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Ms. Leslie Markham
California Department of Forestry and Fire Protection
135 Ridgeway Ave.
Santa Rosa, CA 95401

Re: Bohemian Grove NTMP 1-06NTMP-011 SON

Dear Ms. Markham:

I write this letter on behalf of the Bohemian Redwood Rescue Club and the many members of the public whose interests it represents in requesting the California Department of Forestry and Fire Protection (CDF) to immediately rescind the proposed Bohemian Grove nonindustrial timber management plan (plan or NTMP).

The NTMP is fundamentally flawed and deserves no further consideration by CDF, other agencies, or the public. The plan commits an obvious and egregious error in calculating sustained yield. As demonstrated below, it mistakenly includes timber located in areas that cannot be logged, such as the 107-acre old-growth grove, in the timber available for harvest, thus grossly overestimating the latter. As a result, the plan comes up with a rate of logging that exceeds growth. This is not nonindustrial harvesting. It is not even industrial logging. It is decimation. It is also illegal under the Forest Practice Act, which requires an NTMP to demonstrate sustained yield. (Pub. Res. Code, § 4593.2, subd. (e).)

A plan that proposes to cut more than it grows can not be subjected to meaningful environmental review. Indeed, had CDF noticed the error when the plan was originally submitted for filing, the plan would have been rejected. But since it was not noticed, the plan has resulted in a waste of time and effort by CDF, other agencies, experts, and members of the public, who have analyzed and critiqued the plan under the assumption that it would achieve sustained yield. This waste, unfortunately, has been prolonged by CDF's failure to acknowledge the error, even though it was first brought to CDF's attention six months ago at the April 20, 2007, review team meeting by John Hooper; and then again by Dr. Philip Rundel,

a distinguished professor of biology at the University of California, Los Angeles, in his May 8, 2007, letter to CDF.

The NTMP's Harvest Regime Exceeds Growth

The plan's error is easy to demonstrate, involving simple arithmetic. The Bohemian Grove contains a 107-acre old growth redwood stand with a total volume of 27,019,673 bf, and a total old growth volume of 25,238,950 bf. (NTMP, pp. 85, 88.) The old growth stand will not be harvested during the life of the NTMP. (NTMP, p. 40.) The total conifer volume for the Bohemian Grove is 75,700,890 bf. This figure *includes* the old growth volume. (Exh. A, pp. 85, 88.) At this juncture, it is well to note that the old growth comprises a full one-third of the entire timber volume in the Bohemian Grove.

The sustained yield table shows the total conifer volume at 75,700,888 bf. It shows the conifer percentage growth per year (bf) as 2.2%. It shows the conifer growth (bf) for a five-year period as 8,305,773. Dividing that number by 5 years gives conifer growth of 1,661,155 bf per year. And it shows the conifer harvest per year (bf) at 1,137,774.

The yearly growth rate of 1,661,155 bf/year can only be arrived at by multiplying 75,700,888, the total conifer volume *including* old growth, by 2.2%, the rate of growth. If you multiply 2.2% times the total conifer volume less the old growth volume ($75,700,888 - 25,238,950 = 50,461,938$), you get a conifer growth per year of 1,110,163 bf. This figure, of course, is lower than the proposed conifer harvest of 1,137,774 bf/year. Thus, unless the old growth conifer volume is included in the calculations, at the growth rate of 2.2%, harvest will exceed growth.

The same error occurs elsewhere. The NTMP sets forth the following figures: total net conifer board feet equals 75,700,890; net conifer board feet for live snags and old growth equals 25,939,188; total conifer board feet in no harvest reserves equals 0; total net conifer board feet in watercourse lake and protection (WLPZ) stands equals 11,947,330; merchantable timber (>16" DBH net conifer outside of no harvest reserves) is 73,001,560. (NTMP, p. 85.)

Thus, the old growth grove is clearly included in the total volume of merchantable timber, that is, timber slated for logging. What is more, the volume of board feet placed in the no harvest reserves is "0." (NTMP, p. 85.)

Besides the old growth, the plan also appears to include all of the timber in the WLPZs in the merchantable timber category, even though logging in the WLPZs is quite restricted by canopy retention standards. (NTMP, pp. 24-27, 85.)

CDF Should Rescind the Plan

It is difficult to imagine a more fundamental error in an NTMP than the one here. The plan overestimates the amount of timber available for harvest by more than a third, resulting in a rate of harvest that exceeds growth. Such an error infects virtually every aspect of the NTMP and undermines the extraordinary amount of work that CDF, other agencies, experts, and the public have devoted to this plan.

Consider, for example, the Department of Fish and Game's December 1, 2006, 15-page analysis of the plan's intent to remove the grove's larger and older trees, resulting in a younger forest, with smaller trees, and the negative consequences of such a regime. It is obvious that DFG expended an enormous amount of time and effort in analyzing the NTMP and drafting its report. Although critical of the plan, DFG assumed that the plan was sustainable. What becomes of DFG's efforts in light of the plan's miscalculations? A corrected plan will have to propose a different level of logging since there is substantially less timber available for harvest. As a result of these changes, DFG may be required to reanalyze the plan and draft a new and different report.

DFG, of course, is but one example of the substantial efforts that the NTMP has engendered to date. CDF also has given the plan considerable attention, as have the Regional Water Quality Control Board, numerous members of the public, as well as a number of experts. These efforts, too, may be jeopardized given the scale of the plan's flaws. At this point, one may reasonably ask whether California's taxpayers have spent more through public agency review than the landowner has spent on its own flawed plan. Those costs will only mount if the plan is allowed to remain filed in its current state.

Allowing the RPF to revise the plan while it remains filed is no solution. The plan must be rescinded, since its continued processing will only lead to suspect results. For example, it is my understanding that the U.S. Fish and Wildlife Service is currently attempting to analyze the plan's effects on the northern spotted owl. But such an analysis would appear to be useless if not impossible at this point. How can one meaningfully evaluate a plan's effects on wildlife when the plan proposes an illegal and unsustainable rate of logging?

It is remarkable that a landowner would file an NTMP that proposes to log a forest into depletion, and it is unfortunate that CDF failed to notice the error. It is not too late, however, to rescind the plan and put an end to the mischief and waste that it has caused.

Accordingly, we respectfully ask you to immediately rescind the Bohemian Grove NTMP.

Very truly yours,

Paul V. Carroll

cc: Ruben Grijalva, Director, CDF
John McCamman, Director, DFG
Mike Chrisman, Secretary, Cal. Resources Agency
Stacy Martinelli, DFG
Rick Macedo, DFG
Ken Hoffman, U.S. Fish and Wildlife Service
Cherie Blatt, Regional Water Quality Control Board
Patty Berg, Assemblymember, 1st Assembly District
Dr. Philip Rundel
Dr. Don Erman