

IV.11 Individual DEIR Mailed Comments P-188B to P-197

This section presents responses to individual public comments (i.e., not form letter or form letter based) received the U.S. mail or other non-electronic delivery services. The responses immediately follow each letter and are organized in the same order as the comments in each letter. Several of the letters included attachments. Attachments were not included herein if our response did not directly reference the attachment.

ADMINISTRATIVE DRAFT FINAL EIR FOR JDSF MANAGEMENT PLAN

P-188B

Kathy Bailey
Additional Comments, March 1, 2006
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PO Box 256
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February 27, 2006

Chairman Stan Dixon
Members
California Board of Forestry
1416 - 9th Street
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Sacramento, CA 94244

Additional Comments on
Draft EIR for Jackson Forest Management Plan

Dear Chairman Dixon and Members of the Board:

Having a couple of minutes left, I am offering some additional comments on issues that are of concern.

Mushroom Management

On page VII.6.2-10 there is a discussion of mushrooms and other fungi, the use of Jackson by the mushroom-interested scientific community, scientific literature that was generated from research at Jackson, and other related issues.

106

There is attached to this discussion, a map of the Mushroom Corners area, Figure VII.6.2.1, which in the key shows a "Mushroom Management Area." The text of this section does not mention a specific "mushroom management area." I quickly paged through the Forest Management Plan but could not find mention of such a mushroom management area. Is the inclusion of map Figure VII.6.2.1 to be taken as a commitment that there be a mushroom management area at the mapped location? If yes, what provisions will be put in place to protect the mushroom resources there?

Class II and Class III Watercourse Protection Needs Augmentation

107

Beginning on Page VII.6.1-6 there is a good discussion of the function and importance of headwater stream systems to both sediment production and amphibian habitat. It provides strong justification for highly protective aquatic measures for Class II and Class III watercourses. Yet, the FMP Habitat Protections outlined in VII.6.1.12 on Page VII.6.1-91 indicate protections for Class IIs are only modestly improved on standard FPRs, including a WLPZ that may be as narrow as 50 feet. This would be in contrast to the National Marine Fisheries Service recommendations of 180 feet in this region. The FMP proposed management measures include some tree retention, but a significant amount of logging in the 50-

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107 100 foot Class II WLPZ, particularly outside the first 25 feet of the zone. This contrasts with the NMFS Guidelines for *no harvest except to accelerate late seral conditions in the full 180 feet on each side of a Class II stream.*

Class III fares predictably worse in the FMP. The only difference between standard rules and the FMP proposal is to ensure that there is an equipment exclusion zone of as little as 25 feet on each side of Class IIIs. NMFS Guidelines are for a 30-50 foot *no harvest zone* except for necessary crossings, plus additional measures.

108 The following excerpt of your own DEIR clearly demonstrates that the NMFS Guidelines are much more appropriate for application on our public lands at Jackson than what is proposed by the FMP. The DEIR fails to provide any sort of justification for the use of the lesser standards proposed by the FMP, especially in light of the information provided about the importance of Class II and Class III to the aquatic systems and dependent species. The DEIR also fails to identify that operations as proposed by the FMP for Class II and Class III will cause a significant negative effect on the environment.

Below, please find your DEIR discussion pasted from Page VII.6.1-6 to VII.6.1-8:

“Headwater Stream Ecosystems-Headwater streams and drainages (Forest Practice Rule Class II and III) are areas that contribute to stream ecosystem function. These areas can represent 60-80% of total channel length in mountainous terrain (May and Gresswell, 2003a). These small streams contribute structural components such as large woody debris, spawning gravels and stream substrate, and invertebrate and detritus inputs. These sites also contribute to water quality and provide for storage of potentially deleterious fine sediment. Similarly, they can have a strong influence on the rates of sediment and wood delivery to larger watercourses, and consequently, habitat value for a variety of aquatic and semi-aquatic vertebrates and other biota (Welsh et al. 1998). Efforts aimed at restoring structural and biotic elements of stream ecosystems must first increase normative conditions in the river system before sustainable species recovery is possible (Williams et al 1999). Management approaches aimed at restoration and management of watershed processes, rather than individual habitat characteristics, may be more effective in developing complex stream channel structure (May and Gresswell 2003b). The underlying assumption is that movement toward restoration of natural processes and levels of sediment production, large woody debris recruitment, and other stream function processes, will be positive for stream biota.

“Disturbance as an Influence on Headwater Stream Ecosystem Structure and Function

Disturbance as an influence on the structure and function of stream ecosystems has been extensively studied and reinforces the concept of the “river continuum” (Vannote et al. 1980). That being that energy and organic material inputs to stream processes change in a predictable way along the stream course from headwaters to downstream reaches. A variety of land uses, including timber harvest and forest management, can influence background erosion and sedimentation regimes, recruitment of large woody debris and other ecological

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Kathy Bailey
Additional Comments, March 1, 2006
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processes. The delivery, time in residence, and transport of these additional sediments and woody debris influence stream channel conditions and associated biota. Change in vegetation in the vicinity of headwater streams can markedly alter the function of these stream types and those larger stream systems supported. Change in the efficiency of the channel to recharge groundwater, meter trapped sediments and water flow, and process organic material and other nutrients for use by aquatic biota downstream can be expected. Past management practices that reduce local sources of wood and rate of wood recruitment increase the relative importance of wood contributed by debris flows in colluvial tributaries where this means of recruitment occurs.

"Most debris flows in the northern California Coast Ranges originate from zero-order colluvial-filled hollows. Increases in pore water pressures in convergent bedrock topography where soil and colluvium is relatively thick can exceed resisting forces to failure, resulting in debris flow initiation. These features can mobilize down steep channels and pick up additional debris as they travel, forming the characteristic Ushaped, relatively straight channel. The principle influence of vegetation along Class III channels on the mobilization of debris is the presence of in-channel large trees that could slow or stop mobilized sediment and debris under some circumstances or contribute large wood at other times. Because debris flow potential is not universal, WLPZ boundaries cannot be used as a surrogate to actual site inspection for potential zones of failure (T. Spittler pers. comm. 10/28/04).

"The type of disturbance also can have markedly different results on the structure and function of stream and associated riparian ecosystem processes. For example, floods, fire, mass wasting events are generally less frequent and result in large localized changes to stream system, whereas, timber harvest, land conversion, agricultural and urban development are more frequent and regional in effects. Regionally, the "natural" (fire, flood) and man induced (timber harvest, land conversion) disturbance regime within the redwood zone likely exceeds that under which the plant community and associated biota evolved (Reeves et al. 1995; Sawyer et al., 2000). Stream communities, as shaped by past and present disturbance events have led to widespread and long-lasting alteration of stream conditions. Principle among these is alteration of the amount, size, and recruitment of large woody debris and coincident metering of sediments through the stream system. Large woody debris increases the sediment storage capacity of headwater streams. With sufficient wood inputs, low-order channels have the potential of storing large volumes of sediment and are one of the dominant sediment storage reservoirs.

"Headwater Habitat Relationships Because of the small size of headwaters and close connection with uplands; these areas are readily influenced by adjacent land uses. Species that inhabit headwater environments can be especially vulnerable to habitat alteration. These species, amphibians and other taxa, generally achieve higher population densities in headwater habitats. In addition, individual species inhabiting headwater habitats generally exhibit low levels of vagility (mobility) sometimes spending their entire life cycle in a few square meters of habitat. Recolonization of suitable vacant habitat may require extensive periods of time or, lacking movement into vacant habitat, result in local population extirpation.

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"Headwater stream reaches, lacking fish populations, provide areas with little or no fish predation pressure to the benefit of several aquatic and semi-aquatic amphibians. Amphibians that breed primarily in stream habitats represent a large component of stream biomass and in the Pacific Northwest may exceed fish in both numbers and biomass (Hawkins et al. 1983). Welsh and Ollivier (1998) examined the impact of sediments on aquatic amphibian densities in coast redwood. Three species were sampled in numbers sufficient to be informative: tailed frog (*Ascaphus truei*, larvae), Pacific giant salamander (*Dicamptodon tenebrosus*, paedomorphs and larvae), and southern torrent salamander (*Rhyacotriton variegatus*, adults and larvae). Densities of amphibians were significantly lower in the streams impacted by sediment. While sediment effects were species-specific, reflecting differential use of stream microhabitats, the shared vulnerability of these species to infusions of fine sediments was probably the result of their common reliance on interstitial spaces in the streambed matrix for critical life requisites, such as cover and foraging."

Road Rehabilitation is Too Slow

According to the DEIR:
"Page VII.15-7

The proposed Road Management Plan (DFMP, Appendix VI: Road Management Plan) specifies that a road inventory will be completed within five years following approval of the Forest Management Plan. This inventory will compile a list of roads for decommissioning, and establish the priorities and schedule for completing this work. The availability of alternative access for management, recreation, and fire control will be a critical factor in deciding whether a road is needed or not."

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This is an incredibly modest goal considering the level of consensus regarding the need for upgrading the roads at Jackson. It should not take five years just to do the assessment. It all boils down to how much money the managers at Jackson will be allowed to keep from the proceeds of cutting the public's trees at Jackson. Assuming the forest goes back into production in the foreseeable future, the road inventory should be completed within a year at most and rehabilitation should proceed the next season on the highest priority road segments. Money should not be diverted to other purposes from Jackson's management until the high priority roads are fixed. As far as I can tell, the EIR has not identified the need for an accelerated road rehabilitation plan. Thus, the EIR has omitted a crucial feasible mitigation that has an absolutely complete consensus behind it as to need.

The West Chamberlain Creek Road (200) Should Not be Abandoned

Having stated the above, I was nevertheless surprised and concerned to see the following on Page VII.15-7:

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"Wide-scale road decommissioning will not be conducted in areas with no alternative access. However, selective decommissioning of high-risk road segments in these areas may occur. "Road 200, for example, is a potential candidate for road abandonment due to its "somewhat hazardous and potentially damaging inner gorge location" (DFMP, Page 87). This road is currently used as the primarily route for logging trucks that haul out of the Noyo River drainage and by recreational vehicles that visit the San Francisco Boys and Girls Club and Camp Noyo Boy Scouts Camp. In order to facilitate potential decommissioning of Road 200, the Forest may examine the potential to acquire alternative public access along the Three Chop Ridge Road (also known as CDF road 1000) between the eastern Forest boundary and Highway 20, and incorporating the Three Chop Ridge Road into the Forest's road system. (See Map Figure A in the attached Map Figures section).

"Three Chop Ridge would provide a safer route of travel to the intersection of State Highway 20 for both commercial and recreational vehicle traffic. Incorporating Three Chop Ridge Road into JDSF would also provide the State with control of a major fire suppression ridge, which would benefit adjacent landowners as well."

110

I am willing to be convinced otherwise, but I believe many would strongly object to decommissioning Road 200. This is the primary access to the Waterfall Grove, which is generally considered to be the highest use feature on the forest. However, I do completely support the idea of securing the alternative access to Three Chop Ridge Road and using that for all logging and as much of the Boy Scout Camp traffic as feasible. If Road 200 were to be closed completely and traffic diverted to Three Chop Ridge (Road 1000), it would add many, many miles onto the trip to the Waterfall Grove from Ft. Bragg/Mendocino. And if staff at the Boy Scout Camp wanted to go to Ft. Bragg rather than Willits, it would also add many miles onto their trip. While Road 200 does have continuous maintenance needs, I am not under the impression it produces much sediment into the creek. Perhaps paving or chip seal might be an adequate mitigation short of decommissioning. Please consider this alternative.

Thank you for consideration of these additional comments.

Best regards,
Kathy Bailey
Kathy Bailey
Forest Conservation Advocate
California Sierra Club

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Mailed Letter P-188B

Response to Comment 106

The provisions for protection and other considerations associated with Mushroom corners were developed in the DEIR (see page VII.6.2-46) and are as found in Chapter 3 of the ADFMP and in Appendix IX. The general management plan language is roughly as follows:

Mushroom Corners:

The Mushroom Corners area partially overlaps the Caspar Experimental Watershed, Russian Gulch/Lower Big River a Late Seral Recruitment area, county roads with visual and recreation concerns, as well as proximity to State Parks and private land ownerships (see Map Figure 5). In California, there are no fungi species listed as Federal or State Endangered or in the more inclusive Department of Fish and Game, Natural Diversity Database special status lists. A long-beard lichen occurs on JDSF that has been assigned special status by CNDDDB. This area is particularly important to the mycological research community, in part due to its ease of access and presence and abundance of a diverse number of species.

Although the analysis in the December 2005 DEIR did not find any potential adverse environmental impacts to the Mushroom Corners area, it did provide an additional management measure, which is included in Appendix IX.

Appendix IX

Mushroom Corners

Additional Botanical Management Measure 2

Harvests: The area is available for future study related to the relationship between fungi and the forested habitat. Most of the future harvests in this area will utilize various forms of uneven-aged management, including single tree and small group selection. Consultation will be initiated with representatives of the mycological research community while planning for future harvest activities.

Fire, Fuels Reduction or other Active Management: Consultation will be initiated with representatives of the mycological research community during planning of any management-related fire or fuels reduction activities.

Invasive Plant Management: Invasive plant control will have a high to moderate priority in this area to insure continued presence of native species that interact with the fungi in the area.

Monitoring:

Timing:	During the life of the JDSF Management Plan
Scope:	Mushroom Corners
Implementation:	CAL FIRE
Monitoring Responsibility:	CAL FIRE

Response to Comments 107, 108

The standards reflected in the management plan are expected to provide a significant degree of protection, and recovery of fully functioning stream ecosystems. It is important to note that the standards described are minimums that in practice are frequently exceeded based on site specific conditions. The protection applied in the field will equal or exceed these minimum standards, based upon a site-specific impacts analysis performed for each project or cumulatively for projects within a given assessment area. JDSF will manage forest stands in watercourse/lake protection zones (WLPZs) to promote their development to late-successional forest conditions (ADFFMP, Chapter 3). It is common for protection applied in the field to exceed the minimum standards by a considerable degree. The Board believes that the reference in the comment to protection standards provided by NMFS refers to habitat conservation plan guidance or general guidance in the absence of site-

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specific analysis. The standards developed for JDSF were guided by the findings of watershed analysis work conducted on the forest.

It is not the objective of the Board to adopt a fixed set of standards that provides the maximum possible level of protection for watercourses. However, it is the intention of the Board to allow recovery to continue and to avoid significant impacts to watershed and aquatic resources and the taking of listed species. WLPZ standards specific to JDSF also provide a unique opportunity to monitor response and recovery of aquatic systems to varying degrees of management in furtherance of JDSF's research and demonstration mandate. The reader is referred to the analysis in DEIR Section VII.6.1 and 10. Significant impacts to watershed and aquatic resources are not expected to occur.

Response to Comment 109

The Board agrees that the inventory of roads should be accelerated, and the management plan has been amended to provide for a three year inventory period (see DEIR page VII.6.1-97 for one of several presentations of the additional management measures for an accelerated road management plan). Work to maintain, upgrade, and decommission roadways will not be deferred until the inventory is completed, but is expected to be incrementally implemented coincident to the inventory. Approximately 10 miles of roadway has been decommissioned in recent years, and additional decommissioning projects are being planned, including a DFG grant project to decommission roadway in Caspar Creek. The intent of the road management plan is to accelerate watershed recovery. The accelerated road inventory provision represents a positive cumulative effect.

Response to Comment 110

There are no current plans to decommission Road 200, but it is recognized that much of the length of Road 200 is located within the inner gorge of Chamberlain Creek and often within a very short distance from the stream, creating potential for slope instability and sedimentation, and occupying area that would alternatively produce forest, shade, and large woody debris of value to the aquatic system. No plans will be made to decommission this roadway until an alternative route from Highway 20 to Three Chop Ridge Road is found. It is speculative at this point in time to predict the location of an alternative route, or what effect this route may have upon travelers from either the inland areas or the coast. If the decommissioning of this roadway is considered, the potential for impacts to recreationalists and travelers will be considered in detail.

There are no current plans to alter the access to the Waterfall Gove site or trailhead.

WILLITS REDWOOD COMPANY

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QUALITY REDWOOD TIMBERS

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February 28, 2006

MAR 1 - 2006

Board of Forestry and Fire Protection
P.O. Box 944246
Sacramento, California 94244-2460

BOARD OF FORESTRY
AND FIRE PROTECTION

Subject: Jackson State Forest Draft EIR

Dear Sirs:

1 We would like to commend the Board on the completion of the Environmental Impact Report for the Draft Jackson State Demonstration Forest Management Plan. The discussion of management options is ultimately as complex as the document itself, as forestry as a science is infinitely variable across the matrix of the landscape. What we all want for Jackson State Forest is to establish a framework which allows Jackson State Demonstration Forest to continue to provide sustainable multiple benefits to our communities, both natural and human. For fifty years, Jackson State's management has provided clean water, wildlife habitat, and recreational opportunities while fulfilling its mission of demonstrating exemplary forest management practices, and continued timber production. We support the adoption of Alternative C-1 as the alternative that best allows for sustainability of Jackson State Forest programs, both ecologically and economically.

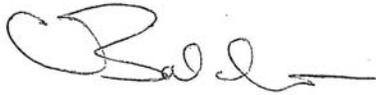
2 As you know, Willits Redwood Company remains under contract with the State of California for the Camp 3 Timber Sale on Jackson State Forest, a sale that was purchased in April, 2003, and has not produced a delivered log to our Company. The timber supplies from that sale remain an important element of our raw material needs and plans for the 2006 and 2007 operating seasons. The California Department of Forestry and Fire Protection continues to hold an amount in excess of \$110,000. of Willits Redwood Company's operating capital, without interest, as we await the opportunity to resume harvest operations.

3 Never-the-less, the importance of Jackson State Demonstration Forest to our communities is much larger than Willits Redwood Company or the Camp 3 Timber Sale. The number of sawmill operations in Mendocino County has dwindled to five, with a major percentage of raw material supply coming from out of state or out of country. Productive timberland is being removed from the resource base at an alarming rate, as timberland ownership is viewed as an unattractive investment. The county is losing the benefits that properly managed timberland provides to our

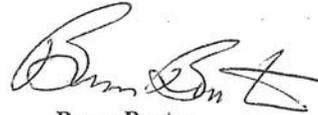
ADMINISTRATIVE DRAFT FINAL EIR FOR JDSF MANAGEMENT PLAN

3 } communities; the trickle-down effect of stumpage dollars spent locally on both
government and private ownerships, the jobs created locally in the woods and in
supporting industries, and the tax revenues that sustain our infrastructure. We need
4 } Jackson State Forest now, more than ever, to demonstrate that forest management
for timber production is compatible with multiple resource values, and we need the
California Board of Forestry and Fire Protection to be an advocate for the broad
benefits that forest management provides.
Thank you for your consideration.

Sincerely,



Chris Baldo
Owner



Bruce Burton
Owner

ADMINISTRATIVE DRAFT FINAL EIR FOR JDSF MANAGEMENT PLAN

Mailed Letter P-189

Response to Comment 1

The Board shares the commenter's interest in a framework that provides multiple sustainable benefits. We note the support for Alternative C1, which was based on the May 2003 Draft Forest Management Plan. The Board has since developed Alternative G, which builds on Alternative C1, and a proposed Administrative Draft Forest Management Plan (ADFFMP), which is based on Alternative G. The Board believes that the ADFFMP will provide for ecological and economic sustainability.

Response to Comment 2

The Board is aware of the ongoing contractual relationship between Willits Redwood and the Department. Alternative G and the ADFFMP recognize the situation of the enjoined timber sale.

Response to Comment 3

The DEIR provides an extensive discussion of the regional and local importance of the forest products industry and the economic role of JDSF within that context (see DEIR sections III, Project Information, and VII.6.6.3, Timber Resources; or RDEIR section III.6.4). The DEIR and the ADFFMP recognize the losses of timberland that are occurring and that JDSF can help to reduce these losses through demonstrating, to small forest landowners, timber management that is economically and environmentally sustainable.

Response to Comment 4

The Board agrees to the importance of demonstrating forest management and timber production approaches that are compatible with multiple resource values.

ADMINISTRATIVE DRAFT FINAL EIR FOR JDSF MANAGEMENT PLAN

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PLANNING AND CONSERVATION LEAGUE

February 28, 2006

Stan Dixon, Chair
Board of Forestry and Fire Protection
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Sacramento, CA 94244

RECEIVED BY

FEB 28 2006

BOARD OF FORESTRY
AND FIRE PROTECTION

RE: Jackson Forest Management and DEIR

Dear Chairman Dixon and Members of the Board:

I am writing to comment on the Jackson Forest Management Plan, as the environmental review period comes to an end.

PCL has been following developments at Jackson State Forest for a number of years. As you know, PCL is California's only statewide environmental coalition. We were founded in 1965 by a group of citizens concerned about the uncontrolled development taking place throughout the state and the destruction that accompanied it. PCL has fought for more than forty years to develop a body of environmental laws that is the best in the United States. These laws include the California Environmental Quality Act (CEQA) and the California Endangered Species Act (CESA). We work to preserve the quality of life for all Californians, and have been deeply involved in forest practice issues.

1 Although there is much interesting and relevant information in the Draft Environmental Impact Report, crucial information about the extent and location of existing forest stands at Jackson seems to be absent. Additionally, it is difficult to ascertain how and especially where existing forest stands will change over time under the various alternatives. This is particularly true for the older forest types that are most important for threatened and endangered species. Additionally, these old forest areas are usually of particular interest to people who may wish to use the forest for recreation or personal enjoyment.

2 The DEIR notes the presence at Jackson of aquatic species listed as threatened or endangered, particularly Coho salmon. The information provided in the DEIR makes it plain that the Coho populations surviving at Jackson are among the very few in the immediate region that are not almost extirpated. This raises the threshold for the aquatic protection needed at Jackson, given the reality that Jackson is the only large publicly owned forest in the region. If we are to ask private landowners to be protective of public trust resources, we must begin by providing strong protection on public lands. The preferred alternative C1 and the similar C2, do not provide the sort of strong protection that we think is needed. While these alternatives do a somewhat better job than the standard Forest Practice Rules, both in zone size and protection measures, they fall far short of both sets of federal standards designed specifically for the region where Jackson is located. Taking account of Jackson's role as a demonstration forest, we urge the Board to consider an approach that would apply both sets of federal standards in a carefully controlled research project to determine the relative merits of each federal system.



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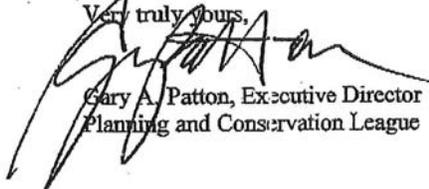
On the issue of marbled murrelets, listed as endangered under CESA, Alternatives C1 and C2 do only the minimum of preventing "take" of the murrelets nesting on adjacent state park property. Your DEIR provides enough information about the sort of habitat that murrelets need for nesting, and the location near the sea where this habitat needs to be located, to justify adopting much stronger protection than what you currently propose. Certainly for murrelets, our public lands should be providing significant habitat for recovery of the species. The dearth of other appropriately sited public lands in the region makes it imperative that Jackson adopt an aggressive recovery-oriented strategy for marbled murrelets. Both Alternatives E and F provide such a strategy.

4

The management at Jackson has unfortunately been mired in controversy for almost a decade. Now that the court has ascertained that the Board rather than the California Department of Forestry (CDF) is the lead agency, we hope the Board takes this new opportunity carefully to consider the opinions of the general public regarding management at Jackson. We appreciate that CDF's management has left a landscape that is in relatively better shape than most of the other forestland in the region. But rather than simply continuing on as before, it is necessary to make your decisions in the context of the changed environment surrounding Jackson. The more diminished the surroundings, the more protective is the management warranted at Jackson. Certainly when it comes to old forest habitat, Jackson is likely to be by far the most significant regional resource for many decades to come.

We strongly believe the Board is up to the challenge of balancing the competing needs at Jackson. We stand ready to offer any assistance you think we may be able to provide.

Very truly yours,



Gary A. Patton, Executive Director
Planning and Conservation League

ADMINISTRATIVE DRAFT FINAL EIR FOR JDSF MANAGEMENT PLAN

Mailed Letter P-190

Response to Comment 1

The DEIR, RDEIR, and Final Management Plan provide significant information about the extent and location of current stands on JDSF, as well as information about how these stands will change over time.

In the 2005 DEIR:

- Map Figure D shows the location of special concern areas, which include old growth stands to be protected in perpetuity, late seral development areas, pygmy forest, cypress groves, and riparian zones (on Class I and II streams) to be management for the development of later seral forest characteristics.
- Map Figures G and H show timber harvesting history from 1986 to 2004, which also provides insights in to stand conditions.
- Map Figure J shows the vegetation of JDSF and the cumulative effects assessment area in terms of California Wildlife Habitat Relationship System (WHR) classes.
- Map Figure K shows a more detailed view of the vegetation of JDSF in terms of California Wildlife Habitat Relationship System classes.
- Map Figure Z shows the types of silvicultural treatments to which various areas of the Forest are assigned under Alternative C2. This information provides insights into how areas of the Forest are likely to be managed and change over time.
- Map Figure AA, provided by the Sierra Club and consistent with Alternative F provides information on current forest vegetation, based on a simplification of the WHR system.
- The Wildlife Resource Analysis section (VII.6.6) contains many tables and graphs depicting current and projected stand types (in WHR classes) for the Forest and the various alternatives considered. There is also much written description of the vegetation and stand types found on the Forest.

In the 2007 RDEIR:

- Similar to Map Figure Z in the 2005 DEIR, Map Figure 1 shows the spatial allocation of silvicultural treatments, areas designated for the development of late seral forest characteristics, and areas designated for the development of older forest characteristics.
- Map Figure 2 provides insights into current forest stand conditions by showing the average number of trees per acre greater than 30 inches in diameter at breast height.
- Table II.1 shows Alternative G's desired forest structure conditions.
- Table II.3 lists the anticipated short-term harvest schedule for Alternative G, thus indicating the silvicultural treatments that would be applied to specified areas of the Forest, thus changing the stand conditions in commensurate fashion.

In the Administrative Draft Final Forest Management Plan (ADFFMP), which is based on Alternative G:

- Map Figure 5 shows the spatial allocation of silvicultural treatments, areas designated for the development of late seral forest characteristics, and areas designated for the development of older forest characteristics.
- Map Figure 6 provides a spatial depiction of the short-term harvest schedule (see below re Table 3.2).
- Map Figure 7 shows the current vegetation of JDSF in terms of California Wildlife Habitat Relationship System classes.
- Map Figures 8 shows information on per-acre density of trees greater than 30 inches in diameter at breast height.
- Table 3.2 shows the desired forest structure conditions.
- Table 3.4 lists the anticipated short-term harvest schedule, thus indicating the silvicultural treatments that would be applied to specified areas of the Forest, thus changing the stand conditions in commensurate fashion.

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Response to Comment 2

The analysis in the DEIR indicated that Alternatives C1 and C2 would not result in significant adverse impacts to listed aquatic species and would contribute to their recovery in a number of ways (see, e.g. Table VII.6.6.34). The RDEIR found that Alternative G would provide enhanced measures for a number of species, such as the Marbled Murrelet. Based on Alternative G, the proposed Administrative Draft Final Management Plan provides a higher level of protection, relative to Alternative C1 and C2, to listed aquatic species through designation of additional areas for the development of late seral forest or older forest characteristics. The direction of the Administrative Draft Final Management Plan emphasizes the research and demonstration role of the Forest. As a part of this emphasis, it designates three areas of the Forest as Riparian Restoration Demonstration areas where riparian zone protection measures such as the FEMAT and NMFS approaches can be applied, evaluated, and demonstrated.

Response to Comment 3

The 2005 DEIR found that Alternatives C1 and C2 would not result in a significant adverse impact on the Marbled Murrelet (see, e.g. Table VII.6.6.34). Both provide for late seral forest development areas that could contribute to Murrelet habitat over time, with Alternative C2 providing a greater amount. Both Alternatives also include an Additional Management Measure for Contribution to Recovery of Marbled Murrelet Habitat (see page VII.6.6-119). Through designation of an Older Forest Structure Zone, Alternative G and Administrative Draft Final Management Plan will further enhance the potential for development of suitable Murrelet habitat. The Administrative Draft Final Management Plan also includes the Management Measure for Contribution to Recovery of Marbled Murrelet Habitat.

Response to Comment 4

As noted in the DEIR and RDEIR, it is anticipated that substantial areas of the large forest ownerships adjacent to JDSF will see improvements in their forest conditions over time. Reasons for this expectation include the acquisition and planned restoration of the 7,334-acre Big River Unit of Mendocino Headlands State Park, the restorative management direction being taken by the Mendocino Redwood Company, and the acquisition of 11,600 acres on the Big River by the Conservation Foundation to be managed for restoration and sustainable timber production. The Conservation Foundation has expressed an interest in joining CAL FIRE and the Department of Parks and Recreation in discussions on how the joint 70,000-acre landscape to be managed to best achieve shared conservation and restoration goals.

ADMINISTRATIVE DRAFT FINAL EIR FOR JDSF MANAGEMENT PLAN

P-192

February 28, 2006

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FEB 28 2006

BOARD OF FORESTRY
AND FIRE PROTECTION

Mr. George Gentry, Executive Officer
California Board of Forestry and Fire Protection
1416 Ninth St.
Sacramento, CA 95814

Dear Mr. Gentry:

Please enter my comments into the official record relative to the Draft EIR for the Jackson Demonstration State Forest.

The DEIR is an excellent document, and staff should be congratulated on the job they did in presenting the advantages and disadvantages of each option!

Before discussing my input, I'd like to briefly outline my experience and expertise in relation to the Jackson DSF. I was a Forester assigned to the Forest from June 1962 to June 1969. While there I had considerable experience in all aspects of management of the Forest from sale layout to scaling to inventory to recreation, and extensive work on the Caspar Creek Watershed Study. From June 1981 through December 1991 I was a Staff Chief for Forest Management in Sacramento, with management responsibilities for the State Forest System. As such I was responsible for approving research proposals, timber sales, and overall management of the State Forest System. That said I would like to make the following input to the DEIR.

1. Option A is a no brainer! It conflicts with BOF policy and the PRC, and should be dismissed with no further discussion.
2. Options D, E, and F are likewise in conflict with the purpose of the State Forest System, and should be dismissed from further discussion.
3. I understand that the City of Fort Bragg, and the so called Citizens Advisory Committee prefers Option D. Under this option there would be no use of herbicides, which is my view is reason enough to dismiss it. There are extensive areas of Pampas Grass, and Gorse is often found in isolated patches. Herbicides are the tool of choice here. Furthermore, herbicide use is controlled by the County Agricultural Commissioner, and to not allow the limited use on the JDSF doesn't make sense. There has never been a great use, but it is one tool in the tool box that needs to be there. There are essentially no alternatives to chemicals to control Pampas Grass. It is ridiculous to ban the use of chemicals for this purpose. Other shortcomings of Option D include the ban on clear cutting. While not

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a big fan of clear cutting, it should be allowed in some instances. Again, it's a recognized tool. Don't tie the staff's hands!

- 3
- 4
4. The allowable harvest should be a major concern. Option B would be the favored Option to maximize so called first period harvest with an annual cut of 35.6 million board feet per year. Option D would only allow 24.9 million board feet. Growth in the meantime has been estimated to be close to 60 million board feet assuming no restrictions on harvest. The difference between B and D means there would be approximately 100 fewer jobs relying on the JDSF harvests. That alone should shift the balance in favor of Option B.
 5. Recognizing that things have changed, and compromises have to be made, Option C1 should be the selected option. While the initial harvest level would be lower, it meets the overall management objectives of the Forest, and is compatible with both BOF policy and the PRC. In addition it would provide for more recreational opportunities as well as research.

5

A few other comments are appropriate. JDSF is ideally suited for research on Sudden Oak Death and Pine Pitch Canker, and consideration should be given to adding a Forest Pest Specialist to the staff once funding is stabilized.

6

The State Forest pays "in lieu" taxes. State Parks don't. Consideration should be given to legislation returning the Mendocino Woodlands to JDSF.

7

Harvesting MUST begin as soon as possible! There is an immediate need to pay back loans totaling about \$5 million to various state funds that were required to keep critical CDF programs operating.

8

The BOF should not retreat! If you give up a little bit now, the next time they will want a little bit more, and down the line you will have given up management of the JDSF entirely!

9

Thank you for allowing input to the DEIR. This is not a popularity contest. You will be inundated with form letters and emails. Don't emulate the Forest Service and count each form letter, and make the final decision based on a numbers game!

Brian R. Barrette

Brian R. Barrette
CDF Staff Chief, Retired
Past Chair of NorCal SAF
Co-Chair Sacramento-Tahoe Chapter of SAF

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Mailed Letter P-192

Response to Comment 1

Opposition to Alternatives A and D-F noted. The DEIR analysis found that each of the listed alternatives contained elements that are not consistent to current legislation and/or Board policy. Please see General Response 4.

Response to Comment 2

See General Response 7 and 10. The ADFFFMP retains the use of herbicides and clearcutting as a management tool, although significant restrictions have been included.

Response to Comment 3

The Board recognizes that a reduction in the annual harvest will result in a decrease in employment opportunities. The economic setting and the economic impacts of various levels of harvest, in terms of estimated employment and local revenues, are discussed in section III.6.2 of the DEIR. The ADFFFMP calls for harvesting approximately 20-25 million board feet annually which a fraction of current growth based on the 2005 re-measure of the Continuous Forest Inventory plots. This reduction in planned annual harvest is based on consideration of other public trust resource values including aquatic and wildlife habitat, recreation, and aesthetics.

Response to Comment 4

Support for Alternative C1 as the management direction with the best balance noted.

Response to Comment 5

One of the main objectives of the ADFFFMP is to increase the emphasis on research at JDSF. Research on Sudden Oak Death is ongoing at both JDSF and Soquel State Forest. There are no current research projects related to Pine Pitch Canker on JDSF. Desire to add a Forest Pest Specialist noted. The current staff includes foresters with substantial expertise in forest pests, although there is not a dedicated specialist.

Response to Comment 6

The ADFFFMP does not contain any plans to alter the status of the Mendocino Woodlands Camp.

Response to Comment 7

The Board agrees that it would be highly beneficial for the State Forest to fully resume management activities, so the Board is working actively to certify the DEIR and approve a management plan.

Response to Comment 8

The Board notes the statement of opinion. Management direction beyond this planning time frame is speculative at this point.

Response to Comment 9

The management direction for JDSF will not be based on a "popularity contest". Each comment will be carefully considered regardless of the popularity of the position.

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George D Gentry
Executive Officer
Board of Forestry and Fire protection
PO Box 944246
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P193
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FEB 27 2006
BOARD OF FORESTRY

Re: Jackson Demonstration State Forest DEIR / Management Plan
2/23/06

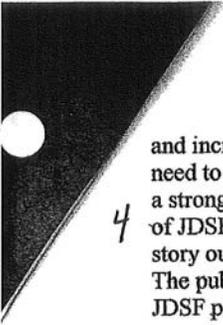
Mr. Gentry,

1 The residents of Mendocino County are as diverse a group as you will find anywhere. Consensus does not come easily here especially on forest management issues. If an alternative can be crafted to satisfy this county the remainder of the state will be satisfied. We have achieved significant consensus on most issues relating to Jackson Demonstration State Forest, unfortunately not all. Our Board of Supervisors inability to reach consensus and provide the Board of Forestry a clear message is disappointing to us all. Even age management and herbicide use are issues that require education and justification and are a hard sell to many residents of this county. I believe through the hard work of the local state forest managers they can convince our county's residents of the scientific basis and need for such prescriptions.

2 I am a Registered Professional Forester, a Licensed Timber Operator, and born and raised in Fort Bragg. I have operated many timber sales on JDSF including the two that are currently the subject of litigation. Over the years I have developed the utmost respect for the integrity and management skills of the staff at the state forest. Based on my first hand knowledge of the past and current managers I see no need or justification for any management alternative more restrictive than alternative B. The management philosophy over the years has always been ahead of it's time and the leader in the forestry profession.

3 Mendocino County has some significant financial problems, being the most indebt county in the State of California. JDSF has the potential to play a significant role in helping this situation by maintaining the timber industry, the needed infrastructure and providing for a significant number of living wage jobs in the county. The returns to state, and local governments in the form of taxes and sales receipts is in the millions of dollars per year, revenue badly needed by all.

4 I have attended numerous meetings on JDSF since the first lawsuit was filed in 2001 and there is considerable consensus. Almost everyone that comments wants to see the forest back in operation. Everyone is interested in seeing the restoration work continue, both stream restoration and legacy road abandonment. Very little disagreement is found in the desire to protect existing stands and individual old growth trees. The need to maintain,



4 and increase the recreation component of the forest is another source of consensus. The need to continue and expand research opportunities is widely agreed upon. The benefit of a strong education component is seen as a must. If there is an aspect of the management of JDSF that has been lacking, it is the struggle that has been taking place to get the full story out, of the many beneficial programs that come from the management of this forest. The public as a whole does not fully understand and appreciate the important role that JDSF plays in education, research and modern forestry, this story needs to be told!

5 I believe the real lack of consensus revolves around two issues even age management and the potential use of herbicides on JDSF. I would like the Board of Forestry to set policy for the management team of the forest, requiring them to hold public hearings prior to considering the use of either of these practices. A well rounded team of experts should be able to make their case for these techniques, and at the same time educate the public. There are numerous unfounded concerns relating to these two controversial practices the staff of the forest and other professionals would have the opportunity to inform and educate their distracters.

6 A major point of the most recent lawsuit revolved around the cumulative impact report as it pertains to the timber stands that surround the state forest. Some of the public would like the Board of Forestry and the general public to believe there is a problem with the industrial forest land neighboring JDSF. 7,300 acres of the industrial forest land that borders the forest has been sold recently and is now part of the Mendocino Headlands State Park. This acreage will be preserved for future generations and will in time be an old growth forest. The remaining industrial timber land that borders the forest was predominately harvested in the early 1980's using a mix of silvicultural prescriptions, under the most stringent forest practice rules in the nation. Today that land is made up of thriving young stands of timber with a well maintained road system, and little planned harvesting for the foreseeable future.

7 Alternative D has some serious problems as a long term management scenario. The width of the stream zones under this alternative would double and triple in size, which would force the harvest and research further up the slope. The problem is, this does not mimic what is happening throughout the redwood region, it ties the hands of researchers and concentrates all harvests into a much smaller area. The stream zones in use on Jackson Demonstration State Forest have never been a contentious issue. The managers and staff of the forest have always worked very closely with the other agencies to provide the very best protection possible to all public trust resources. This alternative takes considerable land out of management and questions the relevance of this state's forest practice rules as the rules pertain to watercourse protection.

8 Jackson Demonstration State Forest has a long history of world renowned research. In order for this to continue the land managers need flexibility to manipulate the forest structure to create a laboratory for future research. The results of the studies conducted on this state forest have far reaching impacts on private and public land throughout the nation. This necessary flexibility is built into both alternatives B and C-1.

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9 Throughout this process much testimony centers on the need for preservation. We have preserved almost one hundred thousand acres of old growth Redwood and countless thousands of acres of second growth. By doing this we are exporting management of timber to other states and nations. Many of the areas that are currently supplying the need for lumber in California have far less environmental protection, and far more significant environmental impacts.

10 It is my belief that this management plan is the most critical in the state forest system history. The Board of Forestry has the potential to not only map the next few years, but to answer the question; is the state forest system's future one of relevance, will we manage or preserve the forest. The individual proponents of the litigation on JDSF were asked by the Mendocino County Board of Supervisors what harvest levels they wanted to see on the forest in the future. All proponents present at the meeting stated they wanted no harvesting at all. Often in the course of seeking compromise and consensus it is valuable to understand what it is individuals ultimately want to achieve. I believe it is the Board of Forestry's duty to provide the managers the necessary tools to manage the forest. It is the management teams duty to manage the forest with balanced attention towards the concerns of the stakeholders. It is also the responsibility of the managers and staff of the forest to educate the public, so they can better understand the need and purpose behind the various management techniques. As forest operators and sale purchaser it is our responsibility to harvest the forest in such a way, the public has confidence that all our long term goals are the same.

11 At no point during the debate on the JDSF management plan has there been testimony of shortcomings in the manner in which staff manages this state forest. Management of the forest needs to stay in the hands of professionals with reasonable policy guidance from the Board of Forestry. There has been testimony concerning the use of even age management, and herbicide use. Both practices have been used as sparingly as possible over the years.

12 I would like the Board of Forestry to move forward with either alternative B, C-1, or an adaptation of them. I believe either provides the flexibility needed to manage a public forest such as Jackson Demonstration State Forest. I would like to see the board set policy mandating public hearings in Mendocino County prior to considering even age management or herbicide use on the forest. I would also like the Board of Forestry to work in an expeditious manner to get this forest back under management.



Mike Anderson

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Mailed Letter P-193

Response to Comment 1

The Board agrees that one of the principle purposes of JDSF is to demonstrate viable and effective forms of forest management for timberland owners and the general public. Elements of forest management, such as even-aged stand management and the appropriate use of herbicides are viable candidates for demonstration, research, and public education.

Response to Comment 2

Support for Alternative B noted. The Board believes that many elements of Alternative B have been incorporated into the future management of JDSF.

Response to Comment 3

The Board concurs that JDSF can and will make a significant contribution to the local economy.

Response to Comment 4

It is the Board's intention that the information and education role of JDSF and the entire state forest system be enhanced. Several provisions of the management plan are intended to meet this need, including greater availability of research and demonstration materials, expanded data banking, and an increase in local involvement in state forest planning and operations.

Response to Comment 5

The Board believes that it would be somewhat impractical to require the conduct of public hearings prior to the use of herbicides or even-aged management, but the formation of a JDSF advisory committee should provide ample opportunity for local public involvement in these management processes. The JDSF advisory committee will have an opportunity to review selected projects, and also to review the management plan and made both policy and implementation recommendations.

Response to Comment 6

Comment noted. The DEIR includes a detailed description of the assessment area.

Response to Comment 7

The ADFPMP provides a significant degree of protection for watercourses. The Board does not believe that the implementation of expanded watercourse protection zones as provided in Alternative D is necessary or warranted to prevent significant effects, because the DEIR and RDEIR did not find a potential for significant adverse impacts to watercourse-related resources, when management measures and mitigations were applied, for either Alternative C1 of Alternative G.

Response to Comment 8

The Board agrees that management flexibility is needed. Many of the provisions of Alternatives B and C1 are included in the ADFPMP.

Response to Comment 9

It is the intention of the Board that JDSF remain a viable resource for the demonstration of sustainable forest management.

Response to Comment 10

Comments noted. The Board generally agrees with these statements.

Response to Comment 11

Comments noted. The Board generally agrees with this statement.

Response to Comment 12

Comments noted. See prior responses above.

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BOARD OF FORESTRY
AND FIRE PROTECTION

FEB 28 2005

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15 July 2002

Christopher P. Rowney
Demonstration State Forest Program Manager
California Department of Forestry & Fire Protection
P.O. Box 944246
Sacramento, CA 94244-2460

RE: Draft EIR for the Jackson Demonstration State Forest

Dear Sir:

Following are my comments on the Draft EIR for the Jackson Demonstration State Forest (DEIR). In making these comments I have extensively reviewed the DEIR and associated maps, the Marbled Murrelet (*Brachyramphus marmoratus*) Recovery Plan (USFWS 1997), Critical Habitat designation for the Marbled Murrelet (USFWS 1996), and various references on murrelet biology (see Literature Cited).

I am a Research Wildlife Biologist and Senior Faculty Research Assistant with the Oregon Cooperative Wildlife Research Unit (OCWRU) at Oregon State University. I lead the Marbled Murrelet research program for the OCWRU in the State of Oregon. I have been conducting research specific to the Marbled Murrelet since 1988. Most of my research has taken place in western Oregon but I have also conducted research projects in Alaska, Washington, and California. My research on murrelets has focused on their behavior and breeding biology (e.g., Nelson and Hamer 1995a, Nelson and Peck 1995), and nest-site characteristics and habitat associations (e.g., Nelson and Wilson 2001). In addition, I helped to develop survey techniques for this species and am an author of the Pacific Seabird Group (PSG) Survey Protocol for surveying Marbled Murrelets in forests (Ralph et al. 1994, Evans et al. 2000). I was Coordinator of the Marbled Murrelet Technical Committee of the Pacific Seabird Group from 1990-1993 and participated as an advisor to the U.S. Fish and Wildlife (USFWS) Marbled Murrelet Recovery Team from 1992-1997. I have visited most known murrelet nests in Washington, Oregon and California and am familiar with the habitat of many occupied sites in these three states. I am also familiar with the results of most murrelet research projects that have been conducted on murrelets throughout their range.

Marbled Murrelet Biology and Habitat Associations

The information you present on the biology and habitat associations of Marbled Murrelets (pages 245-249) is fairly accurate, but somewhat outdated (most citations from mid 1990s). The murrelet is known to nest in habitat other than old-growth; in Oregon nests have been located in

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mature forests (80-200 yrs) and young (65-80 yrs) hemlock forests with mistletoe infestations (Nelson and Wilson 2001) and in California nests have been located in residual redwood forests (E. Burkett, pers. comm.). In addition, nests have been located in hardwood trees (Bradley and Cooke 2001) and in stands with low canopy cover (Nelson and Wilson 2001). The most important features of murrelet nest sites are platform abundance and the presence of nesting substrate (moss or duff; Meekins and Hamer 1999, Nelson and Wilson 2001). Canopy cover does not appear to be a key variable for selection of nesting sites (cover at the tree scale is more critical for successful nesting than stand-level canopy cover; in fact many nests have been located near canopy gaps).

This new information suggests that murrelets could be nesting in other stands besides the old-growth forests on JDSF and supplemental habitat (as suggested by the Marbled Murrelet Recovery Plan, see below) could be created in a relatively short time period given the current age of some stands on the JDSF.

Additional recent research on murrelet habitat associations at the landscape scale suggest that: (1) murrelet nests are less successful in areas close to human habitation or human use (Marzluff et al. 2000); (2) management efforts should focus on protecting or creating large, contiguous blocks of habitat, especially near the coast (Meyer and Miller 2002); and (3) murrelets nest in low densities therefore large forested reserves are needed to maintain and improve murrelet populations (Conroy et al. 2002).

Contrary to the discussion on page 248 of the DEIR, Marbled Murrelets are known to be occupying Russian Gulch State Park.

Data from Mendocino County

Marbled Murrelets are known to occur in Mendocino County. Birds have been detected in numerous inland locations including, but not limited to, Russian Gulch (adjacent to JDSF), Alder Creek, Admiral Stanley Park, Branscomb reserve, Big River, Greenwood Creek, Gualala River, Garcia River, and the Albion (J. Stein pers. comm.). Possible detections have been recorded at Digger Creek within the JDSF (DIER p. 247). Birds have also been sighted on the ocean adjacent to the Mendocino Coast (e.g., Gualala River, Tenmile River, Russian Gulch, Alder Creek, Stewarts Point; C. Strong, J. Stein, pers. comm.) and a murrelet holding a fish was seen at Galloway Creek (E. Burkett, pers. comm.). Recent radar surveys have further documented the occurrence and persistence of birds in Mendocino County (E. Burkett, D. Meekins, pers. comm.). These birds do not appear to be part of the Santa Cruz population as all birds radioed at Ano Nuevo Bay, except one, did not venture north of Pt. Reyes (Z. Peery, E. Burkett, pers. comm.). In addition, no birds from the Humboldt population have ventured south of the Kings Range (based on 23 radioed birds; Golightly et al. 2002). All of these data point to the fact that murrelets are nesting in Mendocino County and probably in the vicinity of JDSF.

Because of the difficulty of detecting murrelets in "low use" areas such as Mendocino County (Evans et al. 2000), any future murrelet surveys should include very intensive surveys (more stations per acre and more surveys per year than required by the PSG protocol; Evans et al. 2000). Radar surveys should also be conducted in conjunction with the intensive protocol surveys. These surveys will be important for monitoring murrelets in the area and for making revisions to future management plans.

Marbled Murrelet Recovery Plan

The Marbled Murrelet Recovery Plan (USFWS 1997: p.129) recognizes the need for recruitment habitat in Zone 5, which includes Mendocino, Sonoma and Marin counties. This area is vital to the conservation of the murrelet and extremely important for the future reconnection of this population with those in Humboldt and Santa Cruz counties. The JDSF represents the largest block of public coastal forested land between Humboldt and Santa Cruz counties thereby offering the best opportunity to develop new suitable habitat and fill in the north/south geographic distribution of the Marbled Murrelet. In addition, because Russian Gulch State Park is one of only four nest sites of murrelets in Recovery Zone 5 known to date (USFWS letter to CDF dated 24 June 2002), the 80-110 year old habitat on JDSF adjacent to this park will be important for buffering and creating a large block of contiguous nesting habitat.

The DEIR does not point out that the DFMP does not meet the recommendations of the Recovery Plan nor does it provide mitigations in order to bring the DFMP in compliance with the Recovery Plan.

Critical Habitat Designation

"JDSF was designated as critical habitat by the USFWS (USFWS 1996). Criteria for critical habitat include the presence of suitable nesting habitat, presence of murrelets, and proximity to foraging habitat. Critical habitat was also designated in zones of current low use by murrelets. These areas are intended to support the USFWSs goal to reduce gaps in the species nesting distribution, and help buffer the species from future catastrophic events such as oil spills and forest fires. JDSF is the largest contiguous parcel of public land on the Mendocino County coast. In California, 175,500 acres (71,040 ha) of state lands were designated as critical habitat, of which JDSF constitutes about 29 percent." (DEIR p.249).

The location and size of the JDSF is perfect for contributing to the survival and recovery of this state and federally listed species, which is why it was designated as critical habitat. Such an important role for the JDSF highlights the need to: (1) save existing older-aged forest stands; and (2) identify and create additional areas of suitable habitat for murrelets, beyond the preservation of the existing old-growth groves and proposed buffers. This should take place primarily on the west side of the forest, near to the murrelet's foraging habitat. The environmental gradient from wet on the west side to dry on the east side of the JDSF makes the east side less favorable for murrelet nesting (hotter microclimate and fewer nesting opportunities {less substrate for nests}).

The California Endangered Species Act (CESA; Fish and Game Code 2050-2116)

CESA states that ".....it is the policy of the state to conserve, protect, restore, and enhance any endangered species or any threatened species and its habitat..... It is also state policy to disapprove projects that are proposed without feasible mitigation to reduce the impacts below the level of significance and that would jeopardize the continued existence of any endangered or threatened species or result in the adverse modification of habitat essential to the existence of those

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species." (DEIR p.260).

Further CESA states ".....to use, and the use of, all methods and procedures that are necessary to bring any endangered species or threatened species to the point at which the measures provided pursuant to this chapter are no longer necessary". This implies that "fundamentally the provisions of the CESA include those of the Federal recovery planning process under the Endangered Species Act " (ESA; USFWS 1997: p.79). Therefore, the California Department of Forestry (CDF) would appear to be responsible for contributing to the survival and recovery of the Marbled Murrelet in addition to the designation of the JDSF as a demonstration forest.

The Forest Management Plan Wildlife Goal (DEIR p.262) is to protect or improve current populations and habitat. In order to accomplish this for the murrelet, and meet the goals of the federal ESA, additional habitat, beyond the old-growth groves and associated buffers, would need to be provided, especially on the western portion of JDSF.

Compliance with CEQA

"Based on policy and guidance provided by CEQA (Public Resources Code (PRC) Section 21001 and the CEQA Guidelines), an impact of the proposed project would be considered significant if it results in one or more of the following:

- Have substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive or special status species in local or regional plans, policies, or regulations, or by the CDFG or USFWS.
- Interfere substantially with the movement of any native resident or migratory wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites.
- Conflict with the provisions of an adopted Habitat Conservation Plan, or other approved local, regional, or State habitat conservation plan related to a wildlife resource.
- Cause a wildlife population to drop below self-sustaining levels or threaten to eliminate an animal community.
- Reduce the number or restrict the range of a rare or endangered animal" (DEIR p.263).

The DEIR states that "The measures proposed in the DFMP will ensure that Marbled Murrelets or their habitats are not significantly impacted" (p.269) and "The proposed action, with the incorporation of mitigations....., does not have the potential to reduce the number or restrict the range of a rare or endangered animal." (p.272). However, the State Park Special Treatment Areas and WLPZs, do not provide an adequate buffer to the known murrelet site in Russian Gulch State Park, therefore any logging in the area would probably impact murrelet habitat and the murrelets nesting there. In addition, by not managing the habitat adjacent to Russian Gulch State Park as a future old-growth reserve, the range of this listed species will be restricted. A large late seral forest with no harvesting should be provided adjacent to Russian Gulch to prevent any impacts to murrelet habitat and provide for the survival and recovery of this species.

Watercourse and Lake Protection Zones (WLPZs)

The proposed WLPZs of up to only 150 ft will not be large enough to provide suitable habitat for murrelets. While murrelets have nested in small stands (smallest = 5 ac; Nelson 1997), nest success is usually low within 50 m of edges (27% success; Manley and Nelson 1999, Manley et al. 1999). Murrelets will require larger-sized stands for successful nesting, therefore the WLPZs can not be counted as providing adequate habitat for murrelets, unless they are adjacent to large stands of late seral forests.

Recreation Areas

The campground, picnic, and trail areas will provide unsuitable habitat for murrelets because of disturbance and the potential for increased predator populations. Murrelets may be negatively affected by noise levels, motion under nest trees, and increased corvid (ravens and jays) populations. It has been demonstrated that corvid populations are higher in fragmented forests and areas of human activities (Brand 1998, Wallen et al. 1998, 1999, Brand and George 2000) and corvids are the major predator of murrelet nests (Nelson and Hamer 1995b, Manley 1999, Luginbuhl et al. 2001). Preliminary results from on-going research into human disturbance to nesting murrelets suggests that murrelets are affected by sound and movement within the forest (Hamer and Nelson 1999, Golightly et al. 2002). Therefore, recreation areas are also not suitable habitat for murrelets. Other late seral forests need to be established that meet the specific needs of the Marbled Murrelet.

Additional measures that should be taken to minimize the risk of predation on murrelets include: (1) using only predator proof trash cans in campgrounds, picnic areas and at trailheads; (2) hang signs in all human use areas that warn the public about the dangers and negative impacts of feeding wildlife and throwing garbage on the ground; and (3) institute an educational program to educate the public about the problems with supplemental feeding of wildlife (especially corvids), messy campsites, and garbage. Food attracts predators, which in turn prey on Marbled Murrelets. This is vital to maintaining healthy murrelet populations on the JDSF.

An additional problem with locating murrelet nesting areas in or adjacent to human use areas is hazard tree or limb removal (DFMP p60 and 76). Removal of hazard trees or limbs can remove or modify murrelet nesting habitat. Any areas where this will occur will conflict with murrelet habitat use. Murrelet habitat areas should be separated from recreation areas, and any hazard tree or limb removal near murrelet habitat should be fully justified and mitigated.

Habitat Management

Under the federal Northwest Forest Plan, thinning is currently being used as a means to accelerate the growth of mature forests with the goal of creating late successional forests in the near future. In general this management is being carried out without regard to the specific needs of the Marbled Murrelet (i.e., no one is looking at branch or epiphyte growth or the effects of thinning on murrelet nesting success). There are no data to demonstrate which thinning or other management strategy (e.g., tree topping, inoculation with mistletoe) is the best for creating murrelet nesting habitat. Studies need to be initiated to address the best and quickest means of creating murrelet habitat.

In addition, there are no data showing the effects of thinning on murrelet nesting success.

Given the high predation rates at murrelet nests (65%+, Nelson and Hamer 1995b, Manley 1999) however, many scientists are concerned with using thinning in currently occupied sites because opening up the canopy could allow predators greater access to nest sites. Thinning or partial harvests in stands adjacent to murrelet habitat could also provide perches for predators to watch and pursue nesting birds (Vega 1993; C. Chambers, pers. comm.). The juxtaposition of thinned stands with murrelet habitat should be minimized. There is evidence that pole and mature stands can buffer the effects of fragmentation and minimize predation rates at murrelet nests (Marzluff et al. 2000, Ripple et al. in press). These types of stands should be provided as buffers to murrelet nesting habitat.

When creating new murrelet habitat in the JDSF, a research project should be established to determine the best and fastest ways for creating murrelet nesting platforms. Different methods should be implemented including tree topping and light thinning. The growth rates of limbs should be monitored and cover around limbs measured to determine level of protection. This research should be conducted in a scientifically designed, controlled and monitored study by scientists at universities or agencies who are familiar with murrelet biology. These data will be important for helping land managers manage for murrelet habitat in the future and will make a significant contribution towards recovery of the murrelet.

Conclusions and Recommendations

This plan does not adequately address the value of the JDSF to the local population of murrelets, the distribution of murrelets in Recovery Zone 5, or in the long-term persistence of this species. Given the recommendations in the Recovery Plan, the designation of the JDSF as critical habitat for the murrelet, and the state's obligations under the state ESA and CEQA, the DEIR should have proposed to create a series of large, late seral stands on the west side of the JDSF, with at least one of them being adjacent to Russian Gulch State Park.

The ~1,200 acres proposed for development of older forest characteristics, in association with the existing old-growth stands, will be inadequate for maintaining and recovering murrelet populations given their small size and location primarily on the east side of the forest. Therefore, in addition to saving these areas, (1) a large reserve should be created adjacent to Russian Gulch State Park. The dense forest on the JDSF adjacent to Russian Gulch would make an excellent area for a murrelet reserve. Despite the proximity of this area to human use areas in Russian Gulch, a large reserve is vital to maintaining murrelets in this area; and (2) a second large reserve, linked to Russian Gulch State Park, should be provided to create a contiguous block of older forest adjacent to a known nesting area. While the Woodlands Special Treatment Area would seem to provide an excellent location for this second large reserve, it is located adjacent to Mendocino Woodlands State Park, which includes a variety of camping, recreation and human uses. This second reserve should be separated from areas of human use. Management in these reserve areas would need to be planned carefully to minimize the attraction of predators (see discussion on thinning above) and should be included in a research project to look at ways of creating murrelet habitat in the shortest possible time frame (see discussion on research above).

Overlap of proposed murrelet reserves with recreation areas should be minimized to mitigate any negative effects from predators and disturbance. In addition, locating single trees or large gaps in close proximity to areas set aside or created for murrelets should be minimized to

reduce effects of predation and changes in forest microclimate (changes in forest temperature can affect the growth of epiphytes on limbs which are important for murrelet nesting {Chen et al. 1993}).

Thank you for the opportunity to comment.

Sincerely,

S. Kim Nelson
1865 SW Roth Street
Corvallis, OR 97333

ADMINISTRATIVE DRAFT FINAL EIR FOR JDSF MANAGEMENT PLAN

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ADMINISTRATIVE DRAFT FINAL EIR FOR JDSF MANAGEMENT PLAN

Mailed Letter P-194

See the response to Mailed Letter P-195

P195

23 February 2006

Board of Forestry and Fire Protection
PO Box 944246
Sacramento, CA 94244

RECEIVED

FEB 27 2006

RE: Draft EIR for the Jackson Demonstration State Forest

BOARD OF FORESTRY

Dear Members of the Board:

1 I previously commented on the Draft EIR for the Jackson Demonstration State Forest (see attached letter from 15 July 2002). It has come to my attention that the preferred alternative (C1) in new Draft EIR has exactly the same management plan as the original proposal. This alternative ignores the comments made by myself and others in 2002 regarding the habitat associations of the Marbled Murrelet (*Brachyramphus marmoratus*), and the need to address the local murrelet population and the distribution of murrelets in Recovery Zone 5. New information on the status of the threatened (federal) and endangered (state of California) murrelet further accentuates the need to provide additional suitable habitat for rapidly declining populations in central California (McShane et al. 2004). Therefore, I am respectfully resubmitting my original comments for your consideration in creating a preferred alternative in the final EIR that addresses the needs of the Marbled Murrelet. As currently written, alternative C1 is inadequate for providing for murrelets, C2 provides additional mitigations that may help murrelets, but only alternative F provides adequately for murrelet populations and their recovery.

2 Thank you for the opportunity to comment. I appreciate your serious consideration of my recommendations.

Sincerely,



S. Kim Nelson
1865 SW Roth Street
Corvallis, OR 97333

McShane, C., T. Hamer, H. Carter, G. Swartzman, V. Friesen, D. Ainley, R. Tressler, K. Nelson [et al.]. 2004. Evaluation report for the 5-year status review of the Marbled Murrelet in Washington, Oregon, and California. U.S. Fish and Wildlife Service, Region 1, Portland, OR.

ADMINISTRATIVE DRAFT FINAL EIR FOR JDSF MANAGEMENT PLAN

Mailed Letter P-195

Response to Comment 1

The comment letter provided by S.K. Nelson on July 15, 2002 was a primary source for a significant expansion of the marbled murrelet species account in the current DEIR (pages VII.6.6-52 through -90). In addition, the comment provided by Ms. Nelson and US Fish and Wildlife Service and California Department of Fish and Game was the principle impetus leading to development of the Contribution to Recovery of Marbled Murrelet Habitat management measure (DEIR pages VII.6.6-118 through -119, Figure VII.6.6.8b and DEIR pages VII.6.6-79 through -82). This management measure would be applied to Alternative C1 as well as B, C2, D, E, and G. Finally, the management measure was written to provide additional opportunity for collaboration with wildlife agencies and other interested parties as habitat areas identified are evaluated on a site specific basis.

Response to Comment 2

New information concerning population status and habitat trends found in McShane et al. (2004) (Evaluation Report for the 5 year status review of the Marbled Murrelet in Washington, Oregon, and California. U.S. Fish and Wildlife Service is an important current reference and was cited extensively in the expanded marbled murrelet account. DEIR pages VII.6.6-72 through -75 and pages VII.6.6-75 through -84 summarize population and habitat issues respectively.

ADMINISTRATIVE DRAFT FINAL EIR FOR JDSF MANAGEMENT PLAN

P-196

George D Gentry
Executive Officer
Board of Forestry and Fire protection
PO Box 944246
Sacramento, Ca. 94244-2460

RECEIVED
FEB 27 2006
BOARD OF FORESTRY

Mr. Gentry,

I am writing to you as a 4th generation resident of Mendocino County and as the 3rd generation of my family to own and operate an industrial Logging Company out of Fort Bragg. I grew up in this industry working on various landowners properties and know first hand the management quality that has taken place on Jackson Demonstration State Forest, the managers should be the given utmost respect by people in this state not slapped in the face by frivolous lawsuits and hand tying regulation. There should be no question that past management has resulted in the best stand of actively managed timber in the world, and because of that I would like to see alternative B of the management plan approved so that this type of management can continue.

Obviously there are dramatic differences of opinion on what should be done with JDSF, however the Board of Forestry has the ultimate authority to set the course for the future of the State Forest and the impact on the citizens that it affects. Perhaps it is my practical approach to problems from my years at Cal Poly and UC Davis earning a Masters Degree in Engineering that forces me to use the facts to make decisions. At what point did Forest Practice leave the hands of Professional Foresters and become the domain of Lawyers and Judges? If this is the future of Forest Practice then the education system of California must be notified.

The Board of Forestry has the option to stop this movement with their decision on the management of JDSF and set what will be the new course for Forest Practice in the state of California. I am very concerned with the direction the Forest Industry is heading, what incentives are there for highly educated people to enter into the forest industry of California? Foresters learn the tools to manage timber land for production, environmental protection and a lot of other things, put together to make a "toolbox" full of options while in the education system. Upon graduation they enter the industrial setting and the tools that they were taught are thrown out the window and they enter a game of compromise to simply get a plan approved. What is best for the land is no longer a concern, now the concern is how to appease the "local" environmentalist and his friendly politician.

If the Forest Industry of California is going to have a future this movement must stop, and a good way to do it, is by the Board of Forestry doing the right thing and that is giving the Managers of JDSF the options needed to manage this forest into the future. Option B and C-1 I believe will give the Managers of JDSF the ability to keep the forest actively managed.

ADMINISTRATIVE DRAFT FINAL EIR FOR JDSF MANAGEMENT PLAN

Our company is Master Logger Certified completing the circle of Certification requested by Environmental groups. We work for companies like Mendocino Redwood who is FSC certified and have seen the requirements put on landowners by these certification groups and a lot of it compares to practices that have been done on the State Forest for over 10 years. The same Environmental groups that want certification to require the best work and standards possible are also the ones tying JDSF up in litigation. That leads me to believe that these groups will never be happy until there is no active management on the State Forest and I hope others wanting to appease these groups realize this also.

This Environmental group or perhaps preservation movement has said grow bigger trees, JDSF has done that. They want certification, JDSF is managed by the group that regulates forest practice in the state. The Environmental movement has been successful in recent year in shutting down much of the Timber Industry of California, however the demand for timber products has not slowed down as fast. This group that claims to be stewards of the environment has pushed that demand to other states and countries with little to no forest practice regulation and much less productive timberland.

Mendocino County needs the revenue from this forest, as does the State of California and the many programs dependant on JDSF producing timber sales. The Timber Mills in Mendocino County are shutting down one after another, the work force is depleting and the educated people required for a strong industry are leaving for a more promising and rewording occupation. Getting Jackson Demonstration State Forest back into operation and keeping it there is a necessity for the County, State and Industry.

JDSF directly impacts a few people but affects the feelings of many. I am sure you are getting flooded with letters from all over the world as the environmental movement mails in their carbon copy letters making the people behind them feel good about themselves. It is time for the Board of Forestry, the group responsible for good forest management to stand up for their purpose and show the world that the management that they do on their own forest is right, has been right and will continue to be right. Do this by choosing a management option that is based on facts and supported by professionals, educated in the matter at hand, forestry. Choose management option B, C-1 or a combination and get this forest back into production. Getting this forest back into production seems to be the only thing people in this area can agree upon, make it happen.

Sincerely,



Myles Anderson

ADMINISTRATIVE DRAFT FINAL EIR FOR JDSF MANAGEMENT PLAN

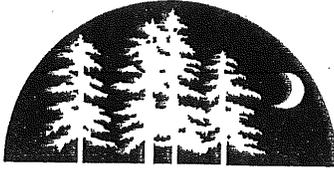
Mailed Letter P-196

Response to Comments

The comment provides no specific information regarding potential environmental impacts. Support for Alternatives B and C1 noted. While the Board generally agrees that the forest should be managed as determined appropriate by local professionals, the State Forest is a public resource that must be managed in a fashion that considers a broad range of interests, while remaining compliant with the intent of the Legislature and the policy of the Board. The Board believes that Alternative G is appropriate for the future management of JDSF.

It is the intent of the Board that the management of JDSF achieves a high level of sustainable timber production, generating revenue and jobs to the benefit of the local and State economy.

P-197



FORESTS FOREVER

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RECEIVED
FEB 27 2006
BOARD OF FORESTRY

Feb. 23, 2006

George D. Gentry
Executive Officer
California Board of Forestry
P.O. Box 944246
Sacramento, California 94244-2460

Re.: Comments on Jackson Forest DEIR

Dear Mr. Gentry:

1 | On behalf of the board of directors of Forests Forever and its 40,000-odd supporters in California I am writing in support of Alternative F of the current DEIR for Jackson Demonstration State Forest. We also oppose alternative C-1, the preferred alternative identified in the report.

2,3
4,5
6 | The largest of California's state forests, Jackson is the only one that is home to a significant percentage of mature redwoods, an increasingly rare and valuable forest type for both recreation and wildlife habitat. The era of large-scale industrial-style logging and of clearcutting on this public forest must end. Gone are the days when this destructive kind of timber extraction can escape public attention and criticism.

7 | In the area that includes Mendocino, Sonoma and Marin Counties, only 1.36 percent of redwoods are protected in parks and preserves according to an analysis published by the Save-the-Redwoods League in 2000. This context brings a heightened urgency to management issues at Jackson.

8,9
10,11
12 | Alternative C-1 calls for too much logging— an annual harvest of some 31 million board feet— and allows clearcutting for “research” purposes and provides too little protection for old growth, wildlife and water quality.

13 | Alternative F, the “Older Forest Emphasis” plan for management at Jackson, recognizes the statutory mandate under which Jackson is operating: Alternative F balances a high level of environmental protection with a carefully implemented timber production program. Regionally scarce fish and wildlife habitat would be enhanced through this approach.

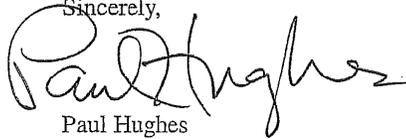
14 | For the past 10 years there has been a high degree of public dissatisfaction with Jackson's

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ADMINISTRATIVE DRAFT FINAL EIR FOR JDSF MANAGEMENT PLAN

14 | management. I urge you to adopt the meaningful reforms that are outlined in Alternative F, and put the controversy to rest.

Sincerely,

A handwritten signature in black ink that reads "Paul Hughes". The signature is written in a cursive, flowing style with a large initial "P".

Paul Hughes
Executive Director

ADMINISTRATIVE DRAFT FINAL EIR FOR JDSF MANAGEMENT PLAN

Mailed Letter P-197

Response to Comment 1

Support for Alternative F and opposition to Alternative C-1 noted. Alternative G was developed by blending the elements and management strategies of several Alternatives, including Alternative F. This includes a reduction in the use of even-age management and clearcutting, a reduction in the planned timber harvest level, an increase in the area dedicated to development of late-seral forest conditions, an increase in resource protection and restoration measures, such as snag retention and LWD placement, and a management emphasis on research, demonstration and education.

Response to Comment 2

Please see General Response 9. regarding “mature” redwoods.

Response to Comment 3

For recreation comments see General Response 14.

Response to Comment 4

For wildlife habitat see General Response 11 and 12.

Response to Comment 5

While no definition of “large-scale industrial-style logging” is provided in the comment, it can be assumed that the comment relates to the overall quantity of harvesting. While the comment does not go directly to the contents of the DEIR, or the analysis therein, the following response is provided.

The legislative mandate for the forest is to demonstrate sustainable and economic forest management. The economic component of this mandate requires the use of commercial logging operations. The timber harvest level under the ADFMP is based on providing a varied landscape with a set of forest structures designed to support a viable research and demonstration program rather than a goal of a particular level of production. This analysis has resulted in a planned average annual harvest level of approximately 20 to 25 million board feet which is well below the current growth. In addition, the commitment to monitoring and adaptive management will ensure not only that harvest does not exceed growth, but that other timber related resource conditions are on the correct trajectory to meet the stated management goals. Potential impacts to other resource values have been mitigated to “less than significant”.

Response to Comment 6

See General Response 10 regarding clearcutting comments.

Response to Comment 7

See Form Letter 6, Response to Comment 2.

Response to Comment 8

See Response to Comment 5 above.

Response to Comment 9

See General Response 10.

Response to Comment 10

See General Response 8.

Response to Comment 11

See General Response 12.

ADMINISTRATIVE DRAFT FINAL EIR FOR JDSF MANAGEMENT PLAN

Response to Comment 12

See General Response 11.

Response to Comment 13

Support for Alternative F noted. The Board has found that some elements of Alternative F may not comply with legislation and policy related to state forest management (see Table VI.1). Alternative G was developed by blending the elements and management strategies of several Alternatives, including Alternative F. This includes accelerated implementation of the Road Management Plan, a reduction in the use of even-age management and clearcutting, a reduction in the planned timber harvest level, an increase in the area dedicated to development of late-seral forest conditions, an increase in resource protection and restoration measures, such as snag retention and LWD placement, and a management emphasis on research, demonstration and education. One example of the research and demonstration emphasis will be to test the cost and effectiveness of the riparian zone management approaches contained in Alternatives C1 and D-F. The results of these experiments will be utilized as part of the adaptive management process defined in Chapter 5 of the ADFFMP.

Significant impacts to fish and wildlife habitat are not expected due to management as approved by the Board. Please see Section VII.6.1 and VII.6.6 of the DEIR for these resources (see also General Response 11 and 12).

Response to Comment 14

Unfortunately, there is no alternative that “will finally put the controversy to rest”. The Board has developed an alternative that strives to balance the concerns of all Californians while remaining consistent with the legislative mandate and Board policy for the state forest system. The ADFFMP is designed to balance the demonstration and research, production of timber products, and the desires of the public, while improving the overall health and ecosystem function of the forest.