

Sent via email on date shown below

October 14, 2021

Secretary Wade Crowfoot
California Natural Resources Agency
1416 9th St #1311
Sacramento, CA 95814

Re: Threats Made Against Protestors Jackson Demonstration State Forest

Dear Secretary Crowfoot,

It is imperative that the State of California move to immediately calm tensions in the Jackson Demonstration State Forest. The past week has seen multiple threats directed at forest activists and the presence of private paramilitary security within the Jackson Demonstration State Forest. Cal Fire is aware of these incidents but its inaction to address these matters has encouraged further escalation. You need to act to restore peace.

The Jackson Demonstration State Forest is the scene of protests concerning Cal Fire's forest management. These protesters have disrupted planned and ongoing logging in the forest. These disruptions have heightened tensions. Encouraged by a vacuum in leadership by Cal Fire, loggers have begun to threaten protesters to discourage future protests. I highlight a few incidents below, although these are not the only matters.

Failure to Stop Logging While Protesters are Nearby

In a well-publicized incident captured on camera, Chairman Michael Hunter of the Coyote Valley Band of Pomo Indians was threatened by a timber faller. On October 4th, 2021 Michael Hunter entered Jackson Demonstration State Forest in order to investigate and document current ongoing logging within the Soda Gulch THP. Michael had previously been told by Secretary Wade Crowfoot that logging operations were not currently taking place within JDSF. As Chairman of the Coyote Valley Band of Pomo Indians, Michael Hunter is deeply concerned about logging occurring on state occupied lands within his ancestral territory. He entered the forest to confirm whether Secretary Crowfoot had been telling the truth that all logging operations had stopped in the forest.

Upon entering the forest, Michael was confronted by a man identifying himself as a "safety manager." The man showed no form of identification to confirm whether he was employed by the state, the logging company, or anyone else. Despite the presence of the "safety manager," loggers have continued to engage in dangerous behavior while protestors are nearby. With Michael Hunter present, a faller cut into a large redwood tree in a way that could have caused

the tree to fall on Michael Hunter. When Hunter asked the nearby faller to please not kill him “accidentally” the man replied, “It wouldn’t be accidental.” Michael Hunter called out “safety officer, safety officer... is this safety sir?” trying to get the safety manager’s attention, but the safety manager refused to come over for several minutes. The safety officer and the faller were both clearly aware of Michael’s presence because Michael had loudly announced himself. Eventually, the “safety manager” did come over and put a stop to logging in that area, but it was well after the situation had already become extremely unsafe with direct threats having been made to Michael.



Michael records fallers working in his presence

Hiring of Private Security

The “safety manager” Michael encountered has since been identified by other forest activists as Paul Trouette, chief executive officer for the private security firm Lear Asset Management, Inc. Lear is well known within Mendocino County for their aggressive tactics. Trouette has favorably compared himself to the Pinkertons, the notorious private detective agency that used violence to break up strikes and chase outlaws in the 19th and 20th centuries. Lear has been known to wear military fatigues and use helicopters and firearms in their work. At other similar protests within Mendocino County, Trouette has open-carried a pistol while interacting with protestors. In a statement released by Mendocino Redwood Company on October 11th, the company confirmed that they had hired unarmed “safety specialists” to observe and alert people who enter the active timber operation.

It is clear from Trouette’s background and actions within the forest that he is operating more like a security guard than a safety officer. Trouette has been seen photographing license plates of protestors. He has also approached protestors who had not given him their name and used their names in a way that implied that he had researched their lives. Trouette has also permitted the loggers to engage in dangerous behavior such as cutting into trees in the presence of loggers and leaving trees that have been mostly cut standing precariously. These are not the actions of a “safety manager.”

EPIC believes that allowing a private company to hire private security to police public lands violates state law. This opinion is supported by the Chief Legal Counsel of Cal Fire. On July 2nd, 2021, in a letter to James King, Esq. regarding the use of private security within the forest, Cal Fire Chief Legal Counsel Bruce A. Crane stated the following: "Cal Fire cannot cede control of activities on JDSF, for law enforcement and security purposes, to any person or entity at any time as JDSF is required by Public Resources Code Section 4656.2 to always be under the direction and control of Cal Fire personnel. Moreover, Cal Fire has legal authority under 14 CCR 1439 to close JDSF to certain groups or classes of individuals. The current JDSF forest closure order prohibits any private security, *armed or unarmed*, from entering JDSF. This will be clearly detailed in a revised forest closure order that Cal Fire will republish." (Emphasis not in the original.) EPIC has confirmed that acting forest manager Kevin Conway is aware both of this letter and of the presence of Lear Asset Management but has been told that timber operators can employ who they wish.

Threats Made by Individuals to Protesters

U’i Wesley is a Native Hawaiian singer who lives in Mendocino County. On October 5, 2021, she parked her car at mile marker 19.24 along Highway #20 outside of a logging gate. Paul Trouette had been in the area previously but had left about 20 minutes before the following events took place. While she was parked there, a large black truck with no license plates pulled up next to her. Two men got out of the truck. One of them was wearing a “Blue Lives Matter” mask. That man asked U’i what she was doing and whether she knew that it was dangerous to block the gate with her car. He also indicated that blocking the gate with her car was illegal.

U'i responded that she had a right to protect the peoples' forest. The men then circled her car in a way that made U'i apprehensive. U'i decided to deescalate the situation by offering the men a PB&J sandwich. The men responded by reiterating that she shouldn't be blocking the gate. U'i informed the men that they were making her feel threatened and that she wanted them to leave. The man with the Blue Lives Matter mask responded to this by reaching in his pocket and throwing bullet casings directly towards U'i's face while saying, "It can get very dangerous out here, missy." U'i shielded her face and the men got back into their truck and left.



U'i holds the bullet casings that were thrown at her

Cal Fire Encourages Bad Behavior

Both the Caspar 500 THP and the Soda Gulch THP have seen protestors disrupting logging. Jason Serna is the registered professional forester (RPF) for the Caspar 500 THP and Kirk Odwyer is the RPF on the Soda Gulch THP. They are both employees of Cal Fire. As the licensed professionals for these plans, they are responsible for how the implementation of these plans threatens public safety. Despite being fully aware that protestors were present within the woods, these RPFs have allowed logging to continue with protestors present. On the Caspar 500 THP, logging continued for several days with protestors before Cal Fire called for a pause. As of the writing of this letter, logging still continues on the Soda Gulch THP despite the well known presence of protestors within the closure area.

By not halting logging when protestors are present, Cal Fire is creating a dangerous environment for protestors and fallers alike. As managers of this forest, Cal Fire has a responsibility to ensure that logging operations are being conducted safely. However, by

contracting with private timber companies who make their own decisions regarding whether it's safe to log when protesters are present, Cal Fire is inviting disaster.

Conclusion

EPIC is deeply concerned about the current situation on JDSF. Cal Fire has ceded control of the forest to private security and masked enforcers. If someone does not step in and halt logging within the forest the situation will only continue to worsen. You need to act to restore peace by declaring a moratorium on logging in the forest.

Sincerely,

A handwritten signature in black ink, appearing to read "Matthew Simmons". The signature is fluid and cursive, with a long horizontal stroke at the end.

Matthew Simmons
Staff Attorney
Environmental Protection Information Center

CC: Thomas Porter, Director, CAL FIRE
Kevin Conway, Acting Forest Manager, CAL FIRE
Jason Liles for Senator Mike McGuire
Ruth Valenzuela for Assemblymember Jim Wood