Senator Kevin de León, Chair  
Senate Appropriations Committee  
State Capitol, Room 2206  
Sacramento CA 95814  

Dear Senator Kevin de León  

August 25, 2013  

Re: AB 904  

The Sonoma County Water Coalition (SCWC) includes 31 organizations, representing more than 24,000 concerned citizens. SCWC is especially concerned about the preservation of a safe, economical and reliable water supply for all living things. SCWC also works to preserve healthy ecosystems, supports watershed restoration and protection, and careful oversight of all public trust resources, including surface and groundwater quality and quantity.

Currently the language of AB 904 provides for a Working Forest Management Plan (WFP), similar to a Non-Industrial Timber Plan, that would be approved under rules in perpetuity without necessary control language to assure resource protection.

The initial basis of AB 904 was to develop long term management plans for private landowners that would allow ‘working forests’ while protecting and enhancing forest values, old growth, species diversity, robust stands, and water quality. However, with the existing language there are some very serious issues that relate to acceptable forest management.

Below are some of the problematic issues that need to be remedied:

1. These proposed plans are so large that reasonable review of environmental impacts is unlikely to take place. The original acreage of 2,500 can be increased to 15,000 acres. Large plans, up to 15,000 are difficult for responsible agencies to review and make recommendation on. Currently there is not sufficient funding for Review Team agencies to accomplish such large projects. Nor is there funding for Regional Board development for necessary Waste Discharge Requirements (pollution control plans).

2. The proposed long term management goals have a hundred year horizon, a time frame that is untenable without establishing specific benchmarks in shorter time frames. In addition, other silvicultural applications that approximate clear-cutting can be employed that do not promote sustain yield objectives and can have significant adverse environmental impacts.

3. The permanent approval would not allow for updates in forest management regulation to meet criteria established by new or ongoing studies that would be more protective of environmental resources that include water quality and wildlife protocols. Nor would
Review Team responsible agencies, other than Cal Fire, CDFW, Coastal Commission, and Regional Water Board, be able to adjust such plans according to need in the future.

4 The language in AB 904 omits the necessity for erosion control and road maintenance requirements that are essential to deal with impaired water bodies and meet regional Basin Plan requirements, by limiting sediment inputs to surface waters. This will not allow for recovery of watersheds listed as sediment and temperature impaired, and create a significant hole in the regulatory structure.

5. Protection or development of old growth type stands are limited and not enforceable.

6. The proposed five year agency review allows no assurance that Review Team recommended upgrades will be respected as the owner employed forester has authority to deny recommendations on the basis of cost or need.

7. Review and enforcement provisions are weak and agencies have little time to respond to issues at time of notice to commence operations;

8. Last but not least is the important issue of lack of public notification and participation in the process.

If these issues are not addressed AB 904 would allow for some serious negative consequences to forest and water quality values as well as not adhering to the intent of the Forest Practice Rules.

These are our recommendations for improvement to the bill if it moves forward:

• Limit NTMP ownerships to the current level of 2500 acres

• Limit the planning horizon to a more reasonable and realizable time period – 30 years

• Update plans to current changes in the Forest Practice Rules when the Forester lays out new operations and issues an NTO, Notice To Operate, or upon Review Team Recommendation at the 5 year project review interval (not at the discretion of the RPF) where there is opportunity to make necessary updates.

• Require ownership wide erosion control planning and road management plans (to comply with need to attain Water Quality Standards in listed impaired watersheds)

• Protections for Late Successional Forests should be evaluated at a minimum of 5 acres (not 10 acre sizes) which will be more protective especially with smaller sections existing in Mendocino County.

• Compliance with Anadromous Salmonid Protection standards in the Forest Practice Rules (and relevant changes to same) and other new regulation deemed necessary by trustee agency.

• Public notification of Notices to Operate (NOPs) need to be posted on the ftp site on the Cal Fire website.
Please take action to limit the size and scope of forever projects as proposed by AB 904.

We thank you for considering the above information.

Sincerely,

Stephen Fuller-Rowell  
Sonoma County Water Coalition

Copies to:

The Nature Conservancy  
201 Mission St., 4th Floor,  
San Francisco, CA 94105

attn: Elizabeth Forsburg and Pablo Garza

Trust for Public Land  
101 Montgomery St. Suite 110,  
San Francisco, CA 94104

attn: Richard Mastrodonato