

Del Norte Coast Redwoods State Park Mill Creek Addition

General Plan Amendment and Final Environmental Impact Report



View from the summit of Childs Hill: Source: EDAW 2008

Response to Comments

State Clearinghouse
#2007092053

California Department of Parks and Recreation
May 2010



TABLE OF CONTENTS

Chapter/Section	Page
1 INTRODUCTION	1-1
2 LIST OF COMMENTERS	2-1
3 COMMENTS AND RESPONSES.....	3-1
Letter 1 Max Blair	3-2
Letter 2 Tasha Ahlstrand	3-4
Letter 3 Andrew T. Ringgold.....	3-8
Letter 4 Dory Bruce	3-14
Letter 5 David Bruce.....	3-16
Letter 6 Del Norte County Board of Supervisors	3-18
Letter 7 Del Norte County Board of Supervisors	3-26
Letter 8 Elk Valley Rancheria	3-124
Letter 9 John Mertes	3-127
Letter 10 Friends of Del Norte	3-139
Letter 11 Smith River Alliance	3-143
Letter 12 National Park Service.....	3-145
4 RECOMMENDED CHANGES TO THE GENERAL PLAN AMENDMENT	4-1
 Table	
2-1 List of Written Comments Received	2-1

ACRONYMS AND ABBREVIATIONS

BOS	Board of Supervisors
CEQA	California Environmental Quality Act
Draft EIR	Draft Environmental Impact Report
GMP/GP	General Management Plan/General Plan
GPA	General Plan Amendment
MCAC	Mill Creek Advisory Committee
NEPA	National Environmental Protection Act
NPS	National Park Service
OHV	Off-highway Vehicle
OPR	State Office of Planning and Research
RNSP	Redwood National and State Parks
State Parks	California Department of Parks and Recreation
Tribe	Tolowa Tribe
USFWS	U.S. Fish and Wildlife Service

1 INTRODUCTION



Childs Hill Road winds its way through forests planted following timber harvest, EDAW 2007

On April 14, 2009 the California Department of Parks and Recreation (State Parks) released to the general public and public agencies the General Plan Amendment/Draft Environmental Impact Report (GPA/Draft EIR) for the Mill Creek Addition to Del Norte Coast Redwoods State Park (Park). The proposed General Plan Amendment (GPA) will guide future management direction in the Mill Creek Addition (Addition). It contains a comprehensive and integrated set of goals and guidelines for the long-term management of the Addition that focuses on protection of environmental resources, enhancements to visitor use and opportunities, and improvements to administration and operations of the Park. In addition, the GPA includes proposed Mill Creek Addition development and designates appropriate land uses. The document is an Amendment to the Redwood National and State Parks (RNSP) joint General Management Plan/General Plan (GMP/GP) adopted in 2000.

The Draft Environmental Impact Report (Draft EIR) included in the GPA contains the environmental analysis of potentially significant effects of the proposed GPA. Together, the Draft EIR and this response to comments document constitute the Final Environmental Impact Report for the GPA.

In accordance with Public Resources Code Section 21091 and California Environmental Quality Act (CEQA) Guidelines Section 15087, a 45-day public review period for the Draft EIR was provided. The public was advised of the availability of the GPA/Draft EIR through public notices, newsletters, newspaper articles and notification on the State

Park planning web site. The public notice (Notice of Availability) was posted with the Crescent City Daily Triplicate and the Eureka Times Standard on April 14, 2009. Copies of the GPA/Draft EIR were also available for review at the following locations: California State Parks: North Coast Redwoods District Office, Jedediah Smith Visitor Center, Planning Division (Sacramento); Redwood National Park Headquarters Office/Visitor Center; Del Norte County Libraries: Main Branch, Smith River Branch; Humboldt County Library: Main Branch; and on the State Park Planning web site.

The public review period ended on May 29, 2009. During the public review period comments on the GPA and the environmental impacts evaluated in the Draft EIR were received from several agencies and individuals. This document provides responses to the written comments received during the 45-day public review period. The focus of the response to comments is on the disposition of environmental issues that have been raised in the comments, as specified by CEQA Guidelines Section 15088(b), but also includes responses related to planning considerations of the GPA.

All comments on the GPA/Draft EIR and the responses thereto are presented in this document, which is organized as follows:

- ▶ **Chapter 1** (Introduction) provides a brief overview of the proposed project, describes the requirements under CEQA for responding to the public comments received on the Draft EIR, and describes the organization of the Final EIR.
- ▶ **Chapter 2** (List of Commenters) provides a list, in table format, of all written comments received on the GPA/Draft EIR during the public comment period.
- ▶ **Chapter 3** (Comments and Responses) provides a complete copy of, and responses to, written comments on the GPA/Draft EIR received during the public review and comment period.
- ▶ **Chapter 4** (Recommended Changes to the GPA) provides a reproduction of portions of the GPA/Draft EIR with proposed revisions to text made in response to comments.

2 LIST OF COMMENTERS



Rock Creek provides important habitat for salmonids, EDAW 2007

This chapter provides a list of all public comments received on the GPA/Draft EIR during the public review period. Table 2-1 indicates the commenter/organization that submitted written comments and the date the comment(s) were received.

Table 2-1: List of Written Comments Received			
Letter Number	Commenter	Agency/ Organization/ Individual Represented	Date Received
1	Max Blair	Individual	May 19, 2009
2	Tasha Ahlstrand, Associate Transportation Planner	Caltrans	May 20, 2009
3	Andrew T. Ringgold	Individual	May 29, 2009
4	Dory Bruce	Individual	May 29, 2009
5	David Bruce	Individual	May 29, 2009
6	Gerry Hemmingsen, Chairman	Del Norte County Board of Supervisors	May 29, 2009
7	Gerry Hemmingsen, Chairman	Del Norte County Board of Supervisors	May 29, 2009
8	Dale A. Miller, Chairman	Elk Valley Rancheria	May 29, 2009
9	John Mertes	Individual	May 29, 2009
10	Eileen Cooper, Boardmember	Friends of Del Norte	May 29, 2009
11	Grant Werschull, Executive Director	Smith River Alliance	May 29, 2009
12	Steve W. Chaney, Superintendent	National Park Service	May 29, 2009

3 COMMENTS AND RESPONSES



Coastal view from the proposed lodge site, formerly used for a demonstration forest, EDAW 2008

This chapter provides a complete copy of the written comments received on the GPA/Draft EIR for the Del Norte Coast Redwoods State Park Mill Creek Addition, and presents responses to significant environmental issues raised in the comments, as required by CEQA Guidelines Section 15132. Comments pertaining to the GPA are also addressed.

Each letter received is reproduced in its entirety, including attachments. Each letter and associated comments correspond to Table 2-1. The responses to comments directly follow each letter.

Just A Note

I SAW THE EIR AT
THE CRESCENT CITY
LIBRARY. EVERYTHING
LOOKS GOOD TO ME.
I WOULD LIKE TO
SEE ACCESS FOR
THIS WINTER FOR
HIKING & BIKING, SO
WOULD LIKE PARKING
OUTSIDE THE
STATE AVAILABLE.
THANKS
MAX

1-A



Max Blair
530 Murphy Ave
Crescent City, CA 95531



**Letter
1
Response**

Max Blair
May 19, 2009

- 1A** – State Parks acknowledges Mr. Blair’s review of the General Park Amendment/ Draft EIR at the Crescent City library and his support of the GPA content. Regarding access to the Mill Creek Addition during the winter, the site is open to public access on weekends and parking is available at the property entrance, several locations along Hamilton Road, and at the former Mill Site.

DEPARTMENT OF TRANSPORTATION

DISTRICT 1, P. O. BOX 3700
 EUREKA, CA 95502-3700
 PHONE (707) 441-4540
 FAX (707) 441-5869
 TTY (707) 445-6463



*Flex your power!
 Be energy efficient!*

May 20, 2009

1-DN-101-20.27
 Mill Creek DEIR

Steve Horvitz
 California Department of Parks and Recreation
 3431 Fort Avenue
 Eureka, CA 95503

Dear Mr. Horvitz,

Thank you for giving us the opportunity to comment on the proposed General Plan Amendment Draft Environmental Impact Report for the Mill Creek Addition. The document proposes the development of Hamilton Road to be the single point of entry and exit to Del Norte Coast Redwood State Park. The project is located just south of the community of Crescent City (PM 22.70), on the east side of U.S. Route 101. We have the following comments:

There are significant traffic safety concerns at the Hamilton Road/U.S. Route 101 intersection and we are concerned that additional traffic at this location would exacerbate the existing problem. According to our Traffic Safety Office, a review of collisions at the Hamilton Road intersection with U.S. Route 101 for the most recent five-year period (July 1, 2003 – June 30, 2007) indicates that the collision rate is above the statewide average. The total collision rate is five times the statewide average, and the severity (fatal plus injury collisions only) is six times the statewide average. For the same period, the quarter-mile segment of U.S. Route 101 north and south of the Hamilton Road intersection indicates a total collision rate of more than seven times the statewide average and severity of more than ten times the statewide average.

We request the applicant do a thorough Traffic Impact Study including operational analysis and traffic safety study. A Traffic Impact Study should include the following:

- Analysis of the project development in full, including analyses of Hamilton and Mill Creek Roads
- Inclusion of a detailed site plan with specific and quantified characteristics of the proposed development (i.e.: specific land use, parking spaces, square footage, etc.) in order to determine trip generation
- Identification of appropriate traffic mitigation based on determined trip generation and operational analysis. Attached is a link to the California Department of Transportation's *Guide for the Preparation of Traffic Impact Studies*:
<http://www.dot.ca.gov/hq/traffops/developserv/operationalsystems/reports/tisguide.pdf>

2-A

"Caltrans improves mobility across California"

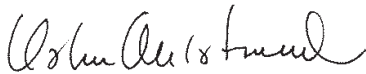
Steve Horvitz
5/20/2009
Page 2

- Consideration of the closure of Hamilton Road and utilization of another point of access

2-A
(Cont.)

If you have questions or would like further assistance, please contact me in the District 1 Regional Planning Office at (707) 441-4540.

Sincerely,



Tasha Ahlstrand
Associate Transportation Planner
District 1 Office of Regional Planning

"Caltrans improves mobility across California"

2A – The GPA is broad and conceptual in nature and, related to potential development, it serves primarily as a guide for land use. The precise location, design, and magnitude of proposed facilities are determined through required subsequent environmental assessment when specific development projects are considered after adoption of the GPA.

In the five year period cited in the comment letter, traffic on the section of U.S. 101 near Hamilton Road was not influenced by traffic in and out of the Mill Creek Addition via Hamilton Road, because the property was closed to the public during this time, and logging operations had ceased. Limited public access to the property has only been available since summer of 2007 and occurs only on weekends. However, it is commonly known that this section of U.S. 101 experiences high accident rates and it is State Parks' understanding that Caltrans is currently in the process of addressing this issue with highway improvements.

As stated in the DEIR, the GPA calls for road improvements in the Addition to serve increased traffic volume that may result specifically from increased visitation of the Park once the GPA is adopted. The GPA also would allow the development of an improved single point of user entry and exit to simplify visitor access to the Mill Creek Addition and the rest of Del Norte Coast Redwoods State Park and, in association with improvements to Hamilton Road and the available entry facilities, would be expected to address unsafe traffic movement currently occurring at the entrance to the existing Mill Creek Campground in Del Norte Coast Redwoods State Park. In addition, these changes would be expected to help minimize the confusion caused by motorists who want to visit the Mill Creek Addition, but inadvertently turn into the Mill Creek Campground entrance located in the original Del Norte Coast Redwoods State Park but

outside of the Mill Creek Addition. The design of the improved entry point would be done in coordination with Caltrans.

The GPA also calls for the development of a Road and Trail Management Plan to identify a permanent road network that would ensure long-term resource protection while meeting access needs for recreation, resource management, administrative programs, research, monitoring, and emergencies such as fire response. Any additional effects on traffic along U.S. 101 resulting from implementation of the future Road and Trail Management Plan and any mitigation necessary would be identified at that time. Future development of the property such as a research facility or lodge will undergo separate CEQA review, and additional impacts on traffic and necessary mitigation will be identified at that time.

The GPA calls for the development of Hamilton Road as a single point of entry and exit to Del Norte Coast Redwoods State Park. Other access points, as suggested in the letter, are not readily available because safe potential alignments and potential connections with U.S. 101 limited because of the steep and difficult terrain along this segment of highway resulting in a very limited line of sight.

125 Cable Lane
Crescent City, CA 95531
May 26, 2009

Petra Unger, Project Manager
EDAW, Inc.
2022 J Street
Sacramento, CA 95811

Dear Ms. Unger:

Thank you for the opportunity to review and comment on the draft General Plan Amendment and Environmental Impact Report for Del Norte Coast Redwoods State Park Mill Creek Addition (GPA). In general, I believe the preferred alternative of the draft GPA appears to provide appropriate levels of protection and/or restoration of the resources and values of the property and also proposes a very appropriate variety of public use opportunities for the site. I also believe that the draft GPA has been generally well linked and subordinated to the umbrella GMP/GP for RNSP. Following are more specific comment and suggestions for strengthening the GPA:

Section 3 – General Comment. I’m concerned that the wording of some proposed actions leaves the reader wondering whether CDPR would actually plan to take the action in question or just consider/study it. I suggest that the plan include only action statements of actual proposals, not indefinite statements of possibilities.

- In some cases the use of the words “may” or “could” rather than “will” creates the problem. For instance: page 3-28: “Interpretive directions may include the following.”; page 3-30: “The outdoor school facilities could include...”; page 3-30: “A research facility could include...”; page 3-37: “Buildings that have been determined to be unsuitablemay be removed.”
- Page 3-16. Lodge. “The GPA supports a feasibility study for the development and operation of a destination lodge including other related facilities...” Is a lodge proposed or not? At a minimum, the statement should read either “CDPR will conduct a feasibility study....” or “CDPR will develop a lodge.....”
- Page 3-30 and elsewhere. It isn’t clear whether the plan includes an actual proposal to develop an outdoor school or merely to conduct a feasibility study leading to a later decision whether or not to develop one.
- Page 3-30. Research Facility. “Consider creating a regional scientific research facility.....”? Is it proposed or not?

3-A

Page 3-1; Introduction. I did not find the statement of purpose for Redwood National and State Parks, nor that for Del Norte Coast Redwoods State Park. Since the “addition” is to both, I would have thought that those statements would have been included in the draft GPA, at least to serve as sources from which the “Vision” would flow.

3-B

Page 3-22; Management Zones, Table 3-1. I question whether the impacts of constructing and operating a lodge, with associated restaurant, gift shop and parking; and large drive-in campgrounds with associated facilities can or should be considered “minimal development”. I think the extent of these proposed developments is inconsistent with the common definition/understanding of the term “minimal”.

3-C

Page 3-30; Outdoor Schools. There is no acknowledgement of the two existing outdoor schools in RNSP and the need to coordinate the purpose and curriculum of any new outdoor school with those of the existing facilities and programs.

3-D

Page 3-31; Visitor Use Levels. This paragraph is unclear, but seems to imply that future visitor use levels will drive facility development decisions, in terms of types, numbers and locations. I suggest that one of the purposes of a management plan is to determine and prescribe appropriate uses and use levels/capacities and then to propose numbers of, and locations for, facilities to support and accommodate those use levels.

3-E

Page 3-36; U.S. Highway 101 Relocation. I feel that the treatment of this issue is very weak and confusing and provides very little guidance to future park managers and other cooperating or interested agencies/entities that will be involved when the time comes to relocate the highway. The time to outline requirements and expectations is now, not under the conditions of stress, political pressure, time constraints and confusion of an emergency. On page 3-12, section 3.3.1, the GPA addresses the potential need for a “temporary alternative route to U.S. 101, should the “Last Chance Hill” section of the highway fail temporarily...”. I question whether park officials could/would ever in good conscience consider a temporary realignment of the highway through the park. However, the discussion on page 3-36, section 3.5.6, addresses a realignment of the highway following a “catastrophic failure” – obviously the more realistic scenario requiring a permanent solution.

3-F

I suggest that the GPA outline at least a conceptual route or corridor for the relocated highway and include a strong and clear agency preference for limiting the highway corridor through the park to two lanes only. I also suggest that the GPA establish standards and constraints in terms of route selection, clearly describe the specific park resources and values to be protected, and express an expectation of the use of innovative planning and design standards to limit environmental and visual impacts. I suggest as well that the GPA include direction for CDPR to initiate preliminary highway relocation planning with appropriate state, federal and local agencies so that when the time comes, the agencies have a least agreed upon a preferred route alternative. The GPA should also describe the preferred fate/future use of any portion of the existing highway through the parks that would be cut off and isolated after the relocation – e.g. removal and site restoration, conversion to scenic drive, or conversion to trail, etc.

Page 3-38; Housing. I am concerned with the approach taken in this section - it appears that the cart is somewhat driving the horse. I believe the GPA should indicate whether or not it is desirable to have seasonal housing at the site. If so, propose it as an action. If not, so indicate. Having old buildings on the site that might be converted to staff housing is enticing, but irrelevant, if the housing is neither needed nor appropriate.

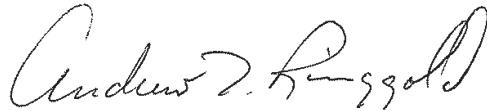
3-G

Section 3 – General. Adaptive Re-use of Structures. The comment above ref. housing applies also to other proposed activities on site such as outdoor schools, research facility, administrative and interpretive facilities, etc. The need for and appropriateness of conducting such activities should be determined independently of the existence of the inherited former Stimson buildings. If the GPA proposes that an activity take place, then adaptive use of an existing structure might be one alternative method of providing facilities to support that activity, but the existence of structures shouldn't drive the decision. That's one unfortunate way that agencies find themselves adopting stray structures and becoming saddled with the significant long-term care costs of their rehab, retrofit, maintenance and then rehab once again.

3-H

Again, thank you for the opportunity to comment on the draft GPA.

Sincerely,



Andrew T. Ringgold

State Parks appreciates Mr. Ringgold's review of the GPA and Draft EIR and his support for the appropriate level of protection and/or restoration of the resources and values of the property and variety of public opportunities for the site.

- 3A** – The GPA is broad and conceptual in nature and, related to potential development, it serves primarily as a guide for desired land uses. The precise location, design, and magnitude of proposed facilities are determined through required subsequent environmental assessment when specific development projects are considered after adoption of the GPA. Like other projects implemented by State Parks, future projects and actions at the Mill Creek Acquisitions depend on the availability of funding and current and projected trends in park use at the time the project moves toward implementation. The use of words such as “may” or “could” was deliberately chosen for use in the GPA to reflect the fact that certain actions “may” happen based on the outcome of studies, and that certain facilities “will be considered” pending funding, the current need to balance development with resource protection, and other factors.
- 3B** – The Statement of Purpose for Redwood National and State Park can be found on page 8 of the GMP/GP under the title “Purpose of the Parks – Why they were set aside.” This statement applies to the entire park, including Del Norte Coast Redwoods State Park. Because the GPA amends the GMP/GP, it focused only on those aspects of the plan that were not previously covered in the GMP/GP or otherwise specific to the Mill Creek Addition.
- 3C** – Development of a lodge would be limited to a previously disturbed site. This use was considered similar to other developments within RNSP that are characterized as “Various Zones of Minimal Area” in the GMP/GP, such as visitor centers, campgrounds, outdoor schools and education centers; thus, this classification was considered consistent with the provisions of the GMP/GP.

- 3D** – The GPA focuses on proposed uses and developments unique to the Mill Creek Addition and does not describe other existing uses within RNSP. However, the GPA includes provisions for an outdoor school, which is intended to house the Howland Hill Outdoor School, should the need arise for the school to move. Thus, close coordination would occur between development identified in the GPA and ongoing facilities and operations of the overall RNSP.
- 3E** – Because of the remote location of the Mill Creek Addition, its extremely large size, and small overall number of visitors to Mill Creek, the GPA seeks to balance the appropriate level of facilities based on the number of visitors that can be reasonably be expected. However, trends in tourism are determined by the economy in the state, country, and other countries with visitors to this area and are expected to fluctuate; therefore, it is difficult to precisely determine projected use levels/capacities at this point in the planning process. Future developments that would be allowed to proceed in planning after GPA adoption would include feasibility studies to ensure that they would be economically viable and would not result in adverse effects on sensitive resources. The General Plan Amendment provides new ideas to attract visitors within the context of the unit’s vision.
- 3F** – The “temporary alternative route to U.S. 101” mentioned on page 3-12 refers to a temporary alternative for U.S. 101 until the main route could be restored. The provision for such a route is specifically included in the Agreement of Terms and Conditions of the property transfer. In terms of the need for the permanent realignment of U.S. 101, in case of a catastrophic failure of U.S. 101, a permanent new route through the park would have to be chosen. Determination of such a route is a separate project under CEQA, under a different lead agency and is beyond the scope of this General Plan and CEQA document. Efforts to proactively address potential alignments would need to occur by Caltrans management.
- 3G** – The intent for the GPA is to provide an opportunity for seasonal staff housing, if the site appears suitable to support this use. While the GPA planning process

determined that provision of seasonal staff housing at the site is desirable, the practicability of providing such housing is currently unknown, because of uncertainties regarding funding and the feasibility of using existing structures and other opportunities. This feasibility evaluation would take place during future site specific planning and project review.

- 3H –** The GPA presents re-use of existing structures as one potential opportunity for providing housing or other uses. Other options, such as new permanent or temporary structures, would be explored during future site specific planning.

Dory Bruce
550 Sierra Wood Road
Gasquet, CA 95543
(707) 457-3078

May 28, 2009

Petra Unger, Project Manager
EDAW, INC
2022 J Street
Sacramento, CA 95811

RE: MILL CREEK ADDITION GENERAL PLAN AND DRAFT ENVIRONMENTAL IMPACT REPORT

Dear Petra,

I am a 20 year resident of beautiful Del Norte county. Our wild landscapes are a natural treasure for all who live here and visit. I fully support the portion of the Mill Creek Addition Vision Statement,

“Resource management practices applied at Mill Creek Addition are tailored to promote, maintain, and restore ecological functions of the habitats to a pre-European condition. Mill Creek serves as a living laboratory for ecological research, forest and watershed restoration, and the effects of global climate change on native species and communities. Researchers from throughout California and the world use the facilities at the site to study forest and stream ecology and related disciplines.”

In such a place as the Mill Creek Addition where humans have exploited and destroyed wondrous and unique ecosystems, I believe we have a moral imperative to study, understand and heal these places on Earth. I support only minimal, light human activity in the Mill Creek Addition. Thank you for the prohibition of OHV use in this park. Also, I deeply appreciate all of the expertise, thoughtfulness, and hard work that went into the development and publication of this Plan and Draft EIR by State Parks.

Very Sincerely,



Dory Bruce

cc: Jeff Bomke, Acting Sector Superintendent, Redwood Coast Sector, NorthCoast Redwood District

4-A

**Letter
4
Response**

Dory Bruce
May 28, 2009

4A – State Parks acknowledges Ms. Bruce’s support for the vision statement and the GPA’s focus on resource protection and restoration of the resources. State Parks appreciates her support of the development and publication of the GPA.

David Bruce
550 Sierra Wood Road
Gasquet, CA 95543
(707) 457-3078

May 28, 2009

Petra Unger, Project Manager
EDAW, INC
2022 J Street
Sacramento, CA 95811

RE: MILL CREEK ADDITION GENERAL PLAN AND DRAFT ENVIRONMENTAL IMPACT REPORT

Dear Petra,

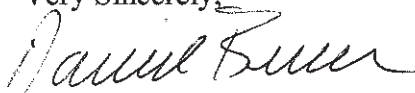
I support the General Plan Amendment and Draft EIR for the Del Norte Coast Redwoods State Park Mill Creek Addition.

I support any measures that will allow this area to recover naturally. I applaud the Park's decision in finding OHV use incompatible with the rehabilitation of the area and believe any damaging activities should be restricted.

In addition, I oppose any horse or mountain bike activity in the Park as I have witnessed the damage they do in other areas. Also, I hope any unnecessary spur roads will be eliminated.

I appreciate and thank the Park for its work in completing the General Plan Amendment and EIR.

Very Sincerely,



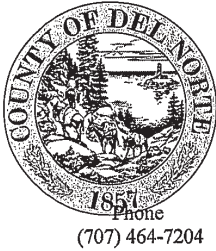
David Bruce

5-A

**Letter
5
Response**

David Bruce
May 28, 2009

5A – State Parks acknowledges Mr. Bruce’s support of the GPA and EIR and of measures that allow the natural recovery of the area. The elimination of specific spur roads and trails by user groups such as equestrians and mountain bike users will be addressed during development of a Road and Trail Management Plan for the Addition.



**COUNTY OF DEL NORTE
BOARD OF SUPERVISORS**

981 "H" Street, Suite 200
Crescent City, California 95531

Fax
(707) 464-1165

May 28, 2009

Petra Unger, Project Manager
EDAW, Inc.
2022 J Street
Sacramento, CA 95811

RE: Draft Environmental Impact Report – Mill Creek Watershed Addition General Plan Amendment.

Dear Ms. Unger,

The Del Norte County Board of Supervisors was recently made aware of the availability of a General Plan Amendment/ Draft Environmental Impact Report (EIR) for the Mill Creek Addition Del Norte Coast Redwoods State Park. Del Norte County previously extended the opportunity to California Department of Parks and Recreation (DPR) to coordinate directly with the County as outlined in Del Norte County Code Chapter 12.02, an ordinance establishing a process of consultation and environmental review for state and federal plans, programs and projects. In addition, the County requested a public hearing be conducted prior to the preparation of a Draft Environmental Impact Report (DEIR) to allow for public input and discussion.

6-A

Del Norte County has previously emphasized the need to have a plan for diverse recreational use throughout the Mill Creek property. In order to accommodate the many users, the County Board of Supervisors recommended the DEIR discuss alternatives such as designating the property as a Recreation Area, State Vehicular Recreation Area, or combination of different recreational designations that take advantage of the diversity of the land, and the needs of the users. In addition, the County also requested the DEIR discuss the involvement of other agencies such as CAL FIRE in the development of a comprehensive forest management program/demonstration forest. The Board reiterated that the DEIR should discuss the inclusion of Hamilton Road and Childs Hill/Rock Creek Loop roads into the County Maintained Road system.

6-B

Also, the Board of Supervisors requested your department address whether the project proposed will result in a federal undertaking and if the project will result in the need for

6-C

National Environmental Policy Act compliance, and describe the history of compliance with CEQA and NEPA as it relates to the property acquisition and any previous actions.

6-C
(Cont.)

The Del Norte County Board of Supervisors was alerted via email that the GPA/DEIR would be available for review. A hard copy of the document was given to Supervisor Michael Sullivan at a meeting on May 21, 2009 and was subsequently delivered to the Board offices with little time to prepare a response/comments. Del Norte County recognizes the document is programmatic in its form however; the GPA/DEIR does not fully address the issues previously brought forth by the County of Del Norte. Because this document is general in nature, the County is not in a position to present to the author specific mitigation measures that address identified effects.

6-D

The following are comments of the County of Del Norte:

Pg 3-22

No OHV use would be allowed. The Del Norte County Board of supervisors has previously commented on the need for diverse public recreational opportunities, and included a request to have alternatives address the potential designation of the property as a State Recreation Area and/or State Vehicular Recreation Area. This was not addressed in the DEIR.

6-E

Pg 3-24

Requires a 500 ft buffer around old growth, .25 mile buffer around old growth and a 200 foot buffer around fish bearing streams. "no new trails or developed facilities unless replacing an existing facility to allow similar use to continue". This requirement appears to severely restrict future use of the streams for fishing, trail construction for visitor use, and other public activities. How does a visitor get to these items worth buying the land if there is no trail? The plan does not address American with Disability Act requirements.

6-F

Pg 3-27

Although the Elk Valley Rancheria letter (in appendix) requests access to historic uses by the tribe, this section generally ignores that request. (A delay to another unknown date by requiring additional study.)

6-G

Pg 3-31

"Public use of the Mill Creek Addition, if not managed carefully, has the potential to damage natural and cultural resources." This is their mantra. The property was a commercial forest that was extensively logged with many miles of roads. It is difficult to

6-H

understand how managed public use would do any additional "damage" beyond the previous use?

6-H
(Cont.)

Pg 3-35

"Develop a Road and Trail Management Plan to identify a permanent road network..." This would again delay public access and uses until an unknown future date. Public access is therefore limited until the preparation and adoption of this future plan.

6-I

Pg 3-36

US Highway 101 - This section references the potential realignment of Highway 101 in the Mill Creek Addition, however it falls well short of actually indicating that realignment through the Mill Creek Addition would be a priority and supported by State Parks. This is an inadequate response to the Issue.

6-J

Pg 3-39

The list of the future action plans identifies a number of plans that will affect the public use of the property for years to come. Any delays in completing these plans will have a significant effect on the use of this property by the public.

6-K

Pg 4-65

The second sentence under the environmental setting states that there are no airports located within or adjacent to the Mill Creek Addition implying that there is no impact on the Crescent City Airport and therefore, there is no need for further discussion. This is not correct. Trees within the DN Coast Redwoods State Park at the "Turkey Trap" curve on Highway 101 affect the glide slope into CEC. The Mill Creek addition will eventually have the same effect.

6-L

Pg 1 of 6 in Purchase Agreement states in paragraph 1 that the primary goal of the property "...is to provide for a broad array of park and other public uses that are compatible with the primary goal that the Property shall be restored to later seral forest characteristics..." And "(p)ublic access and improvements on the Property shall be sited, managed and operated in a manner that is compatible with, and has minimal impacts on, the primary goal." The plan does support the first sentence and uses the second sentence to severely restrict public access although it is understood it's a function of a future (undated) study. Page 2 of 6 lists examples of public uses and concludes with "etc" which is undefined. At the bottom of the same page is the agreement wording on Highway 101.

6-M

Del Norte County continues to assert a position that the Mill Creek Addition should be managed for diverse multi-recreational uses and should be managed to serve the general public. The GPA is not consistent with the original purchase agreement. In addition, the lack of coordination has resulted in a plan that does not meet the needs of the general public and will thereby restrict significant public access and use for years to come.

6-M
(Cont.)

Thank you for your attention to this matter.

Sincerely,

Gary Hemmingsen,
Chairman

CC. Leslie McNamer, Supervisor District 1
Michael Sullivan, Supervisor District 3
Martha McClure, Supervisor District 2
David Finigan, Supervisor District 5
Dohn Henion, County Counsel
Jeannine Galatioto, CAO
Ernest Perry, CDD Director

- 6A** – During the preparation of the GPA, State Park staff regularly met with County Supervisors to discuss ongoing actions, including preparation of the GPA. In addition, representatives of the County Supervisors were present at all Mill Creek Advisory Committee Meetings that included discussion of the GPA process. A public scoping meeting for the GPA/Draft EIR was held on October 4, 2007 at the Elk Valley Rancheria. Several County supervisors attended the scoping meeting.
- 6B** – While designation of the property as a State Recreation Area, State Vehicular Recreation Area or combination of different designation was discussed during the planning process, such designation was found to be inconsistent with the property Agreement of Terms and Conditions, acquisition purpose, and current designation as a State Park. Likewise, management of the property as a State Forest is incompatible with its current State Park classification. CalFire was contacted during the planning process and the alternatives were reviewed and commented on by the chief of the local CalFire office. Given the ownership status of the property and Del Norte County’s fiscal situation, transfer of maintenance of Hamilton Road and the Child’s Hill/Rock Creek loop into the County Maintained Road system would not be a viable option at this time, though the possibility of an operational agreement was discussed by the planning team during GPA development.
- 6C** – State Parks carefully evaluated whether development of the GPA includes any elements that would make the project a federal undertaking and determined that no federal nexus exists and thus no National Environmental Protection Act (NEPA) compliance is necessary. The history of compliance with CEQA and NEPA was described in a letter to the Board of Supervisors (BOS) by Steve Chainey, National Park Superintendent, dated July 8, 2008.

- 6D** – In addition to notification by email, availability of the documents was widely publicized in the local news media and a newsletter announcing the availability of the document for public review was sent to all individuals on the GPA mailing list, including all five County Supervisors on the day the document was made available to the public. In addition to being available for electronic download, the document was also made available at local libraries and State Park offices. Some of the issues brought forth by the BOS are not discussed in detail in the GPA, because they were found incompatible with property restrictions as discussed under 6B above.
- 6E** – Off-highway Vehicle (OHV) use was evaluated during the planning process and found incompatible with property Agreement of Terms and Conditions restrictions and property classification as a State Park. Thus, this use is not discussed in detail in the GPA.
- 6F** – The buffers of 500 feet and 0.25 miles refer only to old growth, which is very limited in distribution in the Mill Creek Addition. These buffers originate in U.S. Fish and Wildlife Service (USFWS) protocols to avoid adverse affects on marbled murrelets. Due to the very limited presence of old growth in the Addition and the extreme value of these areas to conservation on the property, only very limited access is anticipated to be allowed in the old growth buffers. The 200-foot buffer adjacent to fish bearing streams is intended to protect salmonids. The Mill Creek Addition currently includes many streamside roads that could be converted to trails under the scenarios allowable in the GPA. These trails would provide ample fishing and hiking access. New trails could also be developed along non-fish-bearing streams, which include the majority of smaller streams in the Addition.
- 6G** – Page 3-27 of the GPA addresses an inventory of ethnographic resources. The desire of the Tolowa people to reestablish traditional uses of the property is addressed on page 3-29. The GPA mentions the potential to reconstruct a traditional Tolowa Village.

- 6H** – Balancing protection of sensitive resources with managed public access is State Park’s Mission and needs to be implemented in each of the units owned and operated by State Parks. Even though the property may have experienced damage of its sensitive resource in the past under different ownership, once State Parks assumes ownership, it is obligated to manage the property according to its mission.
- 6I** – Limited public access is currently available. The majority of the roads in the Addition are not currently safe for use by the public. It is State Park’s desire to open the property to more widespread public use at the earliest date possible; however, State Park also needs to carefully consider the health and safety of its users and current budgetary constraints facing the agency. Development of the Road and Trail Management Plan will include designation of roads to remain, but for which a permanent designation has not been made.
- 6J** – Please refer to response 3F above.
- 6K** – Please refer to response 6I above.
- 6L** – The statement regarding the location of airports is made in light of whether air traffic patterns would be affected by the GPA. While it is true that airport traffic patterns may be affected by high trees, the analysis in the GPA is based on current conditions. The trees at the Addition do not currently affect flight patterns at Crescent City airport.
- 6M** – The GPA, as presented, is consistent with the purchase agreement, because it considers a broad array of public uses that are compatible with the primary goal and were also found to be consistent with the classification of the property as a State Park. Furthermore, the GPA was developed in close coordination with the Mill Creek Advisory Committee (MCAC), site users, and members of the public and other interested parties and was able to accommodate most desired uses with the exceptions of a few uses found fundamentally incompatible with the property Agreement of Terms and Conditions and current designation, such as

designation as a State Recreation Area or State Demonstration Forest, off highway vehicle activities including use of green sticker vehicles, access to surrounding National Forest areas, ATV training facility, commercial thinning/logging, hunting, shooting range, and gold panning/mining.



Phone
(707) 464-7204

**COUNTY OF DEL NORTE
BOARD OF SUPERVISORS**

981 "H" Street, Suite 200
Crescent City, California 95531

Fax
(707) 464-1165

May 29, 2009

EDAW Inc.
Attn: Petra Unger, Project Manager
2022 J Street
Sacramento, CA 95811

Via Certified Mail, Return Receipt Requested
Scanned Version Delivered to: petra.unger@edaw.com

RE: Amendment to the General Management Plan/General Plan for Redwood National and State Parks – Mill Creek Addition

Dear Ms. Unger:

On April 15, 2009 the undersigned Chairman of the Del Norte County Board of Supervisors was e-mailed a document entitled Notice of Availability of Environmental Impact Report and Notice of Intent to Adopt a General Plan Amendment for the Mill Creek Addition to Del Norte Coast Redwoods State Park by Jeff Bomke, Redwood Coast National and State Parks and Redwood Coast. The notice stated that it welcomed this agency's views and comments. An actual copy of the Draft Environmental Impact Report was given to Del Norte County Supervisor, Michael Sullivan, at a meeting held on May 21, 2009. We have not been advised that the Notice of Availability was delivered to the Del Norte Local Transportation Commission as required by Title 14 Cal Code Regs section 15086(a).

7-A

A large portion of the Redwood Coast National and State Parks ("RCNSP") is located in Del Norte County. The Mill Creek Property acquisition added over 40 square miles of land to the area encompassed within the boundaries of the Redwood National Park. The acquisition cost Sixty Million Dollars and the majority of the funding was from public agencies. According to the attached letter dated February 7, 2002 from the state park's Office of Acquisition and Real Property Services a federal grant contributed funding in the sum of \$2,480,000. Del Norte County is a Trustee agency with resources that are affected by the General Management Plan and the Mill Creek Addition is located within Del Norte County. We understand that the Mill Creek Addition has been designed to be within the exterior boundaries of the National and State Park by congressional act.

7-B

The Draft Environmental Impact Report ("DEIR") states that it is intended to be an amendment to the existing joint National Park System and California State Park System General Management Plan (for the National Park System) and the General Plan (for the State Park System). It states that the amendment is the primary management document and defines a comprehensive framework that directs ongoing management activities and projects, determines appropriate public uses, and guides future development decisions in the Mill Creek Addition. The DEIR also states that it is complementary to the previously existing CMP/GP. To be an amendment to the NPS's General Management Plan will, of necessity, need to be selected and approved by that agency and a Record of Decision to document the approvals. This action was taken in both the adoption of the original General Management Plan and the earlier amendment when the park's General Management Plan.

The fact that the boundaries of the National Park contains land whose title is held by the State Park system allows the National Park System to provide funding for activities that occur in those lands owned by the State of California. Although Del Norte County has requested documentation relating to the federal government's funding of activities within the Mill Creek Addition, none has been provided (see the attached letter dated August 26, 2008 and e-mail dated November 21, 2008). On July 9, 2008, the District Superintendent of the Del Norte Coast Redwoods, Steve Horvitz, wrote this county contending that as the NPS does not have management or decision making authority specific to Mill Creek's General Plan Amendment, and was not "financing, approving or carrying out" the management plan that "no federal connection" existed sufficient to undertake any analysis under the National Environmental Policy Act ("NEPA") and, accordingly, has no applicability to a state operation. Please note that a NEPA analysis is required whenever there is a major federal action. It is to be made before the CEQA process is completed. Here, the NPS has not engaged in any analysis whatsoever. It goes without saying that this county has not only not been advised of any Environmental Impact Study ("EIS") conducted by the NPS but there has also been no Categorical Exclusion or Environmental Assessment leading to any Finding of No Significant Impact as well.

Indeed, this county does not believe that a finding of no significant impact could legitimately be made in this matter. An environmental analysis under NEPA contains the requirement to analyze the socio-economic impacts of the proposed action. The adoption of this General Management Plan would preclude the harvesting of timber as Del Norte county's General Plan and TPZ zoning requires for this former timber production area. We have attached the economic analysis by Peter Berck, Ph. D. a professor of Agricultural and Resource Economics, University of California, Berkeley, that finds: 1) 19 million board feet of redwood per year is produced by the Mill Creek Addition; 2) The present value of the lost timber yield/harvest tax is the sum of \$5,111,160.; 3) The present value of property tax lost is the sum of \$1,306,422.; and 4) At a minimum, 559 jobs will be lost to this community.

On July 8, 2008, the National Park Superintendent, Steve W. Chancey, wrote Del Norte County admitting that the NPS participates in the planning process disclaimed that the

7-B
(Cont.)

NPS has "official status or role in the overall planning process" even though this amendment is serving to amend the NPS's General Management Plan as stated at page 1-1 of the DEIR. Whether or not the NPS is "officially" participating in its own General Management Plan amendment, we understand that the NPS has had input to every phase of the planning process relating to this acquisition and provides funding for the state's operation of this acquisition.

Coincidentally, in today's edition of the Daily Triplicate, (attached) it was noted that California's governor was considering closing the state's parks at the end of the summer because of the state's fiscal crisis. It was noted that federal money is going toward state parks through the Obama administration's economic stimulus package and, Mr. Cheney noted that there may be even more possibilities between the two entities. He is quoted as stating:

"I suspect there will be some options available, or possibilities, with respect to sharing services or with the National Park System helping to bridge shortfalls if the outcome of the governor's proposal comes to pass for any of the state parks in the partnership."

Public law 95-250 provides that the original intent of Congress in establishing the Redwood National Park was to "establish a more meaningful Redwood National Park for the use and enjoyment of visitors." In 2000 a General Management Plan and Environmental Impact Statement/Environmental Impact Report relating to other areas of the Redwood State and National Park was prepared to provide "a defined and coordinated direction for resource preservation and visitor use and a basic foundation for decision making and managing for the following 15 to 20 years."

The California legislature has mandated in California Government Code § 65040 that the State Office of Planning and Research shall "coordinate, in conjunction with...*local* agencies with regard to matters relating to the environmental quality of the state. This coordination by the state has not occurred on this matter. In a recent case, California Native Plant Society v. City of Rancho Cordova, et al (Third Appellate Dist., Div. 1, March 24, 2009) *172 Cal. App. 4th 603; 91 Cal. Rptr. 3d 571*, California has decided for the first time what the word "coordinate" means. It states that to coordinate an agency must do more than ask for and solicit input and try to work together it must "to bring into a common action, movement, or condition" - it is synonymous with "harmonize." As described in the DEIR this county was consulted and asked for input but at no time were coordination efforts ever made.

Both the state and National Park Services were given Del Norte's coordination resolution. Although the DEIR states that it participated in two by two meetings¹. It was explained to the park's representatives that a two by two meeting is not a coordination

¹ The statement is inaccurate to the extent that it claims monthly meetings were held. There were five meetings in 2007, four meetings in 2008 and two meetings in 2009.

7-B
(Cont.)

meeting. We have a special committee for coordination meetings and they have video and audio records made of them.

Title 14 C.C.R. § 15220 of the Guidelines for Implementation of the California Environmental Quality Act, provides that the National Environmental Policy Act (NEPA): "applies to projects which are carried out, financed, or approved in whole or in part by federal agencies." C.C.R. § 15221(b) provides that the NEPA analysis must be complete before an Environmental Impact Study can be used as an Environmental Impact Report. C.C.R. § 15226 provides that federal, state and local agencies should cooperate to the fullest extent possible in a "joint planning processes."

40 CFR 1508.18(b)(4) provides that approval of management activities located in a defined geographic area is a major federal action. As recognized in this Amendment to the General Plan, the adoption of formal plans that guide or prescribe alternative uses of federal resources upon which future actions will be based are subject to the National Environmental Policy Act. For a proposed action to be subject to NEPA, the agency that carries out or otherwise approves the action must be a federal agency or if the action requires a permit, a regulatory decision, funding, or other assistance from a federal agency it is also subject to NEPA.

Coordination of planning and management actions is mandated by federal laws governing land management including the Federal Land Policy and Management Act, 43 U.S.C. §§ 1701 and 1712, which requires that the "Secretary of the Interior shall...coordinate the land use inventory, planning, and management activities...with the land use planning, and management programs of other federal departments and agencies and of the state and *local* governments within which the lands are located. The opportunity for involvement of the public, is in addition to, and does not limit the obligation for coordination. The requirement that the Secretary "coordinate" land use inventory, planning, and management activities with local governments, requires assisting in resolving inconsistencies; which means that the resolution process takes place during the planning cycle instead of at the end of the planning cycle when the draft federal plan or proposed action is released for public review.

43 U.S.C. § 1712 further requires that the "Secretary shall... provide for meaningful public involvement of state and local government officials... in the development of land use programs, land use regulations, and land use decisions for public lands"; and, when read in light of the "coordinate" requirement of Section 1712, reasonably contemplates "meaningful involvement" as referring to on-going consultations and involvement throughout the planning cycle, not merely at the end of the planning cycle.

NEPA is intended to ensure that Federal agencies actively participate as cooperating agencies in other agency's NEPA processes. The Council on Environmental Quality regulations addressing cooperating agencies status (40 C.F.R. §§ 1501.6 & 1508.5) implement the NEPA mandate that Federal agencies responsible for preparing NEPA analyses and documentation do so "in cooperation with State and local governments"

7-B
(Cont.)

and other agencies with jurisdiction by law or special expertise. (42 U.S.C. §§ 4331(a), 4332(2)).

Although NEPA may give federal agencies considerable discretion in implementing NEPA, we do not believe that ignoring the NEPA process is part of that discretion. We request that the Redwood National Park immediately initiate the NEPA process for the Mill Creek Property.

The Intergovernmental Cooperation Act contains specific coordinated planning requirements for local, state and federal agencies. Presidential Executive Order 12372 requires federal agencies to coordinate actions and projects with local governments so that local impacts arising from federal projects may be identified. Chapter 12.02 of the Del Norte County Code provides a process and structure for consultation and environmental review of state and federal plans, programs and projects.

Accordingly, the County of Del Norte strongly urges you to not adopt any environmental studies or any management plan relating to the Mill Creek Addition until the process has been conducted and completed in compliance with NEPA. We look forward to participating in that public review and participation process. In that regard, we respectfully request that we meet within two weeks to discuss how we will proceed in a coordinated manner.

We appreciate your attention to this matter and look forward to meeting with you at the earliest convenience.

Sincerely,

Gerry Hemmingsen
Chairman
Del Norte County Board of Supervisors

cc: National Park Service
Attn: Mary A. Bomar
National Park Service Director
1849 C Street NW
Washington DA 20240

National Park Service
Attn: Jon Jarvis, Regional Director
One Jackson Center
1111 Jackson Center, Suite 700
Oakland, CA 94607

7-B
(Cont.)

Environmental Protection Agency
Attn: Wayne Natri
Regional Administrator, Region 9
75 Hawthorne Street
San Francisco, CA 94105

North Coast Redwoods District
Attn: Steve Horvitz
Superintendent
P.O. Box 2006
Eureka, CA 95502-2006

National Park Superintendent
State Parks Superintendent
Redwood National and State Parks
1111 Second Street
Crescent City, CA 95531

Cal/EPA
Linda S. Adams
Secretary for Environmental Protection
PO Box 2815
Sacramento, CA 95812-2815

Leslie McNamer
Del Norte County Board of Supervisors
Supervisor, District 1

Martha McClure
Del Norte County Board of Supervisors
Supervisor, District 2

Mike Sullivan
Del Norte County Board of Supervisors
Supervisor, District 3

David Finigan
Del Norte County Board of Supervisors
Supervisor, District 5

Jeannine Galatioto
County Administrative Officer
Del Norte County



Office of Acquisition and Real Property Services
One Capitol Mall, Suite 350 (Mail: Suite 500)
Sacramento, California 95814
(916) 327-7302

FEB 7 2002

RECEIVED

FEB 11 2002

PLANNING
COUNTY OF DEL NORTE

Ernest Perry, Director of
Community Development Department
County of Del Norte
981 H Street, Suite 110
Crescent City, California 95531

Dear Mr. Perry:

Re: Mill Creek / Rock Creek Acquisition
Del Norte County, California

In response to your letter regarding the pending acquisition of the Stimson property in the Mill Creek and Rock Creek areas, I will answer your questions in the order presented:

- 1) The public agencies and funding sources are as follows:

Chapter 106/01, Item 3790-301-0005 (29) Provision 6 provided \$10,000,000 from the 2000 Bond Habitat Acquisition Program to the Department of Parks and Recreation; Chapter 52/00, Item 3640-302-0001, provided \$15,000,000 to the Wildlife Conservation Board (WCB); Chapter 106/01, Item 3600-301-6018 (1), provided \$7,500,000 from the Coastal Watershed Salmon Habitat Subaccount to the Department of Fish and Game; and Chapter 106/01, Item 3760-301-0005(3), provided \$5,000,000 to the Coastal Conservancy. We understand that a Federal grant of \$2,480,000 will be made and administered through the California Department of Fish and Game; private donations through Save-the-Redwoods League (SRL) will provide \$15,000,000 and other private and public sources will provide \$5,020,000 toward the total purchase price of \$60,000,000.

The private sources of funding are coordinated through Save-The-Redwoods League. We have no list of the private funding sources to SRL for this acquisition.

- 2) There is clearly a misunderstanding regarding your statement attributable to our Redwood Coast Sector Superintendent, Rick Sermon, that the subject lands are to be immediately included in the boundary of the National Park. Superintendent Sermon believes that he was misquoted. At the hearing, he indicated that the Mill Creek/Rock Creek acquisition would transfer private land (from Stimson Lumber Company) into state park ownership through the Department of Parks and Recreation (DPR). He noted that three state parks (Prairie Creek, Del Norte Coast and Jedediah Smith Redwoods State Parks) are within the congressional boundaries of Redwood National Park and are being jointly operated through a

Ernest Perry
February 7, 2002
Page Two

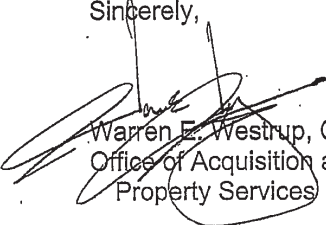
Memorandum of Understanding with the National Park Service (NPS) as
Redwood National and State Parks.

The Mill Creek acquisition is not within the boundaries of Redwood National
Park, and it will take an act of Congress to accomplish this. This act would also
have to include a request for both a boundary adjustment and an increase in
acreage ceiling. To date, neither DPR nor NPS has pursued such legislation.

- 3) There are no fishery restoration or enhancement funds appropriated to DPR that
are to be used in this acquisition. I encourage you to verify directly with each
State agency (identified in Paragraph One) as to the specific uses for funding
sources appropriated to those agencies that are being used for this project.
- 4) We concur with your comment about the importance of Highway 101 to the north
coast counties of California. We also believe that it is important to consider
potential problems before they occur. We have a long history of working with
Caltrans to resolve highway issues as they relate to units of the State Park
System and will continue to participate with them, other public agencies, and the
public and to find appropriate solutions.

I hope that this adequately addresses your specific questions. Please feel free to
contact our DPR Project Manager, Patrick Rogers, at (916) 445-9096 if you have any
other questions.

Sincerely,



Warren E. Westrup, Chief
Office of Acquisition and Real
Property Services

cc: Members of the Board of Supervisors
Members of the Planning Commission
Patrick Rogers

Report to the Congress

Mandated by Section 102(a) of Public Law 95-250

Appropriate Federal Actions to Mitigate Economic Impacts

Due to Expansion of Redwood National Park

Prepared By

Department of the Interior

in consultation with

Department of Agriculture

Department of Commerce

Department of Labor

December 8, 1978

Final Version to be Dated

January 1, 1979

TABLE OF CONTENTS

	<u>Page</u>
I. INTRODUCTION	1
II. EMPLOYMENT IMPACTS	4
A. Impact Estimates in Advance of Passage of P.L. 95-250	4
B. Estimated Employment Impacts to Date	7
III. THE ECONOMIC COMMITMENT FOR IMPACT MITIGATION	10
IV. THE ECONOMIC MITIGATION STRATEGY	14
A. General Economic Diversification	14
B. Forest Improvement Work	15
C. Benefits for Affected Employees	26
D. Retraining	31
V. MONITORING THE ECONOMIC STRATEGY	34
VI. RECOMMENDATIONS	38
VII. REFERENCES	41
APPENDICES	

1. Progress on Six Rivers Timber Supply Alternatives
2. Member Entities and Purpose of the Redwood Region Economic Development Commission
3. The Del Norte County Title IX Grant: Status
4. The Six Rivers National Forest Improvement Program: A Summary

I. INTRODUCTION

Public Law 95-250, which expanded the boundaries of Redwood National Park, was signed by President Carter on March 27, 1978. In addition to establishing a more meaningful Redwood National Park, the Act also contained several forms of economic relief to the local economy, which was expected to suffer adverse economic impact due to restricted log supplies.

One form of relief was contained in Title II of P.L. 95-250, which guaranteed affected employees protection of wages and benefits for specified periods of time. This complex portion of the Act has been in operation retroactive to June, 1977, in order to include employees affected by delayed timber harvesting plans. The employees affected are those of Simpson, Louisiana-Pacific and Arcata in their local divisions, all wholly owned mills of these firms, employees of mills that obtained more than 15 percent of raw materials from the above firms, and contract employees of these firms if more than 15 percent of their employee hours in 1977 were related to the expansion area. All employees of the above-qualified firms layed off between June 1977 and October 1980, for any reason, are covered, on the basis that determining park and non-park lay-offs would be practically not possible.

A second form of relief in the bill was the in-lieu tax relief section, which guarantees the county five years of in-lieu taxes equal to taxes paid in 1976-77 on lands taken for the park. In addition, each of these five years a sum equal to the difference between 1 percent of fair market value and the actual yearly payment is accumulated, to be paid out after the five year period in the same annual amount until the fund is exhausted. While precise tax figures are not yet available, the annual payment may approach \$1.5 million.

for each of the first five years and this amount may be extended five to ten years or more depending on final determination of land and timber values taken.

A third form of economic relief was provided in section 102 of the Act, which contained three sections dealing with locally adverse economic impacts. The first, section 102(a), is the subject of this report: an analysis of appropriate Federal actions. The second, section 102(b), directs the implementation of these actions by the Secretaries of Commerce and Labor. The third, section 102(c), is a study of timber harvest scheduling alternatives for Six Rivers National Forest that will be separately completed and submitted to Congress by the Secretary of Agriculture on or before March 27, 1979. Appendix 1 contains a summary of progress on this study up to December 1, 1978.

The analysis of appropriate Federal actions to mitigate the effect of park expansion began well before passage of P.L. 95-250. Secretary of the Interior Cecil Andrus, in testimony before the House Subcommittee on National Parks and Insular Affairs on April 22, 1977, stated his intention to establish an interdepartmental task force to assess the true impact of park expansion and identify existing Federal programs that could assist the affected communities.

The Redwoods Interagency Task Force, comprised of representatives from the Departments of Agriculture, Commerce, Interior, and from the State of California, convened in May, 1977, and with the assistance of a consultant, Greenacres Corporation, provided a report to Secretary Andrus on June 20, 1977. The Task Force report described the potential employment impact and identified the need for an economic development strategy using Economic Development Administration (EDA) Title IX funds.

An economic strategy grant was awarded to QRC Research Corporation (Prime Contractor) in August, 1977, and a final report was issued in February, 1978. The report defined an economic strategy that is now being implemented by EDA Title IX funds through the local Redwood Region Economic Development Commission.

II. EMPLOYMENT IMPACTS

A. Impact Estimates in Advance of Passage of Public Law 95-250.

During the Congressional deliberations on Redwood National Park a number of estimates of economic impact, primarily employment estimates, were made. These estimates varied considerably between the various acquisitions used. For the 48,000 acre proposal that was enacted into law, at least six estimates were made over timeframes of two years to 20 years (Table 1).

The first study was commissioned by the State of California (McKillop, 1977) before a firm acquisition proposal was made. While McKillop used a 48,000 acre option, it was a slightly different geographic area than the final 48,000 acre proposal. The estimate shown for "McKillop" is an adaptation using a revised and slightly higher timber volume using his same assumptions otherwise. The Greenacres estimate of employment impact (1977) is considerably below McKillop's using the same timeframe. Direct impacts are similar, but the multiplier used by Greenacres for indirect employment impact is smaller. It was derived from data of Dean et. al. (1973) as an employment multiplier (contrasted to McKillop's use of the Dean et. al. income multiplier) and was applied only to direct sawmill employment rather than to forestry and sawmill employment together. Both studies recognized the Dean report as outdated but the best available information at the time.

The Task Force estimate (1977) was a simple adaptation of the Greenacres estimate. The Task Force noted that in lieu of an "equal impact" 20 year timeframe, impacts might instead be graduated, being higher than average at first and below average nearing the 20th year. An arbitrary 25 percent was added to the Greenacres estimate to show potential impact in the first several years.

The NPS estimate (USDI, NPS, 1977) was compiled in a different manner than the McKillop, Greenacres, and Task Force estimates. It was derived through interviews with firms that might be affected by the park expansion and was meant to show potential immediate impact over the first two years following park expansion. Each of the three major affected timber companies provided data on its expected impact, and contacts were made with 28 smaller firms that received logs from the larger firms or rough cut redwood for re-manufacturing use. The NPS estimate for direct impact (921) was reasonably close to the Task Force estimate (894).

The final pre-expansion employment impact estimate was made by QRC Research Corporation (1978) as part of the economic development strategy for Humboldt County. This estimate utilized the Jewett econometric model developed at Humboldt State University and used shorter adjustment periods of 10 and 15 years. Direct employment impacts were estimated at 1328 and 888, depending on which timeframe was used. The employment impact multiplier used to determine residentiary employment impact was smaller than in other studies, resulting in a higher proportion of direct to total employment impact than in previous studies.

The 15 year QRC estimate for direct job loss (888) closely approximates the NPS and Task Force estimates which were "immediate impact" estimates of direct job losses. The fact that three markedly different approaches resulted in similar figures for direct job loss lends credence to the estimate as a basis for planning. The QRC estimate for associated annual effects of this direct reduction in timber cut and job loss are: forest products earning loss, \$13,800,000; residentiary earnings, \$3,700,000; and total wage loss, \$17,500,000.

Table 1. Comparative estimates of employment impact

	McKillop*	Greenacres	Task Force**	NPS	QRC	QRC
Date of Estimation	April 1977	June 1977	June 1977	Oct. 1977	Feb. 1978	Feb. 1978
Impact Timeframe	20 yrs.	20 yrs.	First yrs.	First 2 yrs	10 yrs	15 yrs.
Direct Jobs	695	715	894	921	1328	888
Indirect Jobs	1279	653	815	not est.	581	388
Total Jobs	1974	1368	1709	not est.	1909	1276

*McKillop's 48,000 acre option was a slightly different area. His figures were adjusted here to conform to the estimated timber volume in the final proposal, but using the same assumptions otherwise.

**The Task Force estimate is simply a 25 percent increase over Greenacres, for first years after expansion.

The National Park Service (USD1, NPS, 1977) developed an analysis of job types affected, average wages, and timeframes associated with potential unemployment levels. The job types involved were 18.5 percent woods workers, 75.5 percent mill workers, and 6.0 percent supervisor-support jobs. Wage levels were not precisely established but a weighted average of \$7.80 per hour based on 1978 wage levels was estimated. A minimum and maximum unemployment scenario was developed using assumptions such as short-term alternative timber supplies or absolutely no alternative supply. The range in number of direct jobs lost by job category is summarized in Table 2. Month 1 can be considered as October, 1977, due to the restriction on log supply, and total impact on Month 18 becomes March 1979. These scenarios were somewhat theoretical, but actual impacts to date have predictably fallen within this wide

range, and should eventually hit the high end of the range if alternative employment opportunities are not continued and expanded.

Table 2. Minimum-Maximum Unemployment Scenario Timeframes

JOB TYPE	MONTH 1	MONTH 3	MONTH 6	MONTH 9	MONTH 12	MONTH 18
Wood Jobs						
Heavy Equipment	6-25	11-51	11-51	11-51	11-51	11-51
Fallers	2-12	4-23	4-23	4-23	4-23	4-23
Mechanics	2-7	3-14	3-14	3-14	3-14	3-14
Truck Drivers	5-10	9-19	9-19	9-19	9-19	9-19
Others	7-32	13-64	13-64	13-64	13-64	13-64
Mill Jobs						
Vehicle Operators	0	0	20-51	22-54	22-57	22-59
General-Skilled	0	0	20-71	24-75	24-78	24-81
General-Med. Skilled	0	0	13-83	19-88	19-95	19-102
General-Low Skilled	0	0	102-365	124-389	124-421	124-454
Supervisor Support	0	0	29-44	31-44	31-49	31-54
TOTAL JOBS	22-86	40-174	224-785	260-821	260-871	260-921

B. Estimated Employment Impacts to Date

The employment impact of Redwood National Park expansion began at least six to nine months before enactment of the legislation. Soon after the 48,000 acre proposal was announced in April, 1977, the California Department of Forestry began to deny approval of timber harvesting plans that were

within the 48,000 acre area which possessed significant aesthetic or recreational values. These denials were upheld in appeal hearings before the California Board of Forestry on the basis of imminent Congressional action, and resulted in more than 25 million board feet of timber being reserved during the period April-December 1977 that might otherwise have been harvested.

Publicized layoffs began in late Fall, 1977, and have continued to the present. The estimated job losses by company are shown in Table 3. Of the 921 total losses expected due to park expansion over the first two years, approximately half occurred by April, 1978. Louisiana-Pacific had been most significantly affected of the large companies, and many of the smaller firms expected to be impacted had closed by that date.

Table 3. Expected Direct Job Losses and Actual Direct Losses Over Time Due to Park Expansion

Company	Expected Job Loss*	Total Direct Loss (April '78)**
Arcata Redwood	169	0
Louisiana Pacific	573	350
Simpson	15	0
Others	164	100
TOTAL	921	450

*NPS estimate, October, 1977

**Eureka Times-Standard, April 9, 1978

By early November 1978, over 550 applications for Title II assistance had been received by the Department of Labor. Processing of the applications was continuing at that time. Of the 400 processed applications, 77 (19%) had been denied on the basis that the applicants did not qualify under the provision of Title II; of the 323 (81%) applicants who qualified, 134 (41% of qualified applicants) have been awarded severance payments and have ended their period of protection except as specified for retraining, job search allowances, relocation allowances, and other benefits. As of October 27, \$1.2 million of the first \$1.9 million appropriation had been awarded. No job search allowance or relocation assistance payments were made up to mid-November by the Department of Labor. In late November, \$500,000 of retraining funds were released to Humboldt County (see Part IV,D).

III. THE ECONOMIC COMMITMENT FOR IMPACT MITIGATION

The commitment for economic mitigation to the local economy is clear in P.L. 95-250. The Secretary of the Interior is responsible, in consultation with the Secretaries of Agriculture, Commerce, and Labor, to prepare an analysis of appropriate Federal actions either necessary or desirable to mitigate adverse economic impacts. Implementation of such actions, in addition to related employment provisions under Title II by Labor and the watershed rehabilitation measures by Interior, is the responsibility of the Secretaries of Commerce and Labor. Consultation will be required with the Secretary of the Interior, who is responsible under Section 104(a) to submit an annual report of progress made under Section 102(b) until 1989.

While a general commitment is clear, specific commitments by Departments and in total are less clear. Reference to previous written and oral statements and reports allows an examination of the nature of the economic commitment.

In May, 1977, Secretary Andrus created a Redwoods Interagency Task Force to define the local economic impact and possible means of impact mitigation. The Task Force report, submitted in June, 1977, noted that there was some reasonable upper limit to the amount of Federal funds invested to mitigate economic impact. Historical experience of the Economic Development Administration showed that permanent jobs were obtainable with \$1,000 to \$10,000 of Federal investment per job. Due to the unique features of Humboldt County, the Task Force believed a somewhat higher figure might be reasonable. If an approximate maximum direct job loss of 1000 is used, a \$10,000 per job commitment totals \$10 million; a \$20,000 per job commitment totals \$20 million. Whatever the figure should be, it is the "pump-priming" necessary for creation of new permanent jobs in the community.

In addition to creation of new jobs, some interim investment in displaced employees was contemplated, which adds more cost to the total economic mitigation effort. In testimony before the U.S. Senate on September 7, 1977, Secretary Andrus used a figure of \$40 million as an approximate Administration commitment to the total problem. Mr. Hal Williams, Deputy Assistant Secretary from the Department of Commerce, testified at the same hearing that the \$40 million figure included "CETA retraining youth programs, unemployment compensation, as well as a variety of efforts under economic development programs of commerce."

This commitment was included in the Senate Committee on Energy and Natural Resources Report on S.1976 (Report 95-528). On discussing the various programs of economic mitigation, the committee report stated "...the commitment of the administration to provide up to \$40 million in new funding to assist this area will be carried out by these programs, which will be over and above existing programs..."

The \$40 million figure was considered separate from the watershed rehabilitation authorization, which in Senate Bill 1976 was raised from \$12 million to \$33 million in the process of committee review. The Congressional Budget Office estimates for both S.1976 and H.R. 3813 also separated out the economic mitigation costs from watershed rehabilitation and other authorizations under these bills.

The economic commitment was in fact to achieve adequate economic mitigation, not simply to spend \$40 million. This figure was provided to serve as a best guess given the available information at the time. However, it does appear to be a useful guideline within which the Administration should initially work to fund (1) Department of Labor's income maintenance, training, medical

and pension, and relocation responsibilities under the Act, and (2) the Department of Commerce's public works and forest resource improvement and utilization programs.

The responsibilities of each Department are intimately linked to one another. Success of the Department of Commerce's programs will ease the income maintenance load on the Department of Labor. Similarly, adequate training opportunities must be made available through the Department of Labor if the Department of Commerce programs are to be successful.

Other funds through other Departments, although not part of the Administration commitment discussed above, can also provide positive results. The Department of Interior will be providing employment and economic assistance through its watershed rehabilitation program in Redwood Creek, and through implementation of the general management plan for Redwood National Park. The Department of Agriculture has a series of forest-oriented cost-share programs which could be applied locally, and are discussed in more detail later in this report.

During Fall, 1977, the Economic Development Administration funded an economic strategy report to assist the local economy in defining an appropriate action plan. This report, commonly known as the QRC Report, was finished in February, 1978.

Although the QRC Report was accepted by the Department of Commerce as a strategy to help stimulate long-range economic growth and create jobs, its goal was larger than mitigating the economic impacts of park expansion. The stated goal of the strategy (QRC, 1978, p. 45) was "to raise Humboldt County's level of per capita income and to reduce the unemployment percentage to the levels of the State of California by the end of the fifth year of the action

plan implementation period." Because Humboldt County has traditionally lagged behind the State of California per capita personal income (QRC, 1978, p. 24) and unemployment has consistently exceeded the State average (QRC, 1978, p. D-22) the strategy addresses actions broader than needed to offset the impact of park expansion. It included, over a 5 year period, a total \$90 million investment, roughly \$32 million of which was to come from EDA. However, there was no analysis of how many jobs and how much personal income would be generated if the QRC strategy were totally or partially implemented. The QRC Report will nevertheless be an important element of the recommended economic strategy, as discussed in the Strategy section.

IV THE ECONOMIC STRATEGY

Implementation of an economic strategy to offset the impacts of Redwood National Park expansion began in 1978, as noted in the Introduction.

This report defines a strategy based on four primary elements:

- (A) Economic diversification projects funded by the Department of Commerce;
- (B) Forest Improvement Programs funded definitely by the Department of the Interior and possibly by the Department of Agriculture and the State of California;
- (C) Continuing or amending the Title II program to provide interim affected employee protection;
- (D) Retraining programs defined by the economic diversification and forest improvement programs, among others.

A. Economic Diversification

The primary economic strategy development recommended in this report is the continuation of the EDA-funded economic development plan for Humboldt County. A similar plan is already in place, although not being fully utilized, in Del Norte County (Appendix 3). The Humboldt County economic strategy was initiated as part of the park expansion legislative effort after the Redwoods Interagency Task Force met in the area in Spring 1977. Subsequently, two significant actions occurred: (a) creation of the Redwood Region Economic Development Commission (RREDC), and (b) an EDA-funded economic development plan for Humboldt County. Creation of RREDC established a mechanism for channeling Federal funds into the local economy, and the economic development

plan identified projects that could help to diversify the economy impacted by park expansion and other economic dislocations.

The Redwood Region Economic Development Commission. The RREDC was formally established on November 1, 1977, after 13 taxing entities within Humboldt County executed a "Joint Exercise of Powers Agreement." The 13 entities and the purpose of the RREDC are shown in Appendix 2. The Commission is governed by a Board of Directors which elects a Chairman and Vice-Chairman. An office has now been set up at the Eureka Inn, and an Executive Director was near appointment in mid-November, 1978. The RREDC recognizes its major role in implementing the action plan, but other local governmental entities must take an active role. Local, non-profit development corporations and private firms must also be responsible for successful implementation of the action plan.

The RREDC is responsible for monitoring the progress of the plan and making changes in suggested action elements as the plan progresses. EDA has funded the administration of the RREDC at a \$100,000 annual level to administer, alter, and monitor the economic development plan.

The Humboldt County Economic Development Plan. The economic development plan is based on an EDA-funded Title IX Development Grant. This study is commonly referred to as the QRC Report, after the prime contractor, QRC Corporation. It was completed in January, 1978, was accepted by RREDC as an acceptable strategy, and was accepted by EDA, although EDA at the time made no commitment to fully fund the strategy. As noted in this report under Economic Commitment for Impact Mitigation, the QRC strategy was based on goals far broader than only to mitigate the impact of park expansion. It defined a \$90 million program, \$32 million of which was to come from EDA.

Major action plan elements included:

- (1) Timberland Program. This program consists of timberland improvements of non-stocked or poorly stocked areas, release of lands from competition from oak, madrone, tanoak, alder, thinning, and fertilization of certain stands. This program also includes improvements to high-priority, timber-access county roads and bridges.
- (2) Forest Products Industry Development. This program is designed to encourage the forest products industry to modernize mills and capitalize on opportunities created by available second growth timber and hardwoods. A solid waste energy plant is part of this program.
- (3) Humboldt Bay Harbor Development. Berthing and fishing fleet support facilities comprise this action plan element, one that is needed not only to accommodate existing demand but also future demand.
- (4) Fishery Development. The fishing industry has great promise for the future, especially with expansion of the "200-mile" law, recognition of the value of underutilized species, and development of new uses for fish wastes. This program consists of projects in the area of commercial fisheries development, mariculture, ocean ranching, fish culture, and stream rehabilitation.
- (5) Enterprise Development. This program includes business, commercial, and industrial development and expansion of wholesale and retail trade and services, including office/industrial parks.
- (6) Tourism Development. Major emphasis is targeted at promoting existing facilities and attractions, and improvements in stream

and ocean fishing.

- (7) Transportation Systems. This program concentrates on airport runway and facility development, as timberland roads are already covered under (1) above.
- (8) Infrastructure. This program is concerned with municipal and industrial water storage.

The action plan dealt with a 5 year implementation period, and set up a priority funding approach for first year and second-to-fifth year funding.

Present Funding of the Humboldt County Economic Development Plan. The funding of the economic development plan by EDA has already begun, and disbursements of funds by the RREDC will be discussed below. Unfortunately, this commendable step was overshadowed by another EDA action which caused concern in the local community, in that it prejudged the appropriate Federal response which is the subject of this report.

In July, 1978, an official of EDA in Washington, D.C. wrote a letter to a local official defining the ultimate commitment of EDA to the Redwood National Park expansion problem. The letter defined a total Title IX (Public Works and Economic Development Act of 1965, as amended) commitment of \$10 million, including approximately \$4.5 million for the Woodley Island Marina, a project which had already received approval under Title II of the same Act. This report makes two recommendations concerning the EDA commitment: that the Woodley Island project must be considered separately from any Redwood National Park related mitigation, and that EDA's total park-related commitment be a minimum of \$11.5 million.

The Woodley Island Project was funded in November, 1978, after it had been moved from Title II to Title IX funding. However, it had received

approval before the park expansion mitigation effort as a Title II project. It clearly does not meet the "over and above existing programs" criterion which was the intent of the legislation. At an open meeting in Eureka on September 1, 1978, this point was reiterated by National Park Service Director William Whalen. This project will not be considered part of the commitment to mitigate the impacts of Redwood National Park expansion.

The commitment to date by EDA for park-related impact mitigation has been \$5.5 million. This first year funding provides a significant initial impetus to economic diversification. The projects approved for funding include:

- Upgrading of the passenger terminal and a freight facility at Eureka-Arcata airport
- Boat repair and construction facility in Humboldt Bay
- Feasibility study on hardwood utilization
- Business loan fund
- Administration of the program, including economic monitoring

Future Funding of the Humboldt County Economic Development Plan.

Section II of this report notes that historical EDA information, and the Redwoods Interagency Task Force, defined an appropriate Federal investment at some level above \$10,000 per job for park-related expansion impacts. Given the approximate direct job loss of 900-1000, this level exceeds \$9-10 million. Subtracting out the \$5.5 million funding to date, a future sum somewhat above \$4-5 million is a reasonable figure to anticipate. Refinement can occur after the initial results have been monitored, but funding to this level should not be predicated on monitoring results.

At the September 1, 1978 open meeting in Eureka, Mr. Paul Dempsey of EDA, Washington, mentioned the possibility of future funding in fiscal year 1980 and 1981. He spoke of EDA funding \$3 million in FY80 and FY81, which has been interpreted by some to mean a total of \$3 million over the two years, or \$3 million each of the two years for a total of \$6 million. Based on the needs defined in the preceding paragraph, \$3 million will not be a sufficient response to the problem.

It is therefore the recommendation of this report that \$3 million be committed in each of FY80 and FY81 for a total of \$6 million in future funding related to park expansion mitigation. Together with the \$5.5 million already appropriated, the total funding will be \$11.5 million. This level of response appears to be an appropriate commitment to the problem, and is an assurance to the local community that their planning can proceed on an orderly basis and that economic diversification can be successful. Funding above that level should be justified based on economic monitoring.

The projects into which this money can be invested should continue to be those identified at the local level. This process is one already identified by EDA's planning process. The QRC Report is a good base from which the initial projects were drawn; additional projects to be funded could be drawn from this report or from other projects suggested and prioritized by the RREDC.

B. Forest Improvement Work

Timber production will continue to be a vital part of the economy of Humboldt and Del Norte Counties, as it has been for the past century. These counties together account for about 25 percent of California's lumber production (Howard, 1974), or about 4 percent of the nation's softwood output. The future

of the local forest products industry is likely to follow a trend similar to other regions which have already made the transition from old growth to young growth forest. The Pacific Coast area is in such a transition period; production is estimated to drop to 83 percent of the 1970 level by the year 2000, and continue at that level to 2020 (Gedney et al., 1975). In California, western Washington, and western Oregon, the downward trend will be steeper and of longer duration than in other Pacific Coast areas.

Alternative timber output projections can be made. For example, forest industry might choose to maintain present supply in response to market demand or to protect industrial capacity, the end result being an eventual steeper decline in supply. Decisions might be made to increase the harvest of public timber resources to offset part of the expected output decline over the next two or three decades, until industrial young growth output through intensive forest management increases total output. A recent analysis (Oswald, 1978) of eleven different scenarios regarding timber supply in the north coast area of California concluded that output from private timberlands will decline substantially in the next 10 to 15 years and the decline will be centered in Humboldt and Del Norte Counties. The expansion of Redwood National Park, which removed roughly 9,000 acres of intact old growth timber and additional acreage of residual timber, adds to the severity of the problem.

Long-term output projections (past the year 2000) become less realistic because of uncertainty in the level of management applied to forest lands, such as planting, hardwood conversion, thinning, fertilizing, and the development of genetically superior stock. There is tremendous potential for such treatments on local timberlands, a potential to create short-term job opportunities and some continued employment while increasing the future productivity of commercial timberlands.

An inventory of private lands in Humboldt County that could benefit from such treatment was included in the QRC Report (QRC, 1978). Restricting attention to higher site (I, II, or III) land only, there are:

- more than 100,000 acres that could benefit from planting or interplanting where the existing stand is less than 10 years old;
- over 143,000 acres that need brush control;
- more than 182,000 acres needing release from competition from madrone, tanoak, and alder;
- over 34,000 acres that need release from oaks;
- more than 61,000 acres where conifer regeneration is inhibited by grass.

These lands, which total over 520,000 acres, constitute well over one-third of the private commercial forest land of Humboldt County. In addition, there are many additional acres in need of thinning treatments. Similar needs, although with different proportions of acres, can be identified on public lands in the area.

Several reforestation and timber stand improvement programs exist that can help to increase timberland productivity and at the same time provide employment to "affected employees" and others who have been indirectly affected by the park expansion or who desire woods work. Five such programs are summarized in Table 4. They are administered by Federal, State, and County agencies, and offer an impressive but confusing variety of loan and cost-share opportunities for forest land improvement programs.

The Forestry Incentives Program (FIP) was designed for nonindustrial forestland owners beginning in 1974. Most of the annual appropriation has gone to southern states, and California's allocations have not exceeded

Table 4. COMPARISON OF SEVERAL REFORESTATION AND TIMBER STAND IMPROVEMENT PROGRAMS IN HUMBOLDT AND DEL NORTE COUNTIES.

22

PROGRAM	ADMINISTERING AGENCY	GEOGRAPHICAL LIMITATIONS	OWNERSHIP LIMITATION	MAXIMUM COST SHARE RATE	OTHER DOLLAR/ACREAGE LIMITS PER YEAR
FRIP-Forest Incentives Program	Agricultural Stabilization and Conservation Service	none	500 acres	75% not to exceed \$100 per acre (planting) or \$75/acre (stand improvement)	\$10,000/owner
ACP-Agricultural Conservation Program	Agricultural Stabilization and Conservation Service	none	none	65 percent (Humboldt County)	\$2500/owner
Timberland Program	Redwood Region Economic Development Commission (RREDC)	Humboldt County	none	no cost share, low interest plan	Limits to be applied by RREDC
FRIP-Forest Resource Improvement Program (A.B.3304)	California Department of Forestry	Timber Preserve Zone or contractual use restriction for forestry	less than 5000 acres more than 5000 acres	90% plus 10% loan low interest loan	Total acreage of owner 500 acres
NPS Watershed Rehabilitation	National Park Service Redwood National Park	watersheds tributary to streams in the park	none	100 percent	none

\$150,000 (Greenacres, 1977). Additional problems have arisen with the maximum acreage and the \$75/\$100 maximums placed on treatments in the rugged north coast country.

The Agricultural Conservation Program (ACP) has a broader acreage application because of its treatment of forests as an agricultural crop. The cost share is 10 percent lower than FIP, but the major limitation is a \$2500 annual limit. Annual appropriations for California in 1977 were \$5.3 million, of which Humboldt County's share was \$155,436, including all agricultural funding (Greenacres, 1977).

For both the FIP and ACP programs, increased utilization of the programs rests on increased appropriations for Humboldt and Del Norte Counties and changes in the limitations on acreage and funding that now restrict their application. The problems posed by these existing programs either directly or indirectly fostered the development of three new programs that appear to offer more liberal qualifying rules. These programs are (1) the RREDC timberland land program, (2) the Forest Resource Improvement Program, and (3) the National Park Service watershed rehabilitation program.

The RREDC timberland program is one of the higher priority programs identified for funding under the Economic Development Administration (EDA) Title IX program. However, due to some priority shuffling in the first \$5.5 million awarded to the RREDC, this program was not funded. If funded, it would be in the form of loan guarantees to private timberland owners in Humboldt County for various forest improvement projects. A comparison of this program to the others listed in Table 4 indicates that few owners would take advantage of this program if other programs were available. Although acreage and loan amounts are unspecified, small owners (less than 500 acres) should

prefer cost share arrangements under FIP, ACP or the Forest Resource Improvement Program (FRIP) if available, and large owners would have to weigh the benefits of the RREDC loan program against those of FRIP. The loans are also restricted to Humboldt County so that Del Norte County applicants could not be considered.

The Forest Resource Improvement Program (FRIP) was signed into law (A.B. 3304) by the State of California. It provides up to 90 percent cost share for small owners (less than 5000 acres) and loan programs for larger landowners. It also includes various tax provisions, better technical assistance, more seed and planting stock, and other provisions to organize and foster forest improvement work on private lands in California. The flexibility of FRIP makes it a program of higher utility compared to the programs mentioned above. However, it currently is an unfunded program, as its appropriation was eliminated during the legislative process.

The Department of the Interior endorses this program and will be initially providing \$400,000 of "seed money" to FRIP, subject to the limitation that it be spent on projects in watersheds tributary to Redwood National Park, as part of the watershed rehabilitation effort. The money will be available through the Forest Resources Improvement Fund, Section 4799.13, Part 2.5, Division 4, Public Resources Code, State of California. Further appropriation may be made in the current or future fiscal years subject to such limitations as the Secretary of the Interior deems necessary, consistent with the intent of P.L. 95-250. This money has limited application to Humboldt and Del Norte Counties, as it must be spent in watersheds tributary to Redwood National Park. General funding of this program by the State of California or through other Federal channels is urgently needed so it may be applied all over both

counties and in other California counties. The Interior funding, coming as it will from the watershed rehabilitation appropriation, is not considered as "over and above existing programs" funding, but is meant to get the program organized and primed for large scale funding from other sources.

On September 26, 1978, upon signing the bill into law, Governor Brown stated his intention to ask the legislature to pass legislation in 1979 to activate A.B. 3304 by using the profits from the state forests or the improvement and management of other forestlands. Jackson State Forest, in Mendocino County, provides more than \$5 million annually from timber sales. Such funding, if applied to other forest lands in California, would result in substantial improvements on those lands, creating additional jobs in forestry and wood-products industries as well as new supplies of raw materials for use in business and industry.

It is therefore possible that within a year the Interior "seed money" will be augmented with larger scale funding that has much broader application. While the potential State action is independent of this report, passage of such legislation would be economically beneficial to Humboldt and Del Norte Counties.

The National Park Service watershed rehabilitation effort has the broadest financial coverage but the most restrictive geographical coverage of any of the above programs. There is an authorized funding level of \$33 million in P.L. 95-250, with a fiscal year 1979 funding level of \$2.5 million. Some of these funds will be spent within the park boundary by NPS crews or by contract to private enterprise. At least \$400,000 will be committed this year

to private lands that drain into the park via the funding of FRIP. One of the concerns that comes to mind is the case of a landowner in a watershed tributary to the park who is faced with the option of a maximum 90 percent cost share through FRIP or 100 percent funding from NPS alone. This situation appears to disfavor participation in FRIP, but will be overcome for the near future by NPS subsidy of the landowner's cost share, resulting in 100 percent funding. This is consistent with the NPS program and is allowable under FRIP (Section 4798).

One additional forest improvement program is being proposed for the Six Rivers National Forest. The program is now in a working draft stage and has not received approval either at the Region 5 level (California) or at the Washington office level (national) of the Forest Service. It includes work on trail construction, brush control, and reforestation, and was estimated in September 1978, to offer the opportunity of 100-150 seasonal jobs. Since that time, the program has been in the planning stages to refine the types of job opportunities and the associated costs and benefits. A summary of this program is included as Appendix 4. It is recommended that the Secretary of Agriculture fund this program once it has been reviewed and, if necessary, amended by the Regional and Washington offices of the Forest Service and the Department of Agriculture.

C. Benefits for Affected Employees

P.L. 95-250 was a unique piece of Federal as well as National Park legislation, as it included comprehensive protection for employees directly affected by park expansion. This portion of the Act, known as Title II, was introduced as part of H.R. 3813, and is a complex set of guarantees of

salaries, benefits, and retraining for qualified employees over specified periods of time.

Operation of the program to date has indicated that the legislation was well-crafted. However, several minor problems have surfaced in the qualification process that have prevented the qualification of some employees who should be eligible for protection under Title II. As noted in Section II, B of this report, 19 percent of processed applications had been denied; some of these applications were from people whose employment was in fact affected by park expansion.

The scope of coverage under Title II could be expanded by several changes in the legislation. These changes are not capable of administrative resolution, and will require formal amendments to the legislation. Because the Administration did not support this type of employee protection during the Congressional deliberation, even though President Carter signed P.L. 95-250 into law, it is unlikely that the Administration will introduce such legislation. However, this report will discuss those problems that have been locally identified and define the types of changes in the legislation that would be necessary to correct these problems. In the interim, the Department of Labor will continue to fund the existing Title II provisions.

The net effect of the changes identified below is to expand the coverage of Title II to include more employees. As is the case with current Title II provisions, some people who were not directly affected by the park expansion legislation will qualify for benefits under an amended Title II. However, these inclusions will be minor in comparison to the inclusion of people who were directly affected by park expansion but were inadvertently omitted from coverage. It is estimated that the changes would expand Title II coverage by

about 25 to 35 percent over present levels in terms of employees covered and costs. If the Congressional Budget Office estimate for the first five years of the program is accurate, this would raise the program cost (\$25 million) about \$6.5 million to \$9 million over this period.

Five problems have been identified. Each is discussed below with the necessary amendments to P.L. 95-250 for its resolution.

Problem 1: Qualification Year for Affected Mill or Contract Employees.

The Act specifies that calendar year 1977 is the year to be used in figuring whether 15 percent or more of raw woods materials or employee-hours were associated with the park expansion proposal. The problem lies in the well-documented fact that timber harvesting plan denials began in April, 1977, and therefore calendar year 1977 includes some effects of park expansion on employees.

For example, a firm that typically received 20 percent of its raw materials or employee-hours from affected woods employers up through 1976, if cut off during 1977 due to actual or potential timber harvesting plan denials, would register 0 percent for 1977, the qualifying year. No employees of this firm would qualify as covered or affected employees.

The change to correct this problem is to use 1976 or 1977 as the qualifying period. Changes in Sections 201(8), 201(9), and 203 are required.

Problem 2: Data Acquisition from Small Employers. Employment data needed to qualify affected employees can be a time-consuming task, especially for small firms that went out of business. In some cases there has been an economic hardship placed on individuals who owned small firms, and continued delays have occurred in the qualifying process for others.

This hardship for small employers can be rectified by adding a new clause, Section 206(b)(3), that will allow a fee of \$20 per employee up to 25 employees to be provided to affected mill or contract employers for administration costs of researching payroll information.

Problem 3: Qualification for Employees of Contract Employers. There has been considerable difficulty in the interpretation of the phrase "within or directly related to the expansion area" in the review of potential affected contract employers. The present interpretation is the geographical limits of the 48,000 acre expansion area, but there are many additional interpretations of the "directly related to" portion of this phrase due to its ambiguity, which could increase the number of affected contract employees.

This phrase is an important one in the legislation because it (a) determines whether or not a contract employer qualifies as an affected employer, and (b) determines the proportion of employees of qualified employees that are eligible for benefits in any given week. There are a number of legislative options to solve this problem.

At one end of the spectrum, Congress could clarify the geographical scope of this phrase and communicate this clarification to the Department of Labor. At the other end of the spectrum, the phrase could be deleted from Sections 201(9), 201(17)(A), and 203, which would qualify any contractor whose proportion of employed hours in 1977 with an affected woods employer exceeded 15 percent. If Problem 1 were simultaneously resolved, the qualification year would be 1976 or 1977.

Problem 4: Beginning Date for Layoff, Downgrading, or Termination. This problem is similar to Problem 1, in that for some employees the effective date of layoff came before the authorized date of May 31, 1977. While it is true

that the legislation generously makes the Title II provisions retroactive to May 31, 1977, timber harvest plan denials, and possible layoffs connected with park expansion, could have started before that time. President Carter's Fall, 1976, pre-election pledge to support such legislation could have had a psychological impact on some firms, regarding the sale of logs or negotiation of contracts in early 1977 before the logging season began. It is not known how significant this problem is, but it has been identified locally as one of the Title II problems.

If the May 31, 1977 date is changed to January 1, 1977, all conceivable layoffs related to park expansion would be covered. The change of this date will require substitution of "January 1, 1977" for "May 31, 1977" in Sections 201(10)(A), 201(10)(B), 201(11), 203, 204(b)(1), 208(a)(4), and 212(a)(3).

Problem 5: Qualification of Selected Affected Mill or Contract Employers as Affected Employees. The Act provides adequately for compensating real or personal property owners within the expansion area, and employee protection is covered under Title II. However, one class of affected people is left without similar protection: the affected contract or mill employers, some of whom are (or were) one person businesses. Once out of business, such people may receive the salvage price of the equipment of their business, but do not qualify for the benefits that are provided to their employees and are not compensated for the loss of their business.

The business loss compensation problem is not a Title II related issue and is legally complex. No specific form of relief is identified in this report. Congress may choose to deliberate further on this issue and it is mentioned here for that purpose.

Some affected mill or contract employers had made contributions to unemployment insurance to the State of California, and could be considered employees as well as employers. Those people could be qualified as affected employees by altering Section 201(6) by substituting for the word "person" the words "person (as set forth in the California Unemployment Code)."

Payments made pursuant to Title II, P.L. 95-205, began in September 1978, and will continue in future years. Appropriations as necessary will be provided by the Department of Labor, and yearly payments will be summarized in the annual report of the Secretary of the Interior (see Part V, D, of this report).

D. Retraining

The economic diversification and forestland improvement programs will be creating job opportunities in the local economy, in addition to other potential job opportunities that may locally exist. Because expansion of Redwood National Park may result in a direct job loss of 900-1000, there is a significant need for retraining that is complementary to the existing skills of workers and the range of skills needed for new jobs.

Sections 210, 211, and 212 of P.L. 90-545 define the relocation, job search allowance, and retraining benefits available to affected workers who have not relocated or found suitable employment. The Department of Labor has provided an initial \$500,000 appropriation for retraining under P.L. 95-250, and will maintain the responsibility for continued funding.

The mechanism for retraining affected employees in Humboldt County has been defined. The County of Humboldt will be the lead agency in developing and delivering retraining programs for displaced workers in cooperation with the State of California, Employment Development Department (EDD). As a

CETA prime sponsor, the County of Humboldt has developed a comprehensive training and supportive services network that encompasses the various training agencies in the county and is flexible enough to incorporate a variety of programs to meet individual needs of affected workers. Combinations of vocational skills training, basic education, and on-the-job training, coupled with counseling and job search skill assistance are examples of available options.

Coordination between the County of Humboldt CETA and the California EDD is in the process of definition now and will likely evolve as the retraining programs are implemented. A first draft of the coordination procedures exists and it proposes how the retraining system will operate.

EDD will receive affected workers and offer a full range of services, including a preliminary assessment of primary and secondary skills, identification of individual employment barriers, testing batteries, employment counseling, job search assistance and placement service (for an initial 60-day period), and an initial client employability plan based on assessment information. If the client has not been placed in 60 days or if employment training needs are initially identified during the assessment, EDD will refer clients to Humboldt County CETA for training.

Upon referral, CETA will provide assessment services designed to identify appropriate training to the clients needs identified by EDD. This CETA assessment information will be incorporated into the client's employability plan which is to be transferred from EDD to CETA at the time of referral. Appropriate training services will then be provided by CETA, including on-the-job training, classroom training, public service employment, basic education, or work experience.

Following completion of training, if indirect job placement has not occurred, the client will be referred back to EDD for intensive job placement services.

The County of Humboldt has recently negotiated and received a curriculum development grant in reforestation/land rehabilitation through the Governor's 4 percent CETA funding. Contact has also been made with the California Resources Agency to develop training for the proposed model project in forestland improvement under A.B. 3304 (see Part IV, B of this report).

Every effort will be made to coordinate the retraining programs with economic development funds received by the Redwood Region Economic Development Commission, as well as to ensure appropriate linkage with the benefits program and the Redwood National Park watershed rehabilitation program to maximize placement opportunities for displaced workers.

A summary of progress made in the retraining effort and Federal investments in such programs shall be incorporated in the annual report of the Secretary of the Interior.

V. MONITORING THE ECONOMIC STRATEGY

Successful monitoring of progress and results of the economic strategy will depend upon coordination between the various Federal, State, County, and other local agencies and entities.

There are four types of monitoring actions in place that should ensure adequate coordination and implementation of commitments: (A) the economic monitoring program of the RREDC; (B) the Federal Redwood Coordinating Council; (C) the ombudsperson; and (D) the annual report of the Secretary of the Interior.

A. Economic Monitoring by RREDC

Part of the strategy proposed for and accepted by the Redwood Region Economic Development Commission is the economic monitoring effort. The econometric model is summarized in the QRC Report (1978) and will not be further elaborated upon here. Funding for this annual monitoring effort is included as part of the EDA-funded administration of the RREDC programs, and may total \$10-15,000 annually. This monitoring should provide a fairly good estimate of the overall economy of Humboldt County, and allow quantification of results of investments in the economic strategy. It will be a guide towards requests for further funding past fiscal year 1981 to be submitted to EDA by the RREDC. A summary of the annual monitoring will be included in the annual report to Congress (see (D) below).

B. The Federal Redwood Coordinating Council

This Council is a discussion group comprised of representatives of the Departments of Agriculture, Commerce, Interior, and Labor, as well as other

agencies, entities, and individuals. Its purpose is to provide a means of coordinating the activities of the various Federal departments and serving as a forum for interested local agencies, entities, and individuals.

The Federal Redwood Coordinating Council is chaired by the Regional Director, Western Region, National Park Service. Some meetings that are primarily organizational may be held internally but most will be publicized open meetings held in various locations to hear feedback from the community and to try to avert problems before they become significant.

One of the first actions of this Council was to set up a retraining committee, chaired by Mr. Michael Venuto of the Department of Labor. This committee will help to define job opportunities available in the several Federal departments or elsewhere, and either locally or out-of-county, where a demand for employment exists. The retraining mechanisms described in the Strategy section of this report can then take advantage of this information. The committee is not meant to be an exclusive source of retraining opportunities, but should help to identify them.

The Council intends to meet formally about once every two months, but the committee(s) and informal contacts will be made as needed on a much more frequent basis.

C. The Ombudsperson

One of the concerns of local people after park expansion was the possibility that the various Federal Departments, State or Country agencies, and the RREDC would present a confusing bureaucracy, one where the proper problem-solving people would be difficult to find or perhaps unresponsive to the problem. On the other side, various agencies were concerned that they

might not be hearing local concerns, and small problems might grow into larger ones. The solution to this was the funding of a position by the Department of the Interior for an ombudsperson. Although the position is budgeted within Interior, this person would have the responsibility of bringing any two parties with a park expansion-related problem together for its resolution.

This person will report to the Regional Director, Western Region, National Park Service, but will be responsive to all agencies or individuals with park expansion-related concern.

The position was to be filled by January, 1979. No person has been selected as of December 1, 1978, although several people have expressed interest in the job.

D. The Annual Report to Congress

On January 1, 1979, and each January 1 for ten years thereafter, the Secretary of the Interior will be submitting an annual written report on a number of issues, including "the status of the efforts to mitigate adverse economic impacts as directed by this Act." This first report, then, is but the beginning of an annual review of the economic mitigation effort. Each subsequent annual report to be submitted to Congress will contain, but not be limited to: (1) the status of progress made pursuant to Section 102(b) of the Act and payments made pursuant to Title II of the Act and under Title IX of the Public Works and Economic Development Act of 1965, as amended, (2) a progress report on funded projects noted in this first report and on any projects undertaken past this time, (3) the progress on retraining, job search allowances, and relocation assistance, (4) a summary and analysis of the monitoring activities proposed under Part V of this first report, and (5)

recommendations for Federal actions for the next year.

The annual report is the most formal analysis of the progress of the economic mitigation program. The Secretary of the Interior will ensure that it is a comprehensive review of the situation.

VI. RECOMMENDATIONS

The recommendations of this report, mentioned throughout the strategy section are summarized here. Progress on each recommendation will be analyzed in the January 1, 1980 annual report to Congress to be submitted by the Secretary of the Interior.

1. Economic Diversification

1. The Woodley Island Marina project, regardless of its title designation, will not be considered as part of the park expansion mitigation.
2. The total EDA commitment should total at least \$11.5 million. Subtracting out the \$5.5 million funding to date, a total remaining commitment of \$6 million exists.
3. The \$6 million should be allocated by the end of fiscal year 1981. \$3 million in FY 1980 and \$3 million in FY 1981 would be appropriate.
4. EDA should continue to respect the local priority setting process for funded projects.

2. Forest Improvement Work

1. The National Park Service should provide \$400,000 in fiscal year 1979 to the State-operated Forest Resources Improvement Program (FRIP) pursuant to the limitations of P.L. 95-250.
2. The National Park Service should consider additional funding of FRIP in fiscal year 1979 and should provide future fiscal year funding for this program.

3. The Secretary of Agriculture should consider full funding of the Six Rivers National Forest forest improvement program that concentrates on public lands.

C. Benefits for Affected Employees

1. The Department of Labor should continue its funding of the Title II provisions of P.L. 95-250.
2. Recommended changes in Title II to solve identified problems include:
 - a. Changing the employer qualification year to 1976 or 1977.
 - b. Providing limited compensation for administrative costs of employers.
 - c. Clarifying the "within or directly related to the expansion area" phrase for contract employers.
 - d. Altering the layoff date from May 31, 1977 to January 1, 1977.
 - e. Qualifying certain affected employers as affected employees.
3. The Department of Labor should begin to fund job search and relocation allowance portions of Title II, as the need for funding of these portions already exists.

D. Retraining

1. The Department of Labor should continue to recognize the existing retraining network in Humboldt County and use the CETA program as the nucleus of the funding for retraining.

E. Monitoring the Economic Strategy

1. EDA should continue to fund the administration of the RREDC so that economic monitoring will continue.
2. The Federal Redwood Coordinating Council should continue to meet at

least once every two months to ensure adequate coordination of Federal programs and to receive feedback on these programs.

3. The Department of the Interior should appoint an ombudsperson by January 1, 1979 to increase communication and help resolve problems related to the Redwood National Park Act.
4. The Department of the Interior will submit an annual report to Congress that will include a comprehensive review of progress made pursuant to Section 102 and other economic mitigation portions of P.L. 95-250.

REFERENCES

- Dean, G.W., H.O. Carter, E.A. Nickerson, and R.M. Adams. 1973. Structure and projections of the Humboldt County economy: economic growth versus environmental quality, University of Calif. Giannini Foundation Research Report 318..
- Gedney, D.R., D.D. Oswald, and R.D. Fight. 1975. Two projections of timber supply in the Pacific Coast states. USDA For. Serv. Resource Bull. PNW-60. Pacific Northwest For. and Range Expt. Sta., Portland, OR 40p.
- Greenacres Consulting Corporation. 1977. Redwood National Park proposed 48,000 acre expansion: data review and analysis. U.S. Dept. Commerce, Economic Development Administration Technical Assistance Project. 67p. plus appendices.
- Howard, J.O. 1974. California forest industry wood consumption and characteristics, 1972. USDA For. Serv. Resource Bull. PNW-52. Pacific Northwest Forest and Range Expt. Sta. Portland, OR 91p.
- McKillop, W. 1977. Economic losses associated with reduction in timber output due to expansion of the Redwood National Park. California Resources Agency, Department of Forestry. Sacramento, CA 115p.
- Oswald, D.D. 1978. Prospects for sawtimber output in California's north coast: 1975-2000. USDA For. Serv. Resource Bull. PNW-74. Pacific Northwest For. and Range Expt. Sta. Portland, OR. 20p.
- QRC Research Corporation. 1978. An economic development action plan and strategy for Humboldt County, California. Prepared for Humboldt County Board of Supervisors. EDA Title IX Project No. 07-09-01916. 282p. plus appendices.
- Redwoods Interagency Task Force. 1977. Task Force findings transmitted to the Secretary of the Interior. Memorandum. 8p. plus attachment.
- USDI, National Park Service. 1977. Immediate direct employment impacts associated with 48,000 acre expansion of Redwood National Park. U.S. Senate Publication 95-85. US Govt. Print. Off. Washington, D.C. pp. 332-349.

LIST OF APPENDIXES

APPENDIX 1. Six Rivers National Forest Timber Supply Alternatives:
Progress on Section 102(c) Report.

APPENDIX 2. Member Entities and Purpose of Redwood Region Economic
Development Commission

APPENDIX 3. The Del Norte County Title IX Grant Program

APPENDIX 4. Six Rivers National Forest Improvement Program: A Summary

APPENDIX I

TIMBER HARVEST SCHEDULING STUDY
SIX RIVERS NATIONAL FOREST

Being prepared in accordance with
Section 102(c) of Public Law 95-250.

Status Report (12-1-78)

National and Regional staffs of the U.S. Forest Service handled preliminary measures that were necessary between the time Congress passed the March 27, 1978 amendment to the Redwood Park Act and the formation of the Study Team. A five-member Study Team composed of a Project Leader, foresters, geologist and biologist was organized during July and August 1978 and stationed in Eureka, California.

Public inform and involve measures began with the mailing of an introductory planning newsletter to the public on July 12, 1978. This planning newsletter has been followed by four subsequent newsletters to about 300 publics.

8-3-78 Newsletter - Study Plan and Time Table.

9-15-78 Newsletter - Summary of Management proposals or goals to be studied.

10-2-78 Newsletter - Criteria to evaluate each Management proposal.

10-16-78 Newsletter - Progress report to the Public and Agencies.

For involvement of publics, the Team organized a Public Forum Group and an Agency Group to participate in the study. A Public Forum Group meeting was held September 16, 1978, and an Agency meeting was held on October 5, 1978. A joint Public Forum and Agency Group meeting is planned for December 12, 1978, to assist in analysis of the land suitability for timber harvest. In addition to group involvement, various publics have appointed individuals to participate on a continuing basis with the Study Team.

The study will resemble a type of land management planning as permitted and directed by Proposed Federal Regulation 36 CFR Part 219 dated August 31, 1978. From public involvement and records searches, there have been eight management proposals recognized to date concerning timber harvest scheduling on the Six Rivers National Forest. The study will analyze the following eight proposals, opportunities, or goals, plus other proposals that may be submitted by publics.

Proposal 1. 1971-81 Six Rivers Forest timber management plan. Maintain the March 23, 1976 timber harvest base level of the Standard Component. (189.3 MMBF per year) (Regulation Section 219.9.e.1.i and ii)

Proposal 2. Maintain the current trend of Annual Sale Quantity attainment on the Forest. A reflection of past budgets, timber sale appeals, recent civil action of Sierra Club vs. Forest Service, and present land available for timber harvest. (About 120 to 140 MMBF per year) (Proposed Regulation Section 219.e.1.i)

Proposal 3. Increase the Allowable Sale Quantity to 400 MMBF for a 15 year period then reduce to long term yield of 200 MMBF. A proposal made to a congressional committee during the debate on the Redwood Park Act amendment. (Regulation Section 219.9.e.1.iv)

Proposal 4. Increase the Allowable Sale Quantity to optimize present net worth or benefit of the present harvestable wood fiber inventory followed by a long term sustained yield level. A proposal from some academia, economists, and forest industries. (May amount to 300 to 360 MMBF per year) (Regulation Section 219.9.e.1.iv)

Proposal 5. Increase the Allowable Sale Quantity to balance the timber volume loss and job loss possibilities resulting from the Redwood Park Act amendment. A public and congressional proposal. (Probably an Annual Sale Quantity between 230 MMBF and 300 MMBF) (Regulation Section 219.9.e.1.iv)

Proposal 6. Increase the Annual Sale Quantity to the Fourth Decade level as planned by the 1975 Resource Planning Act Program. A proposal suggested by Section 219.9(e)(1)(iii) of proposed Federal Regulations and suggested by forest industry. (About 270 to 310 MMBF per year)

Proposal 7. Optimize non-market benefits and the wilderness resource. A proposal of publics and committees. This proposal would make unavailable for timber harvest 246,500 acres of RARE II area plus about 7500 acres in the Salmon-Trinity Alps Wilderness Study Area. (We would guess this would result in Allowable Sale Quantity similar to Proposal 8) (Regulation Section 219.9.e.1.iv)

Proposal 8. Maintain the January 1, 1979, existing assets on the Six Rivers Forest and the existing capability to produce benefits and service. A Forest Service measure of a stewardship level with no investments in new assets, with no new or additional outputs, with no depreciation of existing assets, and with minimal conflict between resource uses. (About 100-120 MMBF per year)

The Six Rivers Forest has been mapped into non-forest, non-capable, and timber producing lands under the Wildland Resource Information System (WRIS) with mapping to a 5 acre minimum parcel size. Staff specialists of various disciplines are presently creating the inventory of available, capable, and suitable land for timber production. From this inventory process will come a data file of the land attributes to which a computer model will be applied to create as computer output the suitable land bases for resource use. A computer system called Timber Resource Allocation Model II will then be used to analyze harvest schedules for these various land bases.

Procedural alternatives will be developed by the interdisciplinary team to plan the various mixes of available and suitable land to achieve the substantive alternatives being called Management Proposals. Procedural alternatives will use variables of land base, time scheduling, and silvicultural treatments to achieve the proposals.

A second test of suitability for timber production will take place as the interdisciplinary team analyzes the land best suited to accomplish each management proposal. This step will result in seven classes of land being identified under this timber resource study in accordance with proposed Regulation 219.10(d)(2):

- A. Land not capable of timber production (Section 219.10.d.2.i.A).
- B. Land capable of timber production.
 - 1. Capable land that is not available for timber production (Section 219.10.d.2.i.B) and (Section 219.10.d.2.ii.A).
 - 2. Capable land that is available for timber production.
 - (a) Available land that is not suitable for timber production investments (Section 219.10.d.2.i.C).
 - (b) Available land that is suitable for timber production.
 - 1. Suitable land that is not needed or is not economically efficient for a particular Management Proposal (Section 219.10.d.2.ii.B).

The time schedule for the study still appears achievable barring further unforeseen difficulty with our procedures.

September to November, 1978 -- Data File Development

November to January -- Analysis of management situation and the Proposals

February to March, 1979 -- Documentation of Study

Project Leader
John Rusk, Jr.

APPENDIX 2

1. Member Entities of the Redwood Region Economic Development Commission

City of Arcata
City of Blue Lake
City of Eureka
City of Ferndale
City of Fortuna
County of Humboldt
Humboldt Bay Harbor District
Humboldt Bay Municipal Water District
Humboldt Community Services District
McKinleyville Community Services District
Redwoods Community College District
City of Rio Dell
City of Trinidad

2. Purpose of the Redwood Region Economic Development Commission

The purpose of the RREDC is set forth in Article III, Section 3.01 of the Joint Exercise of Powers Agreement:

"It is the purpose of this Agreement to provide a united, coordinated, orderly, positive, and more effective means for aiding and assisting in the formulation, administration, and implementation of an Economic Development Action Plan and Strategy for the general benefit of all the people of Humboldt County, California, with federal financial assistance provided by the Economic Development Administration under Title IX of the Public Works and Economic Development Act of 1965, as amended, by establishing a separate REDWOOD REGION ECONOMIC DEVELOPMENT COMMISSION in the area and by vesting this COMMISSION with power (1) to effectively aid, assist, and coordinate the formulation, administration, and implementation of an Economic Development Action Plan and Strategy for Humboldt County, California, in accordance with the purpose and intent of the Special Economic Development and Adjustment Assistance Program enacted by Congress in 1974 as Title IX of the Public Works and Economic Development Act of 1965, as amended; and (2) to establish appropriate operating and advisory committees to assist the COMMISSION in carrying out the foregoing purposes and to assist the COMMISSION in the implementation of economic development projects and programs to improve the quality of life in the area."

APPENDIX 3

The Del Norte County Title IX Grant: Status

On June 30, 1976, the Tri-Agency Economic Development Authority was awarded an economic adjustment grant for the implementation of "Project Independence" under Title IX of the Public Works and Economic Development Act of 1965, as amended (Grant 07-19-01782).

The authorized budget and expenditures to June, 1978 over the first two years of the grant are:

<u>PROGRAM</u>	<u>AUTHORIZED</u>	<u>SPENT</u>	<u>REMAINING</u>
Public Works Budget	\$ 875,000	\$ 875,000	\$ -0-
Technical Assistance Budget	229,590	45,739	183,851
Business Loan Budget	1,500,000	676,165	823,835
Total Program Final Audit	<u>5,000</u>	<u>-0-</u>	<u>5,000</u>
	\$2,609,590	\$1,596,904	\$1,012,686

The projects on which the programs concentrate are (1) industrial development and agribusiness development, (2) harbor development, (3) tourism development, and (4) human resources development. Early funding has stressed the first two projects and will continue to do so.

Further funding requests under Title IX can be considered by EDA. The rather slow development of this program to date makes further funding at this time by EDA unnecessary.



**COUNTY OF DEL NORTE
BOARD OF SUPERVISORS**

981 "H" Street, Suite 200
Crescent City, California 95531
bos@co.del-norte.ca.us

"And How are the Children?"

Phone
(707) 464-7204 August 26, 2008

Fax
(707) 464-1165

David Finigan
Chair
Supervisor, District 5

Leslie McNamer
Vice-Chair
Supervisor, District 1

Martha McClure
Supervisor, District 2

Mike Sullivan
Supervisor, District 3

Gerry Hemmingsen
Supervisor, District 4

Jeannine Galatioto
County Administrative
Officer

Redwood National and State Parks
Attn: Steve W. Chaney, Superintendent
1111 Second Street
Crescent City, CA 95531

Certified Mail Return Receipt Requested No. 7008 0150 0002 7378 5159

RE: Amendment to the General Management Plan/General Plan for Redwood
National and State Parks – Mill Creek Addition

Dear Superintendent Chaney:

This letter is to follow up on Del Norte County's assertion that the National Park Service has an obligation under the National Environmental Policy Act (NEPA) to supplement its Final Environmental Impact Statement (FEIS) for the Redwood National and State Park due to its proposed adoption of a General Management Plan Amendment setting resource and land use policies for the newly acquired Mill Creek Addition. Following our letter dated June 17, 2008 county representatives met with you and discussed our views. It was your position that NEPA did not apply to federal government's intended General Management Plan Amendment.

We have considered your position and after further analysis we are unable to accede that no federally required environmental assessment is required for this joint state and federal management plan. Thus, further coordination is deemed necessary and appropriate to determine the facts so that the obligations of the parties may be correctly determined. A short discussion of our considerations follows.

In 1968 the Redwood National Park (RNP) was established with 58,000 acres. The park was expanded in 1978 by an additional 48,000 acres. On June 4, 2002, the State of California acquired the 25,000-acre Mill Creek Watershed and added it to the Redwood National and State Park system. At the same time in 2002, the boundaries of the Redwood National Park were expanded from 106,000 acres to 133,000 acres. To put it another way, the Mill Creek Watershed acquisition added over 40 square miles of land to the area encompassed within the boundaries of the

RNP. This property was purchased from a local timber company that had previously intensively managed it for commercial timber production.

Public law 95-250 provides that the original intent of Congress in establishing the Redwood National Park was to “establish a more meaningful Redwood National Park for the use and enjoyment of visitors.” In 2000 a General Management Plan and Environmental Impact Statement/Environmental Impact Report relating to other areas of the Redwood National and State Parks (RNSP) was prepared to provide “a defined and coordinated direction for resource preservation and visitor use and a basic foundation for decision making and managing for the following 15 to 20 years.” The National Park Service (NPS) issued a Record of Decision selecting and approving the RNSP’s General Plan/General Management Plan (joint management plan) and the Final Environmental Impact Statement (FEIS) and the determination was published in the Federal Register.

The present joint Final General Management Plan/General Plan for the RNSP states that the purpose of the joint plan was to “provide a clearly defined, coordinated direction for resource preservation and visitor use and a basic foundation for decision making and managing these four parks for the next 15 to 20 years.”

It states that it had been “developed through cooperative efforts between state and federal agencies in an effort to manage this complex of parks as a whole.”

Significantly, it provides that: “The Management Plan constitutes the first phase of tiered planning and decision making. Because this plan is relatively general, more detailed, site specific analyses of specific proposals in this approved plan will be required before undertaking any major federal action or state actions.”

It also states: “Further, the management zones, goals, strategies, and actions contained in this document serve as resource management policy as well as give general guidance for land use, facilities, concessions, and operation of the state parks as required by law.”

Lastly, but not least important, the joint plan provides: “Relationships with gateway communities are founded in cooperation. Joint efforts are directed toward developing/strengthening facilities, services, and information delivery systems that facilitate public access to and appreciation for the resources and value of the parks and the surrounding region and that also enhance the economic well-being of local communities.”

Significantly, the present joint management plan was adopted together with a Final Environmental Impact Statement. Presently, the NPS is actively participating in the preparation of a planning document to supplement or amend the general plan for the RNSP for the Mill Creek Watershed Addition, which, as pointed out above, lies within the boundaries of the Redwood National Park. Although each other park expansion provided for mitigation to the local

community for the economic impacts of the park's expansion, none has been provided for to date in this 25,000-acre expansion. As the land use of this addition will be determined by a management plan it is now appropriate for the federal government to turn its attention to the social and economic effects of this expansion on all those affected by the expansion.

As adopted, this General Management Plan for the Mill Creek Addition will be the action and policy statement of the U.S. Department of the Interior, acting in concert with the State of California over resource management within the National and State Park. 42 U.S.C. § 4332(C) requires a federal agency to prepare an environmental impact statement (EIS) whenever there is "a major federal action significantly affecting the quality of the human environment". *"Major federal action" includes continuing activities, including projects and programs approved by federal agencies or revised agency plans.* (40 C.F.R. § 1508.18)

The term "actions" refers not only to actions taken by federal agencies, but also to decisions made by the agencies, such as the decision to grant a license, which allow another party to take an action affecting the environment.

As you are aware, 40 CFR § 6.100 (a) requires that federal agencies include in their decision-making processes appropriate and careful consideration of all environmental effects of proposed actions, analyze potential environmental effects of proposed actions and their alternatives for public understanding and scrutiny, avoid or minimize adverse effects of proposed actions, and restore and enhance environmental quality to the extent practicable.

Thank you for providing the previously adopted Final Environmental Impact Statement for the present joint management plan to us. 40 C.F.R. § 1502.9(c)(1)(ii) requires a federal agency to supplement its Final Environmental Impact Statement when there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts. It cannot be seriously contended that a federal management plan over an additional 40 square miles of previously economic generating property is not significant or relevant. 42 USCS § 4332 requires all federal agencies to report on the adverse effects of an action. California's CEQA process does not satisfy NEPA requirements to consider the social and economic impacts of the action, and is therefore not sufficient to satisfy the NPS's duties under NEPA. It is also clear that the effect of federal action in adopting the amendment to the joint management plan will open up projects within the Mill Creek Addition to federal grant and other funding.

40 CFR 1508.18(b)(4) provides that approval of management activities located in a defined geographic area is a major federal action.

NEPA is intended to ensure that federal agencies actively participate as cooperating agencies in other agency's NEPA processes. The Council on

Environmental Quality regulations addressing cooperating agencies status (40 C.F.R. §§ 1501.6 & 1508.5) implement the NEPA mandate that federal agencies responsible for preparing NEPA analyses and documentation do so "in cooperation with State and local governments" and other agencies with jurisdiction by law or special expertise. (42 U.S.C. §§ 4331[a], 4332[2]).

The state of consideration of this amendment to the joint management plan is well past the stage where the NPS was actively preparing to make a decision on the management plan and the effects could be meaningfully evaluated. Thus, pursuant to 40 CFR 1508.23 a "proposal" exists and the supplemental environmental impact statement on the Mill Creek amendment to the joint management plan is required to be "timed so that the final statement may be completed in time for the statement to be included in any recommendation or report on the proposal." Thus, it is respectfully requested that the Regional Director take no action to approve the amendment until a supplemental EIS adequately considering the adverse social and economic effects of resource and land use management within the Mill Creek addition is prepared.

The National Park Service's position that this expansion of the RNP does not even require an Environmental Assessment is without any basis in law. If the NPS claims to have legal authority to support this contention, we ask for it to be communicated to us immediately. If you have not solicited a legal opinion, it is respectfully suggested that you obtain one. It is clear that if the service does, your analysis will disclose that, at a minimum, an Environmental Assessment under NEPA is required.

However, to more fully consider your position and in pursuant to your duty to coordinate with local government, we are hereby requesting that further documents be provided to Del Norte County *and that we meet to coordinate the National Park Services Proposed amendment to its General Management Plan.*

According to the RNSP Coastal Consistency Determination, Del Norte's Local Coastal Plan (LCP) "will be used in making federal consistency determinations." We would like to discuss what LCP analysis the NPS has undertaken in the proposed General Management Plan Amendment for the Mill Creek Addition. It is our understanding that the LCP applicable to the Mill Creek Addition is zoned for Timber Production.¹ Under Section 307(c)(1) of the CZMA and 16 USC Section 1456 (c)(1), NPS activities and enforcement of its management policies are required to be consistent the LCP "to the maximum extent practicable" unless full consistency is prohibited by federal law. We would like to discuss if you contend that any federal law prohibits you from consistency with Del Norte Local Coastal Plan. A Timber Production Zone is intended to foster an environment

¹ According to the present joint management plan, seventy percent of the area included in the 1978 NPS expansion was also in active timber production having been harvested once already. The plan states that there is a total of 50,000 acres of previously harvested forest in the RNSP.

conducive to the generation of Timber Harvest Tax revenue. Timber Harvest revenues are integral to Del Norte County's sustainability. We understand that the FEIS of the Redwood National Park understood this and agreed to mitigate this economic effect of the park's creation. However, the present joint management plan only provides for .1% of its acreage to be managed as developed. Notwithstanding local government's economic interests, the residents of Del Norte County found employment in harvesting timber in the Mill Creek Addition. Previously local residents were offered employment skills training to mitigate the effects of the previous park boundaries pursuant to Title II of the Redwood National Park Expansion Act of 1978 Pub.L. No. 95-250, Secs. 201-213, 92 Stat. 163, 172-82. We would like to discuss what alternative sources of revenue from NPS activities have been considered to mitigate the effect on residents of adding additional lands to the RNSP.

So that we can better understand the relationship between state and federal government in the RNSP, please provide Del Norte County with the following documents:

1. The Memorandum of Understanding entered in 1994 between the NPS and the California Department of Parks and Recreation for the cooperative management of parklands within the national park boundary.
2. FEIS of the establishment of the Redwood National Park.
3. All other NPS Record of Decisions that have been issued by the NPS relating to the Redwood National and State Parks (note that you have already provided the 4/6/00 decision).
4. All documents relating to NPS involvement, approval, oversight, and review of the Redwood National and State Park joint General Management Plan/General Plan for the Mill Creek Addition.
5. Any NEPA Environmental Assessment that has been conducted for the amendment to the joint management plan.
6. The present map entitled Redwood National Park, Revised Boundary referred to in 16 USCS § 79b(a)(2)(B).
7. Any MOU between the NPS and the State of California relating to the Mill Creek Addition.
8. All federal grants to the state that involve the Redwood National & State Parks.
9. The Secretary of the Interior's report of his analysis and recommendations with respect to actions that should be taken to mitigate any significant short-term and long-term adverse effects on the local economy caused by the expansion of the Redwood National Park as mandated in 16 USCS § 79k.
10. Documents showing compliance with the Federal Endangered Species Act and copies of any Section 7 consultation or Section 10 habitat conservation plan determinations.
11. Documents showing compliance with the Clean Water Act Section 404 and any permits or determinations made pursuant to Section 404.

12. Correspondence and/or determinations related to the Smith River National Recreation Area Management Plan and the Six Rivers National Forest Land and Resource Management Plan.
13. Correspondence and/or determination made between the RNP and the State regarding the Mill Creek Addition.
14. Copies of any actions, correspondence (including emails) including but not limited to new and continuing activities by RNP staff or representatives relative to the Mill Creek Addition and including but not limited to projects and programs entirely or partially financed, assisted, conducted, regulated, or approved by RNP staff or representatives including legislative proposals.

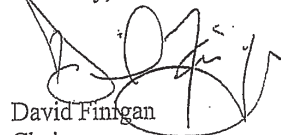
We would prefer as many of the documents as possible to be in PDF form. Kindly provide the documents sufficiently before the meeting to be of benefit to our discussions.

Although NEPA may give federal agencies considerable discretion in implementing NEPA, we do not believe that ignoring the NEPA process is part of that discretion. We request that the Redwood National Park immediately initiate the NEPA process for the Mill Creek Property.

Accordingly, the County of Del Norte strongly urges you to refrain from the adoption of any environmental studies or any management plan relating to the Mill Creek Addition until the process has been conducted and completed in compliance with NEPA. We look forward to participating in that public review and participation process. In that regard, we respectfully request that we meet within two weeks to discuss how we will proceed in a coordinated manner.

We appreciate your attention to this matter and look forward to meeting with you. The Coordination Committee has set aside the date of October 7, 2008 at 1:30 P.M. for this coordination meeting. If this is not available, we have also set aside October 15, 2008 at 1:30 P.M. If you decline to meet, we will have no choice but to inform the Board of Supervisors of your action.

Sincerely,



David Fintgan
Chair
Del Norte County Board of Supervisors

cc: Division of Park Planning and Special Studies
National Park Service -2510
U.S. Department of the Interior
1849 C Street N.W.
Washington, DC 20240
Certified Mail Return Receipt Requested No. 70080150000273785166

Letter to National Park Service Superintendent Chaney
Re: Compliance with NEPA in the Adoption of a General Management Plan/ Mill Creek Addition
August 26, 2008
Page 7 of 7

Jon Jarvis, Regional Director
National Park Service
1111 Jackson Street, Suite 700
Oakland, CA 94607
Certified Mail Return Receipt Requested No. 7008 0150 0002 7378 5173

Michael B. Mukasey
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001
Certified Mail Return Receipt Requested No. 7008 0150 0002 7378 5180

df/drh



Phone
(707) 464-7204

COUNTY OF DEL NORTE BOARD OF SUPERVISORS

981 "H" Street, Suite 200
Crescent City, California 95531
bos@co.del-norte.ca.us

"And How are the Children?"

Fax
(707) 464-1165

August 28, 2008

David Finigan
Chair
Supervisor, District 5

Leslie McNamer
Vice-Chair
Supervisor, District 1

Martha McClure
Supervisor, District 2

Mike Sullivan
Supervisor, District 3

Gerry Hemmingsen
Supervisor, District 4

Jeannine Galatioto
County Administrative
Officer

Michael B. Mukasey
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Dear Mr. Mukasey,

Please find enclosed a copy of the letter that was sent to Steve W. Chaney, Superintendent of Redwood National and State Parks regarding the Amendment to the General Management Plan/General Plan for Redwood National and State Parks-Mill Creek Addition.

If you have any questions, please call me at (707)464-7204.

Sincerely,

Jeremi Ruiz
Clerk of the Board of Supervisors
County of Del Norte



**COUNTY OF DEL NORTE
BOARD OF SUPERVISORS**

981 "H" Street, Suite 200
Crescent City, California 95531
bos@co.del-norte.ca.us

"And How are the Children?"

Phone
(707) 464-7204

Fax
(707) 464-1165

August 28, 2008

David Finigan
Chair
Supervisor, District 5

Leslie McNamer
Vice-Chair
Supervisor, District 1

Martha McClure
Supervisor, District 2

Mike Sullivan
Supervisor, District 3

Gerry Hemmingsen
Supervisor, District 4

Jeannine Galatioto
County Administrative
Officer

Jon Jarvis, Regional Director
National Park Service
1111 Jackson Street, Suite 700
Oakland, CA 94607

Dear Mr. Jarvis,

Please find enclosed a copy of the letter that was sent to Steve W. Chaney, Superintendent of Redwood National and State Parks regarding the Amendment to the General Management Plan/General Plan for Redwood National and State Parks-Mill Creek Addition.

If you have any questions, please call me at (707)464-7204.

Sincerely,

Jeremi Ruiz
Clerk of the Board of Supervisors
County of Del Norte



Phone
(707) 464-7204

COUNTY OF DEL NORTE BOARD OF SUPERVISORS

981 "H" Street, Suite 200
Crescent City, California 95531
bos@co.del-norte.ca.us

"And How are the Children?"

Fax
(707) 464-1165

David Finigan
Chair
Supervisor, District 5

Leslie McNamer
Vice-Chair
Supervisor, District 1

Martha McClure
Supervisor, District 2

Mike Sullivan
Supervisor, District 3

Gerry Hemmingsen
Supervisor, District 4

Jeannine Galatioto
County Administrative
Officer

August 28, 2008

Division of Park Planning and Special Studies
National Park Service – 2510
U.S. Department of the Interior
1849 C Street N.W.
Washington, D.C. 20240

Please find enclosed a copy of the letter that was sent to Steve W. Chaney, Superintendent of Redwood National and State Parks regarding the Amendment to the General Management Plan/General Plan for Redwood National and State Parks-Mill Creek Addition.

If you have any questions, please call me at (707)464-7204.

Sincerely,

Jeremi Ruiz
Clerk of the Board of Supervisors
County of Del Norte

The Daily Triplicate

MAX HOFFMAN FOR THE CRESCENT CITY PRESS

Friday
May 29, 2009

Park closures possible

Governor's plan could shut down redwoods, beaches

From staff and wire reports
Most of California's state parks, including the redwoods parks in Del Norte County and Tolowa Dunes, would be closed at the end of the summer under a plan proposed by Gov. Arnold Schwarzenegger, state parks officials said Thursday.

In all 220 of the 279 state parks and beaches would be closed in a "worst-case scenario," said Roy Stems, a spokesman.

at the state parks department. "If we can do less than this we will try, but under the present proposal this is it."

In Crescent City on Thursday, officials emphasized that closing so many parks is only a proposal. One top official also mentioned the possibility that the federal government might be able to further assist state redwoods parks on the North Coast because of the unique partnership here between state and federal parks.

Schwarzenegger has recommended eliminating \$70 million in parks spending through June 30, 2010, as part of his proposal to close a \$24.3 billion deficit. Another \$143.4 million would be saved in the following fiscal year by keeping the

parks closed. The Legislature last year rejected the governor's proposal to close 48 state parks, but lawmakers from both parties said California's budget deficit is now so dire that it is likely some parks will close this year.

"This is an unprecedented crisis and things that were previously dead on arrival are a lot more viable in a crisis like this," said Jared Huffman, a Democrat from San Rafael who chairs the Assembly's parks and wildlife committee. "I think some cuts are coming to the parks and they'll be cuts I won't like and the public won't like."

The state parks department said that a

\$70 million cut would leave it with enough money to run just 59 of California's 279 state parks.

At least 2,000 park rangers, biologists, lifeguards, interpreters, architects and maintenance workers would be laid off if the proposal is adopted, said Stems.

The layoffs would be in addition to 5,000 jobs the governor has already recommended cutting.

"When you cut that much you have to let go highly trained teams of biologists that you can't get back in a year or two," Huffman said of the park cuts. "It's a myth to think you can mothball the entire system. These cuts will cripple the park

■ See PARKS, A3

Parks

(Continued from Page A1)

system for a decade or more.” Redwoods State Parks Acting Superintendent Jeff Bomke said the proposal to close parks is “nothing more” than that at this point.

“It’s on the table for discussion and debate,” Bomke said. “It’ll be up for a lot of debate and we’ll see where it is when it’s final.”

He said he understands the state is in a serious fiscal situation.

“Will parks close? I’d say yes,” Bomke said. “What parks will close, I can’t predict that.”

For three redwoods parks on the North Coast — Jedediah Smith, Del Norte Coast and Prairie Creek — a partnership with the National Park System might help ease the financial burden.

Redwood National Park Superintendent Steve Chaney said there are some instances where federal money is going toward state parks, specifically through the Obama administration’s economic stimulus package. He also said there might be even more possibilities for collaboration between the two entities.

“I suspect there will be some options available, or possibilities, with respect to sharing services,” he said, “or with the National Park System helping to bridge shortfalls if the outcome of the governor’s proposal comes to pass in terms of reducing funding for any of the state parks in the partnership.”

Like Bomke, Chaney said it’s still too early in the process to know exactly what is going to happen.

The foundation estimates the state gets a \$2.55 return for every dollar it spends on parks.

California spends roughly \$400 million a year running California’s 279 state parks and beaches, with roughly a third of the money coming from the state general fund. User fees at camps, grounds, beaches and historic sites bring in slightly more than a quarter of the revenue for the entire system. Bond funds, gasoline and highway taxes, federal money and other sources make up the rest.

Assembly Republican Leader Mike Villines, R-Clovis, said the state can’t afford to subsidize state parks at a time when lawmakers are being asked to make severe cuts to health care, seniors services, education and prisons.

“Parks are just not going to be a priority over public safety and education, as much as we hate to see them close,” Villines said.

Staff writer Nicholas Grube contributed to this report.



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

BOARD OF SUPERVISORS
COUNTY OF DEL NORTE
STATE OF CALIFORNIA

RESOLUTION NO. 2008- 040

21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36

**Resolution of the Board of Supervisors of the
County of Del Norte Asserting Legal Standing
and Formally Requesting Coordination with
all Federal and State Agencies Maintaining
Jurisdiction Over Lands and/or Resources
Located Within Del Norte County**

WHEREAS, Del Norte County is a legal subdivision of the State of California its governing body is composed of a five member elected Board of Supervisors; and

WHEREAS, Del Norte County has a population of 29,341 people. Although there are approximately 1062 businesses in the county, the unemployment rate is 7.9% and its per capita personal income of its residents is \$20,534 (which is roughly one-half of the statewide average). The state and federal government own approximately 78% of the land in the county and manage these lands for parks, recreation and forest services purposes. The county is nationally known for activities such as timber harvesting, mining and commercial fishing as well as outdoor recreational opportunities such as hunting, fishing, surfing, four-wheeling, bicycling, motorcycling, camping, hiking, equestrian events, birding, rafting, kayaking, sailing, windsurfing, SCUBA and free-diving, kiting, skateboarding, driving Personal Watercraft, Off Road Vehicles, Off Highway Vehicles, flying and other recreational activities.

37 WHEREAS, Del Norte County Board of Supervisors is charged
38 with supervising and protecting the tax base of the county and
39 establishing comprehensive land use plans (including, but not
40 limited to the General Plan) outlining present and future
41 authorized uses for all lands and resources situated within the
42 county; and

43 WHEREAS, Del Norte County is engaged in the land use
44 planning process for future land uses to serve the welfare of all
45 the citizens of Del Norte County; and

46 WHEREAS, the citizens of Del Norte County historically earn
47 their livelihood from activities reliant upon natural resources
48 on land and waters which produces natural resources and
49 those activities are critical to the economy of Del Norte
50 County; and

51 WHEREAS, the economic base and stability of Del Norte County
52 is significantly dependent upon commercial and business
53 activities operated on federally and state owned, managed,
54 and/or regulated lands that include, but are not limited to
55 recreation, tourism, timber harvesting, mining, livestock
56 grazing, and other commercial pursuits; and

57 WHEREAS, as state and federal management polices and
58 practices have severely restricted the county's economic
59 foundations in timber harvest and fishing, the county is
60 attempting to reestablish its economy based on renewable
61 resources as well create an economically sustainable future
62 for its residents in the area of recreation and tourism; and

63 WHEREAS, Title 12 of the Del Norte County Ordinance Code,
64 Chapter 12.02 is entitled "Establishment of a Consultation
65 and Environmental Review Process for State and Federal
66 Plans, Programs and Projects." The ordinance states that the
67 National Environmental Policy Act requires federal agencies
68 to work to coordinate plans, functions, programs and
69 resources with local government. The ordinance sets out

70 local coordination procedures by requiring that: “federal
71 agencies promoting plans, programs and projects which may
72 adversely affect private citizens who contribute to the
73 economic stability of Del Norte County, shall assure that
74 major consideration is given to protecting the environment
75 without depriving county citizens of a decent home or their
76 customs or cultures” and history; and

77 WHEREAS, Del Norte County ordinance, Title 12, § 12.02,
78 requires the federal government to prepare an Initial
79 Assessment Report. Local, state and federal agencies are
80 then required to “jointly” determine whether to conduct a
81 “Coordinated Environmental Review and Assessment;” and

82 WHEREAS, Del Norte County has adopted a General Plan that
83 contains land use, safety and open space elements intended
84 to specify plans and measures for managing the production of
85 resources, for outdoor recreation and for public safety
86 consistent with the edicts of California Constitution, Article
87 XXVII, and the observance of specific Action Programs setting
88 forth how the goals of the element will be achieved; and

89 WHEREAS, Government Code section 65352 requires this
90 county to refer any action to adopt or amend its general plan
91 to areawide planning agencies and federal agencies with
92 lands within the county; and

93 WHEREAS, the California Constitution has recognized Del
94 Norte County's authority to exercise its local, police and
95 sanitary powers, and the California legislature has
96 recognized and mandated exercise of certain of those powers
97 in specific statutes; and

98 WHEREAS, the California legislature has mandated in
99 Government Code § 65300 that each county shall prepare a
100 comprehensive plan, and stated legislative intent in Section
101 65300.9 that the county planning shall be coordinated with
102 federal and state program activities, and has mandated in

103 Section 65103 that county local plans and programs must be
104 coordinated with plans and programs of other agencies; and

105 WHEREAS, Del Norte County desires to assure that federal and
106 state agencies shall inform the Board of Supervisors of all
107 pending or proposed actions affecting local communities and
108 citizens within Del Norte County and coordinate with the
109 Board of Supervisors in the planning and implementation of
110 those actions; and

111 WHEREAS, the National Environmental Policy Act (NEPA), is
112 intended to ensure that Federal agencies actively participate
113 as cooperating agencies in other agency's NEPA processes.
114 The Council on Environmental Quality regulations addressing
115 cooperating agencies status (40 C.F.R. §§ 1501.6 & 1508.5)
116 implement the NEPA mandate that Federal agencies
117 responsible for preparing NEPA analyses and documentation
118 do so "in cooperation with State and local governments" and
119 other agencies with jurisdiction by law or special expertise.
120 (42 U.S.C. §§ 4331(a), 4332(2)); and

121 WHEREAS, The Intergovernmental Cooperation Act contains
122 specific coordinated planning requirements for local, state
123 and federal agencies. Presidential Executive Order 12372
124 requires federal agencies to coordinate actions and projects
125 with local governments so that local impacts arising from
126 federal projects may be identified.

127 WHEREAS, Title 16 USCS § 1531 of the Endangered Species
128 Act declares the policy of the United States government as
129 encouraging interested parties such as local government to
130 develop and maintain conservation programs which meet
131 national and international standards and further declared
132 that the policy of Congress that Federal agencies *shall*
133 cooperate with local agencies to resolve water resource
134 issues in concert with conservation of endangered species;
135 and

136 **WHEREAS, Title 36 of the Code of Federal Regulations, sets**
137 **out the administration of the Forest Transportation System.**
138 **The Transportation Plan set out at 36 C.F.R. § 212.53 requires**
139 **the responsible official to “coordinate with appropriate ...**
140 **county, and other local government entities when designating**
141 **National Forest System roads...”. 36 CFR § 212.6(a) provides**
142 **that National Forest System Roads shall grant appropriate**
143 **access across National Forest and other lands for ingress**
144 **and egress to assure effective utilization of lands**
145 **administered by the Forest Service and intermingled and**
146 **adjacent private and public lands, and for the use and**
147 **development of the resources upon which communities within**
148 **or adjacent to the National Forests are dependent. Sub§ (c)**
149 **provides that “roads and trails shall be permitted for all**
150 **proper and lawful purposes subject to compliance with rules**
151 **and regulations governing the lands and the roads or trails to**
152 **be used.”**

153 **WHEREAS, The Smith River National Recreation Area (NRA)**
154 **is located within Del Norte County. The federal statute**
155 **creating the NRA, at Title 16 of the United States Code §**
156 **460bbb, the United States Congress declared that:**

157 **1) The Smith River watershed's scenic beauty, renowned**
158 **anadromous fisheries, exceptional water quality, and**
159 **abundant wildlife combine with its ready accessibility to offer**
160 **exceptional opportunities for a wide range of recreational**
161 **activities, including wilderness, water sports, fishing, hunting,**
162 **camping, and sightseeing;**

163 **2) Careful development and utilization at mutually**
164 **compatible levels of recreation, fisheries, and timber**
165 **resources on public lands will ensure the continuation of the**
166 **Smith River watershed's historic role as a significant**
167 **contributor to the region's local economy; and**

168 **3) Protection of the Smith River's unique values can be**
169 **enhanced by a cooperative effort by Federal, State and local**
170 **governments to coordinate land-use planning, management,**
171 **and development of Federal and non-Federal lands**
172 **throughout the watershed; and**

173 WHEREAS, coordination of planning and management actions
174 is mandated by federal laws governing land management
175 including the Federal Land Policy and Management Act, 43
176 US § 1701, and 43 U.S.C. § 1712, regarding the coordinate
177 status of a county engaging in the land use planning process,
178 and requires that the "Secretary of the Interior [Secretary]
179 shall...coordinate the land use inventory, planning, and
180 management activities...with the land use planning, and
181 management programs of other federal departments and
182 agencies and of the state and local governments within which
183 the lands are located;" and

184 WHEREAS, the coordination requirements of Section 1712
185 provide for special involvement by government officials who
186 are engaged in the land use planning process; and

187 WHEREAS, Section 1712 sets forth the nature of the
188 coordination required with planning efforts by government
189 officials and subsection (f) of Section 1712 sets forth an
190 additional requirement that the Secretary "shall allow an
191 opportunity for public involvement" (including local
192 government without limiting the coordination requirement of
193 Section 1712 allowing land or resource management or
194 regulatory agencies to simply lump local government in with
195 special interest groups of citizens or members of the public in
196 general); and

197 WHEREAS, Section 1712 also provides that the "Secretary
198 shall... assist in resolving, to the extent practical,
199 inconsistencies between federal and non-federal government
200 plans" and gives preference to those counties which are
201 engaging in the planning process over the general public,
202 special interest groups of citizens, and even counties not
203 engaging in a land use planning program; and

204 WHEREAS, the requirement that the Secretary "coordinate"
205 land use inventory, planning, and management activities with
206 local governments, requires the assisting in resolving

207 inconsistencies to mean that the resolution process takes
208 place during the planning cycle instead of at the end of the
209 planning cycle when the draft federal plan or proposed action
210 is released for public review; and

211 **WHEREAS**, Section 1712 further requires that the "Secretary
212 shall... provide for meaningful public involvement of state and
213 local government officials... in the development of land use
214 programs, land use regulations, and land use decisions for
215 public lands"; and, when read in light of the "coordinate"
216 requirement of Section 1712, reasonably contemplates
217 "meaningful involvement" as referring to on-going
218 consultations and involvement throughout the planning cycle,
219 not merely at the end of the planning cycle; and

220 **WHEREAS**, Section 1712 further provides that the Secretary
221 must assure that the federal agency's land use plan be
222 "consistent with state and local plans" to the maximum extent
223 possible under federal law and the purposes of the Federal
224 Land Policy and Management Act and distinguishes local
225 government officials from members of the general public or
226 special interest groups of citizens; and

227 **WHEREAS**, the Environmental Protection Agency, charged
228 with administration and implementation of the National
229 Environmental Policy Act (NEPA), has issued regulations
230 which require that federal agencies consider the economic
231 impact of their actions and plans on local government such as
232 Del Norte County; and

233 **WHEREAS**, NEPA requires federal agencies to consider the
234 impact of their actions on the customs of the people as shown
235 by their beliefs, social forms, and "material traits," it
236 reasonably follows that NEPA requires federal agencies to
237 consider the impact of their actions on the rural, land and
238 resource-oriented citizens of Del Norte County who depend
239 on the "material traits" including recreation, tourism, timber
240 harvesting, mining, livestock grazing, and other commercial

241 pursuits for their economic livelihoods; and

242 WHEREAS, NEPA requires federal agencies to consider the
243 impact of their actions on the customs, beliefs, and social
244 forms, as well as the "material traits" of the people; and

245 WHEREAS, it is reasonable to interpret NEPA as requiring
246 federal agencies to consider the impacts of their actions on
247 those traditional and historical and economic practices,
248 including commercial and business activities, which are
249 performed or operated on federally and state managed lands
250 (including, but not limited to recreation, tourism, timber
251 harvesting, mining, livestock grazing, and other commercial
252 pursuits); and

253 WHEREAS, 42 U.S.C. § 4331 places upon federal agencies the
254 "continuing responsibility... to use all practicable means,
255 consistent with other considerations of national policy to...
256 preserve important historic, culture, and natural aspects of
257 our national heritage"; and

258 WHEREAS, Webster's New Collegiate Dictionary (at 277, 1975)
259 defines "culture" as "customary beliefs, social forms, and
260 material traits of a group; the integrated pattern of human
261 behavior passed to succeeding generations"; and

262 WHEREAS, in 16 U.S.C. § 1604, the National Forest
263 Management Act, requires the Forest Service to coordinate its
264 planning processes with local government units such as Del
265 Norte County; and

266 WHEREAS, the 1897 Organic Administrative Act provides that
267 the purpose of forest reserves are provide a continuous supply
268 of timber; and

269 WHEREAS, federal agencies implementing the Endangered
270 Species Act, the Clean Water Act, the Clean Air Act, and the
271 Outdoor Recreation Coordination Act (16 U.S.C. § 4601-1(c)

272 and (d)) are required by Congress to consider local plans and
273 to coordinate and cooperate directly with plans of local
274 government such as Del Norte County; and

275 WHEREAS, the California Environmental Quality Act requires
276 the preparation of an analysis to evaluate the impact of
277 economic and social effects resulting from a project to
278 physical changes caused by the economic or social changes;
279 and

280 WHEREAS, Government Code § 65070 provides that preparation of
281 state and regional transportation plans be performed in a
282 cooperative process involving local government; and

283 WHEREAS, the California legislature has mandated in Section
284 65040 that the State Office of Planning and Research shall
285 "coordinate, in conjunction with...local agencies: with regard
286 to matters relating to the environmental quality of the state";
287 and

288
289 WHEREAS, in Water Code §§ 8125-8129 the California
290 legislature has placed planning for non-navigable streams
291 within the authority of county supervisors, and since such
292 planning activities must be coordinated with natural resource
293 planning processes of federal and state agencies; and

294 WHEREAS, in Streets and Highways Code §§ 940-941.2 the
295 California legislature has placed the general supervision,
296 management, and control of county roads and highways —
297 including closing such roads and removing and preventing
298 encroachment of such roads and highways, and since
299 planning and actions with regard to such roads by any federal
300 or state agency must be coordinated with the county; and

301 WHEREAS, in Public Resources Code § 5099.3 the California
302 legislature has mandated coordination by the state with Del
303 Norte County since it is a county "having interest in the
304 planning, development, and maintenance of outdoor

305 recreation resources and facilities."

306 WHEREAS, this resolution is a policy that shall be interpreted
307 to be consistent with Del Norte General Plan and is a policy to
308 assist in more effectively implementing County General Plan.

309 NOW THEREFORE BE IT RESOLVED that the Del Norte County
310 Board of Supervisors does hereby assert legal standing and
311 formally requests coordination status with all federal and
312 state agencies maintaining jurisdiction over lands and/or
313 resources located within Del Norte County.

314 BE IT FURTHER RESOLVED that the Clerk of the Board shall
315 cause a copy of this Resolution to be transmitted to local,
316 regional, state, and/or national offices of all federal and state
317 agencies maintaining jurisdiction of lands and/or resources
318 located within Del Norte County and to all federal and state
319 elected representatives serving Del Norte County. The
320 agencies include but are not limited to the National Park
321 Service, U.S. Forest Service, National Oceanic and
322 Atmospheric Administration, National Marine Fisheries
323 Service, Army Corp of Engineers, Fish & Wildlife Service,
324 United States Coast Guard, Environmental Protection Agency,
325 FEMA, California Coastal Commission, Regional Water Quality
326 Control Board, California Air Resources Board, California
327 Department of Fish & Game, California State Parks, California
328 Department of Food and Agriculture, Department of Boating
329 and Waterways, state Business, Transportation and Housing
330 Agency, Cal/EPA, California Department of Forestry and Fire
331 Protection, California Ocean Protection Council, Department
332 of Transportation, Division of Safety of Dams, Governor's
333 Office of Emergency Services, Floodplain Management,
334 Integrated Waste Management Board, Division of Land
335 Resource Protection, State Lands Commission, Office of Mine
336 Reclamation, Mining and Geology Board, Natural Community
337 Conservation Program, Governor's Office of Planning and
338 Research, California Energy Commission and the California
339 Water Commission.

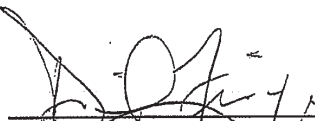
340 **BE IT FURTHER RESOLVED** that the Clerk of the Board is
341 authorized and hereby directed to publish a copy of this
342 **Resolution in the Del Norte Triplicate, a newspaper of general**
343 **circulation printed and published in the County of Del Norte,**
344 **State of California.**

345
346 PASSED AND ADOPTED this *10* day of *June*, 2008 by the Board of
347 Supervisors of the County of Del Norte by the following polled vote:

348 AYES: Supervisors Hemmingsen, McClure, Sullivan, Finigan

349
350 NOES: None

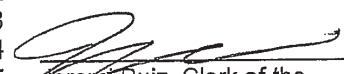
351
352 ABSENT: Supervisor McNamer



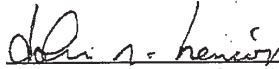
DAVID FINIGAN, Chairman
Board of Supervisors

353
354
355
356
357
358
359
360 ATTEST:

APPROVED AS TO FORM:

361
362
363
364 

365 Jeremy Ruiz, Clerk of the
366 Board of Supervisors, County
367 of Del Norte, State of California



DOHN R. HENION, County Counsel

Dohn Henion - Re: letter

From: Dohn Henion
To: Steve_Chaney@nps.gov
Date: 11/21/2008 3:53 PM
Subject: Re: letter
CC: Gerry Hemmingsen; Michael Sullivan

Security: Confidential

Superintendent Chaney,

We understand your inquiry for limitation of documents as relating to #10 of our letter dated August 26, 2008 (documents showing Federal Endangered Species and copies of any Section 7 consultation and Section 10 habitat conservation plan determinations) to the Mill Creek area. The county has no problem with the service limiting those documents to the Mill Creek Addition.

If your request is broader please let me know.

Thank you,

DOHN R. HENION
County Counsel
County of Del Norte
981 H Street, Suite 220
Crescent City, CA 95531
dhenion@co.del-norte.ca.us
(707) 464-7208
(707) 465-0324 (Fax)

***** CONFIDENTIALITY STATEMENT*****

The information contained in this e-mail is information protected by attorney-client and/or the attorney/work product privileges. It is intended only for the use of the individual(s) named in this e-mail and the privileges are not waived by virtue of this having been sent by e-mail. The information contained in this electronic mail is also covered by the Electronic Communications Privacy Act, 18 U.S.C. Sections 2510-2521, and is intended solely for use by the person or entity named above. If the person actually receiving this e-mail or any other reader of the e-mail is not a named recipient or the employee or agent responsible to deliver it to a named recipient, any use, dissemination, distribution or copying of the communication is strictly prohibited. If you have received this communication in error, please immediately notify us at the above e-mail address. If you are not the intended recipient, please contact either the sender of this e-mail, or our Office Manager, Cecilia Burzycki, at (707) 464-7208 and permanently delete the original and any copies of this e-mail and any attachments thereto. PLEASE TAKE NOTICE -- If your message is important and you receive no reply, do not assume it was received. Inquire further. E-mail is an informal means of communication. No agreement or binding signature, express or implied, is authorized or intended by the above message; no electronic signature is intended within the meaning of any statute, rule or regulation domestic or international. Formal communications warrant handwritten signatures. The weight to be given to email messages and attachments should be carefully evaluated by the recipient concerning any matter of importance. CAUTION: The designated E-mail recipient should be alert to the dangers of third party interference or tampering with electronic communications. Thank you

file://C:\Documents and Settings\dhenion\Local Settings\Temp\XPgrpwise\4926D95FDN... 11/21/2008



COUNTY OF DEL NORTE
COMMUNITY DEVELOPMENT DEPARTMENT
981 H STREET, SUITE 110
CRESCENT CITY, CALIFORNIA 95531

FAX (707) 465-0340

PLANNING
(707) 464-7254

ENGINEERING & SURVEYING
(707) 464-7229

BUILDING INSPECTION
(707) 464-7253

February 21, 2002

Warren Westrup, Chief
Office of Acquisition and Real Property Services
California Department of Parks and Recreation
1 Capitol Mall, Suite 500
Sacramento, CA 95814

Re: Mill Creek/Rock Creek Acquisition

Dear Mr. Westrup:

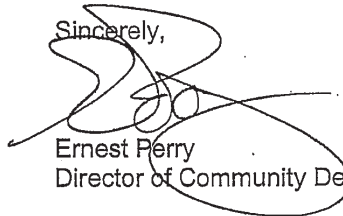
Thank you for your response to my letter of January 7, 2002, regarding the Mill Creek/Rock Creek Acquisition. In item 2 of your response you state that Rick Sermon believes he is misquoted because at the hearing he indicated that the subject land would be transferred to State park ownership. I have no doubt that Mr. Sermon made the statement he recalls at the hearing in January, however, the statement he made that the subject lands are to be immediately included in the boundary of the National Park was not made at the January hearing, but was made during a meeting on November 5, 2001, at which several persons, including myself, were in attendance. I do understand that inclusion of these lands into the boundary of the National Park will require action by Congress.

Secondly, I am still concerned about the potential use of fishery restoration funds being used for this acquisition. Your response does not respond to the question asked in my letter. You state in your reply that no DPR fishery restoration or enhancement funds are being used, but in your response to item one of my letter you list Coastal Watershed Salmon Habitat funds as a source for \$7,500,000 of the acquisition costs. You also list \$2,480,000 of "Federal" funds through Fish and Game as part of the acquisition funds, which I understand to be fishery restoration funds. Are there any other funds that are for fishery restoration or enhancement being used for this acquisition?

Re: Mill Creek/Rock Creek Acquisition
February 21, 2002
Page 2

Your comment that you concur with the importance of Highway 101 to the north coast counties is comforting, however, there is no commitment in your response other than to "find appropriate solutions". The precarious location of Highway 101 at the present time can lead to an immediate and total elimination of access from Del Norte County to the rest of the State. The County prefers to have specific language or a corridor established within these lands to be acquired by the State as a recognized alternative to replace Highway 101 prior to or upon its catastrophic failure.

Sincerely,



Ernest Perry
Director of Community Development

EWP/wm

cc: Members of the Board of Supervisors
Members of the Planning Commission



COUNTY OF DEL NORTE
COMMUNITY DEVELOPMENT DEPARTMENT
981 H STREET, SUITE 110
CRESCENT CITY, CALIFORNIA 95531

PLANNING
(707) 464-7254

ENGINEERING & SURVEYING
(707) 464-7229

FAX (707) 465-0340
BUILDING INSPECTION
(707) 464-7253

January 7, 2002

Warren Westrup, Chief
Office of Acquisition and Real Property Services
California Department of Parks and Recreation
1 Capitol Mall, Suite 500
Sacramento, CA 95814

Re: Mill Creek/Rock Creek Acquisition

Dear Mr. Westrup:

I would like written responses to the following questions and concerns regarding the pending acquisition of the Stimson property in the Mill Creek and Rock Creek drainages:

1. The notice in our local paper lists several agencies which are providing the funding to acquire the Stimson properties. Please identify and list the specific amount of and source of funds from each agency involved. According to your notice the agencies involved include the Department of Parks and Recreation, the Wildlife Conservation Board, the Department of Fish and Game, the State Coastal Conservancy, and private sources. For the private sources please list the amount and type of funding they are individually contributing to the acquisition purchase.
2. Rick Sermon, the Superintendent for the State Parks, in the Redwood National and State Parks, has stated publicly that the subject lands are to be immediately included in the boundary of the National Park. Mr. Sermon indicated that this action would be almost concurrent with the acquisition. How and when will this inclusion in the federal boundary take place? Has the Department of Interior or the National Park Service approved of this inclusion and if so, when?
3. Are any fishery restoration or enhancement funds to be used in the acquisition? This would include any state or federal fund sources included but not limited to SB 271, SB 291, Prop. 13 & 204 funds,

Clean Water Act funds, funds from NMFS, or any other source relative to fisheries and/or water quality.

4. Highway 101 is our critical link to the rest of the State of California its importance is paramount to our economical existence. Should the portion of Highway 101 fail at Last Chance Grade south of Crescent City, the proposed acquisition of the Stimson lands will place all alternative routes for the relocation of Highway 101 within the boundaries of a State Park and/or National Park. Planning for new or realignments with the boundaries of state and/or national parks is tedious and inconclusive at this time. What options are available should the last chance grade fail or become impassable?

Your response to these questions in a timely manner would be appreciated.

Sincerely,


Ernest Perry, Director of GDD

Cc: Members of the Board of Supervisors
Members of the Planning Commission

CONFIDENTIAL

The Potential Impact on Del Norte County of Converting the Mill Creek Property to Non Timber Use

By Peter Berck¹
February 10, 2002

The Save the Redwoods League has raised \$60 million to purchase a parcel known as Mill Creek in Del Norte County. This tract is second growth redwood that is nearing productive age. At 24,753 acres, it is large enough to raise concerns on the part of county government about foregone employment and timber yield tax revenue if the parcel were removed from future timber production. This report was written at the express request of the county.

There are two major issues addressed in this paper. The first is the estimation of the tax losses, both from yield and property taxes. The yield and property tax losses occur in the future, and so a present value analysis is necessary to find the sum of money, which, if invested today, would yield the same stream of revenue for the county as the timber taxes. The second major issue is to estimate the employment that would be foregone if the tract were not worked as timberland. That employment would occur most directly in the logging and forest sectors and might occur in the sawmill sector as well. If these jobs materialized, additional jobs would be necessary in support industries, and other jobs would occur in the county as a result of expenditures by the new workers.

The elements in estimating job and revenue losses are 1) determining an interest rate, 2) finding product prices, 3) estimating the timber yield from the subject property, 4) apportioning that part of the yield tax lost by the county, 5) examining the loss from property taxes foregone, 6) summing to get the total taxation loss, and 7) estimating job losses.

Interest Rate

The subject property would have provided a stream of revenue to Del Norte County. The county is proposing a lump sum transfer that will leave the county exactly as well off as if it were to receive the periodic stream. In order to compare the lump sum and the periodic stream, one must choose an interest rate and discount the periodic stream of revenue using that interest rate.

This analysis was carried out on February 10, 2002 and the interest rates cited below are those quoted by Bloomberg news on this date. The time period considered for this analysis is in excess of thirty years. The most widely quoted long interest rate is the thirty-year Treasury bond, whose yield was 5.38 percent. The rate for 5 years is 4.18 and for ten years is 4.86 percent.

¹ Peter Berck, Ph. D. is professor of Agricultural and Resource Economics, University of California, Berkeley. This paper solely represents his views and not those of the Regents.

The Treasury bond is considered to be a safe asset, whereas income from the subject property is subject to uncertainties. These uncertainties are of two types: idiosyncratic and systematic. Systematic risks are those that are correlated with the performance of the stock market and include the risk that prices for timber will be depressed at the same time as the market as a whole is depressed. The major risks on the subject property are however, (1) the risk of environmental restriction permanently reducing the available cut from this property, and (2) the risk of catastrophic damage from fire, insect, or disease. Since these risks do not correlate with the market as a whole, they can be insured away by holding a diversified portfolio and are not reflected in the rate of return required to hold this type of asset. Thus, there is some justification for increasing the rate of return used in this analysis to reflect the systematic risk, and no justification for increasing the rate of return to account for the environmental or physical risks.

Since interest rates rise over time, one could produce a series of yearly rates that were lower in the first years and higher in the latter years, but had the same present value as the thirty-year rate. This would tend to increase the value of the fund needed to replace the lost revenue from the subject property.

In this analysis, we have made neither the modest adjustments for systematic risk nor for the (offsetting) rising term structure of interest rates. We have chosen to discount all values by the sure rate of interest, 5.38 percent.

Product prices:

The subject property would produce second growth redwood. Recent harvest volumes and values for this type of wood were supplied by Scott Feller (registered forester). The value for 2000 was \$843 per MBF and for 2001 (on a very much reduced volume) was \$1017 per MBF. For comparison purposes, the State Board of Equalization figure for all of Del Norte County was \$836 for year 2000. Table 1 gives the State Board of Equalization figures for Del Norte volume, revenue and price. Mr. Feller indicated that current prices for this type of material are still about \$800 per MBF.

The prices of redwood have undergone a tremendous increase since 1990, from the mid three hundreds to over \$800 per MBF. Other work of mine has examined the post war price trends of stumpage prices and concluded that they do trend rapidly upwards. However, in this time period, the pricing of timber was heavily influenced by the capital cost of holding old growth, a condition that no longer obtains. In this new regime, I predict that second growth prices, over the long term, will maintain or slightly increase their real value but not appreciate at rates as fast as the interest rate. One estimate of the expected rate of inflation is the difference between the inflation indexed Treasury and the unindexed Treasury bond. The difference in yield was 1.97 percent, which is a very low rate in historical terms.

In this analysis, I have taken the price of redwood at \$800 per MBF and taken the price trend as 1.97 percent.

Yield

The estimates of yield in this report are from Mr. Feller. The estimates were made for the subject property assuming that all of the property, except for the current old growth, would be available for ultimate harvest. Another possibility is that 15 percent of the remaining volume would be unharvestable because of lake and watercourse protection. The harvest scenario was based upon a sustained yield to begin on January 1, 2010. The rotation age was set at 50 years. The yield from this projected harvest was 19 million board feet per year, in perpetuity. (An alternative area control implemented in 15 years had a much greater yield, 26 million board feet.)

Yield Tax

The county's major direct source of revenue from the subject property is the yield tax. The tax rate is 2.9%, of which about one half is revenue to the county general fund or special districts that would not be replaced by the state if the property were converted from active timberlands.

Table 2 presents the calculation of the loss of yield tax from converting the subject property. The first three rows of the table repeat the facts described above. The fourth line is the product of price and yield and is projected yearly revenue for this property. The next line is the present value of \$1 in perpetuity starting today. It is the amount of money that would need to be deposited at an interest rate equal to the T-Bond rate less the timber price growth rate in an account that would then yield \$1 per year forever (including the first year.) The next line is the size of the fund that would have to be deposited on Jan 1, 2007 to make the same payments to the timber owner, forever, as the subject property would make. The next line is the number of dollars that would have to be deposited today to yield one dollar in '07, so the following line is the size of the fund needed today to yield the same as the subject property if the fund was started now and the subject property only started yielding revenue in '07. This number is then multiplied by the county's share of the yield tax and gives the size of the fund needed by the county to recompense it for the lost yield tax revenue. That amount is \$5,111,160.

Property Tax

Conversion of the subject property to non-taxable status also will result in the loss of property tax on the subject property. According to the county assessor, such taxes are now \$55,000 per year. Because of California tax law, these taxes would inflate at approximately half the rate of timber price appreciation (.98%). The present value of this tax would be \$1,306,422.

The calculation of this number is shown in Table 3.

Total Taxation Loss

The total loss from direct taxation is \$6,417,582.

Because of the long time intervals involved in these calculations, the answer is sensitive to the interest rate chosen. Higher interest rates substantially reduce the present value.

Jobs

The calculation of job loss from the loss of the subject property is accomplished in two steps. First, using county average numbers, we find the number of jobs per million board feet in the forest business. Many of these jobs are jobs in mills, which Mr. Feller believes are most likely to occur in either Del Norte or the surrounding counties. The resurgence of second growth timber in Del Norte, he believes, makes it most likely that the milling jobs will be in county, especially if the subject property remains in production.

The source for the industry employment and multiplier data is the IMPLAN system. IMPLAN is one of a few comprehensive systems used to produce local impact statements for the U.S. The system is ultimately based upon the ES 202 employment data and the interindustry tables for the Bureau of Economic Analysis. The base year for the data is 1998. Table 4 gives the forestry related sectors and their employment and industry output for Del Norte. Summing the forest products, forestry products, and logging sectors gives 96 jobs in Del Norte County. Dividing by the Table 1 values for timber harvest gives the number of jobs per million board feet as 2.03 and per million dollars of output as 4.11. These are Del Norte specific and assume that the addition of jobs does not increase the number of milling jobs. If, as is hypothesized, milling jobs return to the county with the increase in second growth harvest, then, extrapolating from the Humboldt County numbers in this table, one sees that the number of milling jobs is 3.8 times the forest, forestry and logging jobs.

If 19 million board feet were taken from the subject property, there would be 38.6 more jobs in the primary forest sectors and potentially 146 more jobs if the sawmill sector. The total would be 185 jobs.

The use of ratios is always fraught with danger in economics, as it implies that new plants would have the same ratio of workers to output as old plants. For this reason, the number of mill workers is likely to be an overestimate, though there is no easy way to estimate the degree of overestimation. The woods workers, on the other hand, are not likely to radically change their method of operation in the next few years, so those numbers seem on firmer ground.

The calculation of total job impacts from a one-job increase in a sector is an employment multiplier. The multipliers used in this study are Social Accounting Matrix (SAM) multipliers, which are derived from a consistent set of accounts for the county. These accounts show the payments and receipts of major groupings of industries, called industrial sectors, of government, of households, and of trade. The multipliers are

derived by finding how output of industrial sectors would respond to an increase in export sales.

To be concrete, the SAM multiplier for the logging sector for Del Norte is 2.5. It means that, if the logging and logging camps were to increase employment by one job and export the timber they processed from the county, there would be 2.5 more jobs in the county. One of those jobs would be in the subject sector. The rest would either be in the sectors that supplied the logging sector or would be induced by the spending of the workers in the logging sectors. My own time series work gives a slightly lower multiplier, but generally confirms the existence of multipliers in the timber industry. Using this multiplier, we arrive at an estimate of 97 jobs without sawmilling and 462 jobs with sawmilling (but without the induced effects from the sawmilling workers.) To gain a sense of perspective, total employment in Del Norte County 10,800, of which nearly 3,000 are listed as government employees. (This author's personal experience is that the IMPLAN system has not been particularly reliable for government accounts.) Again, for a sense of scale, the foregone jobs (including those in milling) would be 6% of current private employment.

Based upon my review of the literature of migration, it is likely that many of those jobs would be held by workers who migrated to Del Norte County. It is also possible that the milling jobs would be in Oregon or Humboldt mills.

The potential for large additional redwood tourism seems low to this analyst because currently there are abundant redwood parks, including the recently created Headwaters preserve, which are closer to population centers.

Table 1. Volume, Revenue and Price for Del Norte Timber Harvest

1990	172573	\$60,654,802	\$351
1991	124847	\$44,538,613	\$357
1992	94471	\$45,855,575	\$485
1993	97414	\$61,356,163	\$630
1994	83434	\$52,796,735	\$633
1995	64036	\$37,845,052	\$591
1996	60105	\$38,856,451	\$646
1997	46658	\$23,819,084	\$511
1998	47164	\$23,385,403	\$496
1999	51088	\$26,034,856	\$510
2000	46133	\$38,584,028	\$836

Source: State Board of Equalization

Table 2. Calculation of Yield Tax Value to County

Real Interest rate= Tbond - timber	
inflation	3.41%
Yearly harvest volume in MBF	19,000
Price in \$ per MBF	800
Yearly revenue	15,200,000
Present value of perpetuity of \$1 starting today:	
1+1/r	30.3255132
Present value of flow of timber dated from 2010	\$460,947,801
Discounting for 8 years till 2007	
1/(1+r)^8	0.764715151
Present value of income stream	\$352,493,767
County's percentage	1.45%
County's present value	\$5,111,159.62

Table 3. Calculation of Present Value of Property Tax Assuming Constant Tax Revenue

Present Value of Taxation			
Interest rate less one half of inflation		4.40%	
Yearly property tax value		55,000	
Present Value of Property Tax $1+1/r$ times year value		1,306,422	\$1,306,422

Table 4. Output and Employment in Forest Related Sectors for Del Norte and Humboldt Counties, 1998

Sector	Output(million \$)		Employment
	Del Norte		
Forest Products	0.184		5
Forestry Products	0.181		1
Logging Camps and Logging	16.528		90
Sawmills	2.395		12
Wood Products	29.516		121
	Humboldt		
Forest Products	19.885		351
Forestry Products	13.034		57
Logging Camps and Logging	107.29		599
Sawmills	690.296		3737
Special Product Sawmills	4.45		75
Millwork	0.589		10
Wood Products	37.975		212

Note: Forest products are miscellaneous products while forestry products include tree farms and timber tracts.

Stimpson Harvest				Year	Volume (MBF)	Revenue
1990	50560	19005823	375.9063	1990	172573	\$60,654,802
1991	33883	13694570	404.1723	1991	124847	\$44,538,613
1992	35744	18730540	524.0191	1992	94471	\$45,855,575
1993	28775	18538630	644.1922	1993	97414	\$61,356,163
1994	28515	20275100	711.0328	1994	83434	\$52,796,735
1995	19089	11310526	592.5154	1995	64036	\$37,845,052
1996	17195	8426040	490.0285	1996	60105	\$38,856,451
1997	15710	7840124	499.0531	1997	48658	\$23,819,084
1998	15133	7595601	501.923	1998	47164	\$23,385,403
1999	12100	5994523	495.4151	1999	51088	\$26,034,856
2000	12709	10720050	843.5007	2000	46133	\$38,584,028
2001	496	504885	1017.913			

Calculation	3.41%
Real interest rate= Tbond - timber inflation	19,000
Yearly harvest volume in MBF	800
Price in \$ per MBF	15,200,000
Yearly revenue	30,325,5132
Present value of perpetuity of \$1 starting today: $1/(1+r)$	\$460,947,801
Present value of flow of timber dated from 2010	0.764715151
Discounting for 8 years till 2007: $1/(1+r)^8$	\$352,493,767
Present value of income stream	1.45%
County's percentage	\$5,111,159.62
County's present value	
Present Value of Taxation	4.40%
Interest rate less one half of inflation	\$55,000
Yearly property tax value	\$1,306,422.07
Present Value of Property Tax $1/(1+r)$ times year value	
	\$6,417,581.69

Output, Value Added and Employment

Sector	Output(million \$)	Employment
	Del Norte	
Forest Products	0.184	5
Forestry Products	0.181	1
Logging Camps and Logging	16.528	90
Sawmills	2.395	12
Wood Products	29.516	121
	Humboldt	
Forest Products	19.885	351
Forestry Products	13.034	57
Logging Camps and Logging	107.29	599
Sawmills	690.296	3737
Special Product Sawmills	4.45	75
Millwork	0.589	10
Wood Products	37.975	212

- 7A** – The Notice of Availability for the GPA EIR was widely circulated and made available in local media. The DEIR was circulated according to CEQA requirement and sent to responsible and trustee agencies by the State Clearinghouse. State parks followed all applicable noticing and circulation requirements.
- 7B** – The commenter correctly states that a federal grant contributed funding to the purchase of the Mill Creek Acquisition. It is also correct, that the GPA is an Amendment to the joint General Management Plan/General Plan for Redwood and National and State Park. However, State Parks is the sole agency responsible for making and implementing management decisions for the Mill Creek Addition and the sole funding source for the GPA. No federal approval action is needed or included in review and approval of the GPA. Therefore, no Record of Decision (a federal document) or NEPA document will be necessary for GPA adoptions. GPA adoption is the sole responsibility of the State Parks and Recreation Commission.

The commenter correctly notes that National Park Service (NPS) may provide funding for activities that occur on lands owned by State Parks. However, this ability does not exist because State Parks' lands lie within the National Park Boundary. It is merely facilitated by the fact that Redwood National and State Parks are jointly managed. The commenter correctly cites Mr. Horvitz's statement that NPS does not have decision-making authority specific to the Mill Creek Addition's General Plan Amendment and was not "financing, approving or carrying out" the GPA. Therefore, it has been determined that the GPA is not subject to NEPA compliance. This matter has been carefully examined by State Parks and NPS management and legal staff. State Parks understands that the BOS does not agree with this conclusion.

The commenter states that the adoption of the GPA would preclude the harvesting of timber as “required” by Del Norte County General Plan and Timberland Production zoning. State Parks wishes to clarify that the Mill Creek Addition is state property and thus not subject to local planning and zoning laws and ordinances. The harvesting of timber is not allowed at the Mill Creek Addition pursuant to regulations stated in the Public Resources Code, the State code that governs management of state lands, including those owned by State Parks. Section 5001.65 clearly states that “Commercial exploitation of resources in units of the state park system is prohibited”. The loss of tax revenue from timber harvesting resulting from transfer of the Addition to State Park ownership has been previously acknowledged and Del Norte County has received a tax offset that was a requirement of the acquisition.

It is correct that National Park staff has participated in the development of the GPA, because of its role as a management partner in RNSP and its resource staff’s knowledge and expertise pertaining to local resources. However, the content of the GPA is the sole responsibility of State Parks. The current funding of the state’s operation of the Addition is an existing condition facilitated by the GMP/GP for RNSP. However, it is not, in any way related to GPA development of funding.

Mr. Chaney’s quote from the “Daily Triplicate” included in the comment letter is not related to the GPA development or implementation, but to ongoing management of RNSP.

The commenter correctly notes the original intent of Congress in establishing RNPS, and the intent in the development of a joint GMP/GP for RNSP.

The commenter cites Government Code § 65040 stating that the State Office of Planning and Research (OPR) shall coordinate with local agencies. This portion of the code does not apply to development and adoption of the GPA, as OPR does not have any official role in the planning process. State Parks serves as the sole lead agency for preparation, adoption, and implementation of the GPA. The

court case cited in the comment letter refers to a different planning scenario that is not directly applicable to GPA development. The definition of “coordination” in this court case was very specific to the legal situation at hand and should not be taken out of the context. State Parks believes that it has met all its obligations in seeking input from Del Norte County during GPA development through meetings, information exchanges, and public scoping. In addition, County supervisors were present at all MCAC meeting held during preparation of the GPA at which planning issues were discussed. All materials pertaining to the planning process have also been made available on the planning website.

State Parks fully complied with all requirements of CEQA for the preparation of State Park Planning Documents. State Parks has no additional, special responsibilities during GPA preparation beyond its legal requirements as a state lead agency. While State Parks understands the supervisors’ desired definition of coordination meetings, a State agency is not bound by a County resolution.

As explained above and in previous correspondence with County supervisors and NPS and State Parks superintendents, both agencies, after careful evaluation of the situation by management and legal staff, have independently determined that the GPA planning process is not subject to NEPA. The multiple paragraphs citing federal requirement for resource planning do not apply to the State Park planning process, as no federal nexus exists to the development, adoption and implementation of the GPA. In summary, State Parks has met all its obligations as a CEQA lead agency in preparation and review of the GPA. While we understand that the County supervisors may not agree with State Parks’ conclusion of the applicability of federal laws including NEPA, to the planning process, no further actions are required at this time.

Elk Valley Rancheria, California



2332 Howland Hill Road
Crescent City, CA 95531

Phone: 707.464.4680
Fax: 707.465.2638
rancheria@elk-valley.com

May 29, 2009

Petra Unger
EDAW, Inc.
2022 J Street
Sacramento, California 95811

Re: Elk Valley Rancheria, California's Comments on Mill Creek General Plan
Amendment Draft Environmental Impact Report

Dear Ms. Unger:

Thank you for the opportunity to comment on the Mill Creek General Plan Amendment ("GPA") Draft Environmental Impact Report. The Elk Valley Rancheria, California, a federally recognized Indian tribe ("Tribe") as an adjacent property owner and as an Indian tribe with cultural ties to the Mill Creek watershed is very interested in the GPA.

The Tribe understands the purpose of the GPA is to develop a long term vision for the management of the Mill Creek Addition, including direct management, future development and determination of appropriate uses of the Addition. The Tribe further understands that the GPA will address the management of the diverse natural, cultural, aesthetic and recreational resources within the Mill Creek Addition. The Tribe believes that the Preferred Alternative as described in the Draft EIR is generally consistent with the Tribe's values and the proper natural, cultural and aesthetic management of the property.

We understand that the Preferred Alternative results in opportunities for both a "multi-use" area at the former Mill Site and designated "back-country" area that provide for facilities such as a lodge, off grid primitive cabins, traditional camping, roads and trails. We understand the multi-use area will meet the needs of educators and visitors through construction of research and interpretative centers. We welcome such uses as they benefit the entire community.

However, the Tribe is specifically concerned with access to and near the Addition. The Tribe, in addition to its previous request / recommendations submitted in September 2008, requests further detailed evaluation of road use for recreation, fire suppression, cultural resource access, and forest restoration and management opportunities.

8-A

8-A



The Addition presents a unique opportunity for the entire community and the many tourists that otherwise do not have pristine lands such as the Addition available to them. There are approximately 335 miles of roads that should be better analyzed for future use and value that might not otherwise be addressed through the GPA process or thereafter. Development of a "Transportation Plan" specifically for the Mill Creek Addition will ultimately enable California Department of Parks and Recreation to better focus limited resources on multiple beneficial uses and values within the watershed. For example, the Tribe is keenly interested in preserving access to cultural resources by Tribal elders. Likewise, the Tribe is interested in a more comprehensive plan to address emergency vehicle access, fire suppression and fire-fighting, forest management, and a detailed plan to address the disposal and de-commissioning of roads within and near the Addition.

While the Tribe understands that not all roads may be necessary for implementation of the GPA, we believe it would be a mistake to simply "punt" with regard to the issues of importance to the Tribe, and we believe, to the community as a whole. More importantly, we believe that CEQA mandates such an evaluation.

The current road system as designated in the GPA may limit cultural access, recreation, fire suppression, and forest restoration and management opportunities. The Tribe requests both temporal and spatial analysis of roads designated "disposition to be determined," be further evaluated through a multi-use Transportation Plan. Such a plan should be included in the EIR for public review.

The Tribe respectfully requests that the Preferred Alternative continue to include all roads designated "disposition to be determined" to avoid the presumption that these roads are to be decommissioned, disposed of, or otherwise abandoned.

Sincerely,

Dale A. Miller
Chairman

cc: Elk Valley Tribal Council

8-B
(Cont.)



- 8A** – State Parks is pleased to learn that the Tolowa Tribe (Tribe) believes that the Preferred Alternative, as described in the DEIR is generally consistent with the Tribe’s values and the proper natural, cultural, and aesthetic management of the property and that the Tribe welcomes the multiple uses allowable by the GPA.
- 8b** – State Parks acknowledges the Tribe’s concern regarding access to and near the Addition and the desire for further evaluation of road use for recreation, fire suppression, cultural resources access and forest restoration and management opportunities. The Road and Trail Management Plan called for in the GPA will address the disposition of all roads remaining on the property once the current restoration process is fully implemented, and will also address the future network of trails, staging areas, and access points. Development of this plan is a future implementation measure of the General Plan Amendment, which will receive its own subsequent CEQA review. The GPA includes designations for certain roads that are known to remain on the property in the long term. The designation of roads as “disposition to be determined” does not imply that these road would be removed, but rather that their future use has not been determined at this time. State Parks intends to seek input from stakeholders and users of the Addition during development of the Road and Trail Management Plan.

John Mertes

1385 West Washington Blvd. Apt 38
Crescent City, CA 95531-7008

707-464-1138

mertes.1@charter.net

May 29, 2009

Ms. Petra Unger, Project Manager
Del Norte Coast RSP Master Plan Amendment
EDAW, Inc
2002 J Street
Sacramento, CA 95811

I have reviewed the proposed General Plan Amendment (GPA) and related Environmental Impact Report for Del Norte Coast Redwoods State Park. I find the proposal very good. I have a few of comments though.

Item 3.5.6 Visitor Access and Circulation / Roads
Road and Trail Management Plan

The Road and Trail Management Plan must give top priority to long-term resource protection to meet the goals of the acquisition to provide salmon habitat and to return to a late seral forest. I enclose a paper by Carnefix and Frissell of the Pacific Rivers Council explaining that a road density of less than 1 mile per square mile is very desirable to enable late seral forest (or old-growth) and provide salmonoid habitat in streams.

1. Given a size of 25,000 acres or about 40 square miles, road mileage should be reduced by the end of restoration to no more than about 40 miles and preferably less.
2. In looking at Exhibit 2-1, p 3-5, there appears to be excessive retention of roads for administrative access south of Hamilton Road and west of Rock Creek Road.
3. Quote: "Maintain Section 31-1 Road as an administrative road to provide emergency access through adjacent property." (p 3-35, Rock Creek Road). Is this for emergency access to the south end of the addition, or is this for emergency access to the private land south of the addition? If the latter, why is a public property being used for private gain?

9-A

Removal of abandoned logging paraphernalia:

I have hiked some of the trails (roads) in the area and see discarded and abandoned logging equipment at various places outside the former mill area. In particular there are old large diameter cables which I guess were used for cable logging left behind.

9-B

Draft EIR Plan comments.odt

I did not see this covered in the GPA. The old cables and other equipment should be removed and recycled.

9-B
(Cont.)

3.5.7 Administrative Facilities

Housing

The GPA provides for the determining the feasibility of providing limited staff housing at the former mill site. I suggest you consider providing several residences for year-round staff housing of rangers or maintenance personnel to provide a security presence and decrease response time to urgent needs.

9-C

I thank all of those who have worked long and hard to develop this GPA.

Sincerely yours,



John Mertes

encl: *Aquatic and Other Environmental Impacts of Roads:
The Case for Road Density as Indicator of Human Disturbance and
Road-Density Reduction as Restoration Target;
A Concise Review*

Gary Carnefix, Research Associate, and Chris Frissell, Director of Science and
Conservation of the Pacific Rivers Council
Pacific Rivers Council Science Publication 09-001

Draft EIR Plan comments.odt

**Aquatic and Other Environmental Impacts of Roads:
The Case for Road Density as Indicator of Human Disturbance and Road-
Density Reduction as Restoration Target;
A Concise Review**

Pacific Rivers Council Science Publication 09-001

by

Gary Carnefix and Chris Frissell (Research Associate and Director of Science
and Conservation, respectively, Pacific Rivers Council; gary@pacificrivers.org,
chris@pacificrivers.org; 406-883-1503 (office), 406-883-1504 (fax)
PMB 219, 48901 Highway 93, Suite A, Polson, MT 59860)

Abstract

Roads have well-documented, significant and widespread ecological impacts across multiple scales, often far beyond the area of the road "footprint". Such impacts often create large and extensive departures from the natural conditions to which organisms are adapted, which increase with the extent and/or density of the road network. Road density is a useful metric or indicator of human impact at all scales broader than a single local site because it integrates impacts of human disturbance from activities that are associated with roads and their use (e.g., timber harvest, mining, human wildfire ignitions, invasive species introduction and spread, etc.) with direct road impacts. Multiple, convergent lines of empirical evidence summarized herein support two robust conclusions: 1) no truly "safe" threshold road density exists, but rather negative impacts begin to accrue and be expressed with incursion of the very first road segment; and 2) highly significant impacts (e.g., threat of extirpation of sensitive species) are already apparent at road densities on the order of 0.6 km per square km (1 mile per square mile) or less. Therefore, restoration strategies prioritized to reduce road densities in areas of high aquatic resource value from low-to-moderately-low levels to zero-to-low densities (e.g., <1 mile per square mile, lower if attainable) are likely to be most efficient and effective in terms of both economic cost and ecological benefit. By strong inference from these empirical studies of systems and species sensitive to humans' environmental impact, with limited exceptions, investments that only reduce high road density to moderate road density are unlikely to produce any but small incremental improvements in abundance, and will not result in robust populations of sensitive species.

Aquatic and other environmental impacts of roads

Roads have well-documented, significant and widespread ecological impacts across multiple scales, often far beyond the area of the road "footprint", with negative effects on biological integrity in both terrestrial and aquatic ecosystems (Forman & Alexander 1998; Gucinski et al. 2001; Trombulak & Frissell 2000).

1 of 9

These include direct mortality from road construction and vehicle collisions, modification of animal behavior, alteration of the physical environment, alteration of the chemical environment, spread of exotic species and increased human use of areas (Forman 2004; Forman & Alexander 1998; Gucinski et al. 2001; Trombulak & Frissell 2000). Road construction kills stationary and slow-moving organisms, injures organisms adjacent to a road and alters physical conditions beneath a road (Trombulak & Frissell 2000), often including direct conversion of habitat to non-habitat within the road and roadside corridor "footprint" (Forman 2004). Behavior modification depends on species and road size/type, but ranges from road corridor use to avoidance to complete blockage of movement, which fragments or isolates populations, often with negative demographic and genetic effects, and with potential consequences up to and including local population or species extinction and biodiversity loss (Forman 2004; Gucinski et al. 2001; Trombulak & Frissell 2000). Additional behavior modification includes changes in home range, reproductive success, escape response and physiological state (Forman & Alexander 1998; Trombulak & Frissell 2000).

Roads change soil density, temperature, water content, light levels, dust, surface waters, patterns of runoff, erosion and sedimentation, as well as adding heavy metals (especially lead), salts, organic molecules, ozone, and nutrients to roadside environments (Forman 2004; Gucinski et al. 2001; Trombulak & Frissell 2000). When delivered to streams, these road-derived contaminants reduce water quality (Gucinski et al. 2001). Increased road-derived fine sediments in stream gravel have been linked to decreased fry emergence, decreased juvenile densities, loss of winter carrying capacity, increased predation of fishes, and reduced benthic organism populations and algal production (Gucinski et al. 2001). Roads greatly increase the frequency of landslides, debris flow, and other mass movement (Gucinski et al. 2001). Roads promote the dispersal of exotic species and pathogens by altering habitats, stressing native species, and providing corridors and vehicle transport for seed/organism dispersal (Forman 2004; Gucinski et al. 2001; Trombulak & Frissell 2000). Roads also promote increased hunting, fishing, poaching, passive harassment of animals, use conflicts, lost solitude, lost soil productivity, fires, and landscape modifications (Forman 2004; Gucinski et al. 2001; Trombulak & Frissell 2000). Presence of roads is highly correlated with changes in species composition, population sizes, and hydrologic and geomorphic processes that shape aquatic and riparian systems and habitat (Gucinski et al. 2001; Trombulak & Frissell 2000), including severing connections between streams and adjacent floodplain networks, converting subsurface to surface flow by intercepting groundwater flowpaths and diverting flow to streams, thereby increasing run-off, "flashiness" and erosion (Forman 2004; Gucinski et al. 2001).

In particular, roads have been consistently singled out as a primary cause of the reduced range and abundance of many aquatic species, not only in the West but also across the continent (CWWR, 1996; USFS and USBLM, 1997a; Trombulak and Frissell, 2000; Kessler et al., 2001; Angermeier et

2 of 9

al., 2004). Czech et al. (2000) estimated that roads in the U.S. contribute to the endangerment of some 94 aquatic species. [Rhodes 2007, p. 7]

Road density as indicator of human disturbance to natural systems

Species and biological communities evolve through co-adapting to each other and the physical environment of their native ecosystems. The broad suite of significant road impacts just described often creates large and extensive departures from the natural processes, interactions and conditions to which organisms are adapted, which increase with the extent and/or density of the road network. Road density is also a useful metric or indicator of human impact at all scales broader than a single site because it integrates impacts of human disturbance from activities that are associated with roads and their use (e.g., timber harvest, mining, human wildfire ignitions, invasive species introduction and spread, hunting, fishing, poaching, etc.) along with direct road impacts (Lee et al. 1997; Quigley et al. 2001; Trombulak & Frissell 2000). Thus, an expectation that environmental degradation and associated biological impacts would increase with road density and, conversely, that remaining areas with very few or no roads would be strongholds of imperiled species and native biodiversity (in addition to providing other important ecosystem services such as clean water sources, carbon sequestration, recreation, and solitude) is both logical and obvious.

Objections have sometimes been raised to use of road density as an indicator of disturbance (or reductions in road density as a target for restoration) on grounds that all roads are not equal in ecological impact. However, while the latter is certainly true, validity and utility of road density as a robust indicator for watershed condition and aquatic impact – because of its integration of non-direct road-specific impacts as noted above – has been repeatedly demonstrated and is strongly confirmed by its extensive and repeated recommendation in the Forest Service's guidance for Roads Analysis (USDA Forest Service 1999).

Expectation that road density would be associated with environmental degradation or species declines is further confirmed by empirical evidence finding significant correlations between population/community strength of Threatened, Endangered, Sensitive or other native species or other measures of ecological integrity and roadless proportion or road density. Together, this evidence strongly indicates that significant negative impacts can be detectable beginning with even the first one-tenth-mile of road per square mile of watershed (Lee et al. 1997). Multiple lines of evidence further indicate that substantial water quality declines, watershed degradation, and aquatic species impact must be expected at road densities higher than about 1 mile per square mile (0.6 km per square km) or less. This in turn suggests that – with limited, generally site-specific exceptions – because adverse impacts become evident even at quite low road densities, the greatest restoration efficiency with limited resources will result

3 of 9

from targeting road reduction to high-value watersheds where low-to-moderately-low road densities can be brought below a mile per square mile or less, rather than where moderate-to-high road density would be reduced, but still remain moderate-to-high (exceptions might include a particular high-risk or high-impact road segment directly impacting a specific, high-value population or highly productive habitat of an at-risk species). These lines of evidence include:

- At the landscape scale, increasing road densities and their attendant effects are correlated with declines in the status of some non-anadromous salmonid species (Gucinski et al. 2001).
- For example, Frissell and Carnefix (2007) found a significant relationship between bull trout spawner abundance and proportion of subwatershed area within designated Wilderness or Inventoried Roadless Areas (IRAs) for 19 subwatersheds in the Rock Creek drainage, Granite and Missoula Counties, Montana, and disproportionately high occurrence of native salmonids, including genetically pure populations, associated with IRAs statewide.

- Ripley et al. (2005) surveyed 172 stream reaches located throughout the majority of the lower two-thirds (where industrial activities, mainly timber harvest and roads, are most predominant) of the Kakwa River basin in central western Alberta, Canada, and modeled relationships of bull trout presence and abundance with environmental factors. Bull trout were observed only at road densities (in the subbasin draining to the sampling reach) ranging from 0 to 0.6 km per square km (1 mile per square mile). Road density was generally related

significantly and negatively to both bull trout occurrence and abundance in logistic and zero-inflated Poisson (ZIP) regression models. Notably, consistent, steepest decline in the modeled probability of bull trout occurrence fell between 0 and 0.4 km per square km (\approx 0.6 miles per square mile; see their Fig. 2 at right). This is consistent with other evidence (e.g., Lee et al. 1997, see below) that no truly “safe” threshold road density exists, but rather negative impacts begin to accrue and be expressed with incursion of the first road segment. Ripley et al. (2005) further used the modeled negative relation between bull trout occurrence

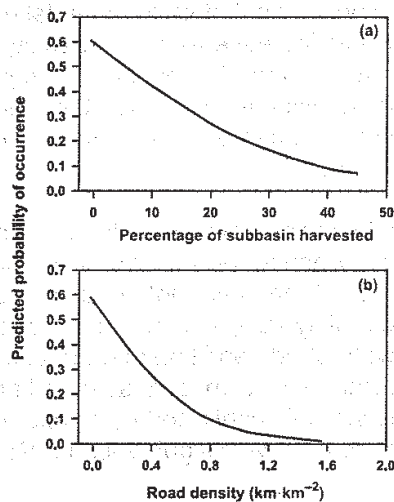


Fig. 2. Logistic regression models of the predicted probability of bull trout (*Salvelinus confluentus*) occurrence and (a) percentage of the subbasin subjected to forest harvesting and (b) density of roads in the Kakwa River basin. [Ripley et al. 2005]

409

and percentage of subbasin harvested (a primary driver of road construction) to forecast that forest harvesting over the next 20 years is projected to result in the local extirpation of bull trout from 24% to 43% of stream reaches that currently support the species in the basin.

- Similarly, bull trout redd numbers and changes in redd numbers with time were negatively correlated with density of logging roads in spawning tributary catchments in Montana's Swan River drainage (Baxter et al. 1999).
- U.S. Fish and Wildlife Service's Final Rule listing bull trout as threatened (USFWS 1999) states:

A recent assessment of the interior Columbia Basin ecosystem revealed that increasing road densities were associated with declines in four non-anadromous salmonid species (bull trout, Yellowstone cutthroat trout, westslope cutthroat trout, and redband trout) within the Columbia River Basin, likely through a variety of factors associated with roads (Quigley & Arbelbide 1997). Bull trout were less likely to use highly roaded basins for spawning and rearing, and if present, were likely to be at lower population levels (Quigley and Arbelbide 1997). Quigley et al. (1996) demonstrated that when average road densities were between 0.4 to 1.1 km/km² (0.7 and 1.7 mi/mi²) on USFS lands, the proportion of subwatersheds supporting "strong" populations of key salmonids dropped substantially. Higher road densities were associated with further declines.

- Lee et al. (1997) concluded, "Our [Interior Columbia Basin] results clearly show that increasing road densities and their attendant effects are associated with declines in the status of four non-anadromous salmonid species [bull trout, westslope cutthroat trout, Yellowstone cutthroat trout, and redband trout]. They are less likely to use highly roaded areas for spawning and rearing, and if found are less likely to be at strong population levels."
- Within colder subwatersheds, bull trout populations were reported as strong nearly seven times more frequently in those with less than 2.5 miles of road per square mile than those with more (Rieman et al. 1997, Table 5).
- Of five watershed integrity indicator variables used, the proportion of a subbasin composed of wilderness or roadless areas seemed most closely associated with subbasins having high integrity indices within the Interior Columbia basin; 81 percent of the subbasins classified as having the highest integrity had relatively large proportions of wilderness and roadless areas (>50 percent). Conversely, of subbasins with the lowest integrity, 89 percent had low proportions of roadless and wilderness areas, and 83 percent had relatively high proportions of at least moderate

5 of 9

road density (0.27 miles/square mile) (Gucinski et al. 2001, p. 8, citing Quigley et al. 1997).

- Lee et al. (1997) compared projected road densities against known aquatic conditions across the Interior Columbia basin and found that areas with estimated road densities of <0.06 km per square km (0.1 miles per square mile) were most generally associated with areas of low degradation and areas with estimated road densities of >0.43 km per square km (0.7 miles per square mile) were most generally associated with high degradation.
- Extensive habitat and population surveys on the Clearwater National Forest, Idaho, found that with few exceptions, native salmonid abundance was higher and exotic brook trout abundance lower or zero in unroaded versus managed landscapes (Huntington 1995). Differences were largest (often several-fold to an order of magnitude) and most consistent in the lower-gradient ("B" and "C") channel types, which are most sensitive to road and other management impacts, and were evident despite less-than-ideal stream habitat conditions in a large proportion of the stream segments in the unroaded landscapes, due to ongoing recovery from large fires within the past 50-150 years.
- Density of large wood (a crucial element of high quality aquatic habitat) in pools in tributaries to the Elk River, Oregon was negatively correlated with road density at intermediate ("network") spatial scales (Burnett et al. 2006). Road density was also negatively correlated with forest cover, which was likewise negatively correlated with large wood density, leading the authors to interpret the significant road density effect as an integrator or surrogate for impacts of the timber harvest associated with the road network.
- Frequency of large pools and all pools (crucial elements of aquatic habitat quality) declined with increasing road density in lower-gradient (<0.02) streams in the Interior Columbia River Basin (Lee et al. 1997).
- Thompson and Lee (2000) used existing data sets to model landscape-level attributes and snorkel count categories of spring-summer chinook salmon (*Oncorhynchus tshawytscha*) and steelhead (*Oncorhynchus mykiss*) parr (juveniles) in Idaho. Resulting models predicted that chinook salmon parr would be in low count categories within subwatersheds with >1 km² (1.6 miles per square mile) geometric mean road densities and/or <700 mm mean annual precipitation.
- Inventoried roadless areas provide or affect habitat for over 55% of the Threatened, Endangered, or Proposed-for-listing species found on or affected by National Forest lands, representing approximately 25% of all animal species and 13% of all plant species listed under the Endangered Species Act within the United States, and for over 65% of Forest Service-designated sensitive species (Brown & Archuleta 2000).

Besides the perennial problem of resources insufficient to the overall restoration need, this prioritization issue takes on greater importance in the context of recent

6 of 9

or current agency policies and legislative initiatives. Though intended to efficiently and/or collaboratively address multiple restoration objectives simultaneously, most existing policies/proposals risk the perverse outcome of directing restoration efforts or expenditures away from the locations of greatest need and most-certain benefit for aquatic/watershed restoration, especially in the absence of robust scientific sideboards circumscribing the decision space. For example, our reviews of recent projects and forest plans (corroborated by private testimony from Forest Service personnel) suggest that while Forest Service Region One's "Integrated Restoration Strategy" includes a high-profile aquatic/watershed component, in practice purported "forest health" and fire-risk concerns drive the planning process and determine locations of projects, with any aquatic/watershed restoration measures subordinated to and entirely dependent for support on those perceived terrestrial priorities. Urgently needed aquatic/watershed restoration is thus held captive to terrestrial considerations, and these terrestrial considerations are often of high public controversy and sometimes of dubious scientific validity. By contrast, the scientific basis for and ecological and cost-effectiveness of aquatic/watershed restoration measures such as road decommissioning or stormproofing and fish-passage barrier removal are thoroughly documented, straightforward, and uncontroversial. Such watershed restoration work is urgently needed to meet acute policy and legal mandates of the National Forest Management Act, Clean Water Act, and Endangered Species Act. The mandates of these environmental laws, and public demand for clean water and healthy fisheries, will not be met if rational road impact reduction programs are subjugated to controversial fuels reduction and salvage timber sales. This programmatic linkage by management agencies hinders the ability of the agency to restore watersheds and remediate roads effectively, creates unnecessary spending inefficiencies that jeopardize aquatic resources, and clearly constitutes bad public policy.

Literature Cited

- Angermeier, P. L., A. P. Wheeler, and A. P. Rosenberger. 2004. A conceptual framework for assessing impacts of roads on aquatic biota. *Fisheries* 29:19-29.
- Baxter, C. V., C. A. Frissell, and F. R. Hauer. 1999. Geomorphology, logging roads, and the distribution of bull trout spawning in a forested river basin: implications for management and conservation. *Transactions of the American Fisheries Society* 128:854-867.
- Brown, S., and R. Archuleta. 2000. Forest Service Roadless Area Conservation Final Environmental Impact Statement: Biological Evaluation for Threatened, Endangered and Proposed Species and Sensitive Species. http://roadless.fs.fed.us/documents/feis/specprep/Final_biological_evaluation.PDF. U.S. Department of Agriculture Forest Service, Washington, DC.
- Burnett, K. M., G. H. Reeves, S. E. Clarke, and K. R. Christiansen. 2006. Comparing riparian and catchment influences on stream habitat in a

7 of 9

- forested, montane landscape. *American Fisheries Society Symposium* **48**:175-197.
- Forman, R. T. T. 2004. Road ecology's promise: What's around the bend? *Environment* **46**:8-21.
- Forman, R. T. T., and L. E. Alexander. 1998. Roads and their major ecological effects. *Annual Review of Ecology and Systematics* **29**:207-231.
- Frissell, C., and G. Carnefix. 2007. The geography of freshwater habitat conservation: roadless areas and critical watersheds for native trout. Pages 210-217 in C. LoSapio, editor. *Sustaining Wild Trout in a Changing World; Proceedings of Wild Trout IX Symposium; 2007 October 9-12; West Yellowstone, Montana*. 308 pages. (pdf file of Proceedings available at www.wildtroutsymposium.com).
- Gucinski, H., M. J. Furniss, R. R. Ziemer, and M. H. Brookes. 2001. Forest roads: a synthesis of scientific information. Gen. Tech. Rep. PNWGTR-509. U.S. Department of Agriculture, Forest Service, Pacific Northwest Research Station, Portland, OR.
- Huntington, C. W. 1995. Final Report: Fish Habitat and Salmonid Abundance within Managed and Unroaded Landscapes on the Clearwater National Forest, Idaho. Prepared for: Eastside Ecosystem Management Project, USDA Forest Service, Walla Walla, WA. Clearwater BioStudies, Inc., Canby, Oregon.
- Lee, D. C., J. R. Sedell, B. E. Rieman, R. F. Thurow, J. E. Williams, and others. 1997. Broad-scale Assessment of Aquatic Species and Habitats. Pages 1057-1496 in S. J. Arbelbide, editor. *An Assessment of Ecosystem Components in the Interior Columbia Basin and Portions of the Klamath and Great Basins: Vol. III*. USDA Forest Service General Technical Report PNW-GTR-405.
- Quigley, T. M., and S. J. Arbelbide, editors. 1997. An assessment of ecosystem components in the interior Columbia basin and portions of the Klamath and Great basins. U.S. Forest Service General Technical Report PNW-405 (volumes I-4).
- Quigley, T. M., R. W. Haynes, and W. J. Hann. 2001. Estimating ecological integrity in the interior Columbia River basin. *Forest Ecology and Management* **153**:161-178.
- Rhodes, J. J. 2007. The watershed impacts of forest treatments to reduce fuels and modify fire behavior. <http://www.pacificrivers.org/science-research/resources-publications/the-watershed-impacts-of-forest-treatments-to-reduce-fuels-and-modify-fire-behavior>. Report prepared for Pacific Rivers Council., Eugene, OR.
- Rieman, B. E., D. C. Lee, and R. F. Thurow. 1997. Distribution, status, and likely future trends of bull trout within the Columbia River and Klamath River basins. *North American Journal of Fisheries Management* **17**:1111-1125.
- Ripley, T., G. Scrimgeour, and M. S. Boyce. 2005. Bull trout (*Salvelinus confluentus*) occurrence and abundance influenced by cumulative industrial developments in a Canadian boreal forest watershed. *Can. J. Fish. Aquat. Sci.* **62**:2431-2442.

8 of 9

- Thompson, W. L., and D. C. Lee. 2000. Modeling relationships between landscape-level attributes and snorkel counts of chinook salmon and steelhead parr in Idaho. doi:10.1139/cjfas-57-9-1834. Can. J. Fish. Aquat. Sci. **57**:1834–1842.
- Trombulak, S. C., and C. A. Frissell. 2000. Review of ecological effects of roads on terrestrial and aquatic communities. Conservation Biology **14**:18-30.
- U.S. Fish and Wildlife Service (USFWS). 1999. Endangered and Threatened Wildlife and Plants; Determination of Threatened Status for Bull Trout in the Coterminous United States; Final Rule. Federal Register **64**:58909-58933.
- USDA Forest Service. 1999. Roads Analysis: Informing Decisions about Managing the National Forest Transportation System. Misc. Rep. FS-643. U.S. Dept. of Agriculture Forest Service, Washington, D.C.

9 of 9

State Parks appreciates Mr. Mertes support of the GPA and would like to thank him for the provision of the article on Aquatic and other Environmental Impacts of Roads.

9A – Resource protection and implementation of the Acquisition Agreement of Terms and Conditions will be important factors in the development of any future plans for the property. The administrative roads shown in the GPA, the roads south of Hamilton Road and west of Rock Creek road provide access to a power line easement that is acknowledged in the Acquisition Agreement of Terms and Conditions. The emergency access through adjacent property is for an alternative route for the public in case of failure of U.S. 101 at the Last Chance Grade.

9B – Old and discarded cables and equipment found throughout the property would be removed and recycled.

9C – The potential to provide staff housing at the Mill site will be evaluated during future site specific planning and the provision of a security presence and reduction of urgent response time will be important factors in the evaluation.

REC'D MAY 29

Friends of Del Norte, *Committed to our environment since 1973*
A nonprofit, membership based conservation group advocating sound environmental policies for our region.
PO Box 229, Gasquet, CA 95543, 707-954-bird

May 29, 2009
ATT:

Jeff Bomke, Acting Sector Superintendent
Redwood Coast Sector, North Coast Redwood District
1111 Second Street
Crescent City, CA 95531

Petra Unger, Project Manager
EDAW, Inc.
2022 J Street
Sacramento, CA 95811

REGARDING: General Plan Amendment and Draft Environmental Impact Report (EIR) for the Mill Creek Addition to Del Norte Coast Redwoods State Park

The Friends of Del Norte expresses gratitude for the hard work and care that State Parks has assembled for the development of this plan. The effort extended by the general public in acquiring the Mill Creek Watershed as public trust lands, was done so to establish this area as a refugia for salmonids and for the Restoration of Old Growth Redwood Forests. Thank you for upholding these values.

10-A

Again we express strong support ^{for} the Park's decision in finding OHV use incompatible with the public trust values for which this area was acquired, and because within the greater surrounding Smith River National Recreation Area, there is ample provision for OHV recreational activity, as stated in our previous comments.

10-B

We appreciate the attention to the connectivity of the main trail system. However, we are concerned that there may be too many side roads remaining (shown in grey), making proper enforcement and maintenance of the trail system difficult. This could also result in unnecessary sediment impacts.

10-C

We continue to be concerned about human activity attracting corvids and the effects on Marbled Murrelets. Enforcement and effective public education is essential to the success of this plan, as the hub of human activity is planned to be the mill site for all of the alternatives.

10-D

We continue to be concerned about corvid activity associated with the horse camp and in general, picnics within the main park hub. There may be undesirable and unavoidable conflicts resulting in significant impacts to murrelets. Such effects should be monitored and avoided.

We question the location of the lodge, at the entrance and far from the hub of activity, as it seems that energy efficiency and convenience for visitors would dictate that the lodge should be in the planned hub of activity. The lodge is less likely to impact murrelets than camping.

10-E

We note that little attention was given to the lovely wet meadows that surround the hub of activity. Some of these wetlands could be enhanced, with debris and unnatural fill removed. Development should be confined to paved and disturbed graded areas.

10-F

Such beautiful wetland meadows also exist along Mill Creek West Branch, adjacent to the road. These meadows also can be enhanced, removing debris and unnatural fill.

The cabins along the main trail loop are an attractive feature, and can reduce camping impacts on corvids.

10-G

The historical character of the old redwood mill structure (planned staff housing?) Should be preserved and used in some part as an historical building.

10-H

All and all, this a good plan.

Thank you,



Eileen Cooper, FDN boardmember

Joe Gillespie, President

- 10A** – State Parks appreciates Friends of Del Norte’s support for the GPA.
- 10B** – State Park acknowledges Friends of Del Norte’s support for finding OHV use incompatible with the property designation.
- 10C** – Future disposition of the “side roads” shown in the GPA will be determined during development of the Road and Trail Management Plan. The reason they are shown in the GPA is to indicate that these roads would be in place once the current restoration effort is completed, and that future disposition of these roads needs to be determined. Their potential to act as sediment source is well known and will be taken into consideration during future planning.
- 10D** – State Parks resource staff shares Friend of Del Norte’s concern regarding corvid activity associated with human use and the potential negative effects of this activity on marbled murrelets. Public education, rules enforcement and monitoring would be part of future uses at Mill Creek, similar to other units in RNSP where this issue is currently being addressed.
- 10E** – The lodge location is at the site of a former lodge owned and operated by the timber company. The location was chosen based on the previously disturbed nature of the site, location away of old growth, proximity to town, and superb view of the ocean and Crescent City. However, prior to the development of any future facility, including the lodge, further site specific planning and facility design would have to carefully consider all aspects of a potential site, including adverse affects on resources.
- 10F** – The location of wet meadows and other sensitive resources including wetland, streams, special status species, cultural resource etc. will be taken into consideration during any future site-specific planning.

10G – State Parks appreciates Friends of Del Norte’s support for the cabins.

10H – The historical character of the old redwood mill structure and other structures will be evaluated during future site specific planning, along with the structural integrity, suitability for re-use and other factors.



SMITH RIVER ALLIANCE

P.O. Box 2129, Crescent City, CA 95531
www.smithriveralliance.org

May 29, 2009

Ms. Petra Unger, Project Manager
EDAW, Inc.
Sacramento, CA 95811

RE: MILL CREEK GENERAL PLAN AMENDMENT

Dear Petra:

The Smith River Alliance (SRA) supports the Preferred Alternative as described --- and we are especially pleased to see the following elements: a public access loop, drive in and ride in campgrounds, vista points, cabins, day use areas, the potential for a lodge and facilities to support research, interpretive facilities at multiple locations, and connectivity with the larger trail network that exists on surrounding properties.

11-A

The Mill Creek Addition with its significant natural resources, wild salmonid populations, history, and proximity to Hwy. 101 and hotels and services of Crescent City --- is strategically positioned to be a key Northcoast destination. The "Vision Statement" does a good job describing the recreation and visitor opportunities while also emphasizing the restoration obligations that come along with this extraordinary property. We see this as a calling for balance and adaptive management ---- and for teamwork and collaboration to bring together the necessary funds for specific plans and projects.

11-B

Specific to the salmon and research significance of this property, we would like to note that the Smith River is only designated "salmon stronghold" in California. As such, we should continue to highlight the research and interpretive opportunities that go along with this unique distinction.

We are excited about working with the diverse community and agency partners to take the next steps to advance specific elements of the Preferred Alternative. Thank you for your special efforts during the last few years to support this GPA process.

Sincerely yours,

Grant D. Werschkull, Executive Director
grant@smithriveralliance.org

11A – State Parks acknowledges Smith River Alliance’s support for the Preferred Alternative, including the specific elements mentioned.

11B – State Park also acknowledges Smith River Alliance’s support of the Vision Statement and the call for balance in use and adaptive management, teamwork and collaboration. These are exactly the values the GPA is striving to achieve. State Parks is well aware of the significance of the Addition as a salmon stronghold and the associated opportunities and constraints and intends to protect salmonid habitat during future management and use of the Addition, consistent with the Acquisition Agreement of Terms and Conditions.



United States Department of the Interior
NATIONAL PARK SERVICE
Redwood National Park
1111 Second Street
Crescent City, California 95531

A3821

May 29, 2009

Petra Unger, Project Manager
EDAW, Inc.
2022 J Street
Sacramento, California 95811

Dear Ms. Unger:

We appreciate this opportunity to provide additional input on the Del Norte Coast Redwoods State Park Mill Creek Addition General Plan Amendment (MCA GPA) outlined in the draft environmental impact report (DEIR). To ensure that actions taken in the Addition are consistent with approved management direction for Redwood National Park lands adjacent to the Addition, we have the following recommendations for the GPA.

The GPA calls for a Road and Trail Management Plan to specify trail alignments through the property and to further define any issues pertaining to circulation within the Addition and between the Addition and adjacent park units [page 3-4]. On page 4-63, the impact analysis for the Recreation section mentions the Draft Redwood National Park Trail Plan. The public review period for this plan closed on May 22, 2009. Based on public comments on the plan and on the analyses of impacts, we expect that this plan will be approved prior to the completion of the GPA. The national park trail plan acknowledges that trail links to complete the Coast-to-Crest Trail must cross the Addition. Because of the time required to prepare and approve a separate Road and Trail Management Plan for the Addition, we recommend that the GPA DEIR specify that the links described on page 3-33 between the Addition and existing trails on NPS and US Forest Service lands will be established when the GPA is approved. These links are identified in the approved 1999 Redwood National and State Parks General Management Plan/General Plan Final Environmental Impact Statement/Report as necessary to complete a trail system that will improve opportunities for hiking, biking, and equestrian users. In particular, the trail connections between the Addition and the NPS trail originating at Crescent Beach, and between the Addition and the existing Little Bald Hills Trail are critical to complete the Coast-to-Crest Trail. The links can be established without significant adverse effects on natural or cultural resources. These links will allow the NPS and CDPR to close the gap in the Coast-to-Crest Trail and create a 2,400-mile-loop around the state of California. Such a trail will be a major attraction for Del Norte County and the region.

12-A

The GPA discusses the importance of managing vegetation in the Addition to prevent the spread of Port-Orford-cedar root disease and Sudden Oak Death (SOD) [page 3-25]. Transportation routes are known to contribute to the spread of both diseases. We recommend that the GPA acknowledge the relationship between roads and trails and these diseases in the Vegetation Management section on page 3-25 and in impact analysis on page 4-26 that mentions both the Road and Trail Management Plan and the Vegetation Management Plan or guidelines.

We suggest several minor editorial changes as follows.

Section 2-1, page 2-1 identifies the Smith River as a designated Wild and Scenic River. The text should identify the Smith as part of both federal and state wild and scenic river systems to emphasize its importance. On a related issue of more substance, the final GPA might want to point out that Mill Creek, Rock Creek, and Boulder Creek are among the few tributaries of the Smith that are not included in the wild and scenic designations, because they were privately held when the majority of the river segments were designated; although these tributaries were included in both federal and state proposals for designation. EDAW prepared the 1980 Smith River Draft Management Plan for California Department of Fish and Game and should have copies of the proposals.

12-B

Section 3.3.1, page 3-13, 3rd paragraph mentions “South River Road.” The official name of the County Road along the South Fork of the Smith is “South Fork Road.” The best identification should probably be “South Fork Road along the South Fork of the Smith River.”

12-C

The legend for Exhibit 3-3 Management Zones uses the term the “Various Zones of Minimal Area” and depicts these zones as red triangles. Frontcountry Zones are shaded as green. On page 3-22 in Table 3-1, “Lodge” is listed as the first entry under Appropriate Activities and Facilities within Management Zones in the “Various Zones of Minimal Development.” In Table 3-1, change “Development” to “Area.” A lodge is more than a minimal development. The RNSP GMP/GP used the triangle to depict management zones that were too small to show accurately at the map scale used, and then listed the zone associated with the specific facility or area. Since the GPA references Appendix E of the GMP/GP but does not include the zone descriptions in the GPA itself, it might be appropriate to revise Table 3-1 by naming the management zone for each of the entries in the “Various Zones” in parentheses, e.g. “Lodge (developed zone).”

12-D

Section 4.6.3 Biological Resources, page 4-23, northern red-legged frogs are now “*Rana aurora*”, not *R. a. aurora*. Correct the spelling of the subspecific epithet for Roosevelt elk from *Cervus elaphus rooseveltis* to *C. e. roosevelti*; and use lower case for the specific epithet of *Marten americana humboldtensis*. Change the sentence “Several bat species *may occur* on the property” to “Several bat species *occur* on the property.” Correct the spelling of the specific epithet for the Sonoma tree vole from *Arborimus lpomo* to *Arborimus pomo* [with a cautionary note that taxonomists are arguing whether the Smith River is the dividing line for the Oregon red tree vole *A. longicaudus* north of the Smith and *A. pomo* south of the Smith]. On page 4-24, tree voles are identified as California red tree voles. It is probably most correct to assign the voles to the Sonoma tree vole.

12-E

Thank you for the opportunity to provide comments on the draft plan. If you need additional clarification, please contact Redwood National Park Environmental Specialist Aida Parkinson at 707-465-7703

Sincerely,

A handwritten signature in black ink that reads "Steve W. Chaney". The signature is written in a cursive style with a small flourish at the end.

Steve W. Chaney
Superintendent

12A – The Final GPA will include the links for the Coast-to-Crest Trail needed to implement the Redwood National Park Trail Plan. These links follow existing road for most of their alignments. State Parks agrees that these links could likely be established without significant adverse effects to natural and cultural resources. Where the links need to use alignments other than existing routes, resource specific surveys would be conducted and any sensitive resources would be avoided during final alignment selection.

State Parks agrees that transportation routes have a strong link to the spread of diseases such as Port Orford Cedar Root Disease and Sudden Oak Death. The language on page 3-25 and 4-26 will be revised accordingly. This is an editorial change and will not result in new significant impacts not previously discussed in the DEIR.

12B – The suggestions for clarification on the status of the wild and scenic river status of the Smith River and its tributaries will be included in the final GPA language. The specific language to be included can be found on page 4-1 in Section 4 below.

12C – This editorial change will be incorporated. The specific language to be included can be found on page 4-2 in Section 4 below.

12D – The editorial changes will be incorporated to clarify zone designations. The specific language to be included can be found in Table 3-1 on page 4-2 in Section 4 below.

12E – The editorial changes to scientific species names will be incorporated to reflect the correct spelling. The specific language to be included can be found on page 4-3 and 4-4 in Section 4 below.

4 RECOMMENDED CHANGES TO THE GENERAL PLAN AMENDMENT



Office building at the former mill site, Source: EDAW 2008

This chapter contains recommended revisions to the GPA/Draft EIR for Del Norte Coast Redwoods State Park made subsequent to its public release and the public review process. Revisions are the result of responses to comments detailed in Chapter 3 of this document. Text revisions are organized by Section and page numbers that appear in the GPA/Draft EIR. Revisions to text are shown with a strikethrough or underline. Text that has a ~~strikethrough~~ has been deleted from the General Plan/EIR. Text that has been added is presented as single underlined. The Final GPA may include additional minor revisions to ensure accuracy of information presented in the plan.

Section 2-1, page 2-1: Status of Smith River and its tributaries. The following revision was made:

... Mill Creek and Rock Creek are tributaries to the Smith River, ~~a designated Wild and Scenic River~~. The Smith River is designated a wild and scenic river under both Federal and State wild and scenic river systems. Mill Creek and Rock Creek, along with Boulder Creek, are not currently included in this designation as they were privately held at the time of designation, though they were included in the designation proposal. The property has a long history of timber harvesting dating back ...

Section 3.3.1 page 3-13. Road name. The following revision was made:

...The alternative access along South River Road along the South Fork of the Smith River was determined to be shorter, safer, and more compatible with park management guidelines.

Section 3.5.1, page 3-22. The following revision has been made to table 3-1:

Table 3-1 Appropriate Activities and Facilities within Management Zones	
Zone	Appropriate Activities and Facilities
Frontcountry Zone	<ul style="list-style-type: none"> Large parking lots Interpretive center Administrative facilities, including limited seasonal staff housing, maintenance shops, offices, and storage area Educational and research facilities
Various Zones of Minimal Area Development	<ul style="list-style-type: none"> Lodge (<u>developed zone</u>) Use of motorized equipment is permitted Trailhead parking and facilities High-standard and high-use road corridors that access natural features and park facilities Trails that are accessible to visitors with disabilities Scenic vistas off transportation corridors Picnic areas with limited infrastructure Large drive-in campgrounds and associated facilities Alternative camping facilities (e.g., cabins) Utility corridors in otherwise natural areas Hardened trail surfaces, interpretive facilities and signs, and limited infrastructure will be allowed
Backcountry Zone, Mechanized*	<ul style="list-style-type: none"> Small walk-in/ride-in or equestrian campgrounds or cabins with water and composting or vault toilets Small designated camping areas with no amenities Designated unpaved hiking, biking, or equestrian trails with bridges Trails with no improvements Walk-in picnic areas Small signs for visitor safety and resource protection Ongoing restoration activities and road removal programs will continue
<p>Source: Prepared by EDAW 2008</p> <p>* mechanized refers to the allowable use of mechanized equipment within this zone for management and recreational use</p>	

Section 3.5.4, page 3-25. Vegetation Management Plan. The following revision was made:

...The Vegetation Management Plan or guidelines should also address management of invasive plant species present on the property, management related to Port-Orford-cedar root disease, Sudden Oak Death (SOD) and management of rare vegetation types, such as the Darlingtonia fens to ensure their long-term protection from adverse effects of site use. The role of transportation corridors as venues for the spread of invasive weeds and diseases should also be addressed in the Vegetation Management Plan.

Section 3.5.5, page 3-33. Redwood National Park Trail Plan. The following revision was made:

...3) Develop a new hiking trail connecting a proposed NPS trail originating at Crescent Beach Education Center and the existing NPS Rellim Ridge Trail (Coastal Trail to Pacific Crest Trail connector) that would cross a parcel of the Mill Creek Addition east of Crescent Beach.

The National Park Trails Plan includes Segments 2 and 3 described below. Implementation of these segments may move forward upon adoption of the GPA.

Section 4.6.3, pages 4-23 and 4-24: Minor revision to scientific species names. The following revisions were made:

Fish and Wildlife

Based on the number of plant communities and variety of habitat types found on the Mill Creek Addition, wildlife diversity is relatively high. Shaded seeps and streams and old-growth forest habitats on the property provide habitat for a variety of amphibians, including five species listed by the California Department of Fish and Game (CDFG) as Species of Special Concern (SSC): southern torrent salamanders (*Rhyacotriton variegatus*); Del Norte salamander (*Plethodon elongatus*); tailed frogs (*Ascaphus truei*); northern red-legged frogs (*Rana aurora*

aurora) and foothill yellow-legged frogs (*Rana boylei*). The southern torrent salamander, which occurs in perennial and ephemeral seeps, springs, and small streams that contain clean gravels with interstitial spaces, is common on the property (DPR 2006). This species and the larval form of the tailed frog are both susceptible to increased sediment loads and increased water temperatures. The Del Norte salamander is known to occur in many of the talus slopes located throughout the property (DPR 2006). Small mammals in the Mill Creek Addition that are adapted to forest habitats include deer mice (*Peromyscus maniculatus*), dusky-footed woodrats (*Neotoma fuscipes*), northern flying squirrels (*Glaucomys sabrinus*), Sonoma tree voles (*Arborimus ipomo*) (SSC), and red-backed voles (*Clethrionomys californicus*). Several bat species may also occur on the property. Larger mammals known to occur in Del Norte County include gray fox (*Urocyon cinereoargenteus*), coyote (*Canis latrans*), black bear (*Ursus americanus*), river otter (*Lutra canadensis*), bobcat (*Felis rufus*), mountain lion (*Felis concolor*), black-tailed deer (*Odocoileus hemionus*), and Roosevelt elk (*Cervus elaphus roosevelti*). Humboldt marten (*Martes Americana americana humboldtensis*) (SSC) which were believed to be extinct have been documented east of the property within the Six Rivers National Forest (DPR 2006). The Pacific fisher (*Martes pennanti pacifica*), also a species of Special Concern has been documented in the Addition (DPR 2006).

Section 4.6.3 page 4-27. Road and Trail Management Plan and Vegetation Management Plan. The following sentence was added to the first paragraph:

...It would also address management of potential threats to biological resources, such as Port-Orford-cedar root disease, sudden oak death, invasive species management, and management and protection of sensitive natural communities such as Darlingtonia fens. Both the Road and Trail Management Plan and Vegetation Management Plan will address the linear transportation corridors such as roads and trails in enabling the spread of invasive weeds and diseases and will include measures to prevent and manage such spread.

Section 4.6.11, page 4-63. Redwood National Park Trail Plan. The following revision was made:

...The GPA calls for the development of a Road and Trail Management Plan that would determine the trail network available in the Mill Creek Addition. The Road and Trail Management Plan would be complementary to the Draft Redwood National Park Trail Plan (NPS 2009, not published) to ensure regional connectivity. Two specific trails segments, described on Page 3-33 of this document may move forward upon adoption of the GPA by the Parks and Recreation Commission. It would also address the opportunity for trail development in conjunction with road removal efforts by identifying roads that are suitable for road to trail conversion.