



**SANTA CRUZ COUNTY  
GROUP**

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November 17, 2020

Santa Cruz County Board of Supervisors  
701 Ocean Street  
Santa Cruz, CA 95060

**Re: Unpermitted Tree Cutting by PG&E**

The Sierra Club urges the County to take action and to intervene to stop the unpermitted timber operations being undertaken by PG&E in the CZU Lightning Fire Zone. The ongoing tree cutting is not only unlawful and environmentally unsound, it is likely increasing the dangers of mudslides and debris flows. The Sierra Club lends full support to the 10/29/2020 letter to your Board from the Valley Women's Club of San Lorenzo Valley (VWC), and to the 10/30/2020 letter from CalFire Department of Forestry and Fire Protection, which was copied to the Santa Cruz County District Attorney. We urge the County to take action either through County Code Compliance, or the District Attorney, or both.

We fully agree with the VWC letter's statements that this unnecessary tree removal "increases the danger of erosion, even lethal mud and debris slides, in the burned zones, exposing residents to possible harm, endangering forest recovery and undermining wildlife survival by destroying remaining habitat. This vegetation mismanagement could increase the impact of a catastrophic debris flow." It is clear that PG&E and its contractors are felling healthy, only superficially damaged trees. In addition to their extreme importance in support of habitat, these trees are also anchors against erosion and mudslides. The impacts to creeks and rivers from the sediment caused by PG&E's actions here cannot be overstated.

Of significant concern to your Board is that PG&E is also cutting far outside of its right of way. We have seen the above-referenced CalFire letter and were taken by the unusually harsh assessments made by the CalFire Department of Forestry. For example:

On October 28, 2020, I inspected a small portion of the burned area and encountered several different contractors (listed above) operating along the powerlines. I confirmed that the areas where they were working met the definition of "Timberland" under the California Public Resources Code (PRC) section 4526. I observed Ponderosa Pine, Douglas fir and Redwood trees growing and regenerating on the property. I observed numerous Ponderosa Pine, Douglas fir and Redwood trees growing on these lands and an active operation cutting, yarding and decking numerous trees of these species and clearing lands under and around the powerlines, sometimes up to 100' away from the lines themselves. In my training and experience, this activity would meet the definition of "Timber Operations" (PRC § 4527) occurring on Timberlands.

Per PRC §§ 4571 and 4581, timber operations require both a permit and a license. Failure to obtain these permits and failure to use a Licensed Timber Operator are violations of the Public Resources Code and can be cited as misdemeanors.

CalFire has identified the PG&E operations as unlicensed timber operations. This is not a superficial concern, as the CalFire letter went on to discuss the risk of "massive sedimentation" into waterways, which will greatly impact fish species and surrounding habitat:

Along Warrenella road and on the Gate 4 and Gate 5 roads, all dirt and gravel seasonal roads, I encountered several sections where road watering was needed. I encountered dust depths over 4" deep including steep grades where the dust was flowing into the outlets of drainage features above watercourses. This would be a violation of 14 CCR § 923.7(c) - Maintaining the running surfaces of logging roads during Timber Operations to prevent excessive loss of road surface materials. This condition places the downslope watercourses at risk from massive sedimentation, either from direct deposit of sediment into the watercourse during operation or during rainfall events. As we are currently inside the designated Winter Operating Period, this is a major concern considering the anadromous fishery status and other RAES species habit downstream. Road watering must be immediately initiated on these road sections.

In Santa Cruz County, the Winter Operating Period starts on October 15<sup>th</sup> each year. As this inspection occurred on October 28<sup>th</sup> and no permits had been filed, there is no Winter Operating Plan in place for Timber Operation as required by the rules. These Timber Operations are therefore in violation of 14 CCR § 914.7. This is concerning as there several miles of unwinterized seasonal roads open for these operations and it is unlikely that they could be quickly winterized prior to a storm event.

In summary, we strongly urge you to take all appropriate and available actions to ensure the cessation of these unlicensed, unlawful, and destructive activities.

Yours Sincerely,



Michael Guth, Conservation Committee Chair



Micah Posner, Executive Committee Chair  
Santa Cruz County Group of the Sierra Club