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13 *Attorneys for Plaintiffs Friends of Gualala*  
14 *River and Center for Biological Diversity*

15 **UNITED STATES DISTRICT COURT**  
16 **NORTHERN DISTRICT OF CALIFORNIA**  
17 **SAN FRANCISCO DIVISION**

18 FRIENDS OF GUALALA RIVER, et al.,

19 Plaintiffs,

20 vs.

21 GUALALA REDWOOD TIMBER, LLC,

22 Defendant.

Case No. 20-cv-06453-JD

**DECLARATION OF JEFF MILLER IN  
SUPPORT OF PLAINTIFFS' MOTION  
FOR PRELIMINARY INJUNCTION**

Date: June 24, 2021  
Time: 10:00 a.m.  
Courtroom: 11  
Judge: Hon. James Donato  
Action Filed: September 15, 2020  
Trial Date: None

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1 I, Jeff Miller, declare as follows:

2 1. I am a Senior Conservation Advocate with the Center for Biological Diversity (the  
3 “Center”), a plaintiff in this action, and have been employed by the Center since 2001. I make this  
4 declaration based upon my personal knowledge, and if called upon as a witness, I could and  
5 would competently testify to these matters. I submit this declaration in support of Plaintiffs’  
6 Motion for Preliminary Injunction.

7 2. The Center is a non-profit corporation with offices in Anchorage, Alaska; San  
8 Francisco, Joshua Tree, Sacramento, and Los Angeles, California; Tucson and Phoenix, Arizona;  
9 Pinos Altos, New Mexico; Portland, Oregon; Chicago, Illinois; Las Vegas, Nevada; Duluth,  
10 Minnesota; Richmond, Vermont; Seattle, Washington; and Washington, DC. The Center works to  
11 protect wild places and their inhabitants, including old growth forest-dependent species. The  
12 Center believes that the health and vigor of human societies and the integrity and wildness of the  
13 natural environment are closely linked. Combining conservation biology with litigation, policy  
14 advocacy, and strategic vision, the Center is working to secure a future for animals and plants  
15 hovering on the brink of extinction, for the wilderness they need to survive, and by extension, for  
16 the spiritual welfare of generations to come.

17 3. One of my roles at the Center is conservation work to protect west coast salmon  
18 and steelhead trout populations. Since 1997, I have been intimately involved in numerous  
19 conservation and restoration efforts for salmonids in river systems throughout California.

20 4. In addition to my position as a Conservation Advocate, I am also an individual  
21 member of the Center, and have been since 1995. I originally joined the Center because the  
22 organization has a longstanding and ongoing interest in advocating for and protecting the  
23 imperiled species that I care deeply about, such as coho salmon, northern spotted owl, and  
24 California red legged frog. I rely in part upon the Center to represent my interests in protecting  
25 endangered species and their habitats  
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1           5.       I am an avid birdwatcher and amateur nature photographer. I travel extensively  
2 around California to view and photograph native wildlife. I have also been involved for more than  
3 two decades in numerous conservation campaigns in California to protect imperiled wildlife and  
4 natural ecosystems. I derive recreational, scientific, aesthetic, educational, moral, spiritual, and  
5 conservation benefits from observing endangered species such as coho salmon, steelhead trout,  
6 spotted owls, and red-legged frogs in their natural habitats.

7           6.       One of the Center’s major focuses since its founding in 1989 has been forest  
8 protection, including forests on private, state, and federal lands, as well as protection of the  
9 threatened and endangered species that inhabit those forests. The Center works to preserve forests  
10 throughout the United States, but has a particular focus on California forests, and our work  
11 includes extensive public outreach and education by writing, posting, and disseminating  
12 information through our website, opinion editorials, and other outlets on issues affecting forests  
13 and forest habitat.

14           7.       The Center and its members have been involved in opposing Gualala Redwood  
15 Timber, LLC’s (“GRT”) efforts to log redwood trees in the Gualala River floodplain. The Center  
16 has dedicated substantial organizational resources toward the protection of the Gualala River.  
17 Further, the Center and our members have long worked on various fronts to protect endangered  
18 and threatened salmonids, the northern spotted owl, and the California red legged frog; species  
19 that inhabit the Gualala River and the surrounding area. The Center and our members have long  
20 advocated for federal protection of the species by opposing projects that would harm the species  
21 or degrade their habitat. GRT’s plan to log redwood trees in the Gualala River floodplain will  
22 substantially harm the ecosystem of the Gualala River floodplain, and consequently threatens our  
23 organizational interests in the area and the interests of our members.

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1           8.       Specifically, GRT’s planned timber harvest will use heavy machinery to remove  
2 secondary growth redwood trees in an area of the river that is only now starting to recover from  
3 aggressive logging in past decades. The logging will reduce redwood canopy that provides the  
4 northern spotted owl with necessary roosting and nesting habitat, thereby increasing the  
5 likelihood of further invasion by the more aggressive barred owl. I am also concerned that the use  
6 of heavy machinery will crush individual California red legged frogs and destroy the  
7 microhabitats they depend on to survive and breed in the forest undergrowth. Likewise, the  
8 logging will result in increased stream temperatures, increased sedimentation, and less large  
9 woody debris in the Gualala River, which will harm the Northern California steelhead that  
10 migrate through it, as well as the coho salmon population that eDNA testing confirms is still  
11 present in the Gualala River. In general, harm to the redwood trees and the noise and disturbance  
12 from the logging itself will impair habitat quality in the area for all of these species, including key  
13 habitat of the type that the Center and our members are devoted to protecting.

14           9.       The Center advocates for the protection of forests and other habitats on behalf of  
15 itself and its more than 1.7 million members and supporting online activists. The Center’s  
16 members and supporting activists throughout California are vitally concerned with the protection  
17 of the Gualala River, which numerous members live near and visit. The Center has members who  
18 have viewed and plan to visit the Gualala River in the future, and who have educational, moral,  
19 spiritual, scientific, ecological, and recreational interests in area.

20           10.      I regularly spend time in Mendocino County, and specifically along the Gualala  
21 River, to study salmonids and observe them in their natural habitat. I first started visiting the  
22 Gualala River in the 1960s, and spent two weeks at the Gualala River every summer as a child,  
23 swimming and fishing in the river. My grandparents lived in Gualala and I visited them there  
24 regularly until the mid-1990s. To this day I enjoy visiting the river and relaxing amongst the  
25 redwood trees. I plan to return to the Gualala River during winter of 2021/2022.

1           11. I have been contacted specifically by Center members who have encouraged the  
2 Center to take all possible actions to protect the Gualala River. Visiting the Gualala River offers  
3 travelers a brief glimpse of the primeval redwood forests that covered the Northern California  
4 coast centuries ago, only a tiny fraction of which still exist today.

5           12. The Center has many members who enjoy exploring the Gualala River floodplain  
6 to experience the primordial quality of the landscape. I personally look forward to hiking through  
7 the area to try to identify and photograph wildlife and plant species that live there, including  
8 looking and listening for northern spotted owls, and looking for salmon and steelhead. These  
9 species are dependent on large trees that create a dense canopy, like the trees currently growing in  
10 the area where GRT intends to log. I am aware that many other members of the Center similarly  
11 are desirous of viewing these species and enjoying their habitats in the Gualala River. I have  
12 grave concerns that GRT's planned logging will greatly degrade the biology of the Gualala River  
13 floodplain biome, and also degrade its aesthetic qualities. As described above, the logging will  
14 directly impact numerous mature redwoods and other species of trees and understory plants, as  
15 well as the endangered and threatened species that depend on them for survival. If the project is  
16 allowed to begin, the aesthetic and recreational enjoyment of the area by myself and other  
17 Center's members will decrease. If the mature redwood trees in the area are harvested, the  
18 Gualala River floodplain's incredible beauty will be diminished. Further, by impacting tree  
19 health, the project will degrade wildlife habitat in the area, and the physical construction itself  
20 will disturb and deter the old growth-dependent species from the area, making the chances of  
21 sighting individual animals less likely.

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1           13.     The detrimental impacts that the logging will have on the ecosystem of the Gualala  
 2 river floodplain will, in turn, have a detrimental impact on my recreational, professional,  
 3 scientific, spiritual interests in preserving and observing native wildlife in intact ecosystems. The  
 4 interests of the Center’s members, and the Center’s organizational interests in the area will be  
 5 irreparably harmed. A court ruling in favor of the plaintiffs, and particularly a ruling enjoining the  
 6 Dogwood THP, would prevent the anticipated harm to the Gualala River ecosystem and the  
 7 endangered and threatened species that occupy it, and would similarly prevent harm to the  
 8 Center’s organizational interests in protecting the area, as well as its individual members’  
 9 enjoyment of the area’s aesthetics and recreational value.

10  
 11           I declare under the penalty of perjury under the laws of the United States of America and  
 12 the State of California that the foregoing is true and correct.

13  
 14           Executed on May 19, 2021 in Los Osos, California.

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17           \_\_\_\_\_  
 18 Jeff Miller

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