

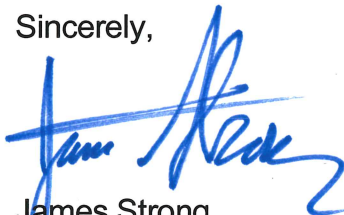
**OFFICIAL RESPONSE TO SIGNIFICANT ENVIRONMENTAL  
POINTS RAISED DURING THE TIMBER HARVESTING PLAN  
EVALUATION PROCESS**

**FROM THE DIRECTOR OF THE CALIFORNIA DEPARTMENT OF  
FORESTRY AND FIRE PROTECTION (CAL FIRE)**

|                                  |                      |
|----------------------------------|----------------------|
| TIMBER HARVESTING PLAN (THP) No: | 1-21-00024 DEL       |
| SUBMITTERS:                      | Leonard Schutz Trust |
| COUNTY:                          | Del Norte            |
| END OF PUBLIC COMMENT PERIOD:    | July 19, 2021        |
| DATE OF RESPONSE AND APPROVAL:   | August 13, 2021      |

The California Department of Forestry and Fire Protection (CAL FIRE) serves as the lead agency in the review of Timber Harvesting Plans. These plans are submitted to CAL FIRE, which directs a multidisciplinary review team of specialists from other governmental agencies to ensure compliance with environmental laws and regulations. As a part of this review process, CAL FIRE accepted and responded to comments, which addressed significant environmental points raised during the evaluation of the plan referenced above. This document is the Director's official response to those significant environmental points, which specifically address this Timber Harvesting Plan. Comments, which were made on like topics, have been grouped together and addressed in a single response. Remarks concerning the validity of the review process for timber operations, questions of law, or topics and concerns so remote or speculative that they could not be reasonably assessed or related to the outcome of a timber harvesting operation, have not been addressed.

Sincerely,



James Strong  
Forester II, RPF #2689  
Review Team Chair, Northern Region – Coast



Staff Forester / JR

cc: RPF, Unit, File; Timber Owner, Timberland Owner and/or Submitter  
CP, CDFW, DPR, & RWB (through <https://caltreesplans.resources.ca.gov/caltrees/caltrees.aspx>)

## **PUBLIC NOTIFICATION**

To inform the public of this proposed Timber Harvesting Plan (THP) and determine if there were any concerns with the plan the following actions were taken:

- Notification of the receipt of a timber harvesting plan was sent to the adjacent landowner(s).
- Notice of the receipt of the plan was submitted to the county clerk for posting with other environmental notices.
- Notice of the plan was posted at the Department's local office and also at the regional office in Santa Rosa.
- Notice of the receipt of the THP was sent to those organizations and individuals on the Department's list for notification of plans in the county.
- A "Notice of the Intent to Harvest Timber" was posted near the plan site.

## **THP REVIEW PROCESS**

The laws and regulations that govern the Timber Harvesting Plan review process are found in Statute law in the form of the Forest Practice Act which is contained in the Public Resources Code (PRC) and Administrative law in the rules of the Board of Forestry and Fire Protection (the Forest Practice Rules) which are contained in the California Code of Regulations (CCR).

The Forest Practice Rules are lengthy in scope and detail and provide explicit instructions for permissible and prohibited actions that govern the conduct of timber operations in the field. The major categories covered by the rules include:

- Timber Harvesting Plan contents and the Timber Harvesting Plan review process
- Silvicultural methods
- Harvesting practices and erosion control
- Site preparation
- Watercourse and lake protection
- Hazard reduction
- Fire protection
- Forest insect and disease protection practices
- Coastal Commission Special Treatment Areas
- Use, construction and maintenance of logging roads and landings
- County-specific rules

When a THP is submitted to the Department, it undergoes a multidisciplinary review consisting of several steps. In addition to CAL FIRE, the Review Team members include representatives of the California Department of Fish and Wildlife (CDFW); the appropriate Regional Water Quality Control Board (RWQCB or RWB); California Geological Survey (CGS); the Department of Parks and Recreation (DPR); the appropriate County Planning office; and if within their jurisdiction, the Coastal Commission (CC) (14 CCR §1037.5(a)). Once submitted the Director determines if the plan is accurate, complete, and in proper order, and if so, files the plan (14CCR §1037). In addition, the

Review Team determines whether a Pre Harvest Inspection (PHI) is necessary, and what areas of concern are to be examined during the inspection (14 CCR §1037.5(g)(1)).

If the plan is accepted for filing, and a PHI is determined to be needed, a field review is conducted to evaluate the adequacy of the THP. All agency personnel who comprise the multidisciplinary Review Team are invited to attend the PHI as well as other experts and agency personnel whom the Department may request. During this field review, additional mitigation and/or recommendations may be formulated to provide greater environmental protection. These recommendations are forwarded to the RPF along with the Review Team member's PHI Report. The RPF will respond to the recommendations made and forward these to the Region office and Second Review Team Chair.

A Second Review Team meeting is held where members of the multidisciplinary Review Team meet to review all the information in the plan, and develop a recommendation for the Director (14 CCR §1037.5(g)(2)). Prior to and/or during this meeting they examine all field inspection reports, consider comments raised by the public, and discuss any additional recommendations or changes needed relative to the proposed THP. These recommendations are forwarded to the RPF. If there are additional recommendations, the RPF will respond to each recommendation, and forward his responses to the regional office in Santa Rosa.

The representative of the Director of the Department reviews all documents associated with the proposed THP, including all mitigation measures and plan provisions, written correspondence from the public and other reviewing agencies, recommendations of the multidisciplinary Review Team, and the RPF's responses to questions and recommendations made during the review period. Following consideration of this material, a decision is made to approve or deny a THP.

If a THP is approved, logging may commence. The THP is valid for up to five years, and may be extended under special circumstances for a maximum of two more years, for a total of seven years.

Prior to commencing logging operations, the Registered Professional Forester must meet with the licensed timber operator (LTO) to discuss the THP (CCR §1035.2); a CAL FIRE representative may attend this meeting. The Department makes periodic field inspections to check for THP and rule compliance. The number of inspections depends upon the plan size, duration, complexity, and the potential for adverse impacts. Inspections include but are not limited to inspections during operations pursuant to Public Resources Code (PRC) section 4604, inspections of completed work pursuant to PRC section 4586, erosion control monitoring as per PRC section 4585(a), and stocking inspection as per PRC section 4588.

The contents of the THP, the Forest Practice Act, and rules, provide the criteria which CAL FIRE inspectors use to determine compliance. While the Department cannot guarantee that there will be no violations, it is the Department's policy to vigorously pursue the prompt and positive enforcement of the Forest Practice Act, the Forest Practice Rules, related laws and regulations, and environmental protection measures that apply to timber operations on non-federal land in California.

This enforcement is directed primarily at preventing forest practice violations, and secondarily at prompt and adequate correction of violations when they occur.

The general means of enforcement of the Forest Practice Act, the rules, and other related regulations range from the use of violation notices, which require corrective action, to criminal proceedings through the court system. Timber operator and Registered Professional Forester licensing action may also be pursued. Most forest practice violations are correctable and the Department's enforcement program assures correction. Where non-correctable violations occur, criminal action is usually taken. Depending on the outcome of the case and the court in which the case is heard, some sort of environmental corrective work is usually done. This is intended to offset non-correctable adverse impacts.

Once harvesting operations are finished, a completion report must be submitted certifying that the area meets the requirements of the rules. CAL FIRE inspects the area to verify that all aspects of the applicable rules and regulations have been followed, including erosion control work. Depending on the silvicultural system used, the stocking standards of the rules must be met immediately or in certain cases within five years. A stocking report must be filed to certify that the requirements have been met.

### FOREST PRACTICE TERMS

|          |  |         |   |
|----------|--|---------|---|
| BOF      | California Board of Forestry and Fire Protection | NCRWQCB | North Coast Water Quality Control Board |
| CAL FIRE | Calif. Dept. of Forestry & Fire Protection       | NSO     | Northern Spotted Owl                    |
| CCR      | California Code of Regulations                   | OR      | Official Response                       |
| CDFW     | California Department of Fish and Wildlife       | PC      | Public Comment                          |
| CEQA     | California Environmental Quality Act             | PHI     | Pre-Harvest Inspection                  |
| CESA     | California Endangered Species Act                | PRC     | Public Resources Code                   |
| CIA      | Cumulative Impacts Assessment                    | RWB     | Regional Water Quality Control Board    |
| CGS      | California Geological Survey                     | RPF     | Registered Professional Forester        |
| CSDS     | Controllable Sediment Discharge Sources          | STZ     | Special Treatment Zone                  |
| DBH/dbh  | Diameter Breast Height                           | THP     | Timber Harvesting Plan                  |
| DDD      | Director's Determination Date                    | TPZ     | Timber Production Zone                  |
| ECP      | Erosion Control Plan                             | USFWS   | U.S. Fish and Wildlife Service          |
| EEZ      | Equipment Exclusion Zone                         | WAA     | Watershed Assessment Area               |
| EHR      | Erosion Hazard Rating                            | WDR     | Waste Discharge Requirements            |
| FPR      | California Forest Practice Rule                  | WLPZ    | Watercourse and Lake Protection Zone    |
| LTO      | Licensed Timber Operator                         |         |   |

### BACKGROUND

Timber Harvesting Plan (THP) # 1-21-00024-DEL "Lucier THP" proposes to harvest timber on 40 acres of Leonard Schutz Trust timberland using the group selection method. The THP was received by CAL FIRE on March 1, 2021. It was returned three times including, March 11, April 15, and May 6, 2021. It was accepted for filing on June 2, 2021, and a Preharvest Inspection (PHI) was conducted on June 8, 2021. Attendees on the PHI included Thomas Blair (RPF), Alex Powell (Blair Forestry), Bianca Hiashi (CDFW), and Brandon Rodgers (CAL FIRE Inspector). The Final Interagency Review (aka Second Review) occurred on July 8, 2021, where the Second Review Chair recommended the Plan for approval. The public comment period then ended on July 19, 2021. The initial deadline for the Director's Determination Deadline (DDD) was set for August 9, 2021 per 14 CCR § 1037.4. One extension was granted extending the DDD to August 13, 2021, in order to address public comments and generate the Official Response (OR) to concerns brought up by the public.

## PUBLIC COMMENT SUMMARY

During the public comment period for this THP as described above, there were 14 public comment letters received at the CAL FIRE Region Headquarters in Santa Rosa. These public comments brought up concerns that are addressed in this Official Response (OR). General concerns are grouped by subject matter and followed by the Department's response. Original text taken directly from the public comments are presented as italicized text. Words that are emphasized in responses have underlined font. Unique individual concerns from a public comment letter are addressed after the general concerns immediately following that comment along with referencing any general comment responses that may be associated with that response. The public comments are identified with the CAL FIRE "PC" code. A copy of the original letters sent to the Department are viewable through the Department's online Forest Practice Database CalTREES.

**CalTREES instructions:** navigate to <https://caltreesplans.resources.ca.gov/caltrees/caltrees.aspx> Click the search icon at the top of the page, then type the Plan # in the Record Number box (county identifier not needed). Under the Document Number column, select the Plan Number for the "Timber Harvest Plan" Type. Below the "Record Details" should be a list of attachments for the Plan. (Note: if there are a substantial number of attachments, or attachments with large file sizes, it may take some time to load. The Public Comments are labeled under "Record Type" and are in pdf format, usually with a "PC" label.

## SUMMARY OF SIGNIFICANT ENVIRONMENTAL GENERAL CONCERNS WITH RESPONSES

### 1. GENERAL CONCERN: Notice of Intent and Public Comment

There was concern that the Notice of Intent (NOI) was incorrect and that not all neighbors were notified of the planned timber harvest plan. Specifically, it was pointed out that the original NOI stated that the plan was located in Humboldt County and not Del Norte County. In addition, there was concern that not all landowners on Wheeler Lane were notified. One public comment letter, 21PC-000000282, expressed concern that they had not been notified. Many comment letters stated that the public comment date listed on the NOI left too little time to comment.

#### RESPONSE:

Many of the comments related to the original NOI have been resolved through review by CAL FIRE. The plan was returned on May 5, 2021, because the NOI contained incorrect information. A revised NOI was submitted on May 24, 2021, after the comment letters were submitted raising the issue. Shown below is the revised NOI showing the correct location in Sections 26 & 27, T17N, R1W, Humboldt Base and Meridian, Del Norte County. On page 1 of the CAL FIRE PHI Report, the CAL FIRE inspector found the revised NOI complete and accurate and properly posted at the end of Laguna Street near the timber harvest boundary.

The Forest Practice Rules specify how notification is made (14 CCR 1032.7 (e):

*The RPF preparing the Plan shall furnish to the Department at the time of submission of the Plan, the names and mailing addresses of all property owners within three-hundred (300) feet of the Plan boundary. Either a list compiled from the latest equalized assessment roll or a list provided by a title company doing business in California compiled within sixty (60) days of submission of the Plan shall be deemed sufficient for compliance with the subsection.*

There are times when landowner addresses change or parcels are sold. In the case of the THP, it appears that all landowners within 300 of the plan boundaries have been notified. According to an email to the Department on March 18, 2021, the address for Carol Westerman was 13473 Shell Beach Rd NE, Thornville OH. 43076. This address was used in the revised NOI shown below. Current databases such as Parcel Quest show a different mailing address for 210 Wheeler lane, Crescent City, California and this may have caused some confusion.

It is important to point out that landowners on Wheeler Lane were notified if their property was within 300 feet of the plan boundary. There was concern that Wheeler Lane would be used for timber harvesting traffic, which caused concern with residents on the private street. According to the THP, page 74, Laguna Street, Klamath Street, Yonkers Lane, Lake Earl Drive, Elk Valley Cross Road,

Kings Valley Road, and US Highways 101 will be the primary public roads used. Please refer to 3. General Concern-Traffic for additional information.

The public comment period ended on July 19, 2021. This allowed for a significant amount of time for public comment, which was a concern in earlier comment letters dating from March through May. The end of public comment was more than 10 days after the second review team meeting, which occurred on July 8, 2021, and more than 30 days after the PHI, which was completed on June 8, 2021. As required by 14 CCR 1037.4,

*The Director shall have 30 days from the date the initial inspection is completed (ten of these days shall be after the final interagency review), or in the event the Director determines that such inspection need not be made, 15 days from the date of filing of an accepted plan in accordance with 14 CCR § 1037, or such longer period as may be mutually agreed upon by the Director and the person submitting the plan, to review the plan and take public comment.*

CAL FIRE has determined that the NOI is complete and accurate, landowners within 300 feet were notified, and the public comment period was in compliance with the FPRs.



## NOTICE OF INTENT TO HARVEST TIMBER

A Timber Harvesting Plan (Plan) or Amendment has been submitted to the California Department of Forestry & Fire Protection (CAL FIRE). CAL FIRE will be reviewing the proposed timber operation for compliance with State law and rules of the Board of Forestry and Fire Protection. The following briefly describes the proposed timber operation and where and how to get more information. In accordance with the timeline stated under Public Resources Code Section 4582.7, you may submit written public comments on the Plan or Amendment for CAL FIRE to consider.

**This notice applies to (select one):** ☒ New Timber Harvesting Plan ☐ Amendment Approved Timber Harvesting Plan

**Applicant Information** (Timberland Owner(s), Registered Professional Forester who prepared the plan and Plan Submitter should match those listed in the plan or amendment.)

1. The name(s) of the Timberland Owner(s) where timber operations are to occur: Leonard Schutz Trust
2. Registered Professional Forester who prepared the plan or amendment: Thomas Blair  
Registered Professional Forester Phone (optional): \_\_\_\_\_
3. The name of the Plan or Amendment Submitter: Leonard Schutz Trust

**Project Summary** (County, legal description, acres proposed to be harvested and treatments to be used should match those listed in the plan or amendment.)

4. Location of the proposed timber operation (county, legal description, approximate direction & approximate distance of the timber operation from the nearest community or well-known landmark):  
Del Norte County, T17N-R1W Sec 26&27; HB&M. 2.25 air miles south of Fort Dick, CA, in Del Norte County
5. The name of, and distance from, the nearest perennial stream and major watercourse flowing through or downstream from the timber operation:  
Yonkers Creek, a tributary to Lake Earl is approximately 1,000 ft. south of the plan area
6. Acres proposed to be harvested: 40
7. The regeneration methods and intermediate treatments to be used: Group Selection

**POWERLINES:** 14 CCR 1032.7(d)(10) & (e) (provide name and mailing addresses of the utilities for department distribution)

8. ☐ Yes ☒ No Overhead electrical power lines within the plan boundary? (except lines from transformers to service panels)
9. ☐ Yes ☒ No Overhead powerlines within 200 feet outside the plan boundary?

**Public Information:** The review times allowed for CAL FIRE to review the proposed timber operation are variable in length, but limited. To ensure CAL FIRE receives your comments please read the following:

The estimated earliest possible date CAL FIRE may **APPROVE** the Plan or Amendment is: June 7, 2021  
(This date is 15 calendar days from receipt of the Plan or Amendment by CAL FIRE, except in counties for which special rules have been adopted where the earliest date is 45 calendar days after receipt.)

**NOTE: THE ESTIMATED EARLIEST APPROVAL DATE IS PROBABLY NOT THE ACTUAL APPROVAL DATE.** Normally, a much longer period of time is available for public comment and preparation of CAL FIRE's responses to public comments. Please check with CAL FIRE, prior to the above listed date, to determine the actual date that the public comment period closes.

The public may review, or purchase a copy of, the Plan or Amendment at the CAL FIRE Review Team Office shown below. The cost to obtain a copy is 37 cents for each page, \$2.50 minimum per request. The cost to obtain a copy of this plan or amendment is: \$41.07  
(to be completed by CAL FIRE upon receipt of plan).

Questions or concerns regarding this plan should be directed to the CAL FIRE Review Team Office shown below or emailed to [SantaRosaPublicComment@fire.ca.gov](mailto:SantaRosaPublicComment@fire.ca.gov) for incorporation into an Official Response Document. Please include the plan number on all correspondence.

Forest Practice Program Manager  
CAL FIRE  
135 Ridgway Avenue  
Santa Rosa, CA 95401  
(707) 576-2959

The plan may be viewed online at <https://calfireplans.resources.ca.gov/caltreas/> A map showing the approximate boundary of the THP area, a map legend, and a scale is attached to help in locating where the proposed timber operation is to occur.

Timber Harvest Plan Number: 1-21-00024-DEL Resubmission

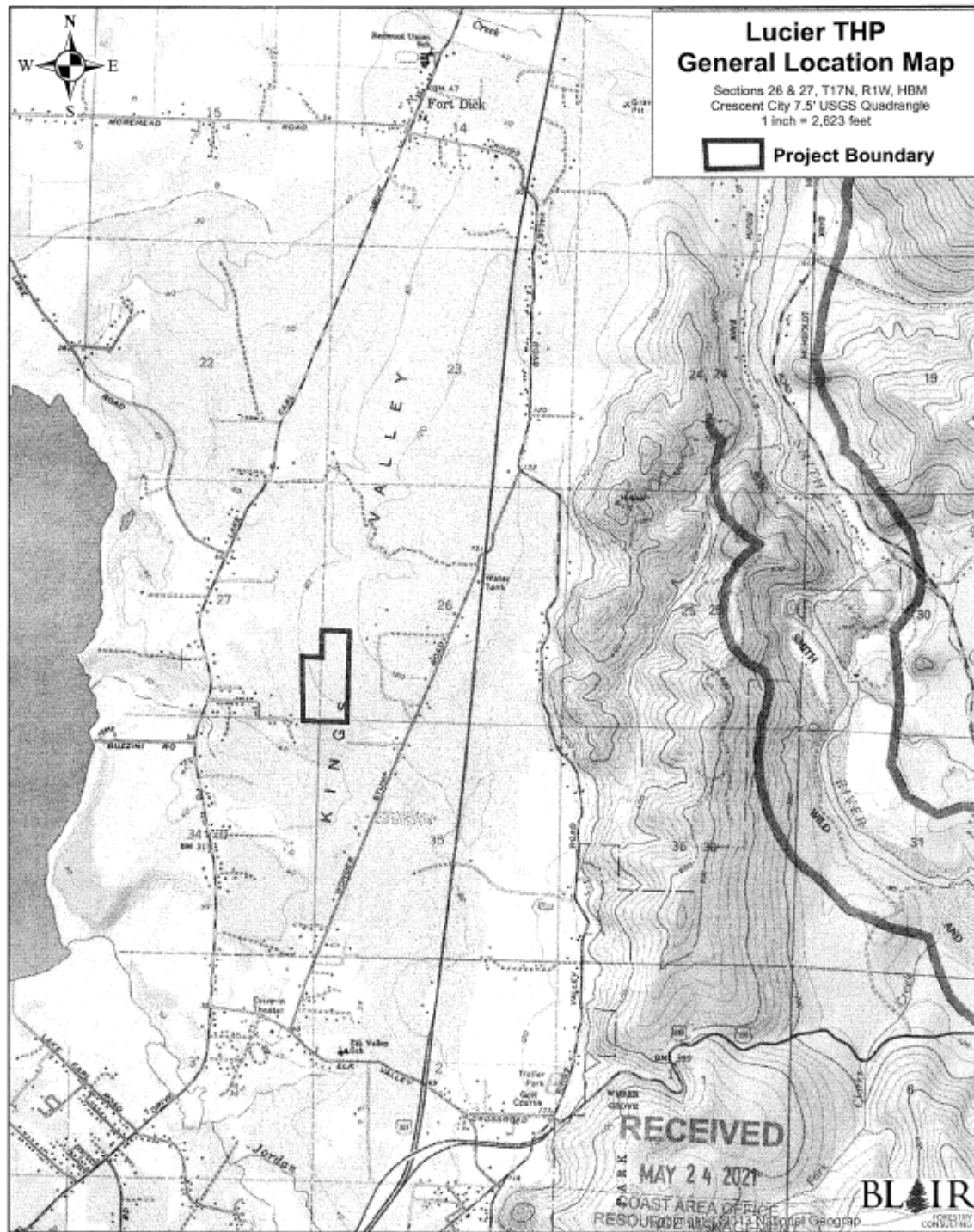
Date of Receipt:

**RECEIVED**

MAY 24 2021

COAST AREA OFFICE  
RESOURCE MANAGEMENT





Lucier THP

37

Section II - Plan of Operations

**List of Adjacent Landowners to Lucier Timber Harvest Plan**

|             |  |             |  |
|-------------|--|-------------|--|
| 106-111-057 | LUNDBERG/RAMEIKA TRUST 2011<br>% LUNDBERG, BYRON<br>285 WHEELER LN<br>CRESCENT CITY CA 95531 | 106-191-048 | COCHRAN, ROBERT F. & DEBORAH L.<br>\$ ETAL<br>165 ORCHARD LN<br>CRESCENT CITY CA 95531               |
| 106-111-007 | LIVINGSTONE, DAVID THOMAS<br>P.O. BOX 644<br>CRESCENT CITY CA 95531                          | 106-191-004 | COCHRAN FAMILY TRUST 2005<br>% COCHRAN, ROBERT & DEBORAH<br>165 ORCHARD LN<br>CRESCENT CITY CA 95531 |
| 106-111-062 | OLSON, ALBERT G.<br>\$ ETAL<br>235 WHEELER LN<br>CRESCENT CITY CA 95531                      | 106-152-001 | SHORTEN, RHEA J.<br>\$ ETAL<br>23921 S. ENGSTROM RD<br>COLTON OR 97017                               |
| 106-111-055 | WESTERMAN, CAROL L.<br>13473 Shell Beach Rd NE<br>Thornville OH. 43076                       | 106-152-005 | STOUT, JAMES/SUZANNE TRUST<br>% STOUT, JAMES & SUZANNE<br>325 BECKSTEAD<br>SMITH RIVER CA 95567      |
| 106-111-037 | ALLEN, JOHN<br>\$ ETAL<br>475 FOX GLOVE LN<br>CRESCENT CITY CA 95531                         | 106-151-013 | ISAACS, STEPHEN M.<br>\$ ETAL<br>420 LAGUNA AVE<br>CRESCENT CITY CA 95531                            |
| 106-111-060 | SIMMONS, JAMES L. & JOHANNA M<br>450 COULSON LN<br>CRESCENT CITY CA 95531                    | 106-151-027 | ANDERSON, RICHARD K.<br>210 DOUGLAS PARK DR<br>CRESCENT CITY CA 95531                                |
| 106-191-049 | RESTAD, KEITH R. & MARILYN A.<br>\$ ETAL<br>145 ORCHARD LN<br>CRESCENT CITY CA 95531         | 106-151-028 | TROMBLE, PAUL M. & NICHOLE D.<br>130 HARTWICK WAY<br>CRESCENT CITY CA 95531                          |
| 106-191-045 | SISSON, HAROLD WAYNE<br>\$ ETAL<br>145 ORCHARD LN<br>CRESCENT CITY CA 95531                  | 106-170-026 | TURNER, JEREMY M. & JESSICA R.<br>4901 LAKE EARL DR<br>CRESCENT CITY CA 95531                        |

**RECEIVED**  
MAY 24 2021  
COAST AREA OFFICE  
RESOURCE MANAGEMENT

## **2. GENERAL CONCERN: Harvesting Young and Old Growth Forest**

There were several comments that had general concerns about harvesting mature young growth forest in the Del Norte County “flat” near Crescent City and Fort Dick, California. The main concern being that the 40-acre parcel is the last intact second growth in the area and that other second growth forests have been logged. There was also concern that the THP proposed harvesting old growth trees near the west side of the property and that they would not be protected.

### **RESPONSE:**

This THP proposes to harvest 40 acres using the group selection method. The THP describes the forest stand conditions on page 40 of the THP:

*The stand description could best be described as a single-tiered stand of even aged timber. The initial old growth harvest likely occurred in the early 1950's. Currently, the stand is heavily stocked with second growth redwood predominantly in the 45 - 65 age class. A sparse component of other species is present including Sitka Spruce, Western hemlock, Douglas-fir, and Red Alder. Diameters range from 8" to 50+ and average 23 inches. Basal area averages 396 square feet per acre. Understory vegetation consists of sword fern, salal, evergreen huckleberry, and various forbs.*

Group selection is an unevenaged silviculture and is described in the Forest Practice Rules (14 CCR 913.2):

*Unevenaged management is utilized to establish and maintain an unevenaged stand structure. Unevenaged management attributes include the establishment and/or maintenance of a multi-aged, balanced stand structure, promotion of growth on leave trees throughout a broad range of Diameter classes, and encouragement of natural Reproduction.*

The THP proposes 40 acres of group selection throughout the THP area. In group selection, ¼ acre to 2.5-acre openings are created in the forest to break up the continuity and to establish an uneven-aged forest. Outside the group openings, trees are harvested individually throughout the stand. The RPF indicated that he does not anticipate establishing group openings, especially ones up to 2.5 acres, and that the majority of the area will involve single tree selection (Personal Communication August 5, 2021). This method of harvesting is a way to accelerate a simplified young growth forest to a more diverse forest with a mix of tree size classes while retaining wildlife components. The post-harvest trees grow larger, develop larger limbs, and the gaps in the forest mimic natural disturbance to create diversity.

One public comment letter (21PC-0000003340) was concerned that the harvest area would be clearcut. This is not the case. The THP proposes group selection as described above.

On page 73 of the THP, late seral forest characteristics and late seral forest habitat continuity are discussed. No old growth or late successional forest stands are proposed for harvest.

On page 7, item 60, of the CAL FIRE PHI Report, the CAL FIRE inspector determined that no late successional forest was proposed for harvest. In addition, on page 10, the CAL FIRE inspector related his field exam stating:

*The majority of the project area was traversed and old growth redwoods were not observed. Large diameter second-growth are abundant on the property but lacked fire scars and plated bark indicative of old growth elsewhere in Del Norte.*

The second growth redwood forest is growing on a good site with trees averaging 23" DBH and some greater than 50" DBH. It is common for young growth redwoods to grow fast on good site and reach large sizes in a relatively short amount of time. However, old growth trees are visually and structurally different from large young growth trees. As described in the CAL FIRE PHI Report, the bark becomes deeply furrowed and typically has fire scars or other signs of age. In addition, old growth trees develop complexity in their crowns with large branches, complex crowns, multiple tops, and other features. CAL FIRE has concluded that old growth trees are not proposed for harvest in the THP area.

A review of the Del Norte County general plan indicates that many of the smaller parcels in the Del Norte "flat" are zoned residential. In fact, the THP area contains several smaller parcels that could be developed. The grouping of the landowner's 12 parcels creates a 40-acre forest that has not been developed but has been maintained in a forested condition, with the exception of a residential home on APN 106-151-014-000. There is concern that this is the last intact second growth forest in the Del Norte County flat. Reviewing the forested conditions of the surrounding neighborhood shows that the area is made up of many small residential parcels that have been developed. There are large contiguous timberland parcels owned by Green Diamond Resource Company, private parties, and the government to the west and east of Pelican Bay State Prison. The subject parcel is surrounded by developed residential parcels so its significance is diminished because it is not part of a larger tract of forest. The timber harvest plan does not propose to clearcut or develop the parcel so it will remain an intact forest. Because of this, there will be no significant effect of the proposed harvest.

The group selection method will leave a well-stocked forest with post-harvest trees throughout a broad range of diameter classes. CAL FIRE has determined that the silviculture methods proposed to harvest the young growth forest will not have a significant adverse effect on the environment. The proposed silviculture as well as the structural elements proposed for retention will provide long-term multistoried forests in the plan area.

### 3. GENERAL CONCERN: Neighborhood Concerns

There was public concern that the neighborhood's peace and tranquility would be disrupted, crime could increase, and property values diminished. Many of the public comment letters included the following comments from 21PC-000000267:

*I believe there has not been any significant logging effort on parts of the land for around 100 years and the forest on the land has reached a point of restoration. Our neighborhood is grateful for this as there are few places where the forest is so restored. The forest also promotes the peaceful environment of our neighborhood. The reason we live in this neighborhood is because of how peaceful and private it is. I am deeply concerned that with the destruction of this environment would come the destruction of the hard-sought-after privacy of our neighborhood. This forest also serves as a barrier for crime. We are concerned that with the removal of forest that crime would rise in our neighborhood and that our property values would go down. Is there a plan for mitigating the crime and property value problems that would occur from this operation taking place?*

#### RESPONSE:

It is understandable that the private property owned by the Leonard Schutz Trust has become a favorite of the local neighborhood due to its forested condition and lack of development. It is important to point out that this is a private parcel and is zoned residential so it could be developed. The current THP does not propose to destroy the forest but to selectively harvest it, which will leave an intact well-stocked forest with post-harvest trees throughout a broad range of diameter classes. There will be a temporary increase in noise and disturbance from the timber harvest activity. Due to its relatively small 40-acre size, it is likely that harvesting will be completed in a short time period. It is inefficient and uneconomical for a Licensed Timber Operator (LTO) to move in and out of a parcel of this size more than once. Activities are unlikely to occur over subsequent years and peace and quiet will return immediately after harvest.

It is unclear how harvesting of the forest will increase crime. The public comment letters do not specifically explain how timber harvesting is connected to increases in crime. The plan area is centrally located between rural residential development. It is not a barrier to a busy public street or downtown crime prone area of the community. On page 10 of the CAL FIRE PHI Report, the CAL FIRE inspector stated:

*Increased crime was stated in the Public Comment letters. The RPF stated a property caretaker is located on the premises to deter crime as this was a previous concern. Trespass and illegal dumping are the most likely crimes of which the Public Comment is referring. It is unclear to the Inspector how the proposed project will increase crime.*

Property values are based on a variety of factors including the market, property characteristics, and comparable properties. Real estate values are highly correlated with comparable sales in the

neighborhood. It is understandable that the neighborhood's property values could change if development of the property were proposed, but it would also depend on what type of development was planned. However, the property owners have demonstrated by their choice of selective harvesting, that their long-term interests are maintaining this property in a forested condition. This is to the long-term benefit of neighboring property owners, maintaining the aesthetics into the future. There is nothing in the THP record for this plan which would indicate that proposed operations as mitigated will have a negative impact on neighbors' property values.

#### **4. GENERAL CONCERN: Traffic**

There was public concern that Wheeler Lane would be used for timber harvest access and log hauling. These concerns included that Wheeler Lane is a private road and privately maintained by the residents and that the road is not suited for heavy truck traffic especially during the wet springtime. In addition, there was concern about using Wonder Stump Road because it has a water supply line to Crescent City and may not be suitable for heavy vehicles.

#### **RESPONSE:**

The THP addresses traffic on page 74 of the THP. The THP does not propose to use Wheeler Lane or Wonder Stump Road. The THP states the following:

*The traffic assessment area involves the first roads not part of the logging area on which logging traffic must travel. Laguna Street, Klamath Street, Yonkers Lane, Lake Earl Drive, Elk Valley Cross Road, Kings Valley Road, and US Highways 101 will be the primary public roads used. While Laguna Street, Klamath Street and Yonkers Lane access a small neighborhood which is not extensively used for log hauling, this road has been used in the past for hauling without causing any traffic or maintenance issues. Lake Earl Drive and all public roads beyond are regularly used for timber hauling. Logging vehicles will marginally increase the amount of existing traffic, logging or otherwise, in the traffic assessment area both during heavy and light traffic conditions however these impacts will be short in duration and are not expected to have a long-term impact. Logging traffic, which usually travels at slower speeds, may at times slow general traffic. Logging trucks traveling along public roads are required to obey all posted speed limit signs and general traffic guidelines. A visual assessment by the RPF of the condition of public roads proposed for transport of wood products from the plan area did not indicate that there are any existing maintenance problems. There are no planned road closures from Del Norte County and running surfaces appear intact and in good operating condition. Logging truck and trailer fees and fuel taxes will generate funds for the maintenance of the public roads where needed.*

*Vehicular traffic within the traffic assessment area is limited to the year-round residents who travel on Laguna Street, Klamath Street, Yonkers Lane, Lake Earl Drive, Elk Valley Cross Road, Kings Valley Road and traffic traveling on State Highway 101. Most of the traffic is concentrated on State Highway 101, which is a main highway in the Humboldt County area.*



*Traffic on State Highway 101 is not considered to be heavy, even during peak tourist travel times. Traffic on all other roads is traveled mostly by residents. No significant cumulative impacts to the vehicular traffic assessment area as a result of the project as combined with other past, present, and reasonably foreseeable future projects are expected.*

CAL FIRE has reviewed the THP's road traffic and concludes that there will not be significant impacts to traffic due to the proposed THP.

## **5. GENERAL CONCERN: Wind Impacts**

There is concern that there could be an increase in wind damage to the neighboring parcels due to the proposed harvest. The concerns brought up related to safety, property value, and liability. Some of the comment letters asked for no cut buffers along the harvest boundaries. Many of the public comment letters included the following comments from 21PC-000000257:

*If these trees are removed, it will increase the amount of wind access to the trees on our own property and probably contribute to a good deal of damage to our property as well as other nearby property. What is the plan for compensation for any damage to nearby property?*

### **RESPONSE:**

Damage from wind is a common concern in forests throughout the north coast of California and can be unpredictable, occurring during large wind events but also occurring with smaller events. CAL FIRE must rely on the professional judgement of the plan RPF as well as an on-site review by the CAL FIRE inspector. On page 76 of the THP is states the following:

*There are residential ownerships to the north, east, southeast, south and southwest of the plan area and post - harvest wind damage to adjacent timber stands could be a concern. As per 913.1 (a)(7), the RPF gave special consideration for aesthetic enjoyment and protection of adjacent stand vigor when selecting the silvicultural method for this plan. The proposed uneven-aged silvicultural method utilized for this plan will leave a multi-storied post-harvest stand of trees with sufficient stocking and is not expected have a significant adverse effect on adjacent stand exposure or vigor.*

The CAL FIRE inspector conducted a field evaluation of the THP area as well as the surrounding neighbors with previous harvest activity. On page 10 of the CAL FIRE PHI Report, the CAL FIRE inspector states the following:

*Windthrow impacts were evaluated during the PHI to the extent feasible by traversing the western boundary of the Plan. This area has been exposed to the westerly winds following adjacent clearcuts conducted under 1-13-081-DEL and 1-16-026-DEL and is similar to the stand types of the properties east of the Plan Area. I observed minimal blow-down of sub merchantable timber on the fringes of the western boundary with no blowdown observed in*

*the interior. No evidence of windthrow associated with dominant and codominant trees was observed throughout the plan area. While any change in the forest environment may result in windfall, additional retention requirement beyond the standards required by the rules and the Plan does not appear warranted.*

The THP proposes 40 acres of group selection throughout the THP area. In group selection, ¼ acre to 2.5-acre openings are created in the forest to break up the continuity and to establish an uneven-aged forest. Outside group openings, trees are harvested individually throughout the stand. The RPF indicated that he does not anticipate establishing group openings, especially ones up to 2.5 acres, and that the majority of the area will involve single tree selection (Personal Communication August 5, 2021). The CAL FIRE inspector and plan RPF examined the areas adjacent to clearcut areas where all the tree cover was removed. They did not find large damaging codominant or dominant trees. The proposed harvest will result in a well-stocked stand of uniform density throughout the THP area made up of a mix of tree size classes and will remain a buffer to wind. The selected silviculture and tree retention proposed is very common on the north coast. Selective harvest is often used within 200' of the boundaries to state and federal parks. Therefore, the proposed selective harvest appears appropriate.

In terms of liability and compensation, this is a complex legal issue. Each landowner is responsible for maintaining the health of their trees, keeping them trimmed, and taking note of any dangers posed by it. If a tree is located on either side of a property line, then it is that owner's responsibility. A tree that straddles the property line is both owner's shared responsibility. Failure to properly maintain a tree that causes damage will give rise to the owner's liability for harm caused. Where a windstorm, freezing rain/ice storm, flood, fire, or earthquake causes a well maintained tree to fall or lose a limb, the damage will be considered an act of God and the owner may not be held responsible. However, if a tree falls due to a mild storm, negligent harvesting practices, or other negligence acts or inaction, the tree's owner may be responsible. This would be determined through civil action.

With regard to safety directly related to harvest operations near property lines, it should be noted that code section PRC 4572(c) requires the LTO who performs the timber operations to: "... file with the director written evidence of timber operation insurance coverage under an insurance policy issued by an insurer eligible to do business in this state that includes both of the following: ... Commercial general liability insurance for not less than one million dollars (\$1,000,000) per occurrence for bodily injury and property damage combined, including within that limit, or in a separate limit, loggers third party property damage liability." Like any reputable businessperson the LTO must conduct business in a professional manner to maintain insurance coverage and to secure future employment.

In approving timber harvesting plans, the Department is guided by enabling legislation which deals with the enhancement of timberland productivity and the prevention of environmental degradation. THPs which are found to be in compliance with applicable legislation, rules, and regulations are approved. Approval of the plan does not, in any way, ratify, indicate official approval of, or otherwise give credibility to civil agreements such as property line locations. It only authorizes the submitter to harvest trees for commercial purposes on his or her property. Issues

which deal with resolution of property line disputes or involve damage to a neighboring property are beyond the scope of the THP review process. Resolving disputes of this nature is the responsibility of the judicial system which specifically exists to resolve matters such as this. While it may seem harsh when a state agency advises that one's only recourse in a civil dispute is a court action, please understand it is not out of lack of concern such statements are made. Departments such as Forestry and Fire Protection must operate within their authorities and cannot adjudicate disputes outside such limits.

CAL FIRE has taken into consideration the plans prescribed harvest and the professional judgement of the plan RPF as well as the CAL FIRE RPF and determined that significant effects due to wind damage are not anticipated from the proposed harvest.

## **6. General CONCERN: Wildlife**

There is general concern about impacts to wildlife because of the timber harvest. Many of the public comment letters included the following comments from 21PC-000000257:

*This area is home to an abundance of wildlife including bears, deer, raccoons, owls, rabbits, and others. It is our desire as residents here to preserve the natural habitat of these creatures.*

A similar general concern was expressed in 21PC-00000036:

*This area is home to an abundance of wildlife including bears, deer, raccoons, owls, rabbits, and others. It is our desire to preserve the natural habitat of these creatures. There have been sightings of marbled murrelet and spotted owl in the region. These species are protected under the Endangered Species Act. Logging in this area would disturb and harass these restored habitats.*

21PC-000000404 includes observations and concerns about common species including pileated woodpeckers, elk, skinks, banana slugs, mountain lion, black bears, and wood ducks. The letter is concerned that animal species, insects, and plants will lose their habitat.

21PC-000000282 stated the following:

*We demand a FIELD EVALUATION in order to comply with the California Endangered Species Act (CESA). The information outlined in the current Timber Harvest Plan is INCORRECT. The current plan would harm waterways and tributaries because they are ERRONEOUSLY marked.*

## **RESPONSE:**

The THP addresses wildlife, under item 32, on pages 33-34, and in Section III, pages 48-58.4. The THP scopes for and addresses both listed and non-listed species. A list of potentially occurring sensitive plant species has been prepared and is included in Section III. Rare plant surveys shall be conducted by a qualified botanist prior to operations.

A review of the Del Norte County general plan indicates that many of the smaller parcels in the Del Norte "flat" are zoned residential. In fact, the THP area contains several smaller parcels that could be developed. The grouping of the landowner's 12 parcels creates a 40-acre forest that has not been developed but has been maintained in a forested condition. Reviewing the forested conditions of the surrounding neighborhood shows that the area is made up of many small residential parcels that have been developed. The subject parcel is surrounded by developed residential parcels so it's significance to wildlife is diminished because it is not part of a larger tract of forest. Endangered species such as the northern spotted owl and marbled murrelet are unlikely to ever use habitat in this area due to the residential nature of the neighborhood. The forest has grown and could be considered restored from its initial old growth logged condition, but its functionality to wildlife is severely diminished by the surrounding residential parcels. The timber harvest plan does not propose to clearcut or develop the parcel so it will remain an intact forest.

The THP proposes 40 acres of group selection throughout the THP area. In group selection, ¼ acre to 2.5-acre openings are created in the forest to break up the continuity and to establish an uneven-aged forest. Outside the group openings, trees are harvested individually throughout the stand. The RPF indicated that he does not anticipate establishing group openings, especially ones up to 2.5 acres, and that the majority of the area will involve single tree selection (Personal Communication August 5, 2021). This method of harvesting is a way to accelerate a simplified young growth forest to a more diverse forest with a mix of tree size classes while retaining wildlife components. The post-harvest trees grow larger, develop larger limbs, and the gaps in the forest mimic natural disturbance to create diversity. In addition, all watercourses have been identified and marked for protection using watercourse and lake protection zones (WLPZs). Habitat for aquatic species will remain post-harvest. CAL FIRE anticipates a change in the wildlife habitat but not a significant degradation. The change in habitat may benefit some species more than others. It will remain habitat for many wildlife species including the common species mentioned in the comment letters such as bears, deer, raccoons, owls, rabbits, pileated woodpeckers, elk, skinks, banana slugs, mountain lion, black bears, and wood ducks.

Some comments mentioned that there have been sightings of marbled murrelet and spotted owl in the region. This is true because there are northern spotted owls and marbled murrelets in Del Norte County. However, there is not suitable habitat in the THP area or biological assessment area. Marbled murrelets are found in primarily old growth forests such as Jedidiah Smith Redwoods State Park, which is miles away to the southeast. Northern spotted owl habitat is insufficient in the Del Norte County flats. On page 47 of the THP it states:

*The plan area, and those areas within 0.7 miles of the boundary, contains suitable habitat for the NSO, however this habitat is nonfunctional due to the lack of contiguous timber and the*

*urban residential density. No spotted owls have been found in the timber stands located on the coastal plain of Del Norte County. These stands have direct exposure to coastal prevailing winds from the shoreline to the top of the first expose ridge to the east. This project should not have a significant negative impact on this species, as functional habitat does not exist within 0.7 miles of the plan boundary.*

During the preharvest inspection, the CDFW representative and CAL FIRE inspector considered the proposed operations and its impact to wildlife species. Typically, if CDFW has concerns they provide written recommendations to the plan. In this case, CDFW did not provide written recommendations. On pages 7-8 of the CAL FIRE PHI report, the CAL FIRE inspector stated that the THP disclosed listed species and provided adequate protection measures required by the FPRs.

CAL FIRE has determined that the RPF has properly scoped for both listed and non-listed wildlife species. The THP proposes to maintain a forested condition that will provide habitat for wildlife species. While the habitat will change due to selective harvest, the proposed uneven management will retain trees of various size classes as well as promote regeneration in the understory. This will promote diversity of plant species benefiting some wildlife species. CAL FIRE has determined that a significant impact to wildlife species is unlikely to occur after reviewing the entirety of the plan and CAL FIRE PHI report.

## **7. GENERAL CONCERN: Watercourse Protection**

There were general concerns about watercourse protection and maintaining the current drainage pattern. Many of the public comment letters included the following comments from 21PC-000000267:

*There are important natural drainage features including small waterways and streams on the property. How will this be affected? It is imperative that our neighborhood is allowed adequate drainage for winter weather. We also would like to keep our waterways in good condition and free from pollutants.*

A similar concern was expressed in 21PC-000000352 and other following letters:

*There are important natural drainage features including a perennial stream, Yonker's Creek, and class 2 and 3 water sources on the property. How will this be affected? It is imperative that this neighborhood is allowed adequate drainage for winter weather. These waterways must remain in good condition and free from pollutants.*

21PC-000000282 stated the following:

*We demand a FIELD EVALUATION in order to comply with the California Endangered Species Act (CESA). The information outlined in the current Timber Harvest Plan is INCORRECT. The current plan would harm waterways and tributaries because they are ERRONEOUSLY marked.*

**RESPONSE:**

The RPF has mapped all watercourses within the THP area. During the PHI, the review team inspected the watercourses. The PHI team found the watercourses were appropriately identified and protection measures were consistent with the FPRs. The RPF utilized the WLPZ standards consistent with the Anadromous Salmonid Protection (ASP) rules. The 2009 ASP rules were developed to ensure rule adequacy in protecting listed anadromous salmonid species and their habitat, to further opportunities for restoring the species' habitat, and to ensure the rules are based on credible science. The THP implements these minimum standards. According to the CAL FIRE PHI report, page 5, item 33, the CAL FIRE inspector reported that "all watercourses were inspected and appear appropriately classified and protected." Under item 35 off the CAL FIRE PHI report, the CAL FIRE inspector agreed that protection measures for watercourses, lakes and wet areas are adequate to protect the beneficial uses of water, native aquatic and riparian species, and the beneficial functions of the riparian zone.

The proposed silviculture system also provides an additional buffer to the watercourse system because of the additional tree canopy retention and surface cover remaining post-harvest. The residual stand intercepts rainfall and provides a more intact surface cover to minimize erosion.

The THP also includes soil stabilization measures under item 18 of the THP. These measures ensure that exposed soil is treated to prevent erosion, roads and landings are maintained for proper drainage, and skids trails are treated. The completion of these activities minimizes soil erosion. Soil stabilization in combination with the WLPZ standards provides a sediment buffer to streams.

Stream temperatures are a result of a complicated ecosystem process including forestry, geology and hydrology. Shade from WLPZs moderates stream temperatures through retention of stream canopy. Excessive removal of riparian canopy could lead to excessive summer temperatures that may be lethal to aquatic invertebrates and fish. The effect on winter water temperatures is usually less pronounced due to reduced solar radiation during the winter and cooler temperatures. The amount of shade canopy and distance of WLPZs increases as the watercourse classifications change. For example, small class III watercourses that are capable of transporting sediment during the winter require less shade canopy due to their small stream size and intermittent nature. Class II watercourses, which support non-fish aquatic life, require more shade canopy and wider buffers. Class I watercourses, which support fish habitat, require the widest buffers with the highest shade canopy. The ASP rules were established based on scientific review and have established WLPZs that maintain current stream temperatures through shade canopy requirements.

The THP discloses class II and class III watercourses as well as a seasonal wet area. Protection measures are outlined on pages 26-29 of the THP. The Class III watercourses are within the selection silviculture prescription which is required to maintain at least 75 square feet of basal area. In addition, Class III watercourses have a 30-50' wide equipment limitation zone (ELZ). The Class II watercourses will maintain at least 50% canopy cover and range in width between 50-85', depending on slope. The seasonal wet area is protected by a 30' ELZ. These standard protection measures are designed to protect aquatic species habitat, prevent chemical inputs, and protect downstream domestic water uses.

On page 10 of the CAL FIRE PHI report, the CAL FIRE inspector states:

*Regarding important natural drainage features including waterways and streams. all watercourses were inspected and were found appropriately classified and protected by the requirements of the Rules. No alternatives or in-lieu practices are proposed. The Project Area is generally flat. Erosion and drainage concerns potentially impacting watercourses have been adequately mitigated through adherence to the Forest Practice Rules.*

The RPF notified landowners downstream within 1000' of the THP. No domestic water intakes were discovered during the notification process.

CAL FIRE has determined that watercourse protection has been mitigated and the proposed timber operations are appropriate based on the entirety of the Plan.

## **8. GENERAL CONCERN: Historic Landmark**

There was concern from several comment letters about the protection of a historic landmark in the THP area.

### **RESPONSE:**

the THP's archaeology survey is confidential. However, the following can be summarized.

A Confidential Archaeology Addendum (CAA) was prepared by someone with the following training:

#### **14 CCR 929.4, 949.4, 969.4 Archaeological Training Requirements [All Districts]**

To meet the requirement of 14 CCR § 929.1 [949.1, 969.1], archaeological surveys of a plan, or Emergency Notice areas for archaeological or historical sites shall be conducted only by a professional archaeologist or a person who has attended a training program approved by the Director within five years prior to submission of the plan, or Emergency Notice. The training program must meet the following standards:

(a) The course shall use education materials approved by the Director which address the current regulations and procedures for the identification, recordation, and protection of archaeological and historical resources during timber operations.

(b) The course may require that the applicant demonstrate, in the field, and in a final written examination, the ability to conduct a record search, perform field identification, complete an archaeological site record, and to identify appropriate mitigation and protection measures for archaeological or historical sites covered in the course.

(c) The Director shall issue a verification to all students that satisfactorily complete the training course.

(d) Following an individual's successful completion of an archaeological training course approved by the Director, he or she may enroll in a refresher training course, approved by the Director, to renew a 5-year archaeological training certification.

(e) The Director may conduct the archaeological training courses (in addition to or in-lieu of approving programs conducted by others) at least annually.

An archaeology report was prepared and reviewed by CAL FIRE. As per 14 CCR 929.1, the California Forest Practice Rules require the following steps when preparing the CAA:

**929.1, 949.1, 969.1 Plan, and Emergency Notice Preparation [All Districts]**

(a) Preparing a plan. Prior to submitting a plan, the RPF, or the RPF's supervised designee:

(1) Shall conduct an archaeological records check at the appropriate Information Center. A previously-conducted archaeological records check for the property may be used to satisfy this requirement if it covers the entire area proposed for timber operations and if it meets the definition of "current archaeological records check" in 14 CCR § 895.1.

(2) Shall provide written notification to Native Americans of the preparation of a plan. The primary purpose for this notification is to provide Native Americans an opportunity to disclose the existence of any Native American archaeological or cultural sites that are potentially within or adjacent to the site survey area, and the opportunity to comment on the plan. The RPF shall allow a minimum of 10 days for response to this notice before submitting the plan to the Director. The remainder of the 10-day waiting period is waived when all Native Americans required to be informed respond in less than 10 days. This notice shall contain the following attachments or items of information:

(A) A request for information concerning the potential existence of any Native American archaeological or cultural sites within the plan boundaries.

(B) Information concerning the location of the plan including:

1. A general location map that, at a minimum, shows the travel route from the nearest community or well-known landmark to the plan area.

2. A copied segment of the titled USGS (if available) or equivalent map(s) that displays the approximate boundary of the plan area and includes a map legend and a scale.

3. A description of the plan location including the county, section, township, range, base and meridian, and the approximate direction and distance from the nearest community or well-known landmark.

(C) A statement that all replies, comments, questions, or other information submitted by Native Americans as a result of this notice be directed to the RPF. The name, address, and phone number of the RPF shall be provided.



(D) Information concerning the available time for response. Indicate that the RPF is requesting a response within ten days from the date of the notice so the information can be incorporated into the plan when initially submitted to the Director. Provide the estimated date the plan will be submitted to Director. Provide the following statement: "The earliest possible date the Director may approve the plan is 16 calendar days after it is submitted to Director, although typically, the plan is reviewed for at least 45 calendar days following plan submittal before the Director approves the plan.

(E) A statement that the Native American groups may participate in the plan review process by submitting written comments to the Director before close of public comment period.

(F) A statement that locations of sites disclosed will be kept confidential.

(G) A statement that a Confidential Archaeological Addendum (CAA) will be prepared for the plan and a copy of pertinent information contained within the CAA may, at the discretion of the Director, be obtained from the Director.

(3) Shall provide a professional archaeologist or a person with archaeological training (in accordance with 14 CCR §§ 929.4, 949.4, and 969.4) to conduct a field survey for archaeological and historical sites within the site survey area. Previous archaeological surveys within the site survey area may also be used to partially or entirely satisfy this requirement.

(4) Shall ensure that research is conducted prior to the field survey, including review of appropriate literature and contacting knowledgeable individual, concerning potential archaeological or historical sites occurring on the property.

(b) Provide Notification to Native Americans if a Native American Archaeological or Cultural Site is located within the plan.

The survey report was prepared by a person with the required training listed under 14 CCR 929.4. During the PHI, the CAL FIRE inspector made recommendations to record and protect a site within the THP area. This was produced in a Confidential PHI report. The RPF recorded the site and provided protection measures in accordance with the recommendations made by CAL FIRE.

In the event that an additional cultural site is discovered during operations the following protections are required by the Forest Practice Rules:

### **929.3, 949.3, 969.3 Post Review Site Discovery [All Districts]**

If a person discovers a potentially significant archaeological or historical site after a plan, Emergency Notice, or Exemption is accepted by the Director, the following procedures apply:

(a) The person who made the discovery shall immediately notify the Director, LTO, RPF, or timberland owner of record.

(b) The person first notified in (a) shall immediately notify the remaining parties in (a).

(c) No timber operations shall occur within 100 feet of the identified boundaries of the new site until the plan submitter proposes, and the Director agrees to, protection measures pursuant to 14 CCR § 929.2 (949.2, 969.2).

(d) A minor deviation shall be filed to the plan. The minimum information provided shall include:

(1) A statement that the information is confidential.

- (2) The mapped location of the site.
- (3) A description of the site.
- (4) Protection measures, and
- (5) Site records, if site records are required pursuant to 14 CCR §§ 929.1(g)(2)(b) and 929.5 [949.5, 969.5].
- (e) Upon receipt, the Director shall immediately provide the proposed minor deviation or portions of the minor deviation, to Native Americans when Native American archaeological or cultural sites are involved.

The Department determined that the CAA is complete and accurate and in compliance with the FPRs. The historic landmark has been recorded and protected.

## **PUBLIC COMMENT LETTERS**

**21PC-000000257** – from Albert George Olson on March 10, 2021

Email with attachment:

*Dear Manager,*

*Attached is a copy of a response to your Notice of Intent (NOI)/ Notice of Preparation (NOP) to Harvest Timber on the*

*Leonard Schutz Trust Property. I have some major concerns on the project.*

*A.G. Olson*

Attached Letter:

*Dear Manager:*

*My home is immediately across Wheeler Lane from the Leonard Schutz Trust proposed Timber Harvest Plan, and I have some real concerns.*

- 1. Our letter described the property as being in Humboldt County, T17N-R1W SEC 26&27. Anyone getting this might assume that the project is in Humboldt county and not in Del Norte County. This Should read Del Norte County, Humboldt Meridian, T17N-R1W SEC 26&27".*
- 2. We received your letter on March 8, 2021, which only gives one week to for a response before the approval date of March 16,2021 which was changed from April 15, 2021.*
- 3. What is the planned route of access for this project? Wheeler Lane is a private road and privately maintained by the residents living along the road. Most of the residents have not received the notice and do not desire to have a logging operation using our road which is not suited for heavy truck traffic especially during the wet spring time.*
- 4. This area is home to an abundance of wildlife including bears, dear, raccoons, owls, rabbits, and others. It is our desire as residents here to preserve the natural habitat of these creatures.*
- 5. If these trees are removed, it will increase the amount of wind access to the trees on our own property and probably contribute to a good deal of damage to our property as well as other nearby property. What is the plan for compensation for any damage to nearby property?*

6. *Adequate time should be given for all nearby residents to see a complete plan which addresses each of these areas and allows a time for public comment on the entire plan including proposal for land use following any harvesting of the forest before approval is granted.*

**RESPONSE:** Please refer to General Concern 1) Notice of Intent and Public Comment, 2) Harvesting Young Growth and Old Growth Forest, 3) Neighborhood Concerns, 4) Traffic, 5) Wind Impacts, and 6) Wildlife.

**21PC-000000267** – from Albert George Olson on March 11, 2021

Email with attachment:

*Dear Manager,*

*The Notice of Intent that I received in the mail did not include a Timber harvest Plan Number so I was told to put the name on the document in the subject of my email.*

*I have attached a letter regarding the concerns of my neighborhood addressing the proposed timber harvest plan of which I was notified with little time to respond.*

*Sincerely,*

*Andrew Olson*

*A resident of 235 wheeler lane which is directly next to the land in question.*

*Attached Letter:*

*Dear Manager:*

*My home is immediately across Wheeler Lane from the Leonard Schutz Trust proposed Timber Harvest Plan, and I have some real concerns.*

1. *Our letter described the property as being in Humboldt County, T17N-R1W SEC 26&27. Anyone getting this might assume that the project is in Humboldt county and not in Del Norte County. This should read "Del Norte County, Humboldt Meridian, T17N-R1W SEC 26& 27".*
2. *We received your letter on March 8, 2021, which only gives one week to for a response before the approval date of March 16, 2021 which was changed from April 15, 2021.*
3. *What is the planned route of access for this project? Wheeler Lane is a private road and privately maintained by the residents living along the road. Most of the residents have not received the notice and do not desire to have a logging operation using our road which is not suited for heavy truck traffic especially during the wet spring time.*

4. *This area is home to an abundance of wildlife including bears, deer, raccoons, owls, rabbits, and others. It is our desire as residents here to preserve the natural habitat of these creatures.*
5. *If these trees are removed, it will increase the amount of wind access to the trees on our own property and probably contribute to a good deal of damage to our property as well as other nearby property. What is the plan for compensation for any damage to nearby property?*
6. *Adequate time should be given for all nearby residents to see a complete plan which addresses each of these areas and allows a time for public comment on the entire plan including proposal for land use following any harvesting of the forest before approval is granted.*
7. *There are important natural drainage features including small waterways and streams on the property. How will this be affected? It is imperative that our neighborhood is allowed adequate drainage for winter weather. We also would like to keep our waterways in good condition and free from pollutants.*
8. *There is an historic landmark in the northern part of the proposed harvest area that is of historic and geologic interest that should be adequately protected from disturbance. How will that be accomplished?*
9. *There are some remnants of old growth redwoods that are growing on the west side of the property. Will these trees be adequately protected?*

*I believe there has not been any significant logging effort on parts of the land for around 100 years and the forest on the land has reached a point of restoration. Our neighborhood is grateful for this as there are few places where the forest is so restored. The forest also promotes the peaceful environment of our neighborhood. The reason we live in this neighborhood is because of how peaceful and private it is. I am deeply concerned that with the destruction of this environment would come the destruction of the hard-sought-after privacy of our neighborhood. This forest also serves as a barrier for crime. We are concerned that with the removal of forest that crime would rise in our neighborhood and that our property values would go down. Is there a plan for mitigating the crime and property value problems that would occur from this operation taking place? We also do not want additional traffic of any kind on Wheeler Lane. Once again this is a privately maintained road meant to be used only by current residents. Additionally, Wonder Stump Road, which is the connecting road to Wheeler lane, has the old waterline underneath it that supplies water to the entirety of Crescent City, and it may no longer be strong enough to withstand heavy vehicles.*

*I would at the very least propose the following amendments to the plan.*

1. *Leave at least 200 feet from the Northern property line untouched.*
2. *Leave at least 200 feet around the historic landmark that is present on the northern section of the property untouched.*
3. *Leave at least 50 feet from the East, West, and South property lines untouched.*
4. *Have 0 access to the property from Wheeler Lane both now and in the future.*

*We are concerned about our neighborhood's safety, peace, wildlife, water drainage, wind exposure, privacy, and protecting our historic landmarks and few remaining old growth redwoods.*

*It may be appropriate to note that hundreds of acres nearby have recently been logged or completely deforested which has disrupted some of the peace of the neighborhood and displaced wildlife from other land. This is the only land that has remained a consistently peaceful home for our local wildlife and as a barrier to the larger and more crime prone communities of our area.*

*Implementing these simple amendments would give the neighborhood some confidence that our neighboring properties will be protected, our reasons for living here will not be destroyed, and disturbances to the general area will be kept to a minimum.*

**RESPONSE:** Please refer to General Concern 1) Notice of Intent and Public Comment, 2) Harvesting Young Growth and Old Growth Forest, 3) Neighborhood Concerns, 4) Traffic, 5) Wind Impacts, 6) Wildlife, 7) Watercourse Protection, and 8) Historic Landmark

**21PC-000000282** – from Clair Westerman on March 18, 2021

Email Comments:

*Dear Manager:*

*My home BORDERS the Leonard Schutz Trust proposed Timber Harvest Plan. Our community opposes the plan as it currently stands and will be seeking legal actions. We demand a FIELD EVALUATION in order to comply with the California Endangered Species Act (CESA). The information outlined in the current Timber Harvest Plan is INCORRECT. The current plan would harm waterways and tributaries because they are ERRONEOUSLY marked.*

- 1. Our letter described the property as being in Humboldt County, T17N-R1W SEC 26&27. Any one getting this might assume that the project is in Humboldt county and not in Del Norte County. This Should read "Del Norte County, Humboldt Meridian, T17N-R1W SEC 26&27".*
- 2. MY PROPERTY BORDERS THE PROPOSED TIMBER HARVEST AND I NEVER RECEIVED A LETTER. THIS IS A VIOLATION OF MY RIGHTS AND I WILL BE SEEKING LEGAL COUNSEL. I was only made aware of the plan when my neighbors informed received your letter on March 8, 2021, which only gives one week to for a response before the approval date of March 16,2021 which was changed from April 15, 2021.*
- 3. What is the planned route of access for this project? Wheeler Lane is a private road and privately maintained by the residents living along the road. Most of the residents have not received the notice and do not desire to have a logging operation using our road which is not suited for heavy truck traffic especially during the wet spring time.*
- 4. This area it home to an abundance of wildlife. It is our desire as residents here to preserve the natural habitat of these creatures. IT IS VERY POSSIBLE THIS*

**LAND IS HOME TO SEVERAL ENDANGERED SPECIES LEGALLY PROTECTED UNDER CALIFORNIA LAW.**

5. *If these trees are removed, it will increase the amount of wind access to the trees on our own property and probably contribute to a good deal of damage to our property as well as other nearby property. What is the plan for compensation for any damage to nearby property?*
6. *Adequate time should be given for all nearby residents to see a complete plan which addresses each of these areas and allows a time for public comment on the entire plan including proposal for land use following any harvesting of the forest before approval is granted.*
7. *There are important natural drainage features including small waterways and streams on the property. How will this be affected? It is imperative that our neighborhood is allowed adequate drainage for winter weather. We also would like to keep our waterways in good condition and free from pollutants.*
8. *There is an historic landmark in the northern part of the proposed harvest area that is of historic and geologic interest that should be adequately protected from disturbance. How will that be accomplished?*
9. *There are some remnants of old growth redwoods that are growing on the west side of the property. Will these trees be adequately protected?*

*I believe there has not been any significant logging effort on parts of the land for around 100 years and the forest on the land has reached a point of restoration. Our neighborhood is grateful for this as there are few places where the forest is so restored. The forest also promotes the peaceful environment of our neighborhood. The reason we live in this neighborhood is because of how peaceful and private it is. I am deeply concerned that with the destruction of this environment would come the destruction of the hard-sought-after privacy of our neighborhood. This forest also serves as a barrier for crime. We are concerned that with the removal of forest that crime would rise in our neighborhood and that our property values would go down. Is there a plan for mitigating the crime and property value problems that would occur from this operation taking place? We also do not want additional traffic of any kind on Wheeler Lane. Once again this is a privately maintained road meant to be used only by current residents. Additionally, Wonder Stump Road, which is the connecting road to Wheeler lane, has the old waterline underneath it that supplies water to the entirety of Crescent City, and it may no longer be strong enough to withstand heavy vehicles.*

*We are concerned about our neighborhood's safety, peace, wildlife, water drainage, wind exposure, privacy, and protecting our historic landmarks and few remaining old growth redwoods.*

*It may be appropriate to note that hundreds of acres nearby have recently been logged or completely deforested which has disrupted some of the peace of the neighborhood and displaced wildlife from other land. This is the only land that has remained a consistently peaceful home for our local wildlife and as a barrier to the larger and more crime prone communities of our area.*

*Implementing these simple amendments would give the neighborhood some confidence that our neighboring properties will be protected, our reasons for living here will not be destroyed, and disturbances to the general area will be kept to a minimum.*

**RESPONSE:** Please refer to General Concern 1) Notice of Intent and Public Comment, 2) Harvesting Young Growth and Old Growth Forest, 3) Neighborhood Concerns, 4) Traffic, 5) Wind Impacts, 6) Wildlife, 7) Watercourse Protection, and 8) Historic Landmark

**21PC-000000330** – from Carol Westerman on April 20, 2021

Email Comments:

*Dear CDF,*

*I have significant concerns over the proposed harvest plan. I own the property at 210 Wheeler Ln which will be directly impacted by this plan.*

*The 40 acres of planned harvest is to the immediate southwest of my property, which is exactly the direction our worst windstorms come from. My trees will have lost a windbreak in the form of those 40 acres, which will expose them to winds they have not had before. I certainly expect that this plan will cause significant damage to my trees in the form of blow down or breakage to occur. Many of my largest trees are close enough to my home that if a blowdown occurs my home and/or my life would be at risk. I would also expect that my neighbors properties would also be affected. Many of our trees are over 200 yrs old and are quite large.*

*Recently my neighbor experienced a similar situation when a large redwood blew down through his pole barn, and a double trunked redwood tree snapped in half, following a logging project of much smaller magnitude.*

*It does not seem right that if my neighbor decides to log, then I too must log trees for my protection. Could you please help me and my neighbors with a solution.*

**RESPONSE:** Please refer to General Concern 5) Wind Impacts.

**21PC-000000334** – from Clair Westerman on April 22, 2021

Email Comments:

*I am extremely concerned about the timber harvest plan 1-21-000-24-DEL.*

*The clear-cutting of those 40 acres would put my home and loved ones at serious risk. My home is located at 210 Wheeler Ln and the property is connected with the proposed logging area. The 40 acres of second growth forest has shielded my home from windstorms. Without those trees blocking the wind, I fear the very large trees on our property will fall on our house.*

*I do not know of any arborists in the tiny town of Crescent City that would be able to assess the trees at 10 Wheeler Ln for potential breakage. It does not seem right that our family must take on the physical and financial burden of assessing our trees simply because the adjacent property owner decides to clear cut.*

*Is there a solution that could work for both parties? A barrier of trees left standing around my property could provide some shielding from the wind. Or a different logging method other than clear-cutting could also provide some protection.*

*I am also concerned with potential damage to the Kings Valley 1103.110003 Watershed. The perennial stream named Yonkers Creek is listed on the Timber Harvest Plan as being 1000ft away, however I believe this creek may be much closer. Is there a way someone can check to make sure this creek is indeed far enough away to be kept from harm? There are also class 2 and 3 water sources on that property. I am concerned a clear-cut would cause irreparable damage to this important watershed.*

**RESPONSE:** Please refer to General Concern 5) Wind Impacts. Note, the area is not proposed for clearcutting and a barrier of trees will be left throughout the THP area.

**21PC-000000351** – from Albert George Olson April 23, 2021

Email and attachment with same text:

*Dear Manager:*

*My home is immediately across Wheeler Lane from the Leonard Schutz Trust proposed Timber Harvest Plan, and I have some real concerns.*

- 1. Our original letter that we received from you described the property as being in Humboldt County, T17N-R1W SEC 26&27. We sent the following correction. This Should read "Del Norte County, Humboldt Meridian, T17N-R1W SEC 26&27". In your recent letter you have changed Humboldt County to Del Norte county but left out Humboldt Meridian. Humboldt Meridian is an important part of coordinates for describing the location. Range 1 West is only meaningful by knowing that it is West of the Humboldt Meridian.*
- 2. We received your letter on March 8, 2021, which only gives one week to for a response before the approval date of March 16,2021 which was changed from April 15, 2021. We were pleased that the approval of the original NOI was denied and not hastily approved.*



3. *What is the planned route of access for this project? Wheeler Lane is a private unpaved road and privately maintained by the residents living along the road. Most of the residents have not received the notice and do not desire to have a logging operation using our road which is not suited for heavy truck traffic especially during the wet Spring time or the Fall-Winter rain.*
4. *This area is home to an abundance of wildlife including bears, deer, raccoons, owls, rabbits, and others. It is our desire as residents here to preserve the natural habitat of these creatures.*
5. *If these trees are removed, it will increase the amount of wind access to the trees on our own property and probably contribute to a good deal of damage to our property as well as other nearby property. What is the plan for compensation for any damage to nearby property?*
6. *Adequate time should be given for all nearby residents to see a complete plan which addresses each of these areas and allows a time for public comment on the entire plan including proposal for land use following any harvesting of the forest before approval is granted.*

**RESPONSE:** Please refer to General Concern 1) Notice of Intent and Public Comment, 2) Harvesting Young Growth and Old Growth Forest, 3) Neighborhood Concerns, 4) Traffic, 5) Wind Impacts, and 6) Wildlife.

**21PC-000000352** – from Andrea DiPaolo on April 26, 2021

Email Comments:

*Dear Manager:*

*I would like to express multiple concerns held towards the Leonard Schutz Trust proposed Timber Harvest Plan. Harvest Plan # 1-21-00024-DEL*

1. *This area is home to an abundance of wildlife including bears, deer, raccoons, owls, rabbits, and others. It is our desire to preserve the natural habitat of these creatures. There have been sightings of marbled murrelet and spotted owl in the region. These species are protected under the Endangered Species Act. Logging in this area would disturb and harass these restored habitats.*
2. *What is the planned route of access for this project? Wheeler Lane is a private road and privately maintained by the residents living along the road. Most of the residents have not received the notice and do not desire to have a logging operation using our road which is not suited for heavy truck traffic especially during the wet spring time.*
3. *If these trees are removed, it will increase the amount of wind access to the trees on residential properties. What is the plan for compensation for any damage to nearby property?*
4. *There are important natural drainage features including a perennial stream, Yonker's Creek, and class 2 and 3 water sources on the property. How will this be affected? It is imperative that this neighborhood is allowed adequate drainage for winter weather. These waterways must remain in good condition and free from pollutants.*

5. *There is an historic landmark in the northern part of the proposed harvest area that is of historic and geologic interest that should be adequately protected from disturbance. How will that be accomplished?*
6. *There are old growth redwoods growing on the west side of the property. How will these trees be adequately protected?*

*I believe there has not been any significant logging effort on parts of the land for around 100 years and the forest on the land has reached a point of restoration. The neighborhood is grateful for this as there are few places where the forest is so restored. The forest also promotes the serene environment of the neighborhood. I am deeply concerned that with the logging of this environment would come the destruction of the hard-sought- after peace and privacy of this neighborhood. We also do not want additional traffic of any kind on Wheeler Lane. Once again this is a privately maintained road meant to be used only by current residents. Additionally, Wonder Stump Road, which is the connecting road to Wheeler lane, has the old waterline underneath it that supplies water to the entirety of Crescent City, and it may no longer be strong enough to withstand heavy vehicles.*

*I would at the very least propose the following amendments to the plan.*

1. *Leave at least 200 feet from the Northern property line untouched.*
2. *Leave at least 200 feet around the historic landmark that is present on the northern section of the property untouched.*
3. *Leave at least 50 feet from the East, West, and South property lines untouched.*
4. *Have 0 access to the property from Wheeler Lane both now and in the future.*

*We are concerned about this neighborhood's safety, peace, wildlife, water drainage, wind exposure, privacy, and protecting our historic landmarks and few remaining old growth redwoods. It may be appropriate to note that hundreds of acres nearby have recently been logged or completely deforested which has disrupted some of the peace of the neighborhood and displaced wildlife from other land.*

*This is the only land that has remained a consistently peaceful home for this local wildlife. Implementing these simple amendments would give the neighborhood some confidence that neighboring properties will be protected and disturbances to the general area will be kept to a minimum.*

**RESPONSE:** Please refer to General Concern 1) Notice of Intent and Public Comment, 2) Harvesting Young Growth and Old Growth Forest, 3) Neighborhood Concerns, 4) Traffic, 5) Wind Impacts, 6) Wildlife, 7) Watercourse Protection, and 8) Historic Landmark

**21PC-000000353** – from Andrew Olson on April 27, 2021

Email with Attachment:

Please find attached some public comments and concerns from my neighborhood concerning the resubmission of THP 1-21-00024-DEL.

We find it necessary that each of these concerns be addressed and resolved in the best interest of the community. We anticipate that this information will reach you effectively so that our way of life is not destroyed by the proposed timber harvest.

Attachment Comments:

*Dear Manager:*

*My home is immediately across Wheeler Lane from the Leonard Schutz Trust proposed Timber Harvest Plan, and I have some real concerns.*

- 1. We received your letter with little time to respond before the approval date of April 23, 2021 which was changed from April 30, 2021.*
- 2. What is the planned route of access for this project? Wheeler Lane is a private road and privately maintained by the residents living along the road. Most of the residents have not received the notice and do not desire to have a logging operation using our road which is not suited for heavy truck traffic especially during the wet spring time.*
- 3. This area is home to an abundance of wild life including bears, deer, raccoons, owls, rabbits, elk, woodpeckers, and others. It is our desire as residents here to preserve the natural habitat of these creatures.*
- 4. If these trees are removed, it will increase the amount of wind access to the trees on our own property and probably contribute to a good deal of damage to our property as well as other nearby property in our neighborhood. This would likely cost up to millions of dollars in damages. What is the plan for compensation for the damage to nearby property?*
- 5. Adequate time should be given for all nearby residents to see a complete plan which addresses each of these areas and allows a time for public comment on the entire plan including proposal for land use following any harvesting of the forest before approval is granted.*
- 6. There are important natural drainage features including waterways and streams on the property. How will this be affected? It is imperative that our neighborhood is allowed adequate drainage for winter weather. We also would like to keep our waterways in good condition and free from pollutants and other damage.*
- 7. There is an historic landmark in the northern part of the proposed harvest area that is of historic and geologic interest. This landmark needs to be adequately protected from disturbance. How will that be assured?*
- 8. There are some remnants of old growth redwoods that are growing on the west side of the property. Will these trees be adequately protected?*

9. *This property is not zoned for logging leading me to question why a logging operation of this size is even being considered. The zoning was put in place to keep our neighborhood and our neighborhood environment in a healthy state. Were this proposed logging to take place, that would destroy the very fabric of our neighborhood protections that were agreed upon as well as violate the zoning regulations.*

*I believe there has not been any significant logging effort on parts of the land for around 100 years and the forest on the land has reached a point of restoration. Our neighborhood is grateful for this as there are few places where the forest is so restored. The forest also promotes the peaceful environment of our neighborhood. The reason we live in this neighborhood is because of how peaceful and private it is. I am deeply concerned that with the destruction of this environment would come the destruction of the hard-sought-after privacy of our neighborhood. This forest also serves as a barrier for crime. We are concerned that with the removal of forest that crime would rise in our neighborhood and that our property values would go down. Is there a plan for mitigating the crime and property value problems that would occur from this operation taking place? We also do not want additional traffic of any kind on Wheeler Lane. Once again this is a privately maintained road meant to be used only by current residents. Additionally, Wonder Stump Road, which is the connecting road to Wheeler lane, has the old waterline underneath it that supplies water to the entirety of Crescent City, and it may no longer be strong enough to withstand heavy vehicles.*

*I would at the very least propose the following amendments to the plan.*

- 1. Leave at least 200 feet from the Northern property line untouched.*
- 2. Leave at least 200 feet around the important historic landmark that is present on the northern section of the property untouched.*
- 3. Leave at least 50 feet from the East, West, and South property lines untouched.*
- 4. Have 0 access to the property from Wheeler Lane both now and in the future.*

*These amendments would help protect our community from immense damage and should be the minimum required restrictions.*

*We are concerned about our neighborhood's safety, peace, wildlife, water ways, wind exposure, privacy, and protecting our historic landmarks and few remaining old growth redwoods.*

*It may be appropriate to note that hundreds of acres nearby have recently been logged or completely deforested which has disrupted some of the peace of the neighborhood and displaced wildlife from other land. This is the only land that has remained a consistently peaceful home for our local wildlife and as a barrier to the larger and more crime prone communities of our area.*

*Implementing these simple amendments would give the neighborhood some confidence that our neighboring properties will be protected, our reasons for living here will not be destroyed, our homes and assets protected, and disturbances to the general area will be kept to a minimum.*

*For reference, even strong and healthy trees are prone to falling on our property once a wind tunnel is opened. A distant neighbor's barn was completely destroyed due to a tree crushing in when nearby property was logged, so our wind concerns are quite serious as millions of dollars in assets could be destroyed by a foolish decision to allow any timber harvesting, especially without the proposed amendments, on the property.*

*The historic landmark dates from the late 1800s to early 1900s when it was an important feature of the first logging of the area. Additionally, its geologic significance dates back many thousands of years.*

**RESPONSE:** Please refer to General Concern 1) Notice of Intent and Public Comment, 2) Harvesting Young Growth and Old Growth Forest, 3) Neighborhood Concerns, 4) Traffic, 5) Wind Impacts, 6) Wildlife, 7) Watercourse Protection, and 8) Historic Landmark

**21PC-000000360** – from Chelsea Wilson on April 27, 2021

Email Comments:

*Dear Manager:*

*I would like to express multiple concerns held towards the Leonard Schutz Trust proposed Timber Harvest Plan. Harvest Plan # 1-21-00024-DEL*

- 1. This area is home to an abundance of wildlife including bears, deer, raccoons, owls, rabbits, and others. It is our desire to preserve the natural habitat of these creatures. There have been sightings of marbled murrelet and spotted owl in the region. These species are protected under the Endangered Species Act. Logging in this area would disturb and harass these restored habitats.*
- 2. What is the planned route of access for this project? Wheeler Lane is a private road and privately maintained by the residents living along the road. Most of the residents have not received the notice and do not desire to have a logging operation using our road which is not suited for heavy truck traffic especially during the wet spring time.*
- 3. If these trees are removed, it will increase the amount of wind access to the trees on residential properties. What is the plan for compensation for any damage to nearby property?*
- 4. There are important natural drainage features including a perennial stream, Yonker's Creek, and class 2 and 3 water sources on the property. How will this be affected? It is imperative that this neighborhood is allowed adequate drainage for winter weather. These waterways must remain in good condition and free from pollutants.*

5. *There is an historic landmark in the northern part of the proposed harvest area that is of historic and geologic interest that should be adequately protected from disturbance. How will that be accomplished?*
6. *There are old growth redwoods growing on the west side of the property. How will these trees be adequately protected?*

*I believe there has not been any significant logging effort on parts of the land for around 100 years and the forest on the land has reached a point of restoration. The neighborhood is grateful for this as there are few places where the forest is so restored. The forest also promotes the serene environment of the neighborhood. I am deeply concerned that with the logging of this environment would come the destruction of the hard-sought-after peace and privacy of this neighborhood. We also do not want additional traffic of any kind on Wheeler Lane. Once again this is a privately maintained road meant to be used only by current residents. Additionally, Wonder Stump Road, which is the connecting road to Wheeler lane, has the old waterline underneath it that supplies water to the entirety of Crescent City, and it may no longer be strong enough to withstand heavy vehicles.*

*I would at the very least propose the following amendments to the plan.*

1. *Leave at least 200 feet from the Northern property line untouched.*
2. *Leave at least 200 feet around the historic landmark that is present on the northern section of the property untouched.*
3. *Leave at least 50 feet from the East, West, and South property lines untouched.*
4. *Have 0 access to the property from Wheeler Lane both now and in the future.*

*We are concerned about this neighborhood's safety, peace, wildlife, water drainage, wind exposure, privacy, and protecting our historic landmarks and few remaining old growth redwoods.*

*It may be appropriate to note that hundreds of acres nearby have recently been logged or completely deforested which has disrupted some of the peace of the neighborhood and displaced wildlife from other land. This is the only land that has remained a consistently peaceful home for this local wildlife. Implementing these simple amendments would give the neighborhood some confidence that neighboring properties will be protected and disturbances to the general area will be kept to a minimum.*

**RESPONSE:** Please refer to General Concern 1) Notice of Intent and Public Comment, 2) Harvesting Young Growth and Old Growth Forest, 3) Neighborhood Concerns, 4) Traffic, 5) Wind Impacts, 6) Wildlife, 7) Watercourse Protection, and 8) Historic Landmark



**21PC-000000363** – from Peter Kleinhenz on April 27, 2021

Email Comments:

*Dear Manager:*

*I would like to express multiple concerns held towards the Leonard Schutz Trust proposed Timber Harvest Plan. Harvest Plan # 1-21-00024-DEL*

- 1. This area is home to marbled murrelet and Northern spotted owl, and these species are protected under the Endangered Species Act. Logging in this area would disturb and harass these restored habitats.*
- 2. What is the planned route of access for this project? Wheeler Lane is a private road and is privately maintained by the residents living along the road. Most of the residents have not received the notice and do not desire to have a logging operation using their road; a road that is not suited for heavy truck traffic especially during the wet spring time.*
- 3. If these trees are removed, it will increase the amount of wind access to the trees on residential properties.*
- 4. There are important natural drainage features including a perennial stream, Yonker's Creek, and class 2 and 3 water sources on the property.*
- 5. There is an historic landmark in the northern part of the proposed harvest area that is of historic and geologic interest that should be adequately protected from disturbance.*
- 6. There are mature redwoods growing on the west side of the property.*

**RESPONSE:** Please refer to General Concern 1) Notice of Intent and Public Comment, 2) Harvesting Young Growth and Old Growth Forest, 3) Neighborhood Concerns, 4) Traffic, 5) Wind Impacts, 6) Wildlife, 7) Watercourse Protection, and 8) Historic Landmark

**21PC-000000364** – from Hannah Raber on April 27, 2021

Email Comments:

*Dear Manager:*

*I would like to express multiple concerns held towards the Leonard Schutz Trust proposed Timber Harvest Plan. Harvest Plan # 1-21-00024-DEL*

- 1. This area is home to an abundance of wildlife including bears, deer, raccoons, owls, rabbits, and others. It is our desire to preserve the natural habitat of these creatures. There have been sightings of marbled murrelet and spotted owl in the region. These species are protected under the Endangered Species Act. Logging in this area would disturb and harass these restored habitats.*
- 2. What is the planned route of access for this project? Wheeler Lane is a private*

*road and privately maintained by the residents living along the road. Most of the residents have not received the notice and do not desire to have a logging operation using our road which is not suited for heavy truck traffic especially during the wet spring time.*

- 3. If these trees are removed, it will increase the amount of wind access to the trees on residential properties. What is the plan for compensation for any damage to nearby property?*
- 4. There are important natural drainage features including a perennial stream, Yonker's Creek, and class 2 and 3 water sources on the property. How will this be affected? It is imperative that this neighborhood is allowed adequate drainage for winter weather. These waterways must remain in good condition and free from pollutants.*
- 5. There is an historic landmark in the northern part of the proposed harvest area that is of historic and geologic interest that should be adequately protected from disturbance. How will that be accomplished?*
- 6. There are old growth redwoods growing on the west side of the property. How will these trees be adequately protected?*

**RESPONSE:** Please refer to General Concern 1) Notice of Intent and Public Comment, 2) Harvesting Young Growth and Old Growth Forest, 3) Neighborhood Concerns, 4) Traffic, 5) Wind Impacts, 6) Wildlife, 7) Watercourse Protection, and 8) Historic Landmark

**21PC-000000375** – from Stephanie Lautz on April 29, 2021

Email with formatting errors, but identical to other comments such as 21PC-000000360. The original is shown below and has been reformatted for easier reading:



Dear Manager:

I would like to express multiple concerns held towards the Leonard Schutz Trust proposed Timber Harvest Plan. Harvest Plan # 1-21-00024-DEL

- 1.
2. This area is home to an
3. **abundance of wildlife**
4. including bears, deer, raccoons, owls, rabbits, and others. It is our desire to preserve the natural habitat of these
5. creatures. There have been sightings of marbled murrelet and spotted owl in the region. These species are protected under the Endangered Species Act. Logging in this area would disturb and harass these restored habitats.
- 6.
- 7.
8. What is the planned route of access for this project?
9. Wheeler Lane is a **private road**
10. and
11. **privately maintained**
12. by the residents living along the road. Most of the residents have not received the notice and do not desire to have
13. a logging operation using
14. our road which is not suited for heavy truck traffic especially during the wet spring time.
- 15.
- 16.
17. If these trees are removed, it will increase the amount
18. of wind access to the trees on residential properties. What is the plan for
19. **compensation**
20. for any damage to nearby property?
- 21.
- 22.
23. There are important natural
24. **drainage**

25. features including a perennial stream, Yonker's Creek, and class 2 and 3 water sources on the property. How will this be affected? It is imperative that this neighborhood is allowed adequate drainage for winter weather. These waterways must remain in good
26. condition and free from **pollutants**.
- 27.
- 28.
29. There is an
30. **historic landmark**
31. in the northern part of the proposed harvest area that is of historic and geologic interest that should be adequately
32. protected from disturbance. How will that be accomplished?
- 33.
- 34.
35. There are
36. **old growth redwoods**
37. growing on the west side of the property. How will these trees be adequately protected?
- 38.

I believe there has not been any significant logging effort on parts of the land for around 100 years and the forest on the land has reached a point of restoration. The neighborhood is grateful for this as there are few places where the forest is so restored. The forest also promotes the serene environment of the neighborhood. I am deeply concerned that with the logging of this environment would come the destruction of the hard-sought-after peace and privacy of this neighborhood. We also do not want additional traffic of any kind on Wheeler Lane. Once again this is a privately maintained road meant to be used only by current residents. Additionally, Wonder Stump Road, which is the connecting road to Wheeler lane, has the old waterline underneath it that supplies water to the entirety of Crescent City, and it may no longer be strong enough to withstand heavy vehicles.

I would at the very least propose the following **amendments** to the plan.

- 1.
2. Leave at least 200 feet from the
3. **Northern property line**
4. untouched.
- 5.
- 6.
7. Leave at least 200 feet around the
8. **historic landmark**
9. that is present on the northern section of the property untouched.
- 10.
- 11.
12. Leave at least 50 feet from the East, West, and South
13. property lines untouched.
- 14.
- 15.
16. Have
17. **0 access**
18. to the property
19. **from Wheeler Lane**
20. both now and in the future.
- 21.

We are concerned about this neighborhood's safety, peace, wildlife, water drainage, wind exposure, privacy, and protecting our historic landmarks and few remaining old growth redwoods.  
It may be appropriate to note that hundreds of acres nearby have recently been logged or completely deforested which has disrupted some of the peace of the neighborhood and displaced wildlife from other land. This is the only land that has remained a consistently peaceful home for this local wildlife.  
Implementing these simple amendments would give the neighborhood some confidence that neighboring properties will be protected and disturbances to the general area will be kept to a minimum.

Dear Manager:

*I would like to express multiple concerns held towards the Leonard Schutz Trust proposed Timber Harvest Plan. Harvest Plan # 1-21-00024-DEL*

- 1. This area is home to an abundance of wildlife including bears, deer, raccoons, owls, rabbits, and others. It is our desire to preserve the natural habitat of these creatures. There have been sightings of marbled murrelet and spotted owl in the region. These species are protected under the Endangered Species Act. Logging in this area would disturb and harass these restored habitats.*
- 2. What is the planned route of access for this project? Wheeler Lane is a private road and privately maintained by the residents living along the road. Most of the residents have not received the notice and do not desire to have a logging operation using our road which is not suited for heavy truck traffic especially during the wet spring time.*
- 3. If these trees are removed, it will increase the amount of wind access to the trees on residential properties. What is the plan for compensation for any damage to nearby property?*
- 4. There are important natural drainage features including a perennial stream, Yonker's Creek, and class 2 and 3 water sources on the property. How will this be affected? It is imperative that this neighborhood is allowed adequate drainage for winter weather. These waterways must remain in good condition and free from pollutants.*
- 5. There is an historic landmark in the northern part of the proposed harvest area that is of historic and geologic interest that should be adequately protected from disturbance. How will that be accomplished?*
- 6. There are old growth redwoods growing on the west side of the property. How will these trees be adequately protected?*

*I believe there has not been any significant logging effort on parts of the land for around 100 years and the forest on the land has reached a point of restoration. The neighborhood is grateful for this as there are few places where the forest is so restored. The forest also promotes the serene environment of the neighborhood. I am deeply concerned that with the logging of this environment would come the destruction of the hard-sought-after peace and privacy of this neighborhood. We also do not want additional traffic of any kind on Wheeler Lane. Once again this is a privately maintained road meant to be used only by current residents. Additionally, Wonder Stump Road, which is the connecting road to Wheeler lane, has the old waterline underneath it that supplies water to the entirety of Crescent City, and it may no longer be strong enough to withstand heavy vehicles.*

*I would at the very least propose the following amendments to the plan.*

- 1. Leave at least 200 feet from the Northern property line untouched.*
- 2. Leave at least 200 feet around the historic landmark that is present on the northern section of the property untouched.*
- 3. Leave at least 50 feet from the East, West, and South property lines untouched.*
- 4. Have 0 access to the property from Wheeler Lane both now and in the future.*

*We are concerned about this neighborhood's safety, peace, wildlife, water drainage, wind exposure, privacy, and protecting our historic landmarks and few remaining old growth redwoods.*

*It may be appropriate to note that hundreds of acres nearby have recently been logged or completely deforested which has disrupted some of the peace of the neighborhood and displaced wildlife from other land. This is the only land that has remained a consistently peaceful home for this local wildlife. Implementing these simple amendments would give the neighborhood some confidence that neighboring properties will be protected and disturbances to the general area will be kept to a minimum.*

**RESPONSE:** Please refer to General Concern 1) Notice of Intent and Public Comment, 2) Harvesting Young Growth and Old Growth Forest, 3) Neighborhood Concerns, 4) Traffic, 5) Wind Impacts, 6) Wildlife, 7) Watercourse Protection, and 8) Historic Landmark

**21PC-000000404** – from Carol Westerman on May 17 2021

*To: CAL FIRE, it's agents, officers, employees of this service corporation; Thomas Blair, Registered Forester [service corporation] it's agents, officers, and employees; and Leonard Schutz Trust.*

*i, Carol Westerman [a living woman], owner of the property at 210 Wheeler Ln, which borders the proposed timber harvest plan area.*

*i have previously submitted comments and concerns to CAL FIRE regarding the inevitable harm and wrong this project would cause to my property, no man or woman has responded to my concerns or attempted to address/settle my concerns honorably. It is apparent to me that these service corporations are moving forward with this trespass [theft] of my property, although i will keep trying.*

*Once again, the intended harvesting of the 40 acres directly to the SW of my property will exposed my property [trees] to winds they have never been exposed to. This is the exact direction our strongest wind storms come from. Please refer to my e-mail sent 4-20-21 pertaining to this. My property [trees, home, life] will most certainly be harmed, or in jeopardy of injury.*

*Furthermore, the property, intended to be harvested, once had a public road thru it- connecting Wheeler Ln to Yonkers Rd. Approximately 15 years ago, the owners/caretakers of the land placed cables across the access to this road to prevent cars/people from utilizing it. 15 years have passed*

*and this road is now overgrown and barely distinguishable. ( By the way the Cable to block the road was wrapped around my property [tree] straggling as it grew [trespass] without permission, and cut deeply into the bark.)*

*My neighbor, who is a well known in his field of environmental biology, did communicate with Thomas Blair about the possible option to "leave a buffer" to protect my property. Although I do not have specifics about their conversation, He did tell my family T Blair was not empathetic to our concerns.*

*Additionally, on this 40 acres, is a rock quarry used to build the railroads in the 1800s. There most certainly is more history regarding this property but unfortunately the records were destroyed in a fire around 1950.*

*These 40 acres [proposed THP] is the last significant stand of forest/ trees remaining on the flats of Kings Valley. Over the past 20 yrs most of the forests in this area have been harvested/harmed. The wildlife has been severely harmed. i have personally witnessed the decline of this ecosystem since logging began. For example, my personal observations:*

- Piliated Woodpeckers- My family and i once enjoyed and cherished each year the 2-4 pairs of Piliated Woodpeckers in our backyard, Woodpeckers are gone now.*
- Elk- We also were thrilled to watch a herd of Elk wondering down our path, thru the yard and into the woods and on the path (leading thru the 40 acre parcel).*
- Large Skinks- My children growing up, many times would bring home a large skink they had found in the woods. Of course only for observation and release. Haven't seen many of these lately.*
- Large Banana Slugs- our garden and yard seem to be inundated with these odd creatures, very few today.*
- Mountain Lion- Yes we watched, from our home, a mountain lion walking down the lane on our property.*
- Black Bears- Each year we had several occasions to see the bears in our yard and in our plum tree. We learned to live amongst these beautiful animals and have cherished living in this natural secluded area where our friends and neighbors also relished God's creation.*
- Wood Ducks- In the springtime we watched the baby ducks jumping from their nest to follow their mother to the nearest creek, ( which flows thru this 40 acre parcel intended to be harvested)*

*Many beautiful animals, insects and plants are here and will soon lose their habitat. Our families, including my neighbors, have lived and raised our families here and all of our properties are under assault. Not only our trees, but our wildlife, the ecosystem, our mental well being and even our emotional consciousness.*

*The service corporations, or trust members do not live here. You do not have the eyes to see or the ears to hear or the boots on the ground to understand the trespass [theft] that you are planning to commit to my property. Not only my property but to God's creation. This is literally the last forest standing in the flats of Del Norte County.*

*The last timber harvest took place approx 20 years ago northwest of this property. The land was devastated, logs and brush was pushed into large piles leaving the dirt void of life. The little redwoods were "replanted" in the ground which was packed as hard as concrete from the heavy machinery, and they did not survive, they died before the rains came back in the fall. 20 years later this forest has not recovered. It is bushes and scrub trees only.. I expect no other results following this project. Yes, my property will be harmed, my property borders this proposed timber harvest agenda. My property not only includes my trees, but my life and well being are also my property.*

*All governments are created to protect the property of [wo]man. Service corporations, employees do not make laws, they create policy, codes, rules, statutes which only apply to their service and created corporations, The law recognized as supreme on the land comes from God. 10 commandments= common law.*

*i, carol westerman [a living woman] see no benefit as being subject to the 'civil rules of procedure', rules promulgated by a Legal society, in which i am not a member nor wish to be.*

*i, carol westerman,[a living woman] request CAL FIRE [a service corporation] to deny this THP and Thomas Blair, registered forester [service corporation] and Leonard Schultz Trust to forgo the proposed THP until an obligation [contract] is signed in ink by me, Leonard Schultz Trustees and Thomas Blair registered forester, outlining my compensation for damages incurred to my property resulting from this THP.*

*Who has jurisdiction [contract] to trespass [theft,cause harm] to my property? There is no man or woman who can administer my property without right. Liability [trespass on my case] occurs if any man or woman ignore my rights.*

*i, carol westerman, [a living woman] request a return email within 10 days acknowledging your receipt of this e-mail and my claim.*

**RESPONSE:** Please refer to General Concern 2) Harvesting Young Growth and Old Growth Forest, 3) Neighborhood Concerns, 4) Traffic, 5) Wind Impacts, 6) Wildlife, 7) Watercourse Protection, 8) Historic Landmark

Additional response to items not covered in the general concerns are listed below:

CAL FIRE does not typically have time to respond to each public comment as they come in. CAL FIRE inspects the site with other review team agencies and conducts an interagency review of the plan. CAL FIRE then responds to the public comment letters as required by 14 CCR 1037.4.

*The Director shall have 30 days from the date the initial inspection is completed (ten of these days shall be after the final interagency review), or in the event the Director determines that such inspection need not be made, 15 days from the date of filing of an accepted plan in accordance with 14 CCR § 1037, or such longer period as may be mutually agreed upon by*

*the Director and the person submitting the plan, to review the plan and take public comment. After the initial review and public comment period has ended, the Director shall have up to fifteen working days, or a longer period mutually agreed upon by the Director and the person submitting the plan, to review the public input, to consider recommendations and mitigation measures of other agencies, to respond in writing to the issues raised and to determine if the plan is in conformance with the applicable Rules adopted by the Board. The Director shall insure that an interdisciplinary review team has had an opportunity to review each plan. The Director shall review and consider the recommendations made on each plan by the interdisciplinary review team before determining if the plan conforms to the Rules of the Board. The Director shall consider all written comments regarding the plan.*

In regards to the concern about the previous road between Wheeler Ln to Yonkers Ln, it is unclear how this relates to the current timber harvest plan or how it is an adverse impact. After reviewing maps of the area, Wheeler lane is significantly north of Yonkers Ln with other private parcels besides the Leonard Schutz Trust parcels in between the two roads. The dissection of the two neighborhoods by other parcels has most likely reduced traffic because of the lack of a road through the area.

**21PC-000000** – from Andrew Olson on June 21, 2021

Email with Attachments:

*Dear Manager,  
I have attached a letter regarding the concerns of my neighborhood addressing the proposed timber harvest plan of which I was notified with little time to respond.  
I have included a letter describing the historical significance of the quarry on the proposed THP land and the supporting historic documentation.  
Sincerely,  
Andrew Olson  
A resident of 235 wheeler lane which is directly next to the land in question.*

Attachments:



Forest Practice Program Manager  
CAL FIRE

135 Ridgway Avenue  
Santa Rosa, CA 95401  
(707) 576-2959

[santarosapubliccomment@fire.ca.gov](mailto:santarosapubliccomment@fire.ca.gov)

RE: Leonard Schutz Trust Timber Harvest Plan.

Dear Manager:

My home is immediately across Wheeler Lane from the Leonard Schutz Trust proposed Timber Harvest Plan, and I have some real concerns.

1. The letterhead on the letter we received states that the governor of the state in which the notice is served is Galvin Newsom. The governor of California is not Galvin Newsom, so I am not sure which state the letter we received applies to.
2. We received your letter with little time to respond with public comment.
3. What is the planned route of access for this project? Wheeler Lane is a **private road** and **privately maintained** by the residents living along the road. Most of the residents have not received the notice and do not desire to have a logging operation using our road which is not suited for heavy truck traffic especially during the wet spring time.
4. This area is home to an **abundance of wildlife** including bears, deer, raccoons, owls, rabbits, and many others. It is our desire as residents here to preserve the natural habitat of these creatures.
5. If these trees are removed, it will increase the amount of wind access to the trees on our own property and probably contribute to a good deal of **damage to our property** as well as other nearby property. What is the plan for **compensation** for any damage to nearby property?
6. Adequate time should be given for **all nearby residents** to see a complete plan which addresses each of these areas and allows a time for public comment on the **entire plan** including proposal for land use following any harvesting of the forest before approval is granted.
7. There are important natural **drainage** features including small waterways and streams on the property. How will this be affected? It is imperative that our neighborhood is allowed adequate drainage for winter weather. We also would like to keep our waterways in good condition and free from **pollutants**.
8. There is an **historic landmark** in the northern part of the proposed harvest area that is of historic and geologic interest that should be adequately protected from disturbance. How will that be accomplished?
9. There are some remnants of **old growth redwoods** that are growing on the west side of the property. Will these trees be adequately protected?

I believe there has not been any significant logging effort on parts of the land for over 100 years and the forest on the land has reached a point of restoration. Our neighborhood is grateful for this as there are few places where the forest is so restored. The forest also promotes the peaceful environment of our neighborhood. The reason we live in this neighborhood is because of how peaceful and private it is. I am deeply concerned that with the destruction of this environment would come the destruction of the hard-sought-after privacy of our neighborhood. This forest also serves as a barrier for crime. We are concerned that with the removal of forest



that crime would rise in our neighborhood and that our property values would go down. Is there a plan for mitigating the crime and property value problems that would occur from this operation taking place? We also do not want additional traffic of any kind on Wheeler Lane. Once again this is a privately maintained road meant to be used only by current residents. Additionally, Wonder Stump Road, which is the connecting road to Wheeler lane, has the old waterline underneath it that supplies water to the entirety of Crescent City, and it may no longer be strong enough to withstand heavy vehicles.

I would at the very least propose the following amendments to the plan.

1. Leave at least 200 feet from the Northern property line untouched.
2. Leave at least 200 feet around the historic landmark that is present on the northern section of the property untouched.
3. Leave at least 50 feet from the East, West, and South property lines untouched.
4. Have 0 access to the property from Wheeler Lane both now and in the future.

We are concerned about our neighborhood's safety, peace, wildlife, water drainage, wind exposure, privacy, and protecting our historic landmarks and few remaining old growth redwoods.

It may be appropriate to note that hundreds of acres nearby have recently been logged or completely deforested which has disrupted some of the peace of the neighborhood and displaced wildlife from other land. This is the only land that has remained a consistently peaceful home for our local wildlife and as a barrier to the larger and more crime prone communities of our area.

Implementing these simple amendments would give the neighborhood some confidence that our neighboring properties will be protected, our reasons for living here will not be destroyed, and disturbances to the general area will be kept to a minimum.

Sincerely,



To whom it may concern:

Wonder Stump Road north of Crescent City California was originally built as part of the Hobbs-Wall Mill operation in Crescent City. The primary length of the Hobbs-Wall railroad (including the section that ran on Wonder Stump Road) was constructed between 1890 and 1893 (#3 and #5). Not long after the railroad's completion it became known as the Crescent City and Smith River Railroad (#9,1). The reason this railroad was built was to expand logging operations of the Hobbs-Wall Mill (#4 and #9,1). The logging operation moved toward the north, and several miles from the mill the first logging camp was opened (logging camp number 1) (#4). This logging camp was near, if not connected with, the site of the proposed THP 1-21-00024-DEL (#1 and #2). On the northeast section of the site of the proposed THP there is a rock quarry (#2). The rock from this quarry was likely (and according to some residents was) used to form the base of the Crescent City and Smith River Railroad throughout some of its length on what is now Wonder Stump Road. The quarry is located about 3,500 feet from where the railroad was. Additionally, a water hole was dug between the quarry and the railroad for train (for instance refilling boilers) and camp related service. Rock from the quarry may have also been used later in the construction of a nearby off branching stretch of railroad that was likely constructed between 1905 and 1908 though there is limited information on that particular off branching stretch of railroad. After the rails were laid to camp 1 the first Baldwin locomotive was brought into use on the track to haul logs to the mill in Crescent City (#4). In 1894 passengers and freight began to be transported on the railroad in order to offset the cost of the railroad (#9,2 and #7). The Crescent City and Smith River Railroad built by Hobbs-Wall Company was and continues to be (in the form of several roads such as Wonder Stump Road) of historic significance to our area and the quarry on the site of the proposed THP 1-21-00024-DEL, to the best knowledge of the

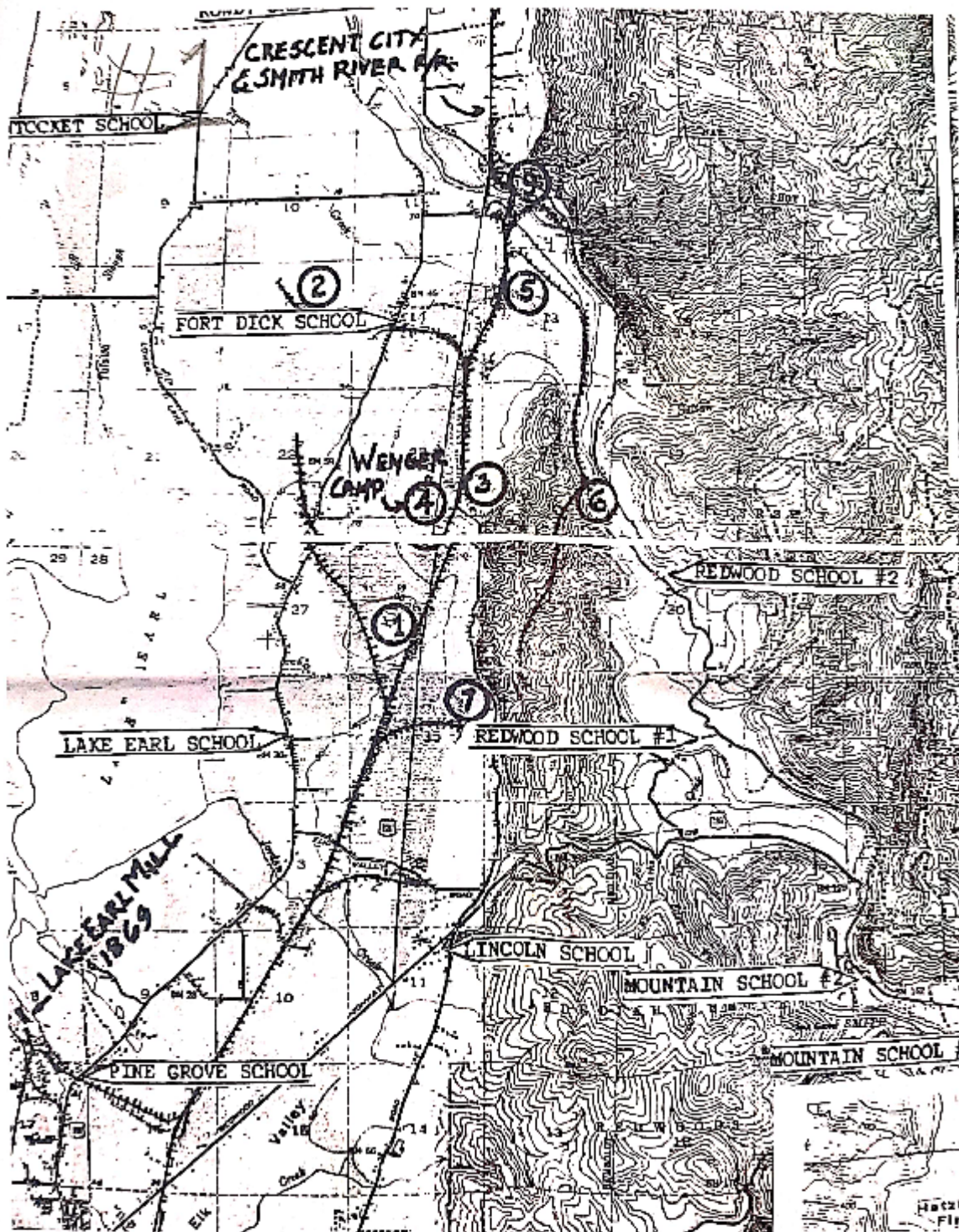
presently existing/accessible records and knowledge of local residents, played a somewhat significant part in building the foundation for the historic railroad which became Wonder Stump Road.

### Bibliography

See attached documents.

- #1. Old railroad map with camp 1 circled in the center of the page.
- #2. THP general location map with project boundary. Location of camp 1 from old railroad map is drawn onto the corresponding location and circled. Within the circle is a dot within the project boundary showing the approximate location of the quarry.
- #3. A newspaper article including dates in which the railroad was built.
- #4 Paper describing the development of the railroad. Paper refers to camp 1.
- #5 A map from 1893 that shows the main section of the railroad completed.
- #6 Paper confirming that the railroad was in use by 1894.
- #7 Letter confirming that passengers had been transported on the railroad prior to 1899.
- #8 Additional railroad map showing more of the railroad and Crescent City.
- #9, 1 and 2 Contains information on the expansion of Hobbs-Wall logging operations, the renaming of the railroad, and beginning in 1894 the transportation of passengers and freight.











#3

OFFERS IN  
RECORDS OF CRESCENT  
CITY  
HOBBS, WALL & CO.  
MANUFACTURERS OF  
REDWOOD LUMBER  
CRESCENT CITY, ORE.

## HOBBS, WALL & Co.

MANUFACTURERS OF

# Redwood Lumber

NEW COR. J. AND SECOND STREETS  
CRESCENT CITY, ORE.

#100-24



Hobbs, Wall Company letterhead donated by Robert A. Campbell of Crescent City

## Hobbs, Wall and Company Provided Colorful Chapter

In the beginning, the firm was called Hobbs, Gilmore and Company. Later, with the death of David Pomeroy in 1881, a Mr. G. J. Wall became associated with Caleb Hobbs, and the firm became known as Hobbs, Wall and Company. Much information has been gathered from accounts by Jacob Marchoffer, a long-time employee, storekeeper and bookkeeper, general superintendent for the firm for 35 years.

From the day it was founded, there was nothing but promise for an even more prosperous future for the small community of Del Norte. Although far from large, the town of Crescent City and the surrounding country was in a constant buzz of activity. Trading, mining, and traveling made up the most part of the newly prospered resort.

### Civil War

Then came the Civil War. These years brought a very severe and deplorable slump to the business of Del Norte. Trade began to slow down. You no longer heard the sound of wheels and horses of the trails. Rivers, streams and gullies flowed silently without the sound of a happy miner whistling a tune while he waited to "strike it rich." Store windows were boarded up. The only newspaper in the county shut down its printing press. Most of the saloons closed, taking with them the happy and rowdy nights that were so much a part of every pioneer town in those days.

The people began climbing aboard schooners bound for other areas to look for more promising areas. This once bustling little town was now very sleepy and quiet. A war many miles away had a great effect on the western town.

But for those who ventured to stay, relief finally came from the silent, uneventful days. The shipping of the first lumber had attracted the outside interest of Caleb Hobbs and David Pomeroy of the firm Hobbs, Gilmore and Company's box factory in San Francisco. The men came to take a look at the prospects here. It took time, but the result was that in 1870-71 they built a mill and box factory on Elk Creek in the eastern part of Crescent City. This new interest in Del Norte County began to create a new economic life.

Soon the Lake Earl Mill, under management of Simpson and Wenger was operating with full

Farming and dairying were beginning to show signs of life again also.

And as the prosperity of Del Norte County came slowly back, bringing with it more of the population that had once before left in search of better opportunities. But this time they came with not as much emphasis on mining and the dream of "striking it rich," but more with the idea of using the sure, solid resources of nature, man, and a strong mind and will. They had left seeking better opportunities, only to come back and find them here.

This new operation offered more job opportunities than Crescent City had ever before seen.

### The Mill

When the mill was first operating, it was just a small affair that ran in the end of each season, depending upon the winters. Lumbermen had long with axle and haul the logs on slides down to the water and float it to camp. The loggers then rafted the logs down the ditch to the sawmill. The log floating ceased in the winter, due to the rains and the mud, which made it practically impossible for the oxen to plow their way through. The mill and logging camp were usually shut down after the first of November, leaving only those who were employed as caretakers. The first season the sawmill sawed three million board feet. Most of the sawed

lumber was rough spruce which was shipped to a San Francisco box factory.

The mill was later expanded to a building that was two stories high, the upper story being occupied by the sawmill, and the lower story by the box factory. An engine room was on one side of the main building.

The capacity of the mill was from 45,000 to 50,000 board feet per day. Many improvements were made to the mill as time went on. The planing room was enlarged, and the large planer that was then in use was put in to replace two smaller ones. The new machine was placed in a different position from the others, and the room for piling lumber designed to be run through the planer was increased two-thirds.

Formerly, the lumber, after passing through the planer, was carried from the machine and run through a chute to the yard. This unnecessary work was later avoided by placing the new machine in such a position that the lumber could be run directly from it into the yard. The planer part of the lumber sawed was spruce and redwood, and a small amount of fir being sawed, and that for home use.

### Box Factory

The box factory turned out from 150,000 to 200,000 boxes of all kinds per day. The majority of the boxes made were bread boxes, with super boxes, boxes for canned

goods, and a large number of cedar and spruce boxes. The lumber used for the boxes was mostly spruce. The box trade in Crescent City kept rapidly increasing through the years, and was a great asset to the Hobbs, Wall firm.

In 1893, Hobbs, Wall owned about 1,100 acres of timberland in the county, most of which was between Crescent City and Smith River. But, while the corporation owned these vast tracts of timber, the only portion that had been logged was that "lying on and in the direction of Smith River" and Lake Earl.

Between 300-400 men found employment in the three logging camps, and so great was their production, that logging trains passed up and down the track every few hours.

### The Railroad

There was twelve miles of railroad extending from the logging camps of Smith River that led to the two mills with a spur continuing on to the wharf. This railroad, a common carrier, was designated the Crescent City and Smith River Railroad. It had been built in the period 1860-1864.

When Caleb Hobbs died, the company then became the property of the Estate of Carlton Hobbs and his mother, Carlton Hobbs was a young and very ambitious man. He wanted the fullness of a Mr. R. D. Hurst, who

with Henry Westbrook and John Horch, had erected a large mill near the mouth of Smith River in 1860-1863. The lumber from this mill had to be shipped out on the Smith River; but as the channel was constantly shifting, the operators became discouraged and sold their interests to the D. N. Commercial Company and this mill was closed.

Carlton Hobbs, then, after much insistence had secured a railroad to extend past the mouth of the Smith River, only to find that Hurst's mill was no longer in operation. It was, however, reopened in 1894, upon the completion of the railroad by the new owners. This provided only temporary results, and by 1899 the mill had closed for good, leaving Hobbs, Wall and Company to monopolize the Del Norte County lumber industry.

In 1900, Hobbs, Wall also began construction of the Del Norte and Southern Railroad to enable their people to begin timbering the western slope on Howland Hill and the portion of the Mill Creek watershed in Section 25.

Camps 10 and 11 were established. To reach the mill, a spur of the railroad was carried over Howland Hill via the famous switchback that the seven and nine percent grades. The railroads were always a very important part in the logging operations of that time.

### The Store

The store was opened in 1874. Jacob Marchoffer and Charles Gardner were the store keepers. Marchoffer was also the bookkeeper. The store served the teamsters as well as the local people, helping them with their freight loading and getting them set for their long journeys.

Pomeroy was the one who had wanted the store; he had purchased the building from Frank Bartchell and a piece of land that was 4 1/2 acres for \$1000. At that time the building was very badly neglected. They had to tear out the old floor and put in a new one, as well as new floor joists and sash, and all around.

Wall went in San Francisco to buy the first stock of goods for the store — \$5,000. In a very short time the store carried nothing but staple goods: coffee, oil, and groceries. No dry goods, which came eventually with the expanding of business.

The store also supplied the warehouse houses that were then



#4  
2

from the mill to the new wharf in Crescent City recently built by Wells and Johnson. The railroad ties were laid in the usual fashion and heavy timbers were laid on the ties at right angles. Heavy strap iron was fastened to three timbers to form the railroad track. The motive power was four mules and they pulled four carloads of lumber each trip and made four trips a day.

In addition to lumber this line hauled freight and baggage to the residents near the Old Mill. At times even passengers were hauled on this line.

When Hobbs-Wall Mill in Crescent City began their operations, they did their logging near the mill and used oxen teams to drag the spruce timber to ditches where the logs were floated down to the slough that served as a log pond.

As logging operations expanded, the movement was toward the north and the first logging camp was opened up several miles from the mill. Rails were laid from the mill to the camp and the first Baldwin locomotive was brought in and was used to get the logs to the mill.

When a body of timber was logged off it would be necessary to move to a new location and a new camp would be opened, and this meant further extension of the railroad lines.

Each camp was complete in itself and had a cookhouse where the logging crew was fed, and cabins or bunkhouses where the men slept.

The men in the camps were, for the most part, bachelors, although some of the loggers were married and had families in Crescent City. During the summer months they stayed in camp and only went home on weekends.

In all, six camps had been in operation from the mill to the Fort Dick area, but they were not all operated at the same time. When one plot was logged off the operation was moved to another location and a new camp could be started.

The rail line had now reached the south bank of Smith River and when Hobbs-Wall purchased a stand of redwood timber on the east side of the river, it was necessary to cut a railroad bridge across the stream to reach the new scene. Two new logging camps were opened up at this location.

R. D. Hume had built a mill near the mouth of Smith River and had constructed a short railroad line from his mill to the logging operations on Rowdy Creek. Hobbs-Wall extended their rail line from the bridge to Rowdy Creek with expectations of hauling Hume's output of lumber to Crescent City by rail to be shipped to San Francisco by way of the company steamers. But Hume sold his stand of timber and his mill closed down.

Hobbs-Wall now had a railroad from Crescent City to the town of Smith River and opened up a daily passenger and freight service between these two points. This line now became known as the Crescent City and Smith River Railroad.

The depot in Crescent City was on 3rd St. between K and L, and the depot in Smith River was located near Rowdy Creek.

After the timber on the east side of the river was logged off the rail service to Smith River was discontinued. The service on the line between the two terminals was great while it lasted.

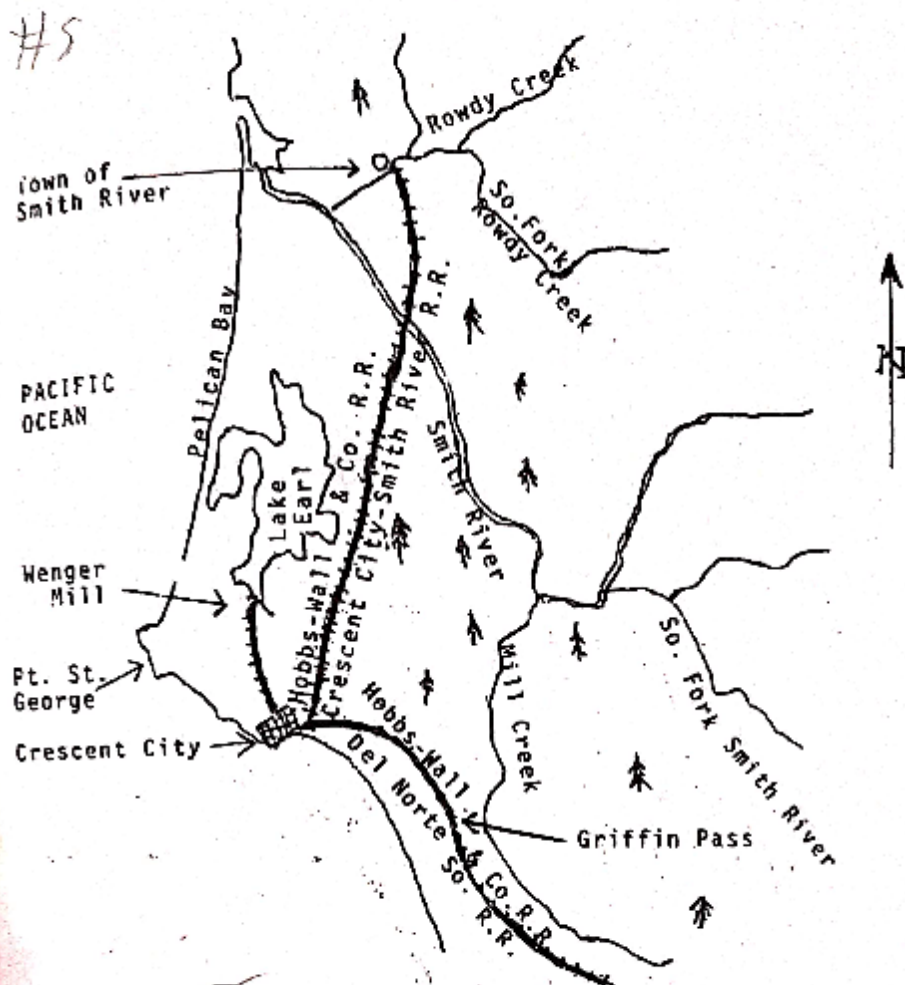
(Cont. next month)

(Editor's note: Wenger's Mill was built in the early 1860's, and Hobbs-Wall in 1871.)

Del Norte County Historical Society  
710 H St.  
Crescent City, CA 95531

Non-Profit Orgn.  
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*[Illustration] [4] Map of the routes of the Crescent City And Smith River Railroad, circa 1893. courtesy the Del Norte County Historical Society.*

Marshutz and Cantrell Company, she was an 0-4-0, standard gauge, horizontal cylinder rod, wood-burning locomotive. The original owner completely enclosed the boilers of the locomotive to prevent the firebox flames from frightening the horses in use on the docks of San Francisco. The "Dinky", with Joe Hutchison serving as engineer, was used to haul the products of the Hobbs-Wall Company mills to their docks in Crescent City. The "Dinky" was purchased from the Hume Lumber Company, and later sold for scrap.

Operating a railroad was never without incidents, some tragic, some humorous. The Crescent City and Smith River Railroad had it's moments

*Karena program Nov. 12 meeting - 2017*

*#6*

#### LOGGING AND LUMBER IN DEL NORTE COUNTY

Imagine, if you can, one hundred seventy thousand acres of timberland.

That was what was available to loggers and lumberman in the 1850's.

It was May of 1853 when the first sawmill arrived in Crescent City on the ship, Pomona. Located at the corner of 3<sup>rd</sup> and C streets it was built and operated by F.E. Weston for Knox Co. of San Francisco. This mill supplied the lumber for the first houses in Crescent City. Logs from Mill Creek were transported over Howland Hill by oxen teams. They relocated it a year later at the corner of 7<sup>th</sup> and G Streets, where it was used until it burned in 1856.

These early small lumber mills located in various parts of Del Norte County supplied lumber for the construction of the local town sites.

The lumber industry in Del Norte actually began around 1870 with the exportation of lumber from the Crescent City Mill & Transportation Company. This was a community venture to boost the local economy. Stock certificates were offered to the public to be paid in cash or labor. These same stocks were sold to the operators of the mill, A. H. Simpson and Jacob Wenger Sr. just one year later. The steam-powered mill was built on the south shore of Lake Earl. The milled lumber was taken to the bay by ox or donkey teams, a distance of about three miles. It was then piled above the high water mark and then rolled along the hard sand beach on rollers placed three feet apart so it could be loaded onto the lighters, small flat-bottomed barges, which would then take it to the ships. A lot of work! This, of course became easier when the wharf and railway was built. The mill also had problems with the lake. Overflowing and natural drainage of the lake during the winter rains would sometimes cause the mill to cease operations for up to five months due to the lack of water. Finally in 1880, after experimenting with several solutions, a dam with gates was built so the excess water could be released, preventing the lake from overflowing its banks. This assured year-round operation of the mill which by then employed about 35 men including loggers.

The mill burned to the ground in 1891 and was then rebuilt in 1894, the new band saw mill could cut five hundred thousand feet per day. By this time the logs were being brought in by train and dumped into the log pond, hauled into the mill by slip and then cut, trimmed, graded and loaded onto cars. Operating a ten-hour day, work would start at seven, with lunch at twelve, resuming work again at 12:30 until ending the day at 5:30. By this time the village known as Old Mill was a complete community, says Tom Peacock, historian. There were not only houses occupied by families, but also the cookhouse, the "Bunkelation" which was a narrow building cut up into a dozen or so rooms, each coming out onto its porch, single cabins occupied by single men, a community hall used for public gatherings and the school which was located in the Sand Hills just west of the southern end of the lake. In 1903, Wenger and Company's

August 13, 2021

COMMISSIONERS:  
E. R. EDSON, President,  
C. A. LAUNESTER, Second Director,  
N. BLACKSTOCK, Third Director.

STATE OF CALIFORNIA,

OFFICE OF THE

Board of Railroad Commissioners,

CHRONICLE BUILDING,

SAN FRANCISCO, June 12th 1899.

W. M. T. SEBORN,  
Secretary.

John K. C. Hobbs, Esq., c/o Hobbs, Wall & Co.,

#488 Beale Street, S.F.

Dear Sir:-

At request of the Board of Railroad Commissioners I send you herewith a certified copy of the order made by the Board of Railroad Commissioners at a meeting held in this office on the 7th day of June, 1899, relative to the application of the Crescent City & Smith River Railroad Company to increase their passenger tariff.

Very truly yours,

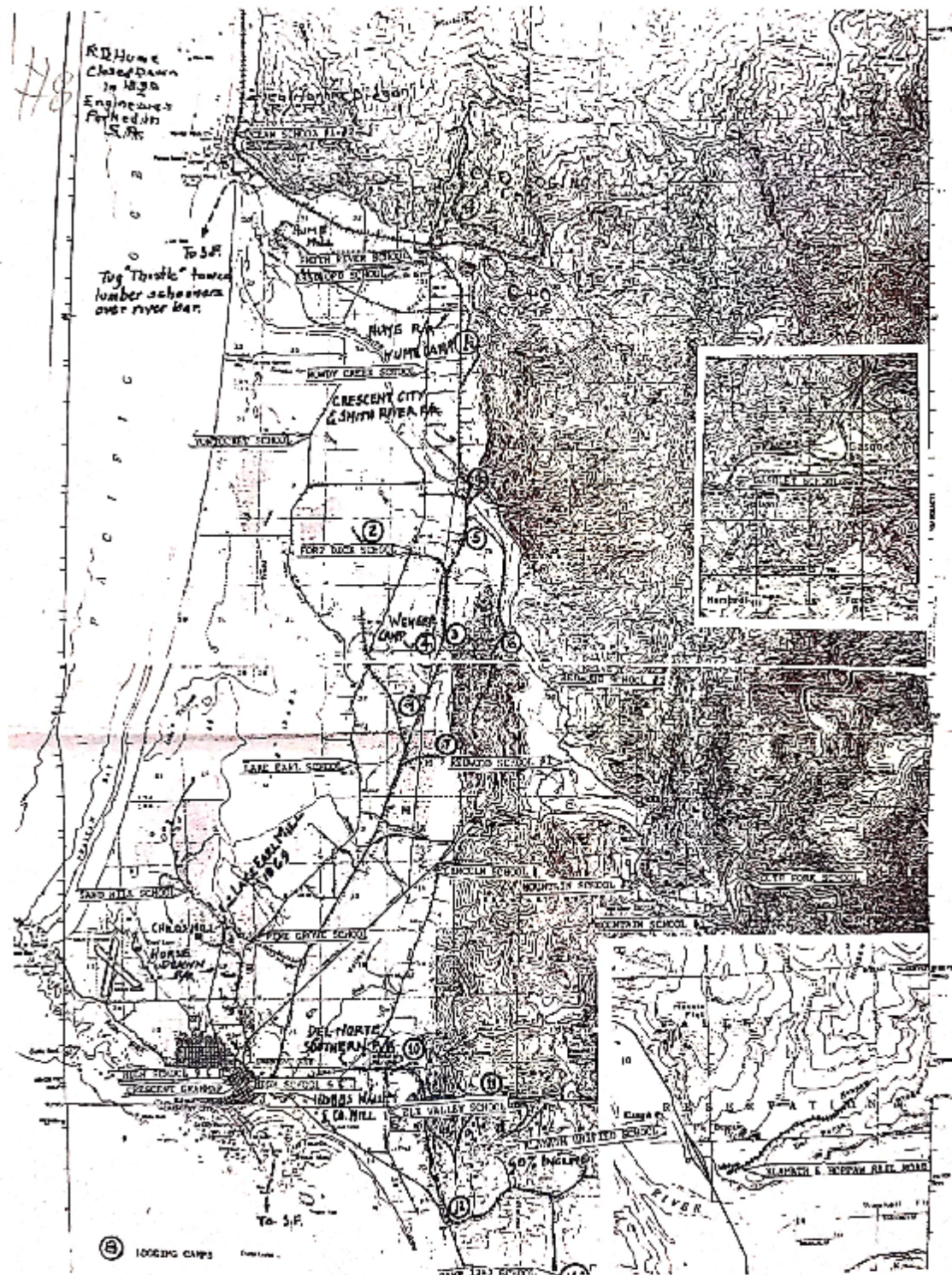
Enc. 1.

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*W. M. T. Seborn*  
Secretary.





#9

underneath for transport to the mills. The motive power was still oxen or mules and they were still slow.

The development of the steam tractor enabled the lumber companies to move a greater volume of logs at one time by forming the lumber wagons into trains. But, the tractors moved slowly and sometimes bogged down during winter rains.

About 1860, Jacob Wenger, early pioneer mill owner, started a logging operation near Earl Lake, north of Crescent City. Wenger laid three miles of railroad to haul lumber from his mill to the wharf in Crescent City for transport to San Francisco. Wenger laid wooden ties in the usual manner on a graded right-of-way. Wooden rails were then laid on the ties at a right angle, and a heavy strapping iron was nailed to the top of the wooden rails. Two mules furnished the motive power, making the round trip four times a day. To earn additional revenue for the railroad, the company hauled freight and baggage for the people living along the right-of-way, and the drivers were ordered to haul the passengers free of charge.

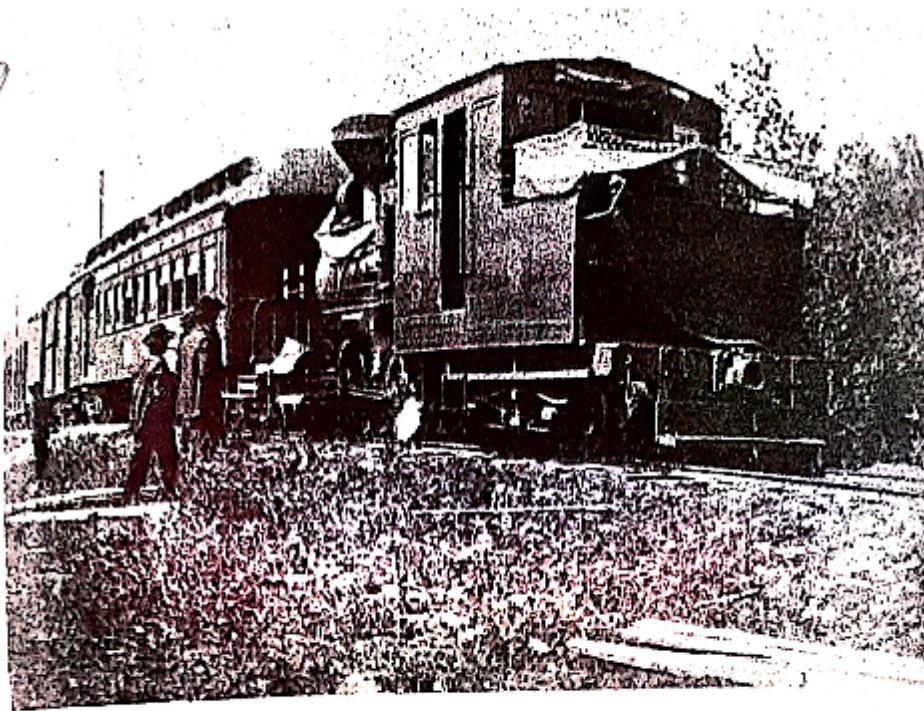
The Hobbs-Wall company became interested in the lumbering possibilities of Del Norte County, and in 1871, built a mill on Elk Creek, near Crescent City. Trees growing adjacent to the mill were cut and dragged by teams of oxen or mules, to the water filled ditches to be floated to the mill ponds. The cutting operations thinned the usable trees, causing the crews to move ever northward in the quest for logs.

The northern expansion of the logging operations demanded a more rapid means of transporting the cut logs to the mill. Hobbs-Wall Company decided to build a railroad that would follow the logging camps on their northward march. A right-of-way was surveyed and construction commenced on the Hobbs-Wall Company Railroad. Later, the name was changed to the Crescent City and Smith River Railroad. The rails followed the present route of Highway 101 in Del Norte County north of Crescent City. The expansion north to the logging camps was followed by the railroad until the tracks reached the south bank of the Smith River, 12 miles from Crescent City.

The motive power for the new railroad was furnished by a Baldwin Locomotive Works, Philadelphia, Pennsylvania, 2-4-2 standard gauge, standard rod, woodburning locomotive. The locomotive reached the docks of Crescent City on the deck of a sailing ship that navigated the notorious Cape Horn.

A review of the rail operations convinced Hobbs Wall Company that





*[Photo 1] Engine #3, decorated with bunting for the inaugural trip to Smith River. Engineer, Hughie Caughell. Photo courtesy Richard Pfemmer.*

2 freight and passenger service to and from Smith River would produce additional revenue for the budding railroad. They purchased a wood body, open end vestibule passenger coach. With the locomotive heading the single passenger car and several freight cars, the Crescent City and Smith River Railroad, in 1894, commenced service to Smith River. The fare was seventy five cents, one way.

To provide loading facilities in Crescent City, Hobbs-Wall Company converted a section of their warehouse on 3rd Street, between K and L Streets, into a passenger waiting room. The Smith River station was established at the rail's end, near Rowdy Creek.

About this time, R.D. Hume built a mill near the mouth of the Smith River, and constructed a narrow gauge rail line from this mill to the logging operation on Rowdy Creek. Hobbs-Wall Company planned to extend their railroad to the Rowdy Creek operation to haul the output of Hume's mill to the docks of Crescent City. Hume, about 1893, sold his timber holdings, closed the mill and the rail link never materialized.

The Crescent City and Smith River Railroad built a bridge across the

**RESPONSE:** Please refer to General Concern 2) Harvesting Young Growth and Old Growth Forest, 3) Neighborhood Concerns, 4) Traffic, 5) Wind Impacts, 6) Wildlife, 7) Watercourse Protection, and 8) Historic Landmark