



Friends of the Gualala River

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To: Department of Forestry and Fire Protection
135 Ridgeway Avenue
Santa Rosa, CA 95401
RE:1-08NTMP-009MEN

Please add these comments and observations to previous Friends of the Gualala River comments on 1-08NTMP-009MEN.

Issue #1

In his responses to 2nd review recommendations the RPF, John Williams, has suggested a very substantial change in methodology to CAL FIRE recommendation #9. It appears that a report will be prepared at a future date by a biologist employed by the applicant rather than "directly by, or under contract to" the lead agency. Instead of having his Biologist examine 7 additional habitat trees to see if permanently protecting them will provide less degradation to late seral elements than not protecting them would, he suggests examining at least 22 habitat trees, including ones already promised for protection, to see if he can find up to 7 of the 22 habitat trees to harvest. Nowhere in any NTMP document provided to the public does CAL FIRE reveal which version of this "mitigation" has been accepted (CAL FIRE's or the RPF's).

The RPF responses to 2nd review recommendations were not even posted on the CAL FIRE website until Dec 14 (20091208_1-08NTMP-009MEN_2ndRTRecs-RespRPF.pdf).

I was at second review as an observer. Please note for the record that DFG strongly objected to both the methods CAL FIRE and RPF suggested for determining wildlife tree retention on a tree by tree basis, at an undisclosed date sometime in the future.

This whole process of attempting to develop mitigations for late seral wildlife habitat degradation at a future date, long after the public and DFG will have been excluded from the review process is contrary to law. Approving the plan before providing the completed Biologist report on wildlife trees is impermissible because:

- 1) CAL FIRE has not provided either a baseline or a benchmark for determining adequacy of compensatory mitigation on an ecosystem or matrix scale.
- 2) The public is prevented from reviewing and commenting on the Biologist report, a report that will be amended into the NTMP at a later date.
- 3) The Biologist report may result in substantial future changes to NTMP maps, information, mitigations and conclusions, yet the public is excluded from review or comment.
- 4) The completed Biologists report is not part of the NTMP (because it does not exist)
- 5) DFG has not, and can not assess the report (because it does not exist).

In short, the applicant's Biologist report is being assumed to be valid before it even exists, while CAL FIRE is preventing any future review by the public or DFG.

Issue #2

Section 2a on page 57 is in direct conflict with statements made on 240.1

Issue #3

Page 191 misrepresents the number of wildlife trees retained (Unless they really only intend to retain 23 trees). If corrected as on page 240.1 it will be in conflict with Section 2a on Page 57.

Issue #4

Page 191 misrepresents survey results for marbled murrelet presence within the Biological Assessment Area as clarified by the Biological Assessment Map provided in the NTMP.

Summary

It is impermissible for the public, DFG and other consulting agencies to be excluded from reviewing and commenting on potential substantial changes to the NTMP when a Biologist Report, that CAL FIRE has directed the applicant to supply, is amended into the NTMP--- at a future date.

Significant adverse impacts to late seral forest elements, endangered species and habitat are inadequately mitigated because of a failure to develop compensatory mitigation based on an ecosystem and/or forest matrix scale.

Thank you for considering these comments.

John Holland
President
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