2013 session and not moved since. That doesn't mean they can't come back to haunt us.

CCFA opposes the following:

AB 976 - The Coastal Commission has a long-standing history of general obstructionism and capricious decisions which are frequently overturned in court. The last thing they deserve is the ability to set and enforce their own penalties.

AB 1188 - This is a Prop 13 override

AB 1330 - Justice is justice. There is no such thing as "environmental justice."

The following bills are on our Watch status:

AB 203, AB 278, AB 769, SB 11, SB 633

"I'm not dead yet"

A bill that did not make it through the 2013 session theoretically must pass their house of origin by January 31, 2014 to remain valid. The following bills failed this test, but are somehow still alive. Many of them are constitutional amendments that change the 2/3 vote requirement provisions on Proposition 13 in one avenue or another.

CCFA oppose the following bills which are all Prop 13 overrides:

ACA 3, ACA 8, SCA 4, SCA 7, SCA 8, SCA 11

The following bills are on our Watch status:

SB 1 - Sustainable Communities Investment Authority

Other

This is a grab bag of bills that are difficult to group, but that we feel may impact our property and lifestyles in some way.

CCFA oppose the following:

SB 1456 - allows CAL FIRE personnel to possess and use .50 caliber machine guns and assault weapons. We don't believe this is needed to execute their mission of fire protection.

The following bills are on our Watch status:

AB 515, AB 2364, SB 674, SB 731, SB 1019, SB 1075, SB 1454

SUCCESSION PLANNING, PART TWO - ENGAGING YOUR HEIRS

By Cate Moore

Disclaimer: We're not claiming to be experts, but CCFA can certainly act as a clearing house for stories, ideas, problems, questions and so forth as we explore the topic together. We think that if we each share the little bit we know, across all of us we can find most of the answers we need.

So, while we will be publishing articles in the newsletter and online, we hope this will be a two-way conversation. Give us your stories, ask us your questions, and by all means, tell us when we're blowing smoke. We'll provide contact information at the end of the article.

Succession plans don't work if you don't have someone who is ready and willing to receive your property and make it work. Are your heirs ready for the job? Do they even want it? One of the very early jobs in succession planning is engaging your heirs so that there is someone waiting on the other side to continue your legacy.

The first level of engagement is making sure your heirs at least like being on the land. Do treasure hunts with younger kids, let your teens camp out or play paintball, provide a country retreat for your stressed-out city-dweller heirs. Once they have a warm spot in their heart concerning your land, they will be more willing to take on its challenges.

The next level of engagement is encouraging buy-in to the land. Everyone needs to feel they're bringing something to the table and that they are getting something valuable out of the land. It can be as simple as organizing family work-days where everyone takes time out to do regular maintenance like repairing roads and pulling weeds. Make it fun by throwing a barbecue afterward. Make sure that your heirs get some share in the rewards, too. If they don't yet have official ownership shares,

they can get paid in kind with firewood, or some other product of your land. If they do have shares, they should get some form of income or distribution.

The most effective family buy-in is encouraging your heirs to use the land assets for small side businesses of their own. I've talked to very enthusiastic next-generation heirs who were doing such things as being big game hunting guides, keeping apiaries for wildflower honey, cutting and selling firewood, and making and selling Christmas wreaths. The most important part is that the side business must be mostly the kid's idea and they should do the work.

If you get that deer-in-the-headlights look from your family any time you discuss business operations or financial matters, it's time to take matters in hand. Your heirs are not going to want to hold onto your land if they feel overwhelmed by the size or complexity of it. You need to raise their comfort level by introducing them to your business team, including your forester, your accountant, your lawyer and whoever else helps you manage your business and keep your paperwork in order. Whenever possible, bring them along on meetings so they can hear first hand how the decisions are made and executed.

Obviously, engaging your heirs starts well before they are even aware of the succession process. The goal is to have enthusiastic heirs by the time you start building your official succession plan.

Write us at:

CCFA

Attn: Succession Planning
P. O. Box 66868
Scotts Valley, CA 95066

email us at: ccfa@ccfassociation.org

Future articles will address the following topics (In no particular order):

- Scoping the property/ business
- Deciding on the participants
- Apportioning ownership
- How do you add people?
- How do people opt out?
- What are the participants duties and responsibilities?
- Contributing and noncontributing participants and how to fairly reward both
- How do you declare and communicate your ideas and visions?
- How do you factor in your heirs ideas and visions?
- How do you distribute proceeds?
- Do you need an external manager?
- When do you dissolve the business?
- Inheritance taxes
- Ongoing business expenses
- Business forms that encapsulate the succession plan and how they are formed.
- Government reporting requirements
- Questions, answers and suggestions from readers ■

WARM, WET TIMES SPURRED MIEVEAL MONGOL RISE

Genghis Khan—and his army of men on horseback—benefitted from boom in grasslands

By Sarah Zielinski
Smithsonian magazine
March 10, 2014

Mongolia, with the lowest population density of any country in the world—about 2 people per square kilometer—would appear an unlikely birthplace for the largest contiguous empire in the history of the world. Today's inhabitants (which number fewer than three million in a country the size of California, Texas, Montana and West Virginia combined) are largely dependent on livestock production for their livelihoods. Much of the population practices a form of nomadic pastoralism in which herders follow their animals.

But in the early 1200s, Genghis Khan united the Mongol tribes and began invading neighbors in all directions. The Mongol Empire continued to grow after his death, led by the mighty leader's sons and grandsons, who pushed their armies into regions as far as eastern Europe, the Middle East, Southeast Asia and Korea.

This great empire was made possible not by brilliant leadership alone, but by a 15-year period of abnormal moisture and warmth in central Mongolia in the early 1200s, according to Neil Pederson of Columbia University's Lamont-Doherty Earth Observatory and colleagues, who report their findings in the Proceedings of the National Academy of Sciences. A brief change in the local climate, they say, was key in the rise of the Mongols.

The research team was able to reconstruct the climate of central Mongolia from tree rings—relying on how the width of the concentric circles changes annually and reflects the yearly trend in temperature and moisture. Two of the researchers had discovered a stand of ancient Siberian pines growing out of the cracks in an old lava field in the Khangai Mountains of Central Mongolia. They took cross-sections of dead trees and cores of living ones. They calibrated the width of the rings with instrumental climate data collected from 1959 to 2009 and created a key that let them determine weather going back 1,112 years.

The tree rings reflected several global-scale climate events, such as the Little Ice Age and the beginning of the Anthropocene. But the researchers could also see important local climatic changes.

From 1180 to 1190, Central Mongolia experienced an intense drought that probably contributed to the political instability of that time. Established patterns of leadership were disrupted, and the region saw continuous warfare. "The worsening dry conditions...would have been an important contributing factor in the collapse of the established order and emergence of a centralized leadership under [Genghis] Khan," the researchers write.

In 1211, Central Mongolia then entered its most unusual period in the millennium-long record: a 15-year stretch that was warm and, more importantly, incredibly wet. Those conditions would have provided a surplus of grass for both the horses for the

Mongols (Continued on page 6)

Mongols *(Continued from page 5)*

Mongol army—each trooper would bring three to five horses so that he always had a fresh ride—and the livestock that followed the army to keep the warriors fed.

Without an increase in productivity, the pastoralism practiced in this region of the world would not have provided enough surplus resources for such efforts. All the resources available would have had to be devoted to keeping people alive, as they largely are now. Genghis Khan may have been a great leader, but without the warm, wet years to give the region a boost, he wouldn't have had the resources for building a strong government and large army. The world may have been a very different place.

The Mongol Empire split into four smaller empires in 1260, and each of these continued to expand into the 14th century, eventually failing due to internal disputes. The legacy of the great empire, however, lives on, perhaps most notably in human DNA: Sixteen million men across the former Mongol Empire share an identical Y chromosome, the likely legacy of a former pillager, perhaps the Great Khan himself.

The current occupants of Mongolia, though, are now dealing with a period of much harsher climate than what was experienced in the early 1200s. The region suffered a drought from 2002 to 2009, which, the tree rings reveal, was as bad in length and lack of precipitation as what was seen in the 1180s and hotter than anything in the 1,112-year record.

A new invasion has taken place, but one far different than what Genghis Khan led: People from rural areas are flooding into Mongolia's capital, Ulaanbaatar. Unusually cold and long winter of 2009 to 2010 killed at least 8 million animals, about 17 percent of the nation's herd. Many herders lost their livelihoods and nearly half a million migrated to Ulaanbaatar in search of jobs. Weather, it seems, can make invaders of us in one way or another. ■

EPA UNVEILS 'LARGEST EXPANSION' OF 'AUTHORITY TO REGULATE PRIVATE PROPERTY'

Clean Water Act rule ropes in streams that only fill when it rains, ornamental landscape features, anything deemed to affect downstream waters

Bridget Johnson

Washington Editor for PJ Media, March 25, 2014

WASHINGTON — The Environmental Protection Agency today unveiled its proposed rule to bring natural and man-made bodies of water big and tiny under the purview of the Clean Water Act, sparking accusations that the administration has embarked on an unprecedented breach of private property rights without scientific basis.

This launches a "robust outreach effort" to gather input in shaping a final rule over the next 90 days, the EPA said, maintaining that the rulemaking isn't groundbreaking but a clarification effort needed to clearly define streams and wetlands protection after Supreme Court decisions in 2001 and 2006.

Even though the definition of waters protected under the Clean Water Act will reach everywhere from drainage ditches to creeks on private property under the proposed rule, the EPA says "it does not protect any new types of waters that have not historically been covered under the Clean Water Act."

"We are clarifying protection for the upstream waters that are absolutely vital to downstream communities," said EPA Administrator Gina McCarthy. "Clean water is essential to every single American, from families who rely on safe places to swim and healthy fish to eat, to farmers who need abundant and reliable sources of water to grow their crops, to hunters and fishermen who depend on healthy waters for recreation and their work, and to businesses that need a steady supply of water for operations."

The EPA wants to cover "most" seasonal and rain-dependent streams, which account for about 60 percent of stream miles in the country, arguing they have "a considerable impact on the downstream waters."

Wetlands "near rivers and streams" would be protected under the CWA, and "other types of waters [that] may have more uncertain connections with downstream water and protection will be evaluated through a case specific analysis of whether the connection is or is not significant."

Overall, the EPA states, a third of waters in the U.S. don't meet Clean Water Act standards. "The rule will not be finalized until the final version of this scientific assessment is complete," the EPA said, acknowledging that its draft review is still in progress.

"As expected, the EPA's proposed water rule expands the agency's control over natural and man-made streams, lakes, ponds and wetlands. If approved, this rule could allow the EPA to regulate virtually every body of water in the United States," House Science, Space and Technology Committee Chairman Lamar Smith (R-Texas) said. "In preparing this proposal, the EPA failed to incorporate adequate peer-reviewed science in accordance with the agency's own statutory obligations."

"This could be the largest expansion ever of EPA's authority to regulate private property. It's troubling that the Administration proposed this expansion before its independent science advisors have had the chance to complete its review of the underlying science," Smith added. "The Obama administration continues to sidestep scientific integrity in order to fast track an abusive regulatory agenda."

Senate Environment and Public Works Committee Ranking Member David Vitter (R-La.) echoed the warning that the new rule "may be one of the most significant private property grabs in U.S. history."

"Today's rule also shows EPA picking and choosing the science they use," Vitter added. "Peer review of the Agency's connectivity report is far from complete, and yet they want to take another step toward outright permitting authority over virtually any wet area in the country, while at the same time providing a new tool for environmental groups to sue private property owners."

Rep. Randy Hultgren (R-Ill.) noted the irony that the EPA was adding another regulatory burden on National Agriculture Day.

"Today's proposed water rule is yet another example of the Administration's reckless use of power," Hultgren said. "EPA has predictably expanded their jurisdiction to include nearly every body of water: ditches, wetlands, streams, flood plains and even ornamental landscape features. Further, the rule is not based on science—they disregarded their own Scientific Advisory Board and used limited and out-of-date information to analyze the

EPA *(Continued on page 7)*

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.

INSIDE THIS ISSUE:

Regulatory Relief for Small Landowners A History of the Haines Ranch	1
Haines Ranch (cont.)	2
California Legislation Update	3
California Legislation Update Succession Planning—part Two	4
Succession Planning (cont.) Medieval Mongol Rise	5
Medieval Mongol Rise (cont.) EPA	6
EPA (cont.) Notes from the Nuthouse	7
CCFA's Mission Statement	12

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.*