

Humboldt Watershed Council

P.O. Box 1301, Eureka CA 95502 707.768.1943 cjess@sbeglobal.net

October 6, 2009

Martha Spencer, Senior Planner,
Humboldt County Community Development Services

RE: **GENERAL PLAN UPDATE - FOREST RESOURCES**

Dear Ms Spencer and Planning Commissioners:

Humboldt Watershed Council (HWC) was founded in 1997 as a 501C3 non-profit, volunteer organization concerned about damage to private property and salmon habitat resulting from the forest management practices of the Pacific Lumber Company.

FAILURE OF REGULATION

In its 12 years of effort to remedy and prevent further damage to many local impaired watersheds, HWC has concluded that the federal and state agencies in charge of timber, fisheries, and water quality regulation have failed Humboldt County, allowing intensive forest management to harm not only local streams, properties, and salmon populations, but also the health of the county's forest ecosystems and the long term prospects for commercial timber and other forest products. Much of this is documented in HWC's 6-05-08 comment to the General Plan Update.

Additional evidence of failure to regulate local timber industry impacts was provided in a 2008 lawsuit brought by Cal Trout, Sierra Club, and EPIC against California Department of Forestry and Fire Protection (CAL FIRE) and California Department of Fish and Game, resulting in a recent opinion that the agencies' new rules for protection of Coho salmon will have significant negative impacts.

COUNTY RULES

HWC believes it necessary to codify greater local control of the redwood forests which once supported Humboldt County's most important industry and continue to be its signature attraction.

One mechanism would be to insert into the California Forest Practice Code special Rules for Humboldt County which are appropriate for the steep slopes & fragile soils characteristic of local geology, and promote the following objectives which have been unattainable under state rules:

- allow recovery and de-listing of the county's impaired watersheds within the next 15-20 years, which would, in turn, allow establishment of a sustainable sport fishing industry and a prime brand of sustainably harvested wild salmon
- allow widespread recovery of mature forest ecosystems within the next 15-20 years, which would, in turn, allow establishment of a prime brand of Humboldt County sustainably harvested high-quality redwood lumber and a diversity of other forest products,
- allow the recovery and de-listing of endangered and threatened old-growth forest-dependent plant and animal species and prevent new listings in the next 15-20 years
- evaluate and monitor watershed-scale cumulative impacts of timber harvesting according to CEQ, and EPA guidelines
- calculate harvest rates and riparian buffers according to methodologies which meet the highest available scientific standards for local watersheds
- eliminate clearcutting and herbicide spraying

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- accept only those mitigations and best management practices that have been well-proven for local conditions
- attain eligibility for Forest Stewardship Council certification

HWC is aware of the historic political unpopularity of county rules in Humboldt as an unacceptable burden on its most charismatic industry. HWC believes that the lack of specific local considerations has allowed industry-dominated state regulators to condone a tradition of logging practices which have perpetuated the nomadic, boom and bust character of the industry across the continent, disregarding local communities and environments.

TIMING AND PRECEDENTS

The timing may be right to begin consideration of county rules. National Geographic has focused attention on the Redwood region and the history of mismanagement of its forests. Forest management is a crucial component to compliance with State climate legislation mandating reduction of greenhouse effects. The current downturn in timber activity is due in part to over-harvesting and the failure to develop a more diverse forest products base. And the effects of the excesses of the Pacific Lumber Company are still fresh in the minds of Humboldt county citizens

Special rules in the California Forest Practice Code currently exist for the following coast and northern district counties: Santa Clara, Santa Cruz, Marin, San Mateo, and Lake counties, most of which were instituted too late to save salmon runs and the rich biodiversity of climax forest ecosystems. Humboldt County risks being yet another on this list of counties having to wage expensive uphill battles to restore forest and watershed health and productivity.

Examples of practices covered by various county-specific rules:

- length of logging season and hours of work
- harvest plan contents, notification, and distribution
- pre-harvest inspection, flagging,
- yarding, erosion control, log hauling,
- silvicultural methods, logging practices, treatments, stocking requirements
- soil, biotic resources
- hazard reduction, buffer zones
- performance bonding

Specific example:

927.9 Silvicultural Methods and Intermediate Treatments [Marin County]

The objective of this section is to prescribe silvicultural methods and treatments that will protect the longterm productivity of soils and timberlands and protect the natural and scenic qualities of the County. The following silvicultural methods and treatments as prescribed below will be applied in the County. 14 CCR 913 through 913.6 defines these methods and treatments.

c) Clearcutting Method: The clearcutting method is not authorized for the County.

(d) Recutting of Logging Areas: Timber operations for removal of trees may only be repeated on a logging area within less than ten years after completion of a previous timber operation if minimum standards have been met, the reasons for the operation are justified and explained in the plan and the scenic and/or natural qualities of a stand would be enhanced by lighter or more frequent tree removal. In no instance shall stocking be reduced below the standards provided in 14 CCR 927.10 nor shall more than 60% by numbers of those trees 18 in. and more d.b.h. and no more than 50% by numbers of those trees over 12 in. d.b.h. but less than 18 in. d.b.h. be removed within any one 10-year period.

On timber operations in which cutting has occurred within 10 years preceding the current operations, stumps which are the result of cutting trees within the preceding 10 years shall be counted as trees cut during the current operation in determining percent of trees cut. Timber operations conducted under the

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Sanitation- Salvage Treatment, and the harvesting of minor forest products and incidental vegetation are exempt from the above provision of this section.

FOREST ECOSYSTEM RECOVERY

In conjunction with county rules, we believe it important to encourage other means of restoring the forest ecosystem such as: conservation easements, transfer of development rights, community forests, and development of a diversity of economically viable forest products such as carbon credits, biomass energy, eco and heritage tourism, floral greens, soil additives, mushrooms, etc. We also support the Healthy Humboldt Coalition's recommendations for protecting the Forest Resources land base.

An important implementation measure would be to create a multidisciplinary Forest Resource Advisory Committee with primary responsibility for researching and promoting the recovery of forest ecosystem and watershed health.

GPU RECOMMENDATIONS

4.6.3 Policies

State and Federal Regulatory Issues

FR-Px California Forest Practice Rules for Humboldt County

Support an in-depth investigation of risks and benefits of county-specific Forest Practice Rules for Humboldt County to address unique local factors contributing to the effects of logging on watershed impairment and salmon declines.

FR-P1. Timberland Regulatory Review. Modified Alt A, B, C Support any California Department of Forestry and Fire Protection's (CAL FIRE) strategic planning efforts which create a regulatory system that encourages the continued commercial use and long-term productivity of timberlands and the recovery of forest ecosystems, impaired watersheds and listed species.

COMMENTS for FR-Px, P1, P2, P3: CALFIRE's regulatory system has resulted in sediment and temperature impairment of nearly all of Humboldt County's watersheds, contributing to the great declines in North Coast wild salmon populations. Opportunities for long-term economic stability and jobs have resulted from the rate and intensity of logging practices allowed. HWC cannot recommend support for CDF without specific language and tools for protection and recovery of our watersheds. The state timber regulatory system's traditional deference to the timber industry at the expense of other natural resources is currently being challenged by the State Attorney General's Office.

FR-P2. Timber Harvest Plan Review. Modified Alt A, B Review and comment when necessary on timber harvest plans in impaired watersheds, and where county land-use patterns have significantly contributed to use conflicts at issue and where the County can assist in dispute resolution.

COMMENTS: See above. The county should not abdicate responsibility for monitoring and preventing cumulative impacts of timber harvesting to watersheds. Timber practices have the greatest impacts on watersheds here in Humboldt County due to the vast expanse of industrial timberlands. However, it should be kept in mind that residential conversion has the potential for even greater impacts due to fragmentation, proliferation of permanent roads, permanent alterations of hydrology and vegetative cover, pollution, harassment of wildlife, etc.

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FR-P3. Timber Management Regulations. Support fewer, more effective and lower-cost timber management regulations as a strategy to maintain timber production as the primary economic use of forestlands, ensuring that there will be no loss in environmental performance or reduction in opportunities for development of other forest products with positive economic and environmental benefits to the community. Evaluate County policies for compatibility with the State Forest Practice Act and State Forest Practice Rules.

COMMENTS: see above

4.6.5. Implementation Measures

FR-IMxx. County Rules Research Group. Convene a multi-disciplinary, multi-stakeholder work group to research and advise the Board of Supervisors regarding the need, costs, and efficacy of county-specific Forest Practice rules

FR-IMxx. Forest Resource Advisory Committee. Expand the Forestry Advisory Committee to include representatives of a broad base of disciplines and stakeholders who can provide expert scientific and technical advice to the Planning Commission & staff on biological, economic, & social values which should be considered in the decision-making process

Expand advisory functions of the FAC to include forest ecosystem values, watershed analysis, carbon sequestration, non-timber forest products, Restoration zoning, Timber Harvest Plan review, community forest acquisitions, and conservation easements

FR-IM xx. Timberland Regulatory Review. Define factors determining watershed carrying capacity for development in forest lands using best available science. Review and comment on Timber Harvest Plans with impacts to beneficial uses of water and recovery of impaired watersheds.

Thank you for your attention and for the opportunity to comment.

Respectfully Submitted:

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