

# Beyond 'Owls Versus Jobs': A Twenty-Year Retrospective of the Headwaters Forest Controversy

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*In 1999, the Headwaters Forest Reserve was established in Humboldt County after more than 20 years of community activism, negotiations, and litigation. The 'last stand' of unprotected, privately-owned old growth redwood had finally been safeguarded, though many on the North Coast felt that the final deal fell far short of what was needed to protect the watershed's ecological functioning. This article uses academic and journalistic research, supplemented by oral histories, to make three main points about the North Coast 'post deal.' One, forest management practices in the region have evolved to be more consistent with the practices of ecological forestry. Two, the emergence of a restoration-based economy has come to partially fill the void left by the exit of the extractive economy. And three, Headwaters Forest itself has evolved from a site of contention to one of collaboration. The piece argues that the 'owls vs. jobs' framework never quite fit the Headwaters saga, and ultimately concludes that despite its geographic isolation, threats to North Coast forest ecosystems are inimically connected with global forces like climate change that intersect with local, place-based advocacy efforts.*

**Keywords:** Headwaters Forest Reserve, sustainable forest management, *Sequoia sempervirens*, environmental activism, environmentalism, EarthFirst!

**T**he Headwaters Forest, located in Humboldt County in Northern California, was until relatively recently the state's 'last stand' of unprotected old growth redwood.

Formerly owned by the Pacific Lumber Company (PL), Charles Hurwitz and the Maxxam Corporation gained control of the company in 1985 in a hostile takeover. Clearcutting was proposed by the company's board as early as 1982, but Hurwitz accelerated the cutting of old growth on PL property. This alienated the workforce and electrified environmental activists. The Timber Wars, which were occurring throughout the Northwest, were typified by the juxtaposition of owls and jobs, which never quite fit the Headwaters saga. The Headwaters controversy took place on private land, and North Coast activists explicitly

advocated for timber workers' rights and ecologically responsible forestry. In 1996, a deal was struck between the Department of the Interior and PL, protecting approximately 7,500 acres of old and second-growth forest. The deal was finalized in 1999 and included the State of California contributing \$130 million. It proved highly controversial as it fell short of what activists demanded. Today, Headwaters Reserve is protected and managed by the Bureau of Land Management (BLM) and the California Department of Fish and Wildlife.

The deal had three long-lasting social impacts within Humboldt County. One, despite the continuance of clearcutting by some companies, forestry practices are decidedly more in line with 'New' Forestry and vastly more ecologically responsible than under the Hurwitz reign. The Humboldt Redwood

Company, on the whole, balances timber extraction with forest health and ecological functioning while being heavily influenced by the regulatory framework of California forest practice rules. Green Diamond Resource Company, on the other hand, still draws the ire of local activists for their practice of clearcutting. Second, the bankruptcy of the Pacific Lumber Company, reduction of North Coast timber stocks, and globalization of the timber industry created an economic void that the restoration economy has filled in part, but remains vulnerable to due to reliance on state and federal funding (Baker 2005). Third, Headwaters Forest itself is no longer a site characterized by combat and contention, but rather collaboration and community partnerships. After the aggressive takeover of PL by Charles Hurwitz, the anti-corporate, anti-capitalist attitude of North Coast California activists coalesced and focused on Hurwitz and PL forest practices. With the bankruptcy of PL and subsequent purchase of the company by the Humboldt Redwood Company, the absence of a decidedly evil villain has cast a different tone and approach to negotiations regarding proper forest management. Overall, activists and land managers focus on stewarding working landscapes, restoring degraded landscapes, and creating the collaborative relationships needed to do so effectively.

This paper uses academic and journalistic research, supplemented by oral histories, to make three main points about the North Coast 'post deal.' During the summer of 2017, three oral interviews were conducted to provide anecdotal feedback from prominent stakeholders/users/managers of timberland about the implementation of 'the deal' on Pacific Lumber/HRC land. They are the subjective, personal accounts of a limited number of narrators, and they do not represent the full range of attitudes. In particular, they are primarily from the conservation

community. Each interview has been reviewed by the interviewee to confirm that the narrative reflects the views that they expressed. The broader conclusions drawn from the interviews are ultimately those of the author.

### Background

Conflict typified the so-called timber wars of the 1980s and 1990s, which extended from California through Oregon and Washington. Timber workers and environmentalists took polarized stances, particularly with respect to management of the northern spotted owl (*Strix occidentalis caurina*) under the Endangered Species Act. The spotted owl's ideal habitat is a forest with old-growth characteristics and a single pair has a home range of up to 5,000 acres. Hence, the protection of these unassuming birds became the symbolic center of the timber war battles (Flournoy 1993). The 'owls versus jobs' narrative was attributed to a divergence of values. On one hand, timber interests chastised environmentalists for causing short- and long-term economic losses, while environmentalists focused on the aesthetic, ecological, and spiritual assets of old-growth forests and attributed job loss to factors like automation, globalization, and overcutting (Flournoy 1993).

While the Headwaters battle occurred within the same geographic region and timeframe as the timber wars to the north, there were many differences. In contrast to battles taking place further to the north, the redwood controversy centered on private land, while the issues to the north focused on the protection of the spotted owl and marbled murrelet (*Brachyramphus marmoratus*) on National Forest and BLM land. California activists were strongly motivated by the concern that increased industrialization and a Fordist approach to management would threaten the long-term sustainability of timber jobs, and

North Coast activists were explicit in their advocacy for the needs of timber workers (Bonanno, Alessandro and Constance 2008; Bonanno and Blome 2001; Speece 2017). While environmental groups have been stereotyped as gendered and elitist (Morrison and Dunlap 1986; Whittaker, Segura, and Bowler 2005), on the North Coast women were at the helm of many of the key decision-making organizations (Speece 2017). PL was not chastised for extracting timber, as many activists saw a place for logging in the local economy, but rather the rate and type of harvest. While the ‘battleground’ narrative was reinforced by archetypes (an evil corporation and its even-more-evil CEO, a band of unflinching yet humorous activists, and a sublime ecosystem), the actual Headwaters forest issue was much more nuanced.

Redwood forests are ecologically unique, which has contributed to reverence for both their ecosystems and their high-quality timber. Coast redwoods (*Sequoia sempervirens*) are regularly bestowed with superlatives—majestic, otherworldly, humbling, cathedral-like. They inhabit a limited range just inland of the coast, and range from Monterey Bay to the Chetco River in Southern Oregon. Coast redwoods can grow to be over 350 feet tall with a 25-foot diameter, and in mature stands the sunlight often does not reach the forest floor (Farmer 2013). Early accounts of these trees were met with disbelief by Easterners, who attributed their alleged size and magnificence to tall tales and boosterism (Noss 1999). Redwood forests are regularly shrouded in fog – as much as 30% of precipitation in redwood forests is attributable to fog drip – and are host to a myriad of species, including black bears (*Ursus americanus*), Pacific giant salamanders (*Dicamptodontidae ensatus*), Roosevelt elk (*Cervus elaphus roosevelti*), marbled murrelets, and the famed spotted owl. Only relatively recently has it been discovered, given the extreme height that a grove can reach, that there are distinct

ecosystems throughout the canopy depending on forest structure, water availability, and sunlight (North and VanPelt 1996). As a source of timber, redwood is lightweight, stable, and structurally strong. The history of the relationship between humans and Coast redwood communities has been characterized by simultaneous conceptualizations as unique ecosystems deserving of protection and high-grade lumber needed to build the western United States.

Pacific Lumber Company’s ownership and management was taken over by the Humboldt Redwood Company after PL’s bankruptcy declaration. Founded in 1863 and headquartered in Scotia, California, the Simon J. Murphy family managed the company relatively conservatively, and it was renowned in the community for providing consistent employment. Scotia was literally a company town, providing a stable wage, company store, affordable housing, and even an ice skating rink. PL’s approach to forest management was in the tradition of Gifford Pinchot and the concept of sustainable yield, harvesting a selection of the older trees while leaving the healthiest stock standing to reseed the next generation (Harris 1997). While far from the ‘deep ecology’ model embraced by activists, the resulting forest ecosystem retained more intact than forests managed by other corporations. Ironically, the cautious approach to management made PL vulnerable to a takeover, as by the mid-1980’s the company was debt-free and holding sizeable unprotected stands of old growth redwood on its property. In 1986, Maxxam Corporation, led by Charles Hurwitz, officially acquired Pacific Lumber in a hostile takeover (Cobb 2008). Maxxam tripled the rate of harvest, focusing specifically on old-growth. When Maxxam took over PL there were approximately 740 employees, which rose to 1,300 as PL accelerated its harvest. Shortly after the takeover, Hurwitz lectured his employees about the golden rule, namely that “he who

has the gold makes the rules.” While some argue that this was simply a poor reading of the crowd, others assert that the speech was a threat intended to eliminate employee dissent. Over half of the employees signed a formal letter opposing the takeover by Maxxam, as their continued employment would be put at risk should the harvest be dramatically accelerated (Pacific Lumber Employees 1985). Signing this letter in the tiny company town of Scotia was a risky move, as this could cast employees in a negative light from the perspective of management.

North Coast activists were already suspicious of industrial forest management. They were also aware that corporations were navigating the environmental laws of the late 1960s and early 1970s under a pro-industry administration, and after the acquisition of PL by Maxxam, they felt the need to investigate the company’s forest practices firsthand. After speaking with an attorney from The Environmental Protection and Information Center (EPIC, a North Coast-based activist group largely active in litigation), investigative journalist Greg King went for a hike in what is now dubbed Owl Creek Grove. Stunned by the extensive, intact old growth forest, he explored further, eventually locating six large groves of old-growth, connected by second growth, in an approximately 60,000-acre forest complex that he and his cohorts dubbed Headwaters Forest (Speece 2017). From there, he and Darryl Cherney founded North Coast EarthFirst! (a chapter of a nation-wide group focused on direct action), and EPIC began to pay more attention to Pacific Lumber’s practices. Beginning with rallies in September 1986, a variety of actions followed – tree-sits, demonstrations, and exploratory expeditions under the cover of night. While there was never a formal connection between EarthFirst! and EPIC, initially EarthFirst! would identify key groves and problematic logging plans, hoping litigation would follow. According to Speece (2017), by the late

1980s that pattern had reversed itself. “EPIC would challenge old growth harvest plans...local EarthFirst! activists would stage direct actions to delay logging activity, Pacific Lumber would attempt to log the areas before the courts intervened, and when in court, Pacific Lumber and the Department of Forestry would experiment with defense arguments that might reverse existing precedent” (2017:156). PL did not cede to the activists demands.

The campaign against PL picked up momentum. Greg King was an expert photographer, and Darryl Cherney was a charismatic leader and songwriter. The media hungrily reported on the most dramatic incidents of the era, namely violence and confrontations in the forest. Two major events occurred in 1990. The first was Redwood Summer, modeled after the civil rights event ‘Freedom Summer,’ which prominent activist Judi Bari established as series of protests characterized by non-violent civil disobedience. It was ultimately remembered as having stirred conflict between timber workers and activists, despite Bari’s best efforts. Second, there was the explosion of a car bomb under the seat of Judi Bari, leaving her permanently disabled. No perpetrator was arrested or identified; rather, Oakland Police and the FBI arrested Bari and Cherney (who was also in the vehicle) for transporting the bomb. The tension on the North Coast ran high, but the activists – especially Bari – continued to advocate for the rights of timber workers and denounced violent actions like tree-spiking. As PL violated more court orders, the activists attempted to broaden their base. The team saw an opportunity with the election of environmentalist Dan Hamburg to Congress in 1992. In 1994 Hamburg proposed the Headwaters Forest Act (H.R. 2866), which included a 10-year restoration plan and the retraining of timber workers. An amended version of the bill was approved by the House but was blocked by Senator Dianne Feinstein,

and the senate adjourned without having voted on it. Hamburg was not re-elected, and the bill was never revisited. Despite the setback, the Headwaters issue continued to gain national attention, and EPIC continued to file lawsuits against Pacific Lumber. In an effort to attract national attention to the issue, activists organized a rally outside PL's Carlotta mill in September 1996. Officials estimated 5,000 attendees, though activists argued it was more. Some state that it was the largest forest-related protest in U.S. history.

In 1996, the battle over Headwaters Forest was taken to the federal level. Instigating this move was EPIC's claim that PL violated a court order and logged Owl Creek Grove over a Thanksgiving holiday weekend. EPIC filed an injunction against PL, after which PL filed a counter-lawsuit arguing takings (the 'taking' of private property by the government). From there, the resolution of the Headwaters issue was in the hands of representatives from the Department of the Interior, the California Department of National Resources, the California Resources Agency, and Hurwitz himself. Absent were activists from EPIC and EarthFirst! On the whole, the activists supported the acquisition of the full 60,000-acre Headwaters Forest complex, arguing for a 'Debt for Nature' swap. This swap proposed that the federal government would appropriate the land in exchange for Hurwitz being relieved of his alleged \$548 million debt, that he was never officially held legally responsible for. However, North Coast activists had no seat at the table.

Ultimately, the deal to purchase Headwaters from PL was released on Sept. 28, 1996. In the proposed deal, 7,472 acres would be purchased with the federal government committing \$380 million and the state contributing \$100 million. PL would be required to submit a Habitat Conservation Plan (HCP) and a Sustained Yield Plan (SYP) for timber operations on the rest of its property (Speece 2017). North Coast activists were

aghast. EarthFirst! reacted by organizing multiple rallies against the deal, arguing that the size of the protected area was insufficient to protect watershed health. While the HCP provisions were originally adopted in 1982, activists argued that the deal accelerated the use of these provisions, setting a dangerous precedent for future environmental conflicts. While EarthFirst! organized direct action campaigns, the Trees Foundation developed the Headwaters Forest Stewardship Plan in an attempt to show that the relatively new approach to ecological forestry ('New' forestry) could be practiced on the full 60,000 acres under non-profit management (Swanson and Franklin 1992). Activism increased, including a two-year tree sit by model-turned-activist Julia 'Butterfly' Hill. On March 1, 1999, the transaction to purchase Headwaters was finalized minutes before the appropriated federal funding expired (Hayes 2000). The Maxxam-run PL filed for bankruptcy in 2007, citing increased environmental regulations. By 2008, PL gave way to Humboldt Redwood Company, whose approach to forest management was, and remains, more environmentally responsible.

### **Managing Headwaters Forest for Ecological Health: An Interview with Christopher Heppe**

Christopher Heppe manages the Headwaters Forest Reserve for the BLM, in conjunction with a staff of resource specialists and in partnership with the California Department of Fish and Wildlife. Headwaters Forest Reserve functions as a local, multi-use, community-supported recreation area. When Heppe shows up at the Elk River trailhead, the reserve's main access point, he greets many of the dog-walkers (and their dogs) by name. According to a 2012 report, most visitors to the Headwaters forest preserve come in pairs, have visited before, and nearly half are dog walkers. The median age of visitors is 48

years old, and they are mainly white and non-Hispanic. The majority hike to the Falk town site, approximately one mile from the trailhead, and report being happy with the amenities provided (Martin 2013). Access to the old growth is purposely difficult, less for fear of damage to the trees themselves, but rather to reduce the dropping of food scraps by visitors, which attracts jays and ravens that prey on the threatened marbled murrelet. It is approximately an 11-mile round trip to the old growth via the Elk River Trailhead, and visitors regularly attest to its awe-inducing structural complexity. The alternate access point via the Salmon Pass trailhead, which provides an easier means of access, is available via docent-led hikes during the summer.

The most prominent and accessible feature along the Elk River trail is the historic mill town of Falk. Located approximately one mile down the paved footpath, the town of Falk was originally home to 400 employees of the Elk River Lumber Company, who lived on site as Eureka was more than an hour away by stagecoach. The town was self-sufficient, with a post office, general store, dance hall, and homes for residents. After thriving for 50 years, the mill and town shut down in 1937 (Clarke 2017). At the Falk site, informational placards installed in years previous are now shrouded in overgrowth. Huge stumps, encased in huckleberry, moss, and sucker shoots, remind visitors of a past era. "While redwoods are the focus of the reserve, Falk is an important part of the history and accessible to the public," Heppe states. I ask Chris about the optics of highlighting a historic mill town in an area famous for its occasionally combative stand-offs between timber interests and environmentalists. "Well," he states, "Falk provides a good bridge to talk about the ecology and human history of the forest."

The Headwaters Forest Management Plan was completed in 2003 with substantial public input and through a large number of

partnerships. The plan balances three main objectives – restoration, recreation, and research – with the overall goal of improving ecosystem health (Heppe 2017). Approximately forty percent (3,100 acres) of the reserve is old growth redwood forest, having never been logged. Within the old growth, the objective is to preserve its unique characteristics and highlight an important chapter in environmental activism. Other parts of the reserve were partly clear-cut in the 1980's and then left alone, resulting in dense, single-aged canopies of Douglas-fir (*Pseudotsuga menziesii*) where there had historically been multi-aged stands of Coast redwood, Douglas-fir, and other species. Historically, fires caused by logging in the area provided informal management, but 70 years of fire suppression left the forest vulnerable. According to Heppe, the BLM followed a relatively conservative set of guidelines. The Headwaters Forest Reserve Resource Management Plan, approved in 2004, proposed two thinnings covering 1,600 acres, with no cutting of trees over 12" in diameter and leaving all downed woody debris onsite. Thus, all cutting of trees was intended to improve ecosystem health. Also in the plan is the decommissioning of 36 miles of logging roads, reducing sediment discharge to fish-bearing streams. According to Heppe, monitoring and research has shown that a third thinning would improve the forest's old growth characteristics, so a revised management plan (currently under review) requests that additional restoration thinning be allowed to take place. Despite the fact that activists were advocates of restoration forestry, the land managers at Headwaters had to err on the side of caution when proposing active management in the previously cut-over areas. "We had to work hard to gain the public's trust," states Heppe. The nearby Arcata Community Forest's approach to ecological forest management, which is widely praised

throughout the region, has set a good precedent, and environmental groups have largely approved of the BLM's work.

With respect to funding these restoration activities, a \$5-million private donation was matched by the state. These funds were then donated to a local non-profit that coordinates the watershed restoration projects, often hiring unemployed timber workers. The Save the Redwoods League has also contributed funding. Research, which is largely facilitated by collaborations, monitors the status of the ecosystem's health. Alliances include partnerships with Humboldt State University, East High in Fortuna, and citizens who have engaged with the BLM to monitor aspects of the forest's ecology. While the population levels of threatened and endangered species within the Headwaters Reserve are uncertain, the development of old-growth characteristics is likely to offset the stressors these species face on private land (Heppe 2017).

When Heppe is asked what has changed with respect to conservation since the 'owls vs. jobs' era, he states, "It seems like there is a lot more done in the gray area. There has been a shift from preservation to restoration because there are just less pristine sites available." As tensions have dissipated, the forest activists who fought to preserve Headwaters have also become increasingly featured in interpretive placards. Thus, it appears that twenty years later, timber extraction and activism have both become interwoven into the Headwaters narrative, as the reserve itself is being managed for ecological health and resilience.

### **Problems with the Deal and the Emergent Restoration Economy: An Interview with Greg King**

Greg King famously discovered the Headwaters Forest complex while exploring PL property after its acquisition by Maxxam in 1985.

Nearly 20 years after the deal to purchase Headwaters Forest was brokered, King remains animated, verbose, and angry about the long-term ramifications of the negotiations and ultimate settlement. "Everyone was really well played," stated King. As he explains it, PL negotiators were well aware that the deal could over-value their property, and hence they leveraged that opportunity accordingly. King states that the \$480 million purchase price and the associated tax credits were much more than the value of the property had it been valued under the Endangered Species Act. Additionally, under the deal PL could log the residual groves through the legal route of the HCP and SYP. King sees the deal as having bankrupted the North Coast ecologically and financially. According to King, while EPIC won lawsuits using the Endangered Species Act, the 'big green' groups, notably the Sierra Club, circumvented laws that were already on the books. "Maxxam was so far ahead of us," laments King. To him, one tragedy is the degradation of the Headwaters Forest complex, much of which was left out of the deal and continued to be aggressively logged while and after the deal was put in place. But the second tragedy, in King's mind, is the national precedent that the deal set for environmental negotiations at the state and federal level, which was to utilize the 1982 amendments to the ESA as legal means to sidestep the intention of national legislation.

King ultimately believes that environmental activism is evidence of a broken system wherein laws that are on the books aren't enforced. In his opinion, collusion by the California Department of Forestry with timber interests compounded the problem. Even 20 years later, his frustration is still-fresh. "Everyone laid down, everyone capitulated, Hurwitz illegally floated junk bonds, conducted an illegal takeover, sucked the life out of Scotia and Fortuna, and everyone at Maxxam got wealthy," states King passionately. This, in

King's mind, is in the broader context of a profit-driven world that is fundamentally unable to take environmental concerns seriously. "There never has been the intellectual or spiritual or philosophical space in political discourse to forestall these attacks on the existence and life force of the planet." King clarifies that he is not against sustainable forest management and heralds the type of 'New' forestry practiced at the Arcata Community Forest. Despite his disappointment in what he sees as a heavy logging regime by the Humboldt Redwood Company, King remains hopeful that they might someday follow Arcata's model. King states that in early 1987, his group did some rudimentary math and determined that Maxxam's logging pace could only last for 20 years before the company would largely deplete its inventory. This projection was more-or-less realized by Maxxam's declaration of bankruptcy in 2007. Today, King champions the local restoration economy (his organization, the Siskiyou Land Conservancy, partners with the U.S. Natural Resource Conservation Service to conduct forest and stream restoration along the Smith River, in Del Norte County), but he says levels of government and private restoration funding are insufficient in their current state. He would prefer that the region be treated, conceptually and economically, as one would a Superfund site, with an infusion of funding to remediate the almost ubiquitous damage caused by industrial-scale logging throughout the North Coast. Restoration jobs would be dedicated to unemployed timber workers, while restoring the ecological and economic potential for employment in related industries like fisheries and non-timber forest products. Citing the Van Eck Forest Laboratory and the Arcata Community Forest, King argues that 'light-touch' forest operations could employ former timber workers through small, high-value harvests. King suggests that a tax on lumber products could be appropriated into a fund, the revenue from which

would be accessed by non-profit organizations conducting restoration activities in California's timber producing regions. In speaking with King, one gets the sense that current employment opportunities are insufficient for both restoring the forests damaged during Hurwitz's reign or providing financial stability for area residents.

### **From Conflict to Collaboration: An Interview with Rob DiPerna**

The Headwaters negotiations era was famously contentious. Rob DiPerna works for the Environmental Protection Information Center and calls himself a 'wayback machine.' He engaged in direct action in the early 1990s, witnessed the deal negotiations through the late 1990s, and assisted in monitoring the implementation of the controversial HCP in the 2000s. EPIC was, and continues to be, notorious for its ability to effectively monitor the practices of timber companies and litigate when environmental laws are violated. While other activist groups identified the Headwaters issue, used dramatic tactics to publicize it, and motivated the general public to speak out on its behalf, EPIC litigated. This approach was honed during the Headwaters controversy and proved remarkably effective in the years leading up to the deal, enabling a small band of geographically isolated activists to take on huge corporations and bring the Headwaters issue to center stage at a national level (Speece 2017). Now, DiPerna is an unabashed advocate of a cooperative and non-confrontation approach to forest stewardship. "Litigation is a last line of defense," he says. "It's what you resort to when nothing else works. It's expensive, risky, divisive, and creates uncomfortable situations. Its only viable if you have failed at everything else you have tried."

Today, DiPerna expresses a deep commitment to resolving land-use conflicts as uncontentiously as possible. The goal, he



states, is to be adaptable to the place, time, and the broader context. According to DiPerna, in the past, EPIC may have gone to court multiple times to defend a single piece of land, while today the organization advocates for collaboration. By meeting with corporate interests and having discussions ‘in the field,’ DiPerna argues that commercial interests have given more than they would have had EPIC tried their historical aggressive approach. For example, DiPerna engages with the Humboldt County Buckeye Conservancy, a coalition of ranchers and timber owners committed to ecological sustainability through resource-based livelihoods. DiPerna knows that they may agree to disagree about controversial issues, but he advocates for the importance of coming to the table. DiPerna and his colleagues engage with the California Department of Forestry and Fire Protection, the Green Diamond Resource Company, and the Redwood Sciences Symposium, collaborations which could have constituted ‘sleeping with the enemy’ 20 years ago. “Confrontation,” argues DiPerna, “doesn’t solve problems. Problems are complicated, and they are part of the social and economic context of the community and the world”.

According to DiPerna, the ‘us vs. them’ narrative of the 1990s emerged in part due to the need to tell a good story. “The owls versus jobs thing was an oversimplification created by the media,” states DiPerna, “and the media feeds into how people simplify things psychologically.” DiPerna admits that some still believe that the timber industry was killed by environmental regulations. Others, however, think that the timber industry declined due to unsustainable harvesting, per the approach taken by PL during the Hurwitz years. Overall, DiPerna expresses still-lingering sadness over the deal and the Maxxam regime. “Headwaters was a bad deal,” he states, “Everyone knew that it was bad and that it would cripple the local economy and that it would let Hurwitz win. We lost timber jobs,

the timber infrastructure, and the economic base, and into that vacuum came the cannabis economy.”

To be sure, opposition between the timber industry and activists was not simply a media-generated narrative, as it was very much the experience of many living through the timber wars era. But “the timber wars are over,” DiPerna states emphatically. “Jobs were lost, the forests were lost, species were lost, communities were lost. The only person who won was Charles Hurwitz. Can we please try something else, and stop pretending that the world is something else than it is? It doesn’t matter who is responsible or who you want to blame. Who do we hunt down and shoot and kill? We do this to each other and it’s a never-ending cycle.” Now that the villain is gone, the hard task of cleanup and what the future means is at hand. Into this void, in DiPerna’s perspective, comes a willingness to collaborate for the good of local ecosystems and the local economy. “You get more flies with honey,” he states.

## **Discussion**

The battle over Headwaters has become the stuff of legends, repeatedly examined by activist groups, academics, and the media. But ultimately, the contention and vitriol over Headwaters was about the functioning of ecosystems and the species that inhabit them. The oral histories and field work engaged in for this article demonstrated the way the deal did – and in some ways, continues to, even 20 years later – anger and sadden those who worked for decades advocating for the rights of workers and protection of the forest ecosystem. But the vitriol and aggressiveness that characterized the activism of the past has been largely tempered, even while activists continue to confront egregious forest practices in the region. Other activists, however, have moved on to different issues or different

tactics. Most would agree that that the existing Humboldt Redwood Company much better reflects (albeit not perfectly) responsible forest management. Scotia is a far cry from the bustling company town that it once was, and employment in the timber industry is unlikely to serve as the financial base of the region. One way or another, The North Coast is a fundamentally different place than it was during negotiations and up through the deal.

The first major change post-deal is that North Coast forest management practices have become much more consistent with ecological forestry. Post-Hurwitz, the Humboldt Redwood Company has become immensely more responsible with respect to its timber harvest practices. Text on their website explicitly recognizes the balancing act between ecology and timber extraction, stating "...HRC's stated purpose has been to demonstrate it is possible to manage productive forestlands with a high standard of environmental stewardship, and also operate a successful business" (Mendocino Redwood Company and Humboldt Redwood Company N.d.). The company is certified by the Forest Stewardship Council, a voluntary third-party certification scheme which establishes standards that a company must meet to be allowed to utilize their label. On the other hand, Green Diamond Timber Company still draws the ire of local activists for their rate of timber harvest and practice of clearcutting. A writer under the pseudonym 'Fritz Wunderplot' summarized the opinion of some, stating that, "HCPs, first popularized during the Clinton Administration to allow industry to evade the federal Endangered Species Act...have allowed Green Diamond to decimate redwood forest life and water quality from the Humboldt Bay area to the Oregon border" (Wunderplot 2015). Thus, while there has been progress made as to the management of forestland for ecological functioning and timber extraction, there remains room for improvements.

A second change is that the restoration economy (e.g. activities that improve the ecological conditions of watersheds, salmonids, and ecosystems) has become an increasingly important part of the North Coast's regional economy (Baker 2005). While difficult to quantify, Baker and Quinn-Davidson estimated \$65 million was contributed to the area via in-county restoration. But despite the gains in the sector, there remain vulnerabilities, including the short work season, instability of funding agencies, dependency on federal funding, and permitting issues. While the restoration economy continues to prove promising, even rivaling the potential of other local industries, it remains to be seen whether it can make up for the ongoing and sustained decrease in livelihoods associated with timber extraction (Baker and Quinn-Davidson 2011).

Third, within the region and more broadly there is an increasing amount of collaboration between activists, land managers, and timber companies in lieu of hostility and suspicion. Headwaters was, famously, the 'last stand,' and as the status of many pristine landscapes has become settled, conservation interests have increased their focus on hybrid ecosystems. Assuredly, the old growth in the Headwaters Reserve is biologically unique and vulnerable to human impacts. But the popularization of Headwaters in the media relied on a historically-rooted cultural narrative about the value of pure nature (Cronon 1996), which has become less defensible in the so-called Anthropocene. Also neutralizing the two-sidedness of the issue is the dissolution of the relationship between the California Department of Forestry and timber interests. Regardless, activist communities and timber interests have become less antagonistic and willing to forgo ideological differences in the name of the pragmatic resolution of management decisions.

Women featured prominently within the Headwaters movement. While not the focus of this article, I would be remiss to not mention the degree to which the movement was female-driven, e.g. Alicia Littletree, Cecelia Lanmann, Tracy Katelman, Kathy Bailey, Julia Butterfly Hill, and Judi Bari, to name a few. Historically, women have featured prominently in the environmental movement, but they have often been characterized as activists by default, reacting after environmental degradation has impacted them and their families (Bernstein 2017). The Headwaters issue was contingent on female leaders who employed smart, aggressive, strategic tactics, with little nod to old tropes conflating femininity, earth wisdom, and environmental stewardship. Judi Bari in particular is credited with differentiating the campaign from the allegedly elitist environmental campaigns of the past, with her dogged defense of worker's rights and attempts to bring timber workers and their priorities into the fold. Like the North Coast activist community of the 1990s and beyond, environmental leaders have become increasingly female, based on their hard-nosed vision, strong leadership, and strategic tactical skills (e.g. the late Becky Tarbotton of the Rainforest Action Network).

At risk of painting an overly optimistic picture of the social context without recognizing the ecological reality, threatened species throughout the Northwest still face substantive challenges. A multi-authored 5-year report published by the GEOS Institute states that, "murrelet habitat continues to decline, [and] there are ongoing predation problems (mostly Corvids) related to forest fragmentation," with habitat loss particularly notable on private land (GEOS Institute 2017:1). Spotted owls have continued to fare poorly, as evidenced by the decline in mean species population change from 1.2% to 8.4% per year (Dugger et. al. 2016). Habitat

loss appears to be a primary contributor, exacerbated by climate change and barred owl presence. While the facilitation of old-growth characteristics within Headwaters and other publicly-owned lands has likely ameliorated some of these trends, it is stunningly apparent that the population of a threatened species cannot be divorced from its broader range and the pressures affecting the species as a whole.

## Conclusion

The Headwaters Reserve is a relatively small piece of land embedded within a broader terrestrial and marine ecosystem. Despite the permanent protection of Headwaters, past harvesting timber on and near the site has led to unprecedented flooding and sedimentation of the Elk River and nearby Freshwater Creek, leading the North Coast Regional Water Quality Board to designate the Elk as a sediment-impaired waterway (Mangelsdorf and Craeger 2017). Affected further downstream is Humboldt Bay, where once-abundant populations of coho salmon (*Oncorhynchus kisutch*), chinook salmon (*Oncorhynchus tshawytscha*), and steelhead (*Onchorynchus mykiss*) have declined (Humboldt Baykeeper 2017). Restoration activities on and near the Headwaters Forest Reserve will help rectify some of the damage caused by excessive timber extraction, but the ecosystem as a whole has been impacted.

The challenges that North Coast ecosystems will face in the coming years are less likely to come from a single, identifiable villain, but from factors at the local, regional, and global scale. At the state level, the legalization of marijuana has brought about a mass migration of immigrants setting up colossal, industrial-scale 'gardens.' Growing marijuana, having shed its anti-establishment associations and mom-and-pop roots, is now a full-fledged industry, filling an employment gap as the timber industry has declined. In

many places the cultivation of these massive marijuana farms has been environmentally destructive, with impacts including the mass removal of trees, use of poison to deter pests, and diversion of water from local streams (Woody 2016a). This degradation has put the region on edge and is accompanied by problematic narratives about insiders and outsiders. While there have been some attempts at self-regulation through the Humboldt Sun Growers Guild, it is an uphill battle to oversee what has been, until recently, a renegade and unregulated industry (Woody 2016b).

An even more faceless villain is that of global climate change. While coast redwoods may live for 3,000 years, studies have shown that rising temperatures have led to a decrease in coastal fog, increasing canopy dieback (Woody 2016). And given the record drought in the state over the last 10 years, even the sturdiest of trees have undergone stress for which there is no modern precedent. This is to say nothing of changes in temperature and acidity in the ocean, which affect anadromous fish like salmon and steelhead. The legacy of the Headwaters battle in Humboldt County goes far beyond the local region, despite the dogged commitment of activists to defend their own backyard. While geographically isolated, the North Coast remains firmly embedded in global environmental and economic networks that will continue to affect forest ecosystems in the years to come. The battles of the future will not end when a Hurwitz-type declares bankruptcy, or when a group of politicians settles a deal. Many Humboldt county residents moved behind the 'Redwood Curtain' to avoid economic and political power structures of broader society, but those power structures, including the historic use of Humboldt as a region based on natural resource extraction, will continue to shape the region for years to come.

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