

Timber Wars and Aftermath in Northwest Coastal California

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I have been thinking about writing on “The American West After the Timber Wars” for some months now, after being asked to contribute to the special issue. The many thoughts and perspectives that came to my mind seemed too daunting for me to adequately and clearly communicate. The so-called ‘Timber Wars,’ as experienced in Northwest Coastal California were especially intense from the 1960s into the 21st century. Actual forest conflicts go way back historically and around the world. The more recent conflicts in Northwest Coastal California largely stem from post-WWII California policy and ad valorem tax to support the building boom. My most comfortable handle is on the last 50 years from a generally coastal perspective, from Sonoma to Del Norte Counties with forays through forested areas inland to Sacramento, San Francisco Bay, and assorted vignettes in forested parts of California and the Pacific Northwest. My most extended involvement has been in the Northwest of Mendocino County, particularly along the Sinkyone Wilderness coast, inland to the South Fork River, and the headwaters of the Mattole River. From that involvement, and others, my first thought is that the Timber Wars are not over. There may not be the obvious high-profile conflicts covered by the media – like the Redwood National Park expansion, saving the Sally Bell Grove, and the Headwaters Forest – but the deep conflicts of conservation and stewardship of forestlands

remain, as does the whole realm of conservation ethics in light of economic/environmental/social/cultural needs and pressures.

There has been a lot written over the years of the various high-profile struggles. Some of it has been in books, some in newspapers, some in watershed newsletters or ‘action alerts.’ There has been a fair amount of video and radio coverage. I’ve written over 50 columns in Tree Foundation’s “Forest and River News” that cover the high-profile and not-so-high profile conflicts and issues.

Some say, quite probably not accurately, and to my chagrin, that I’ve attended more California Board of Forestry (BoF) meetings than any other living person. One of many strong memories from the late 1970s was the BoF and the timber industry suffering great *agitas* over requiring a ‘feasibility analysis’ for Timber Harvest Plans, directed toward finding California Environmental Quality Act (CEQA)-consistent feasible alternatives to avoid or reduce adverse impacts. Their immediate response was to try and tack on language that said “this analysis need not be written.” My outrage was strong as I prepared a rebuttal on a portable typewriter in a nearby college dorm lounge for the next day’s session. Another strong memory from that time was renowned forest policy expert, Dr. Henry Vaux, who was Board Chair, suggesting to the crowd of Registered Professional Foresters (RPFs) that they should take formal responsibility for environmental review. There was an immediate literal uproar

that by the next meeting changed to, “That Vaux is a smart guy.” I suppose, if I got the chance, someday I’d even be able to market a video of the Best of BoF Field Trips 1995-2005.

I do have to say that my time spent on forested ground ‘learning’ and/or engaged in designing and carrying out watershed restoration projects has generally been the most fulfilling work for me. This is not to say that jousting in the legislative and administrative jungles is not necessary. But I also have to say that the actual dynamics and tight control that I saw in the BoF in 1978 is not that much different in 2017. Instead of an outright last bastion of male and good-old boy camaraderie, the modern BoF continues to exert industry-centric control albeit more subtly. There have been some reforms made from time to time, but only after long and intensive struggles – struggles that the public is engaged in at a huge disadvantage.

This brings up another fact of the so-called Timber Wars: yes, there was the high-profile struggle over the establishment of Redwood National Park in the late 60s, and its expansion in the early 70s, but the real war was, and is, over changing the extraction/exploitation ethic and reality that had destroyed or depleted forests for millennia. The Timber Wars were, and are, part of an opening of consciousness typified by the impact of Rachael Carson’s “Silent Spring.” In the Pacific Northwest and California, particularly, they involved taking on the whole social and economic engine, that in the continental U.S. had moved and removed the forests from East to West with little or no effective restraint or conservation ethic for future generations. To question this in the assorted legislative or administrative chambers was to face a gauntlet of resistance. To face it on the ground was riskier yet – the beneficiaries of the no-holds-barred logging made up the basic bread and butter industry in community after community and region after region. To really get a

good feel for the effects in those communities and regions please read “Overstory Zero: Real Life in Timber Country” by Robert Leo Heilman. For a longer view try “A Forest Journey: The Story of Wood and Civilization” by John Perlin.

An ironic and parallel development was the burgeoning of a restoration industry as young people sought to make a living while engaged in correcting huge legacy impacts and bring a stewardship ethic to bear. This had many manifestations in California and throughout the Pacific Northwest from tree planting cooperatives to watershed organizations to neighborhood road associations. Both unemployed and underemployed loggers and fisherman found opportunities for employment in watershed restoration. Many fishermen, with no coho salmon (*Oncorhynchus kisutch*) season, found work doing stream habitat surveys and designing and implementing restoration projects. Skilled heavy equipment operators found demanding employment in the wake of the revolution-in-the-art-and-science of forest roads. In more irony, this turnaround was triggered in Northern California by the restoration of the incredibly destructive roads in the area of the Redwood National Park expansion as the timber companies raced to take all the Old Growth in contention before purchase could occur. All of a sudden, roads were not just done with a single huge tool, the bulldozer, but were managed with an excavator and a dump truck as well – whether building roads, upgrading roads, or removing the most damaging – with close guidance by experienced and knowledgeable geologists.

It is important to keep in mind that a very few entities continue to control most of the land, land use, and relations with human communities. In the 70s it occurred to me that whoever controlled land use was the government – so it looked like the California Department of Forestry was the government. Of course it’s a bit more complicated. But one

should not forget that between 1946 and 1976 landowners were taxed yearly on their standing timber until they cut 70% of it. This led to the gyppo tractor logging devastation which, magnified by the floods of 1955 and 1964, was a huge contributor to the timber wars as well as the legislation and litigation that set unprecedented standards and regulations. Professional guidance in timber harvesting was finally required in the 1973 Z'berg-Nejedly Forest Practice Act.

Another irony was that much of the restoration work was begun after that post-WWII logging boom, when cutover land that was deemed worthless was sold by ranchers and realtors, especially in California, to 'back-to-the-landers' of various types at \$10,000 to \$12,000 for 40 acres in the late 60s and early 70s. This transformed demographics and brought new energy and dreams into large areas of Northern California. The opportunities have now greatly diminished that others and I had in the 70s to live independently, with neighbors spread out living modestly in forested hills, earning a diversified living, often engaging in on-the-ground labor-intensive restoration work – and actively supporting protection of important vestiges of what was 150 years before. This seems unattainable now and in the future. A way of life in open associations with significant shared visions of broad cooperation across and between cultures and times seems now hardening into much the opposite.

In my too-long initial draft for this paper, I go more in depth about a lot of history and perspectives. I can be reached if you'd like a copy of the long version.¹ I'd like to bring up three archetypical summarizing circumstances that are unresolved and current:

- The five individually, cumulatively, significantly, and adversely impacted watersheds of Elk River and Freshwater, Stitz, Bear, and Jordan

Creeks: adequate restoration and recovery of these watershed and forests remains in serious and real contention. The extreme damage first came to light in the winters of 1995-96 and 1996-97 with emphasis coming from the debris torrent sweeping through Stafford along the Eel River that miraculously occurred without loss of life.

- Achievement of the intent of the 1973 Forest Practice Act for sustainable high-quality timber products – maintenance, restoration and enhancement of such products and the whole array of forest values: while Jackson Demonstration State Forest has an average of 55,000 board feet per acre, other commercial forest lands along the North Coast range from 8,000 to 20,000 board feet per acre. Where are the disconnects that need to be overcome, the incentives, the necessary changes – the 'sticks and carrots' – to bring California's forests into compliance with current law and future needs? High-grade logging has, in a short time, gone from old growth to trees that are 16" in diameter at breast height.
- The protection of precious remnants of un-entered and/or invaluable forest types: A vital example with over 25 years of continuing efforts, is the struggle to protect the several thousand acres of Rainbow Ridge Forest, between the Mattole and Bear Rivers. Much of this area has not been entered for logging, much is hazardously steep above key salmon and steelhead habitat, and has scientific value appropriate to be part

¹ Email: rgrocks@humboldt.net

of the University of California's Natural Reserve System. A timber company recently 'hacked-and-squirted' 170 acres of multi-species hardwoods, many of them large – killing them and eliminating, on some level with malice, the 'un-entered' claim for the area sprayed.

Despite these ongoing issues (and many others), I'd like to focus on two post-Timber War realities: one a 'hope,' and another a 'last chance.'

Hope: Redwood Forest Foundation and the Usal Redwood Forest

Non-profit organizations, and conservation-oriented for-profit businesses, have been acquiring damaged and depleted timberlands on the North Coast for the last 15 years or so. The Conservation Fund and the Nature Conservancy have worked together and separately to acquire and/or place conservation easements on forestlands from the Garcia River, to Salmon Creek, to Big River, to 10 Mile River along the Mendocino Coast. The non-traditional timber company Mendocino/Humboldt Redwood Company acquired heavily cutover Louisiana-Pacific (L-P) lands in Mendocino County, and the Pacific Lumber (PALCO) lands in Humboldt County. Lyme Timber Company, a conservation Timberland Investment Management Organization (TIMO) from New Hampshire, recently bought much of the former Georgia-Pacific Corporation (G-P) lands in Mendocino that were managed for some years by Campbell Global, a somewhat less conservation-oriented TIMO. Lost Coast Forestlands acquired over 5,000 acres in the headwaters of the Mattole and important tributaries of the South Fork Eel River. All of these new timberland owners are coming to grips, each in their own way, with the serious nature of ex-

tremely depleted forests: economically, environmentally, and socially depleted. The Redwood Forest Foundation, Inc. (RFFI) and its first acquisition, the Usal Redwood Forest in northwest Mendocino, is a notable example of changing forest ownership. This particular community-based forest vision arose from a cross-section of stakeholders, including politicians, educators, timber managers, and environmentalists in the 1990s. I am currently on the Board of RFFI and serve as Restoration Chair.

Back in 1979 and 1980, after extensive stream surveys mostly directed toward location of barriers to spawning runs of salmon and steelhead, we had a crew modify a jam, with hand tools, that was close to 100-yards long and 15-feet high at the downstream base where the jam backed up behind an old growth Douglas fir stringer bridge that was used during the post-WWII cat logging. The 1955 and 1964 floods on top of the logging damage rearranged all the streams. This particular jam was on Anderson Creek, tributary to Indian Creek, which is a main tributary to the South Fork Eel River with its confluence on the west side of the river, across from old Piercy. Most of the material in the jam came from parts of the railroad and trestles which went from Bear Harbor on the coast to Andersonia on the South Fork Eel. The Chinook salmon (*Oncorhynchus tshawytscha*) runs of the 1979-1980 season had massive numbers of spawners. The whole Indian Creek watershed stank of rotting salmon, and bears and eagles were everywhere.

At one time the Andersonia Lumber Company owned a wide swath of land running east and west from the coast to the South Fork Eel. By 1980 they had divested some of their original holdings – and then they wanted to sell the rest except for some parcels near the coast and next to the South Fork Eel. Around the campfire at our camp at the large jam we discussed what should be done to stop

what looked to be a sale of the Andersonia property to G-P, adding that property to G-P's large Usal Unit. A rare old-growth Redwood Grove in the flat riparian area next to lower Indian Creek of about 12 acres was put out to bid for clearcutting – which Simpson Timber Company did. This even brought tears to serious 'redneck' loggers in the area. We went to the Andersonia sale at Western Timber Services on the Arcata town square, imploring the three elderly heiresses to not sell, but evaluate their property and all of its values: timber, streams, fisheries wildlife, access from the South Fork Eel to the ocean, recreation, cultural protection, education, and science – and keep the land for the benefit of the surrounding human communities. It didn't work out that way, unfortunately. The land was sold to G-P. One of the advisors to the heiresses was Jerry Partain, who was a Humboldt State University professor at that time, and later became the Director of the Department of Forestry from 1983 to 1989. G-P and related successors scoured any remaining merchantable timber from the property between 1989 and 2006.

Related to all this, inspired by the need to make a new future for the extremely depleted forests of Mendocino County and the Redwood Region, RFFI was founded in the 1990s to try and acquire damaged lands, put them under real stewardship, and manage them as community-based forests with future profits and benefits kept to the close-by human communities rather than being lost to companies in Atlanta, Portland, or Houston. RFFI was founded – coming directly out of the Timber Wars – to bring together a wide range of stakeholders and perspectives to take positive action to transcend conflict and heal forests and communities.

From their website, RFFI states: “Our **vision** is to establish community-based forests that provide both critical habitat for increased biodiversity and improved regional

economic vitality. Our **mission** is to acquire, protect, restore, and manage forestlands and other related resources in the Redwood Region for the long-term benefit of the communities located there.”² RFFI's initial hope was to acquire the heavily damaged L-P property in Mendocino County when it came up for sale in 1998. This didn't work out for RFFI and the next hope was for the depleted G-P property in Mendocino County, which ended up being sold to Hawthorne-Campbell in 1999. RFFI persevered searching for other properties and writing a forest management template.

RFFI's initial acquisition finally came in 2007, facilitated by a number of persons and entities, including Hawthorne-Campbell and Bank of America. A \$65 million loan was made to acquire the almost 50,000-acre former G-P Usal Unit. A conservation easement was sought, foregoing development and helping to pay the debt – and the terms of the loan seemed doable. Part of the deal required management by a professional management company. Logically, this fell to Campbell Timber Management (now Campbell Global), which was nearby. In 2008, of course, came the big economic crash and that crisis changed expectations. Other unanticipated hurdles, including the delay of the conservation easement, created complications for the budget.

Making an intricate story short: RFFI and the Usal Redwood Forest remain viable and positive now and for the future. The conservation easement was eventually finalized. The Usal Redwood Forest continues to be certified by the Forest Stewardship Council, and timber harvest goals are working toward all-aged management. Campbell Global has left Mendocino County and Usal Redwood Forest now has its own forester and staff. Watershed restoration continues. Revenue from carbon sequestration for 100 year periods has provided essential income while the forest re-

²Redwood Forest Foundation. Accessed May 30, 2018 (<http://rffi.org/>)

covers from the previous century of overcutting. Community involvement has been maintained and increased, and stewardship of the Chinquapin Springs Tan Oak Grove has been led by the Cahto Tribe.

Establishing models like RFFI/Usal Redwood Forest is essential to developing long-term balanced relationships between human communities and the forests for mutual and natural benefit. This must be a conscious reconnection in the midst of the multiple disconnections that affect and threaten the present and future.

A Last Change: Achieving Essential Reform

In California, up until the Forest Practice Act of 1973, there was little or no effective conservation oversight of logging and the whole range of related adverse impacts. Two major impacts were massive erosion/sedimentation, and forest depletion/large tree liquidation. On paper the 1973 Act addressed these two problems and others. Coming directly into play also were CEQA, state and federal water quality laws, state and federal endangered species laws, and other connected statutes and regulations. This resulted in a sea-change of forest treatment. All of a sudden, qualified foresters were required to create harvest plans for almost all commercial timber harvest. Years of rule-making commenced to bring operations into compliance with a variety of standards. In reality any change in ‘the way things are done’ was and is extremely difficult. It takes actual generational change in personnel and mindsets – probably at least three generations to go from using streams as logging corridors to having actual no-cut buffers protecting water quality and fisheries habitat.

To be a little more thorough, I should mention some of the numerous rule evaluations and changes that happened over the years – some from various agency initiatives,

some from public and industry outcry, and some from combinations of two or all three. There was a process that tried to determine Best Management Practices from a water quality perspective. There was the new road rules package that took some 15 years to go through a select working group, to BoF committees, to actual final BoF-approved rules. There was the Anadromous Salmonid Protection section of the Forest Practice Rules that sought to create the ‘three-legged stool’ of adequate riparian, road, and cumulative impact standards. So far there’s two legs (riparian and road) with still no cumulative impact ‘leg.’ At least one or more BoF members think two legs are enough. There have been efforts to conduct pilot projects to really bear down on the reforms that are necessary. There was an attempt in 2001 to develop an interagency method to analyze watershed conditions and recovery needs under the Director of the Department of Forestry at that time, Andrea Tuttle. People that have been through these and other intense processes over the decades are likely to bristle under my extreme “Reader’s Digest”-type summary here – my apologies.

There are a couple of additional bits of information that give important context and history. A lot of the standards of review that are now considered basic were hard-won through public pressure and litigation in the face of overwhelming embedded status quo resistance and worse. One such instance is the requirement for the disclosure of potential significant adverse impacts. If the Environmental Protection and Information Center and the Sierra Club had not acted with litigation during devastating times for the marbled murrelet (*Brachyramphus marmoratus*), then PALCO logging plans would not have been forced to disclose that operations would eliminate marbled murrelet habitat. And beyond that, all harvest plans since then have been required to disclose basic critical information

like existence of endangered/threatened species habitat. Another somewhat different and ironic example is connected to the PALCO years, when PALCO's Charles Hurwitz (not being in the regular timber management fraternity, and unaware of the taboo on no-cut riparian buffers), agreed to no-cut riparian buffers as part of his deals solving environmental disputes with the state. Without this agreement, there would still be no 'no-cut' riparian buffers.

Once again, I'm going to have to simplify and leave out a lot of key struggles and issues, but this is where our 'last chance' nexus comes in. Several years ago, negotiations commenced to pass legislation of a basic timber industry wish list. Ironically the bill number that manifested this list was Assembly Bill 1492 (AB 1492), consistent with what some might call the colonial nature of the legislation. The negotiations were skillfully handled by Governor Brown's administration. There were three interest/stakeholder groups: the industry, the agencies, and the 'enviros.' As far as I know, the groups always met separately with administration facilitators. The 'enviros' were mostly organizations that have a Sacramento lobbying base. There wasn't really a well-rounded public representation. For instance, no major watershed restoration organizations were represented.

The granted wish list included: (1) a cap on liability for forest fires, (2) a longer period allowed for Timber Harvest Plan implementation, (3) the removal of all fees and permit costs for timber harvest planning and operations, (4) the imposition of fees on retail timber products paid by the public to cover the regulatory process costs, and (5) the creation of a fund/program from those fees called the Timber Regulation and Forest Restoration Fund. The 'enviros' balked in one

form or another at this and presented documents stating certain principles and conditions. We were told certain intent language and changes that the legislature could add would be the 'silver lining' in our 'cloud.' AB 1492 became law in September 2012 and has a lot of complexities and provisions.³ Among these, there are silver linings: creating a funding source for the restoration of the state's forested lands and watersheds, improving carbon sequestration and greenhouse gas reduction, dealing with fire issues, promoting transparency and effectiveness in regulatory actions and costs through the creation of performance measures, identifying and implementing efficiencies in the regulation of timber harvesting between state agencies, and supporting regulatory agencies such as the California Department of Fish and Wildlife.

As you can see, if these provisions are actually carried out, they provide the basis for the last chance for comprehensive forestry reform, and would be implemented in the context of the 21st century. The sad news is that the provisions are not being adequately carried out, or are not being carried out at all. There are a lot of moving and non-moving parts, and a lot of contention. The focus and funding are largely controlled by agency personnel; I'm not claiming that competence and good intentions are missing, but the actual digging in and making the reforms have so far been non-substantive. Within AB 1492, we fought to have Planning Watershed Pilot Projects (PWPPs), which are essential to evaluate current forest practices. Those pilot projects were included, but they have been slow to develop. It's been more than a year after the first PWPP was begun in the Campbell Creek Planning Watershed of the South Fork 10 Mile River, and the scope of work has not yet been determined.

³ California Legislature. 2012. "AB 1492." Accessed May 30, 2018 (http://www.leginfo.ca.gov/pub/11-12/bill/asm/ab_1451-1500/ab_1492_bill_20120911_chaptered.html)

The actual work outlined to be done in the legislation is falling way short of the reforms the public, and the public trust, deserve and need. This is A LAST CHANCE for positive change after the Timber Wars. As it is – given the current situation of more people, less resources, lack of a shared conservation ethic, and lack of inspired leadership and action – the chance for meaningful implementation of the Timber Regulation and Forest Restoration Program looks pretty slim. There are too many disconnections. But, WE MUST PRESS ON FOR REFORMS THAT GIVE THE FORESTS AND THE PEOPLE A FUTURE.

(RFFI), and the Institute for Sustainable Forestry (ISF), and works with Forests Forever.

Richard Gienger, with some education in engineering and architecture, came with his young wife, both with back-to-the-land gleam in their eyes, to the headwaters of the Mattole River Valley in the fall of 1971. They ended up raising three children on a windy ridge looking to the Pacific. Richard blended, with varying degrees of success, homesteading, watershed restoration, and forest & watershed activism. Main struggles include establishing a protected Sinkyone Wilderness Coast in northwest Mendocino County, and attaining truly sustainable models of community-based forests. He has been honored by the Salmonid Restoration Federation, NOAA Fisheries, the California Assembly, and others – and continues his work. He is a former representative of the Humboldt Watershed Council, representing (HWC) in the Salmon and Steelhead Recovery Coalition (SSRC) and elsewhere, was a Board Member of the Alliance for Sustainable Jobs and the Environment (ASJE), represented the Sierra Club on the California Coho Recovery Team, and maintains long-time relationships with the Environmental Protection Information Center (EPIC), the Trees Foundation, the Mattole Salmon Group (MSG), and Mattole Restoration Council (MRC). He is currently a board member of the Redwood Forest Foundation, Inc.