North Coast timber conflict flares up—again

By Will Parrish

After an era of relative quiet compared to the so-called timber wars of the 1980s and '90s, conflict over logging in the forests of Northern California has returned.

A plan to log 100- to 150-year-old redwood trees across 320 acres of northwestern Sonoma County in the Gualala River floodplain has generated fervent opposition from environmentalists and local residents over the past year. Clear-cutting of 5,760 fire-impacted acres in the Klamath National Forest kicked off in April, much of it on land previously designated as endangered species habitat.

The indigenous people of the area, the Karuk tribe, worked with local environmentalists to craft an alternative plan, but the Forest Service largely ignored it. The Karuk and the environmental groups have filed a lawsuit in an attempt to scuttle the logging. Last month, Karuk tribal members and local activists blocked the road leading to the logging while holding up a banner reading "Karuk Land, Karuk Plan" in an effort to slow the logging operations pending a legal judgment that could come as soon as late August.

During the last period of conflict 30 years ago, regional environmentalists curtailed some logging operations by setting aside talismanic stands of old-growth redwood trees in parks and preserves, and by pointing out that forests provide important habitat to numerous species, many of them endangered, including northern spotted owls, marbled murrelets and coho salmon.

California is home to some of the most prodigious forests on earth, but lumber production in California has steadily declined since the 1950s. A similar trend also occurred in other western states. But now logging companies are coming back to pick over what's left.

Many timber companies treated their trees like green gold that was theirs to mine.

"Companies have come in and gotten up to a 16 percent return per year on their timberland, but the forests are only physically capable of yielding about 1 percent per year over the long run," says former California Department of Forestry and Fire Protection (Cal Fire) director Richard

Wilson, who lives outside the northeastern Mendocino County town of Covelo. Cal Fire is the agency that regulates timber harvests on the state's private lands.

As a result, soil that once grew trees in the forest has washed into streams and chokes vital fish habitat. The trees that remain—many third-, fourth- and sometimes even spindly fifth-growth replacement trees—hold back less floodwater, provide far less animal habitat and sequester far less carbon dioxide.

Even so, timber remains a major industry in California, particularly in northern counties like Humboldt, Shasta, Siskiyou and Mendocino, which account for about half the state's timber harvest. Roughly 20 percent of that harvest currently occurs on public lands.

In some cases, this logging involving cutting old trees that survived the liquidation logging of previous eras. Most often, though, contemporary lumbering means harvesting from lands scarred by past operations, thus eliciting messy disputes.

During Wilson's tenure at Cal Fire (1991 to 1999), he sought to address the problem of over-harvesting by requiring that timber companies file 100-year management plans for sustaining the volume of timber in their forests, called "sustained yield plans."

But he says the industry has used its political clout to undermine these regulations, such that a large proportion of the state's remaining timberlands continue to be degraded by companies like Sierra Pacific Industries, California's largest timber company, which owns 1.8 million acres and relies heavily on clear-cutting.

"We've got the rules," Wilson says. "It's a question of enforcing them."

In this story, we highlight several timber-industry fights playing out in the North Coast. These sorts of struggles will shape the long-term well-being of rural economies, the health of local ecosystems and the well-being of indigenous cultures.

These struggles are woven into a broader ecological context. Northern California's forests make up the southern leg of the conifer-rich "Pacific temperate rainforest," which extends from Prince William Sound in Alaska to California's Central Coast. These forests contain the largest mass of living and decaying material of any ecosystem in the world on a per-unit basis, prompting many scientists and environmentalists to view their maintenance and restoration as crucial in the fight against global climate change.

THE WESTSIDE PLAN: 5,700 ACRES OF CLEAR-CUTS

The Marble Mountains are among the ecological jewels of Northern California's national forest system and home to numerous old-growth conifer stands. In the 1990s, the U.S. Forest Service

set aside many mature forest habitats as reserves for the benefit of old-growth-dependent species, such as the northern spotted owl, which is listed as threatened under the Endangered Species Act.

In 2014, a series of wildfires known as the Westside Fire Complex burned across 183,000 acres of the broader region, most of it in the Klamath National Forest. In response, the Forest Service has designed timber sales that include more than 5,700 acres of clear-cuts, including fire-killed and living trees, many of them occurring in the mature forest reserves or on steep slopes above streams federally designated to promote the long-term survival of coho salmon.

The Forest Service often auctions off fire-impacted lands to timber companies for "salvage logging." The Westside Plan is the largest post-fire timber sale in the recent history of northwestern California.

Klamath National Forest supervisor Patricia Grantham says the standing dead trees in the forest pose a major long-term fire hazard. By aggressively logging these areas of the forest, her agency is supplying logs to local mills and biomass power plants, contributing to the long-term health of the forest and protecting local residents' safety.

"When fire returns to the area in the future, it will be smaller and less severe because of the actions we're taking on the landscape today," Grantham says.

But environmentalists and tribal members regard the Westside Plan as a giveaway to the timber industry of historic proportions.

"The Westside [Plan] is absolutely the worst project I've ever seen in Pacific Northwest national forests," says Kimberly Baker of the Arcata-based Environmental Protection Information Center (EPIC). She has been monitoring timber sales on national forests for the past 18 years.

The Karuk tribe, EPIC and three other environmental groups have filed suit in federal court to challenge the project. Logging began in April, and it is unclear how much of the land will remain intact when the judge reaches a verdict.

The U.S. Fish and Wildlife Service has also expressed skepticism regarding the Forest Service's proposal, noting that dead trees "greatly improve" the quality of habitat for spotted owls and other creatures as the forest naturally recovers over time.

According to Fish and Wildlife's estimate, the Westside Plan could lead to the deaths of 103 northern spotted owls—at least 1 percent of the species' entire population.

Many of the slopes where the logging is occurring are among the most unstable in the Klamath National Forest. They also happen to be right above several of the Klamath's most important

salmon-bearing streams. By removing anchoring vegetation and carving a spider-web pattern of roads and log landings, the logging threatens to bury the streams with silt.

The Karuk tribe worked with environmental groups to develop an alternative plan that would rely on prescribed fires to regenerate the land over the long run. Logging would be confined to ridgelines, for the purpose of developing fuel breaks, such that some logs would still feed local mills. Much of the Klamath Forest is the Karuk's aboriginal territory.

The Forest Service's Grantham says she incorporated most of the Karuk's input. "The plan I ultimately decided on for the project and the Karuk Plan are about 75 percent similar," Grantham says, "and in some ways we came all the way over to their way of thinking."

Karuk tribe natural resources adviser Craig Tucker says that simply isn't true. "In reality, the Forest Service basically told us we can go pound sand," he says regarding the agency's response to the Karuk management plan.

According to public records, the Forest Service has spent approximately $24 million developing the Westside logging plan and is auctioning most of the logs for a paltry $2.50 per truckload, thus generating only about $450,000 in revenue for the agency.

In May, tribal members and environmental activists blocked the road leading to the salvage logging project while holding up a banner that read "Karuk Land, Karuk Plan." They are considering further civil disobedience as the logging proceeds.

"The Karuk tribe's been here for at least 10,000 years," Tucker says. "The Forest Service has been here for about a hundred. Yet they don't listen."

IN THE SHADOW OF HURWITZ

In 1985, Houston-based investor Charles Hurwitz used junk bonds floated by financier Michael Milken (who later spent two years in jail for financial fraud) to finance a hostile takeover of locally owned logging company Pacific Lumber. This cutthroat move gave Hurwitz control of 200,000 acres of Humboldt County timberland, including more than half of all remaining privately owned old-growth redwoods on the West Coast—and, thus, in the world.

By the time Hurwitz cashed out of the land in the mid-aughts, his company, Maxxam Corporation, had clear-cut roughly three-quarters of his ownership.

In 2008, the Fisher Family of San Francisco purchased the land and formed Humboldt Redwood Company (HRC). Best known as owners of the Gap and Banana Republic clothing companies, family matriarch Doris Fisher and her sons, Robert, William and John (who is also well-known as the majority owner of the Oakland A's), are all billionaires. Along with forestland they had

previously purchased in Mendocino and Sonoma counties, the Fishers own more coastal redwood forest than perhaps any private entity ever has, roughly 440,000 acres.

The company immediately pledged a new era of harmony between environmentalists and the timber industry. They vowed to abstain from traditional clear-cutting, preserve old-growth trees and invest in road improvements to reduce erosion into streams, which despoils fish habitat.

"From the beginning, we committed to demonstrating that it is possible to manage productive timberlands with a high standard of stewardship," recently retired HRC President Mike Jani told me in an interview last year.

Kimberly Baker

WEST SIDE SOTRY story 'The Westside [Plan] is absolutely the worst project I've ever seen,' says EPIC's Kimberly Baker of the Marble Mountains logging plan.

To many residents of the Elk River watershed, which drains into Humboldt Bay south of Eureka, those words are almost entirely empty. For the past 20 years, large-scale logging upstream has caused floods of increasing intensity that have damaged their homes and threatened their safety.

The problems started when Hurwitz's Maxxam conducted large-scale clear-cutting that badly reduced the soil's capacity to absorb rainwater and created a massive sediment plume that has buried much of the river's north fork. But the problem has worsened as HRC and another large timber company, Green Diamond Resources Company, have continued intensive logging.

"HRC's 'sustainability' is based on trampling our constitutional rights, and spending huge sums of lobbying money in order to do so," says Jesse Noell, a long-time Elk River resident.

The EPA has informed state agencies that the destruction of the Elk River, an important salmon-bearing stream, violates the Clean Water Act. In the late-1990s, they enacted a "memorandum of understanding" with the North Coast division of the state water board requiring that the board develop a plan for cleaning up the sediment in the river by 2002.

Fourteen years later, the water board still has not implemented the plan. According to Rob DiPerna, EPIC's forest and wildlife advocate, the reason is straightforward: political pressure from timber companies and the regulatory agencies that favor them.

DiPerna notes that Maxxam caused most of the original damage, even if HRC has worsened it. A 2015 post on the company's website said that "Humboldt Redwood had a recent difference of scientific opinion with the North Coast Regional Water Quality Control Board and remains in dialogue with the agency about the best way to address downstream flooding issues." But the company later filed a lawsuit against the board for not authorizing sediment discharge and logging operations into the Elk River as part of a timber harvest plan the company filed.

"For HRC, the problem is that the Elk River is one of the only areas of its land with large stands of merchantable timber, since Maxxam cut so much and most of the other merchantable stands are protected from cutting until at least 2049, per a habitat conservation plan Maxxam negotiated with state and federal agencies, politicians, and national environmental groups in the late-'90s.

Noell and other local residents say that doesn't constitute an excuse.

"We have a right to be able to use our water and not to be flooded three to 20 times per year," says Kristy Wrigley, a fourth-generation apple farmer who lives along the Elk River's north fork. Her lands are no longer productive due to the flooding.

One of the only other places where HRC owns large stands of timber is in the Mattole River watershed. It meets the Pacific Ocean at the westernmost point of the continental United States, in the town of Petrolia, located along the largest swath of undeveloped coastline in the nation, the Lost Coast.

In the Mattole, HRC has received approval to conduct the largest late-successional (a term for nearly old-growth) timber harvest in Humboldt County in at least 17 years. The areas they are attempting to log include steep slopes that Maxxam had failed to reach—a fact that is deeply painful for residents who fought off those plans in the late '90s and early 2000s.

A road blockade erected by local activists in 2014 has forestalled most of the logging, and HRC has since been engaged in discussions with locals and environmentalists about a compromise.

Brooke Anderson

FACE OFF Foes of a logging project in the Klamath National Forest blocked a logging road in May to protest the plan.

A newly minted local residents group called the Lost Coast League is seeking to acquire HRC's land in the Mattole—including about 18,000 acres—to become an ecological preserve that would limit the harvest of trees to that which facilitates their recovery.

HACK 'N' SQUIRT IN MENDOCINO COUNTY

Spanning the coastal zones from Santa Barbara to southern Oregon, tanoak trees have been a staff of life for indigenous people, who historically relied on their acorns as a food source. To modern timber companies, however, they are largely a weed tree. Tanoaks often thrive in land disturbed by logging, which include most of California's coastal redwood and Douglas fir forests.

The most cost-effective means of eliminating tanoaks—and other undesirable hardwood species—is a method called "hack 'n' squirt," which involves cutting around the base of the tree, peeling back the bark and spraying a systemic herbicide called Imazapyr into the freshly opened gashes.

The largest practitioner of this technique is Humboldt Redwood Company's southern counterpart, Mendocino Redwood Company (MRC), which the Fisher family also owns. According to documents MRC submitted to state and federal agencies in 2012, they had conducted hack 'n' squirt on 78,000 acres of their land at that point—roughly 3 percent of vast Mendocino County's private lands.

But the widespread herbicide use and killing of trees has outraged many Mendocino County residents. In June, Mendocino County voters resoundingly passed Measure V, which declares intentionally killing and leaving standing dead trees a public nuisance under the county code. The measure's explicit aim is to restrict hack 'n' squirt, and it passed with 62 percent of the vote—even though MRC spent roughly $300,000 in a campaign to defeat it.

In 1984, the California Legislature responded to agribusiness interests by adopting a bill sponsored by Asemblymember Bruce Bronzan, which overturned a Mendocino County ban on aerial spraying of herbicides. In a naked power play, the bill stipulated that only the Legislature can restrict the use of pesticides and herbicides, and not counties. Thus, Mendocino County activists have been unable to call for an outright ban on hack 'n' squirt.

The rationale for Measure V is that MRC and other smaller timber companies are "manufacturing a fire hazard," says Albion-Little River volunteer fire chief Ted Williams, by leaving so many trees standing dead. Williams was one of the measure's official proponents.

MRC says they try to use hack 'n' squirt only "once in the life of a stand [60–80 years]," and that the practice is necessary for speeding up the restoration of redwoods and Douglas firs that predecessor timber companies recklessly over-harvested. They also note that it is the most cost-effective way of limiting tanoaks.

The effectiveness of Measure V is subject to legal interpretation. As MRC forester Jessie Weaver informed local residents, the company has continued to use the technique since the passage of Measure V, though he would not say if they plan to continue relying on the practice after the county officially certifies the measure.

On July 19, about 30 local residents temporarily blocked one of the entrances to MRC's Ukiah mill to call on them to "abide by the spirit" of Measure V by committing to an outright hack 'n' squirt ban.

LOGGING THE GUALALA FLOODPLAIN

Last year, Gualala Redwoods Timber (GRT)—owner of 29,500 acres in northwestern Sonoma and southwestern Mendocino counties—submitted plans to log hundreds of large second-growth redwoods in the Gualala River's sensitive floodplain. The Dogwood Plan encompasses 320 acres, making it the largest Gualala River floodplain logging plans in the modern regulatory era.

The redwood trees in the floodplain are at least 100 years old. Sonoma County's regional parks district has eyed the floodplain area as a possible park site for more than 50 years, while a consortium of conservation groups has sought to buy the remainder of the land and create a "working community forest" characterized by a lighter-touch approach to logging.

Instead, the property has been purchased by the Burch family of San Jose, whose West Coast timber franchise spans three states.

More than a year after submitting the Dogwood Plan, Cal Fire signed off on it last month. The plan had received so much opposition from local residents and environmentalists that the company submitted the plan four different times.

Peter Baye, a coast ecologist who works with Friends of the Gualala River, notes that GRT still hasn't surveyed for spotted owls or protected species of rare plants. "I really have doubts whether they are following protocols, or just shuffling paperwork," he says.

Friends of the Gualala River and Forest Unlimited have filed a notice of their intention to sue to stop the plan. They will likely seek an injunction to stop the logging pending a trial that could occur later this or next year.

On July 16, about 200 people attended a rally against the Dogwood Plan at Gualala Point Regional Park. Gualala Redwoods Timber forester Henry Alden, whose previous job was with Maxxam, has said that criticism of the logging plan is exaggerated, and that the company plans to log much more selectively than most critics of the project have been led to believe.

Many Dogwood Plan opponents note that the Gualala River has already sustained enormous damage. According to a 2010 Cal Fire report on sustainable forest management, the average annual California timberland harvest covers 1.64 percent of private timberland acres. By contrast, the company's total logging from 2004–14 covered about 30 percent of its land, which translates to a harvest rate of around 2.7 percent per year—far beyond what experts consider sustainable.

Richard Wilson, the former Cal Fire chief, says that battles between environmentalists and timber companies will continue until timber companies are forced to limit their harvesting practices to sustainable levels that balance the needs of other species and local residents.

"Most of the public doesn't realize we still have a long way to go to get to sustainability," he says.

http://www.bohemian.com/northbay/last-stands/Content?oid=2978137&showFullText=true