

Dear Russell Henley:

The primary goal of the pilot project(s) must be to determine actual forest conditions. The most important thing the pilot project(s) should establish are the actual conditions now existing in the forest. What is the character of the soils, watercourses, wildlife habitat, etc., in the wake of both logging and logging regulations that have occurred since the enactment of California's Forest Practice Act in 1973? It is only after these baseline conditions are set forth—and discussed and agreed upon by all stakeholders—that we can begin to fashion a meaningful and effective set of approaches to analyzing cumulative watershed effects (CWEs). Two good places to insert this objective for the pilot project(s) would be atop the bullet-point list on page one of the concept paper, second paragraph. Above "Data collection and characterization," a first bullet point should be "Forest condition description." Another place where this goal could be stated clearly would be under "Proposed Critical Questions" on pages three and four. A seventh critical question should be added, in the number one position, describing the number-one goal of the first pilot project shall be establishing baseline conditions.

With baseline conditions set, development of a protocol for analyzing CWEs (or other regulatory schemas) can follow. The Draft Concept Paper states, "Products resulting from the pilot project are intended to support the development of improved, standardized information for conducting cumulative impact evaluations at the planning watershed scale." (Ref. page two, paragraph two, sentence four) This states well the essential purpose of the pilot projects, as well as A.B. 1492 itself, and should be a theme carried throughout the entire Draft Concept Paper.

"Effectiveness" belongs at least on a par with "efficiency." The pilot projects should not only be concerned with "efficiencies" of the regulatory process—figuring out ways to make timber harvest planning less costly and redundant. More important still, the pilot projects should evaluate and improve "ecological performance" of the regulatory process—that means doing a better job of keeping the air and water clean, protecting soils, safeguarding wildlife habitat, and other public trust values. We must have not only an efficient regulatory process but an effective one as well! Along these lines, the Concept Paper's first sentence should be amended to read, "This concept paper describes potential approaches... opportunities to increase efficiencies and effectiveness for timber harvest planning and permitting...."

A full managerial role is needed for all public stakeholder groups. In every place in the concept paper in which public "input" or "participation" is mentioned there should be a clear, concise statement that the public (as represented by stakeholder groups discussed below) is not just being invited to a comment opportunity, but is actually participating fully, equally, and actively in management of the pilot projects. An example of this shortcoming can be found at page one, paragraph three, second sentence, which characterizes the pilot projects as "provid(ing) opportunity for public participation."

Clarification as to number of members from key stakeholder groups. It is good to see the membership composition of the Pilot Project Working Group(s) (PPWGs) spelled out, but the language describing public/citizen makeup needs to be clarified and strengthened. Namely, on page nine, paragraph two

under the “Pilot Project Working Group” heading and “Membership” sub-head, item three should be changed from “Up to two qualified representatives from the environmental community” to “Two qualified... community.” A literal interpretation of “up to two” is that this language would allow 2 members or 1 or zero. By the same token, items five (re. Registered Professional Foresters), seven (re. watershed “restorationists”), and nine (re. Native American representatives) should also state “Two” rather than “Up to two...”

Use CCP, or a similar program, to recruit PPWG members and A.B. 1492 funds to reasonably compensate them. The Center for Collaborative Policy has done good work in conducting a recent stakeholder survey. CCP is well equipped to take on the next tasks, of recruiting qualified persons from all these stakeholder groups. CCP’s work is fundable from the A.B. 1492 revenue stream, as is reasonable compensation to cover the participation of all stakeholders.

Make Usal Forest the site of the first pilot project. Mendocino County’s Usal Forest is an excellent location for the first pilot project to roll out. Redwood Forest Foundation (RFFI), the nonprofit owner, has a mission consistent with the Timber Regulation and Forest Restoration Program’s goals and has volunteered to host the first pilot. RFFI can be depended on to back the positive aims of A.B. 1492. Usal contains full planning watersheds, suitable sites to choose from.

Thank you for the opportunity to comment.

Sincerely,

Tim Marzolf

[REDACTED]

Cupertino, CA [REDACTED]