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Subject: DKY CNPS comments on the consistency of THP 1-20-00193-MEN (“Mitchell Creek”), including cumulative effects associated with adjacent timber harvest plans (THP 1-20-00006-MEN “Caspar 500” and the proposed submittal of “Railroad South THP”, with the approved EIR for the Jackson Demonstration State Forest Management Plan

Dear Mr. Powers and Ms. Rhoads:

The Dorothy King Young (DKY) Chapter of the California Native Plant Society (CNPS)¹ has recently received urgent requests for assistance from several community members expressing concerns about potential impacts from at least three Jackson Demonstration State Forest (JDSF) timber harvest plans in the Caspar vicinity. Members of our DKY Chapter are quite familiar with these areas of JDSF through various levels of education, research, and collaborative botanical surveys under the direction of the California Department of Fish and Wildlife (CDFW). Collectively, we have decades of extensive education and professional experience that more than qualifies our comments:

STATEMENT OF QUALIFICATIONS FOR BOTANICAL EXPERT REVIEWERS

Teresa Sholars, MSc

Teresa Sholars is Professor Emeritus of Biology and Sustainable Agriculture, College of the Redwoods, where for over 40 years she has taught students about ecology of mushrooms, lichens, native plants and vegetation on the Mendocino Coast. She is also retired from 40 years as a part time Botanical and Ecological Consultant on the Mendocino Coast. She has been involved with surveying and mapping rare plants and vegetation as a volunteer for CNPS and CDFW for decades. She actively participated in formal vegetation surveys to document and classify Mendocino Cypress Woodland and

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coastal headland natural communities for the California Department of Fish and Wildlife Vegetation Classification section. She is a CNPS Fellow, and author of *Lupinus* in the second edition of The Jepson Manual, Jepson eflora, Arizona Flora and co-author for the Flora of North America *Lupinus*. Currently she is an Adjunct Professor, Curator of the Herbarium and Natural History Collection at the Mendocino Coast Campus, of Mendocino College in Fort Bragg. She is one of the co-author's of Reed Noss' book "The Redwood Forest, History, Ecology and Conservation of the Coast Redwood" and co-author with CDFW Clare Golec on a paper "Rare Plants of the Redwood Forest and Forest Management Effects". She also was coauthor with Andrea J. Pickart on the chapter on vegetation of coastal northern California in "California's Botanical Landscapes". She holds a master's degree in Ecology from UC Davis where she worked on the Mendocino pygmy forest and has completed 6 years in the PhD program at UC Berkeley in systematic botany.

Peter R. Baye, Ph.D.

Peter Baye is a coastal ecologist and botanist specializing in conservation and management of vegetation in coastal ecosystems. He received his Ph.D. from the University of Western Ontario, Department of Plant Sciences, Canada, in 1990. He began applied studies of New England dunes and barrier beach ecology as an undergraduate at Colby College, Waterville, Maine in the late 1970s. His Thomas J. Watson fellowship research (1982) explored beach, dune and marsh complexes in Canadian Maritime Provinces, Great Britain. In California, he worked for the U.S. Army Corps of Engineers, San Francisco District, as a senior ecologist specializing in environmental assessment of regulatory wetland projects (1991-1997). He prepared multi-species endangered species recovery plans for coastal species and ecosystems at the U.S. Fish and Wildlife Service, Sacramento office, from 1997-2002. He was a contributing author of regional coastal habitat plans in San Francisco Bay, including the San Francisco Bay Wetland Ecosystem Habitat Goals Project (1999) and its science update (2015). As an independent consultant, Peter continued applied restoration and management planning work on coastal ecosystems and rare/endangered species recovery, including estuaries, beaches, lagoons, streams and riparian habitats, in the Bay Area, North Coast, and Central California Coast, with emphasis on adaptation to climate change and sea level rise. He has taught wetland plant short courses at San Francisco State University, where he also served as an advisor for graduate research on aquatic plants. His other botanical work includes ethnobotanical and historical ecology research for Sonoma State University Anthropological Studies Center, scientific peer review of coastal conservation and species recovery plans, and leading field trips. He has actively managed 40 acres of redwood forest for recovery of biological diversity over 20 years, and botanizes thousands of acres of adjacent mixed redwood forest under nonprofit conservation forestry.

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Renee Pasquinelli, MA

Renée Pasquinelli is a retired California State Parks Senior Environmental Scientist. During her career, she spent over 20 years in the Mendocino (and Sonoma Mendocino Coast/Russian River) District managing park natural areas, planning and implementing restoration projects, addressing park related environmental impact issues through CEQA, particularly those that affect rare plants and sensitive natural communities, and reviewing and preparing written comments on timber harvest plans and development projects that posed a threat to State Park lands. Environmental restoration work that she managed emphasized the role of natural processes in ecosystem recovery, and included control of invasive species on forest (redwood, bishop pine, Mendocino cypress), coastal headland, and dune environments. Her training and responsibilities also included wildland fire management and she served as the District's Resource Advisor for wildland fire events. As a State Park Senior Environmental Scientist and as a conservation volunteer for the California Native Plant Society, she actively participated in formal vegetation surveys to document and classify Mendocino Cypress Woodland and coastal headland natural communities for the California Department of Fish and Wildlife Vegetation Classification system. She holds bachelor's and master's degrees in biology from Sonoma State University, with emphasis and course work in plant ecology and fire ecology.

From 2002 to 2006, board members of the DKY Chapter submitted lengthy comments to the California Department of Forestry and Fire Protection on the proposed Draft EIRs for the Jackson Demonstration State Forest Management Plan. Our comments on the EIR drafts focused on the need for comprehensive survey and documentation on the flora of JDSF, and the need to adhere to CDFW (formerly California Department of Fish and Game) protocols for conducting and reporting plant survey information, especially for sensitive species and plant communities. We have reviewed on-line documents associated with THPs 1-20-00193-MEN and 1-20-00006-MEN and have serious concerns regarding potential direct, indirect, irreversible, and cumulative impacts and long-term harm to rare plants and sensitive natural communities, especially those that are unique to the Mendocino Coast. We also have concerns that the proposed timber harvest plans are not in compliance with the JDSF Management Plan as approved through the EIR process.

Areas proposed for timber harvest within the Caspar vicinity THPs are within or adjacent to, and consequently have the potential to pose irreparable harm to vegetation types listed as sensitive natural communities by CDFW (<https://wildlife.ca.gov/Data/VegCAMP/Natural-Communities/Background#sensitive%20natural%20communities>), including Mendocino pygmy cypress woodland association (G1 S1), Grand fir forest association (G4 S2 and potentially rarer alliances with G2 S1 and G1 S1 rankings), Bishop pine – Monterey pine forest and woodland association (various alliances with G2 S2 rankings), and Redwood forest and woodland (G3 S3). Within these and even the more common vegetation types, numerous rare plant species also have the potential to occur, including but not limited to *Campanula californica* (swamp harebell, CRPR 1B.2), *Carex californica* (California sedge, CRPR 2B.2), *Pinus contorta* ssp.

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bolanderi (Bolander's beach pine, CRPR 1B.2), and *Hesperocyparis pygmaea* (pygmy cypress, CRPR 1B.2).

Our concerns are summarized as follows:

1. There appears to be no reference to, nor any statements on how the newly submitted and proposed THPs relate to the approved EIR for the JDSF Management Plan. Section 3 of THP 1-20-00193-MEN describes the purpose of the proposed timber harvest plan and cites several sections of the Public Resources Code that only discuss the management of state forests in a general sense, however it does not mention the Management Plan. On February 7, 2007, the California Department of Forestry and Fire Protection submitted a summary report to the Board of Forestry entitled: ***“Potential Harvest Limitations to be Applied during Initial Implementation of the Proposed Jackson Demonstration State Forest Management Plan.”*** This report, which is part of the public record, was in response to the BOF's direction to CDF (now CalFire) staff to develop harvest limitation overlays based on the results of input from the Mendocino citizen's advisory group for JDSF. Section 3 of THP 1-20-0193-MEN also does not discuss potential harvest limitations based on these BOF directions. **DKY CNPS requests that CalFire provide an explanation as to how the proposed timber harvest plans will meet goals, objectives, conditions, or other agreements developed through the approved EIR process for the JDSF Management Plan, especially in regards to sensitive plants and vegetation types, and to the limited acreage of remaining old growth and second growth forests.**
2. Botanical surveys are only proposed after the timber harvest plans are approved, which prevents the disclosure of potential sensitive botanical areas and the development of meaningful avoidance and mitigations measures during the formal review process. In addition, an outdated plant survey protocol is proposed to be used for THP 1-20-00193-MEN. For surveys to be valid, they must follow the current *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities* (State of California Natural Resources Agency, March 20, 2018, and the CDFW-CNPS Protocol for the Combined Vegetation Rapid Assessment and Relevé Field Form, June 5, 2019, with updated guidance available on-line). The current protocols also require sensitive vegetation types, not just rare plants, to be surveyed and reported to the California Natural Diversity Database (CNDDDB). Many areas of Mendocino Cypress Woodland have now been officially mapped and are available through BIOS within CNDDDB.

More specifically, it appears that the “fuel treatment” area in the western section of the Mitchel Creek THP 1-20-00193-MEN is highly likely to be a sensitive natural community. The list below is a partial list of potential sensitive natural communities

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that occur in soils that do not support redwood forests nor Mendocino Cypress woodlands:

88.100.01Y S1G2 *Abies grandis* – *Tsuga heterophylla* / *Polystichum munitum* G1S1

87.070.01Y *Pinus muricata* – *Pseudotsuga menziesii* G3S3

87.070.04YS2G2 Provisional *Pinus muricata* / *Arctostaphylos glandulosa* G2S2

87.070.07Y *Pinus muricata* / *Xerophyllum tenax* sensitive not ranked

87.070.09YS2G2 *Pinus muricata* – *Chrysolepis chrysophylla* / *Arctostaphylos nummularia* G2S2

87.070.11YS3G3 Provisional *Pinus muricata* – *Notholithocarpus densiflorus*

The current 3/2018 CDFW Botanical Survey Protocol, regards to surveying for sensitive natural communities and sensitive plant species, states:

“BOTANICAL FIELD SURVEYS

Evaluate the need for botanical field surveys prior to the commencement of any activities that may modify vegetation, such as clearing, mowing, or ground-breaking activities. It is appropriate to conduct a botanical field survey when:

- *Natural (or naturalized) vegetation occurs in an area that may be directly or indirectly affected by a project (project area), and it is unknown whether or not special status plants or sensitive natural communities occur in the project area;*
- *Special status plants or sensitive natural communities have historically been identified in a project area; or*
- *Special status plants or sensitive natural communities occur in areas with similar physical and biological properties as a project area.”*

From the CDFW 2019 Protocol for surveying natural communities:

“Sensitive natural communities are communities that are of limited distribution statewide or within a county or region and are often vulnerable to environmental effects of projects. These communities may or may not contain special status plants or their habitat. CDFW’s List of California Terrestrial Natural Communities⁷ is based on the best available information, and indicates which natural communities are considered sensitive at the current stage of the California vegetation classification effort. See the Vegetation Classification and Mapping Program (VegCAMP) website for additional information on natural communities and vegetation classification”

The DKY Chapter of CNPS concurs with CDFW’s comments for first review for THP 1-20-00193 MEN, which state in part: *“The conservation of special status native plants and their habitats, as well as sensitive natural communities, is integral to maintaining biological diversity. Based on the potential habitat and CNDDDB records, close proximity of the THP to the Mendocino pygmy cypress woodland sensitive natural community, the submission of the THP prior to completing botanical surveys, and reference to outdated survey protocol, the THP as proposed presents potentially*

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significant adverse impacts to sensitive natural communities and special status plant species.” In addition, any mitigation measure proposed for avoidance and minimization of impacts to rare plants and sensitive natural communities must consider both direct and indirect effects (see attached “**Buffers as Mitigation Measures to Conserve Sensitive Botanical Resources**” California Department of Fish and Game, Submitted by Clare Golec as substantial evidence into the record for THP 1-06-039HUM, Sierra Pacific Industries “Shower Head”, October, 2006).

We request that protocol-level botanical surveys be conducted and reported, as part of the public record disclosure and review process, prior to approval of THP 1-20-00193 MEN and prior to the submittal of all subsequent timber harvest plans being prepared. We request that all sensitive vegetation maps obtained through BIOS, particularly those of the Mendocino Cypress Woodland Alliance and Associations, be submitted as overlays on the THP boundary maps. If the vegetation is clearly not a redwood forest and the area is not mapped by BIOS, we request that the full CDFW protocol be followed, which includes completing a rapid assessment form along with the botanical survey report.

3. The three timber harvest plans (including the approved 1-20-00006-MEN, currently being reviewed 1-20-00196-MEN, and the proposed “Railroad South”) appear to be adjacent to each other from maps that were circulated by community members. It would appear that the total acreage of potential cumulative impacts is much greater than would be realized from simple review of any single plan. Similar sensitive vegetation types and habitats for rare plant species are found throughout all three existing and proposed plans. **Why are the plans being submitted separately, and are the full potential cumulative impacts on sensitive vegetation and rare plants being considered in the separate, apparent piecemeal review processes? How does the separate submittal of these plans comply with the approved EIR for the JDSF Management Plan?**
4. The proposed “Railroad South” THP that you described may be in the area that is commonly referred to as “mushroom corners” (acreage near the corner of Road 409 and Little Lake Roads). It is called that because of the abundance and variety of fungal species that are regularly found there (745 species), and it is also addressed within the JDSF Management Plan. This area is known worldwide by well- respected mycologists and other scholars. For decades, it has been visited by educators and students, as it serves as a perfect teaching location for the identification of many different fungal species. Any timber harvest there will directly impact and cause irreparable and irreversible harm to the significant mycorrhizal associations that are critical for forest health, and which result in the abundance of mushrooms that are

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commonly found. **We request that, prior to completing any plans for harvest within the area commonly referred to as “mushroom corners” that you conduct or obtain professionally collected survey data on mushroom locations and disclose how the area will be avoided.**

Please do not hesitate to contact us (conservation@dkycnps.org) if you have questions regarding our comments, or if we can be of assistance in developing recommendations for protecting rare plants and sensitive vegetation types prior to and during the timber harvest review processes.

Respectfully,

Renée Pasquinelli

Renée Pasquinelli, Conservation Co-Chair (North)

Peter R Baye

Dr. Peter Baye, Conservation Co-chair (South)

Teresa Sholars

Teresa Sholars, Rare Plant Coordinator and Vegetation Chair
Dorothy King Young Chapter, California Native Plant Society¹

¹The mission of the California Native Plant Society (CNPS) is to protect California's native plant heritage and preserve it for future generations through application of science, research, education, and conservation. CNPS works closely with decision-makers, scientists, and local planners to advocate for well-informed policies, regulations, and land management practices. A formal cooperative agreement between CNPS and the California Department of Fish and Wildlife (CDFW) is the backbone of California's rare plant and vegetation status review programs. The data compiled and shared by both organizations are used throughout the environmental review process. The Dorothy King Young (DKY) Chapter of CNPS focuses on protecting and providing education about the native plants and natural communities within coastal Mendocino County and we often work directly with local and Sacramento-based CDFW science staff.

cc: Jon Hendrix, Sr. Environmental Scientist, CDFW (Jon.Hendrix@wildlife.ca.gov)

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