



Friends of Gualala River Forest Unlimited



GualalaRiver.org

MEDIA RELEASE

CAL FIRE sued over Approval of Controversial Gualala River Floodplain Redwood Logging – “Dogwood” Timber Harvest Plan, Sonoma County

Date: August 8, 2016

On Thursday, August 4, 2016, Forest Unlimited and Friends of Gualala River, represented by attorney Edward Yates, filed a lawsuit in Sonoma County Superior Court to compel the California Department of Forestry and Fire Protection (CAL FIRE) to set aside the agency’s July 1st final approval of the “Dogwood” timber harvest plan in Sonoma County. The large-scale redwood logging plan in the sensitive, protected floodplain of the Wild and Scenic Gualala River was approved over the objections of hundreds of public comments and petitioners, after a year of controversy.

The “Dogwood” Timber Harvest Plan covers over 400 acres of nearly pure redwood forest entirely within the river’s protected floodplains, home to sensitive seasonal wetlands, rare plants, and steelhead trout habitat. The forest is dominated by trees 90 to 100 years old and sprawls over five miles of the river reaches that are designated as Wild and Scenic above the Gualala River’s mouth and estuary, adjacent to a regional Park and The Sea Ranch.

The State’s Forest Protection Rules protect flood-prone forests from the disturbances of logging operations, such as road-building. But the applicant requested an exception to the protective flood-prone forest rules, and CAL FIRE’s director, Ken Pimlott, granted the request to log the largest and most mature redwood forest tract in coastal floodplains since the rules protecting them were made.

The lawsuit culminates a troubled history for the controversial floodplain redwood forest logging plan. CAL FIRE had to re-circulate two separate revised and corrected versions of the original error-laden logging plan in late fall 2015 and again in spring 2016. The final approval was delayed until July 1, 2016 as CAL FIRE had to respond to extensive public and expert comments opposed to the plan.

The approval of the permit was marked by a rally and protest of over 200 local citizens on July 16th, who objected to CAL FIRE’s waiver of regulatory protections of the unique floodplain forest.

The floodplain logging permit was granted to Gualala Redwoods Timber (GRT), which purchased the timberland from Gualala Redwoods Inc., in April 2015. The forest manager of both companies is Henry Alden, who was previously the forest manager Pacific Lumber Company during the Headwaters Forest old-growth redwood clear-cut logging controversy of the 1990s.

The lawsuit alleges that CAL FIRE's approval of the "Dogwood" THP is in violation of California Environmental Quality Act ("CEQA") the Forest Practice Act, and Board of Forestry regulations (California Forest Practice Rules) that implement them. FoGR and FU argue that CAL FIRE improperly ceded its mandate to carefully review the impacts of the timber harvest plan by granting exceptions to rules without requiring the applicant to supply sufficient evidence that impacts are minimized. CAL FIRE failed to assess reasonable alternatives to the project – including alternatives that minimally comply with existing forest practice rules without exceptions or waivers. Other violations of environmental rules alleged by the plaintiffs address CAL FIRE's inadequate assessment of significant impacts to floodplain forest wetlands, rare plants, archeological resources, and special-status species. Gualala Redwoods Timber denies that seasonal wetlands exist in the seasonally flooded forest, even where they observed wetland plants.

Both FoGR and FU are local nonprofit conservation organizations who have supported non-profit conservation forestry acquisition of Gualala River Watershed timberlands by The Conservation Fund. They joined forces to organize public comments opposing the "Dogwood" floodplain logging plan, along with a coalition of environmental organizations including the Dorothy King Young (Mendocino Coast) chapter of the California Native Plant Society, Madrone Audubon Society, Sierra Club Redwood Chapter, and Center for Biological Diversity.

Environmental stakes of the lawsuit are both local and regional: "Newer logging rules on the book were designed to minimize logging impacts within a floodplain riparian area. But the precedent set by approval of this this logging plan makes the exception the rule by logging and skid road-building entirely in the Gualala River floodplain, and in an oversize area." said Larry Hanson, President of Forest Unlimited. "This is wrong. We need to correct it."

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