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**Re: THP/TCP 1-04-055 Roessler (Zapar, LLC) Draft NEG DEC**

May 7, 2004

Dear Mr. Robertson:

Please add these comments to the public files of both the THP/TCP at the Forest Practices Office and the draft Negative Declaration.

This proposed timberland conversion is likely to add individual and cumulative impacts to the Gualala River watershed and in particular to the smaller Class I Little Creek watercourse below its southern boundary. Being listed under the 303d section of EPA's Clean Water Act and Section 3 of the Basin Plan, all additional inputs of sediment and increased temperatures are forbidden. The inputs of this plan when added to the previous 3 Acre Exemption ZPE Exemption (02-0133 (prepared by RPF Burns) and 35 acre logging (THP 0-99-426 SON also prepared by RPF Burns) on this 40 acre parcel, is likely to hold considerable risk to the Class 1 Little Creek and to the threatened steelhead using Little Creek's recovering resources as habitat and refugia. Nevertheless the Lead Agency seems to uphold the RFP's unsubstantiated claim that THP/TCP will have "less than significant impact with mitigation incorporated."

CONCERNS:

- The plan submitter has not researched the records and does not present the fact that Little Creek has been classified as a Class I watercourse. All any analysis of impacts should take this fact into consideration.
- The plan incorporates the deforestation of an additional 12 acres of functioning conifer forest and the biodiversity that it supports. No mitigations are put forth to address this permanent loss.
- Slopes are steep, ranging from 5-65%. Terracing with its potential for sediment delivery during installation and historic use is proposed on 30% slopes. (There are serious discrepancies in the THP/TCP documents regarding slope.)
- A "seasonal wetland seep" is to be developed and mentioned as a possible source of irrigation water on page 5. Hydrological regime alteration will occur. No mitigations offered.
- Loss of foraging habitat for the NSO. No mitigations offered.

- The effective addition much road area on steep terrain from the access roads on site and the tractor rows. There is already a high percentage of road area in the plan area, thus sediment production is heightened as a threat.
- Interruption of water flow into Class I Little Creek by constructing a 10,000 square foot “decorative” pond, which it purports not to use as irrigation. (Except on p.5 where it says it may be used for irrigation.)
- Plan proposes to eliminate a “spring.” (p77,79,13,10,66)
- Plan proposes to put 480,000 pounds (20 tons per 12 acre, p.10) of lime into undisturbed forest soil above Little Creek. No mitigations offered.
- No grading permit is included in the TCP even though one was obtained for the 3 acre conversion.
- Serious potential for erosion and introduction of sediment during the completion of this plan and in the future use due to the impact of heavy equipment and service vehicles on the only access road. This road is in poor repair and presently delivers sediment during winter months to Little Creek. Much of the road surface has washed away
- A submitted paper by Patrick Higgins, fisheries biologist, analyzes the substantially stressed conditions of the Buckeye and the impact on the threatened steelhead. This paper was recently developed for the nearby THP 1-04-030 Hansen/Whistler conversion. Continuing to approve conversions will prevent the return to suitable conditions for our severely imperiled fish community. The several existing conversions added to the proposed conversions draining into Little Creek may exacerbate both flow problems and sediment problems.
- The RPF submitter does not have the necessary training and background to undertake the evaluation and analysis to properly predict the effects on the hydrology of Little Creek. These potential effects added to the ones of proposed new conversion projects on Little Creek need serious scientific review and data gathering. The combined effects of all these projects’ well pumping and water interdiction need analysis. Thresholds of potential environmental harm need to be set as per CEQA recommendations. This conversion project and those proposed nearby pose a new potential threat to the very existence of the forest land that has historically has dominated the landscape. The new potential effects of this type of deforestation and introduction of commercial agriculture on these steep formerly forested slopes are new and novel and must be studied and evaluated before these approvals for deforestation proceed. No data is presented to prove the assertions that no effects will occur most simply because that data presently does not exist.
- CEQA mandates findings of significance wherever a project “has possible environmental impacts which are individually limited but cumulatively considerable.” An EIR/EIS must be required to analyze and evaluate such complex but critical hydrological issues as the cumulative impact of water draw down from the groundwater recharge area Brushy Ridge, how these several commercial vineyards will impact quantity and quality of water in residential wells (under normal and drought conditions), the role of tall conifers in converting fog drip, the reduction of base flow to salmonids, interruption of runoff by diverting into “decorative ponds,” and reservoirs, and other issues. Even a very small contribution to an existing cumulative impact should be considered as having potential to degrade the environment.
- The submitter does not adequately address the other past, present, and potential future projects in the plan area that would factor into a true analysis of the cumulative effect of

this and all said plans. Illegal and vineyards installed using three acre exemptions have not been accounted for.

- Dry farming will be difficult on this parcel based on the experience of the only other vineyard nearby that has been in existence long enough to produce mature vines. Annapolis winery on Annapolis road has recently had to install drip irrigation on its mature vines to boost crop yield to remain competitive. Frost protection is needed for this site and no provisions for it are included in the plan.
- The effect on microclimate, air temperatures and directly effected, water temperatures is a concern. Many scientific studies now point to air temperature being the main factor effecting water temperature.
- Stream temperature is noted to be “higher than optimal” on 177. There is potential for this plan to add to increased temperatures causing a “take “ of endangered species. The added deforestation of this plan in addition to surrounding plans will raise ambient air temperature. The loss of fog drip from the deforested area of this plan will effect the hydrological regime, no data or consideration is included.
- The Brushy Ridge is the recharge area for Little Creek. What information has been submitted that points out data that the combination of sheet flow storage, well pumping and reservoir construction proposed will not adversely alter the flows needed in Little Creek and the endangered species that inhabit it?
- In any analysis or consideration of hydrological effects or water needs, the Lead Agency must consider later phases of a proposed project (such as proposed residences) as well as probable future projects off-site. These include:(
  1. 1-04-059SON Martin, 1-02-019 SON Ridgetop, 1-04-030SON Hansen/Whistler
  2. The cumulative impacts of:
    - THP 1-00EX-399-SON
    - 1-99-426 Burns/deRidder 35 acre seed tree removal
    - 1-00-328 Webster 75 acre logging
    - Re-opening of a WLPZ road paralleling Fluornoy Road
    - ZPE 02-0133 3 acre exemption of 6/02
    - ZPE 02-0135 3 acre exemption of 6/02 both prepared by RPF Burns,
    - Ridgetop’s current 15 acre vineyard planted on illegally cleared forest land
    - The Wilson vineyard.



- In addition, data analysis and review is needed of the effects that this plan will cumulatively add to the effects of the following conversions in the surrounding area. No data has yet been submitted by the preparer of this plan or any other that allows the reviewing agencies to predict the limits of potential acreage that will be submitted in potential future projects. The limitation of the availability of Goldridge soils has been asserted as one limitation on this conversion expansion. This plan negates that as it has little such soil type. If, then, only aspect and microclimate are to be the main limitations, vast portions of this coastal forest are under threat of conversion pressures. This needs to be studied and assessed in this plan and the others on Little Creek.

1-00-147 SON Campbell	88 acres
1-00-238 SON Putnam	23 acres
1-00-140 SON Coomes	9 acres
1-01-171 SON Artesa	105 acres pending EIR submission
1-01-202 SON Jones	11 acres
1-01-223 SON Michaels	42 acres

The Lead Agency has no authority to disregard a project's incremental contribution to a cumulative effect even though the Project complies with BMPs or a mitigation program. An in-depth hydrological analysis is critical. I urge you to require an EIR on this and all other conversions pending in the Little Creek watershed.

**Every forestland conversion application warrants the preparation an E.I.R. due to:**

- **the water scarcity of the west county area**
- **the 303(d) Clean Water Act listings of the north coast rivers**
- **the dire situation of the threatened indicator salmonid species**
- **the large, complex, unstudied ecological changes and effects of conversions**
- **the clear written mandate of the County's own General Plan**
- **the need to study the effects of commercial reservoirs, interruption of hydrological regimes and wells on local streams and aquifers**
- **the lack of apparent limits to conversions**

- **the lack of thresholds of significance to gauge potential environmental effects from these new and unique projects inserted into traditional forest lands**

The Gualala River is listed as an impaired river under 303(d) of the Clean Water Act. Much time and energy are being expended by governmental agencies and watershed stakeholders to deal with the restoration of this watershed and its endangered species. Allowing the unmitigated loss of forestland in favor of vineyards upslope of salmonid populations struggling to survive –all for the sake of profits is unconscionable.

This is not the first chance but it may be one of the last to rise to a land management challenge that would save these endangered forests. Please come to the rescue of the myriad species dependent on the last of the contiguous forestlands in Sonoma County. Use the powers of your office to resist this growing threat to forest biodiversity and subversion of the intent of the County General Plan.

Yours truly,

Peter Ashcroft  
Sierra Club , Redwood Chapter