

# **Streamlining Timber Harvest Permits**

for Nonindustrial Landowners

## **WORKSHOP NOTES**

November 3-4, 2005

*Workshop Convened by the*  
**Buckeye Forest Project**

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### **Workshop Overview**

In November of 2005, the Buckeye Forest Project (BFP) convened a two-day workshop at the Mattole Camp and Retreat Center near Petrolia, in Humboldt County. The purpose was to bring diverse stakeholders together (see participant list on last page) to work on resolving some of the issues that have stood in the way of helping to get more nonindustrial forest acreage under long-term management, with the focus on timber harvest permits.

The first day's agenda included panel presentations and group discussions about two hypothetical proposals: one for a longer-term THP, replacing the current "3-year period" with "up to 25 years"; and the other for an expanded NTMP, replacing the current "2,500

acres" with some larger number, or eliminating the size limit altogether. On the second day there were breakout sessions to work on the THP and NTMP ideas, followed by discussion and identification of possible next steps, by the group as a whole.

These notes capture much of the conversation, thanks to note-takers Ali Freedlund and John Isom. We've identified individual speakers throughout in this report, as it makes for a more interesting record of the proceedings. Please note, however, that the notes attempt to *summarize* what was said, they are not verbatim. Statements attributed to specific individuals should not be construed as direct quotes, without first confirming with the source. Thank you.

### **Thursday, November 3**

#### **Opening Remarks from Senator Wesley Chesbro**

He appreciates this effort to bridge this chasm; trying to reach understanding is very important. The "timber wars" need more opportunities to talk. He's had a journey of understanding of these issues. He started as a forest activist in Arcata and since has been trying to get to know people who work in the woods. He is really starting to see a change in paradigm, realizing landowners are our best hope in protecting the land with the best use being resource utilization. We need to achieve a balance in economics with long-term environmental concerns, keeping open space, etc. Farmer/author Wendell Berry says, in effect, that the environmental community needs to find a way to align itself with long-term residential community/landowners.

Political perspective: What we are doing here today is critical to building trust and respect and understanding of each other's motives. He thought they had worked out consensus for Jackson State Forest, but they ended up back at ground zero, because they didn't work with some of the statewide interests. There are further stages besides the people in this room at the statewide level (lesson learned), and he is more than happy to assist with this. "My heart is with what you are trying to achieve here."

*Following Senator Chesbro's talk, and brief background presentations by Mike Atkins, Jim Able, and Richard Gienger, there was a question & answer period.*

#### **Q&A with Senator Chesbro, Mike Atkins, Jim Able, and Richard Gienger**

Mike Atkins: Where is the Stewardship NTMP now?

Richard Gienger: It is going to be presented and discussed on Nov 15 before Board of Forestry. They wanted higher-ups of agencies to commit themselves -- if SNTMP creates higher standards, will agencies appropriately respond?

Jim Able: The PTEIR concept is great; what always happened before is that there was a breakdown in the higher-up agency people. Problem was getting everyone to agree. If it works it would be a real break.

Holly Lundborg: Is anybody from California Forestry Association (CFA) here today? (No) Did CFA come and kill it? It is not the agencies, it is the lobbyists for the industry.

Jim: Later on today Simpson will be represented (Bob McCrae, log buyer)

Senator Chesbro: A major obstacle can be industry

Jim Able: In California, 35% is owned by nonindustrial and 13% is owned by industry.

Sen. Chesbro: That ratio does not affect the political climate.

Chris Larson: What are other entities we should be looking for?

Sen. Chesbro: Timber industry, environmental community, key decision makers in legislative committees. Environmental committee chairs tend to be urban legislators, and the public's perception of logging has polarized the state. A change of paradigm is needed for others statewide to see that landowners will *help* natural resource protection.

Paul Mason: The BFP is effective in providing a voice for small landowners. It's important

that this group stay focused on representing needs of small landowners and ranchers. People are far more objective to your perspective than industry needs. SNTMP has a lot of potential -- can fulfill a lot of your other requirements rather than multiple permitting process.

Bill Craven: From where I am, you can't tell of a distinction between industry and other timber owners. Along with industry, there is frequent testimony from the Farm Bureau, who should be allies with small landowners, but they usually side with industry.

Bill Snyder: SNTMP initially to provide some level of streamlining, a waiver from WQ, etc. the hope was for coverage on Endangered Species. We are looking at if this is possible. Important for federal agency folks to get on board with it. Industry provides markets for logs, Trends are there are many areas that now do not have the infrastructure to support forestry. Now have to subsidize removal of trees because of distance to mills. Industry is a part of the overall solution from an economic standpoint. Without that piece, land will go to other uses.

Sally French: We shouldn't have regulations that separate nonindustrials from industrials. We are tied economically and through the THP process.

Holly Lundborg: I want to reiterate my point, I want to maintain focus for non-industrials. Having an industrial lobby group come in and take away what you have worked on...it is not so much the agencies, it is the industry. We need to alleviate their fear.

Chris Larson: We need to keep industrial timber base for sawlog markets, if we want to advance it will be more advantageous to emphasize the stewardship idea. 96 out of 120 legislators have districts south of Santa Barbara.

Bill Snyder Need a broad-based stakeholder group as encompassing as possible to seek solutions.

John Rice: Is there an opposition to larger NTMPs?

Richard: Yes, there needs to be something added to it...

John Rice: I'm very concerned that I can't have a NTMP. I don't have the options. If I could have a 6000 acre NTMP I would probably log less.

Dan Weldon: We (FLC) started the NTMP; 2,500 acres was just a number we arrived at, somewhat arbitrarily...

(NTMP topics will be addressed by the second panel, after lunch)

## **Panel 1: Longer-Term THP**

John Rogers, Moderator, ISF

Summary of potential benefits for a longer term THP (extended to 25 years): it would provide more certainty and flexibility for landowners, help to keep parcels more viable, and help to prevent fragmentation of the landscape. Some of the concerns include: unpredictable long-term impact on watersheds, higher harvest rates in short time periods, and greater challenges for agencies to review plans.

Panelists were each asked to describe their goals and interests re forest management; how a longer term THP could effect work toward their goals; and how stakeholder concerns might be addressed.

John Rice, Landowner

The length of a THP is important. He wants to manage the land so his grandkids can take over, after their parents. Shortness of the THP right now just challenges everything. Now with 3 years he cuts a lot more; any way he can, to get it done. It's hard to plan for the market, to plan for income. But with a longer THP he could spread it out. It would **calm the whole thing down** for the non-industrial timber owner – by allowing for less intensive logging and more planning. The 3-year THP is more of a “panic mode.” A longer THP gives us a future out there, it gives you a long range to manage your timber, you can manage for markets, it would help to level out your income, it could help with inheritance

problems, including outliving the landowner, could help the ranch in the long run.

Bob Klampt, NCRWQCB

His personal goals in managing the timber harvest division is to have a professional and congenial approach to timber harvest. Getting people to work cooperatively and in some cases collaboratively. Goals of the agency: protect and enhance water quality with reasonableness and economics. Goals for forestry are about a resilient landscape, balance of upslope and instream processes through different perturbations. Preventing and minimizing erosion on hillslopes addressing hydrologic continuity, maintaining functioning riparian systems. Solar shade, recruitment of wood, structure instream, creating a balance in upslope and fluvial processes to handle events such as flooding.

With a longer term THP our concerns are: it's important that there be considerations and mechanisms on how harvest is accomplished over time and space. Concerns about everybody responding at same time. Needs to be a way to address that. Longer term THPs need to be adaptable to changing conditions. THPs need to adapt as landscape changes. He doesn't view a longterm THP as one if approved today it would go with rules of today. And cumulative watershed effects (CWE) are important. Useful CWE analysis. Along with that how are conditions changing - to know you need to monitor. (IWAT would be great - need \$2 million.) The cost of enrollment in permits would save money. Time to review - agencies would need more time to review if longer term. The process would have to show ability to adapt to changing conditions.

Paul Mason, Sierra Club

Resource protection is a primary concern for the Sierra Club. Development, though, is of significant concern. He is supportive of discussions Buckeye has been having in past few years. He is not a fan of just extending the THP into the future. He thinks it's important that this discussion remain focused on nonindustrial landowners. It would dramatically increase the difficulty of changes of landscape. If approved, then what about natural disasters? Concentrating impacts in short period of time is a concern. A THP document is not a long-term document. More in line would be an NTMP which addresses roads, etc., -- land management issues. How to do comprehensive management plans over time better than just extension of THP? 25 years is a long time. Look at concerns since 1980 until now, for instance. No way of knowing what concerns will be. It would be more useful to talk about changes to the NTMP. The Sierra Club is not likely to support a 25 year THP.

Bill Snyder, CDF

The challenge that is facing landowners is the cost. CDF put forth two bills to give landowners longer time permit on THP - for a 10 year THP, and a planning watershed THP. He thought it would improve assessment of environmental impacts. Goals are to provide regulatory relief, reduce costs, and have a more programmatic process.

Trying to create a system to provide relief for landowners --- for process instead of substance. We would like to get to the point of focusing on process. Instead of ten \$40,000 documents, they could do one. And they could take advantage of markets. The focus on process impacts the substance. CEQA *forces* us to look prospectively, at potential impacts. Programmatic ways to look at CEQA. This could help put more staff on the ground, instead of dealing with lots of paper. The only way to get there is develop some sort of consensus across the board. There is consensus that this is something we need to change.

Jim Able, RPF

THPs are little less expensive to produce, NTMPS are getting more expensive. There are sixteen different timber permits in the state. A longer term THP might be only for smaller landowners - another permit option. Difference of THPs since the 70s is the cost. We are not changing silviculture – the on the ground implementation is the way landowner wanted it -in the 70s as is now. But the cost has skyrocketed. We are working on the 4<sup>th</sup> THP since the 1970s for the same piece of ground, at \$30k a pop. A current THP is amended every single year, automatic update every single year that keeps it effective. The concerns about flooding the market with logs – that is unlikely. There are all kinds of reasons people chose to log -not just determined on markets.

There is a big difference between logging and forestry. Three years is short term, it's *nothing*. But forestry is a *decadal* process. You have to think about decades. **The THP discourages “forestry” and forces “logging.”** Agency staff have to review too many plans, as a result don't have time to work with landowners. A longer term THP would give agencies more time. By the 1980's we had addressed a lot. At that point we should have switched to a more performance-based system.

### Q&A re Longer-Term THP

John Rice to Bob Klamp: What would be the value of a 25 year THP if it got updated every 4 or 5 years?

Bob Klamp: To address our concerns you would need updates. A longer term THP *could* be a plan that incorporated new information, not just a permit.

John Rice: Then it becomes a moving target. What I planned on I might not be able to implement exactly. If it is a moving target I cannot count on it. Then I would want to log it before it changes. That is a critical part. New regulations are critical in what we can do.

Bob Klamp: You are looking for certainty

John Rice: Yeah.

Bob Klamp: I would hope that most of the changes in regulations have occurred.

Bob Klamp to Jim: My understanding is that when a THP is approved today, in 5 years you could have operated on those approved at the time under those rules.

Jim Able: We are required to amend the plan to address new rules. Always being updated. Seems to me new environmental regulations do get addressed in the process.

Bill Snyder: As far as board rule changes, if there is an operational change, the operator is supposed to comply with that new rule. If it isn't operational, not so. NTMPS, by virtue of statute, theoretically lock in rules at time of approval. Solutions would be what type of regulatory lock-in would be considered.

Paul Mason: We are somewhere between those two extremes. You do have to update your plan with changes. There is a somewhat higher level of certainty with the NTMP. The Planning Watershed THP proposal was a functionally different Cumulative Impacts Analysis process. It was brought forward by a legislator with zero environmental credentials, without previous discussion. The Sierra Club is not the most nimble organization, it's very democratic; it takes time to move on things. Establishing a collaborative process to work on proposals beforehand can dramatically help build support for legislation.

Bill Snyder: A solution needs to be found for the nonindustrial timberland owner, we have this consensus. As far as crafting, the length of time of the permit seems critical. What is likelihood of change in conditions over a period of time either for better or worse?

Notification process -- what level of discretionary review do you want to give the agencies?

There are a lot of potential solutions out there. CDF is not the best carrier of the message.

Jim Able: Whether amendments are operational or not, the costs are ridiculous. One of the solutions is to limit to all-age management. Industry does not have a problem with that because it gives them more logs. Oregon has state foresters who work locally with the

landowners over time to come up with a substantive process of management. Relationships and local knowledge are important – in California changes in personnel and lack of local familiarity can make this difficult. How to legislate local people working together? How to update the process without the threat of punitive regulatory actions? Some kind of reliable monitoring process is what we need.

Sally to Bob and Paul: Time constraints are a problem because we are ranchers. Three years, even five, is too short. Would you be more willing if there was a size limit on longer THPs? Or maybe an ownership could have only one longer term THP?

Bob Klampert: One of our biggest concerns is how it is spread over space and time. No yes-or-no answer to your question... If a landowner can communicate to us how they intend to work on the landscape over time, if the THP comes with a *plan*... WWDRS incorporate that kind of framework.

Paul Mason: Interesting ideas.

Holly Lundborg: Or ownership limitation of one per planning watershed?

Bill Craven for John or Jim: Would benefits from a long term THP be different than from an NTMP?

John Rice: An NTMP is more stable, more predictable.

Dave Hope: The performance-based thing can be incorporated in a longer term THP. If you perform within the rules, then you get the extension, and just submit an NTO (Notice of Timber Operations.) Those who get violations have to start all over again.

Gary Rynearson: It's important to note that THPs do not cover all the other permits, federal laws – TMDLs, etc. Is there some way to take a longer term process and address *all* the permits?

Bill Snyder: Agree to follow a certain set of practices on the ground, or, landowner does an umbrella document then proposes projects from there. Problem if umbrella document is expensive. Prescriptive piece or performance-based piece, the department still has to look at it. What level does landowner have to provide the department to meet the needs of the state?

## **Panel 2: NTMP Acreage Increase**

Tracy Katelman, Moderator, ForEverGreen Forestry

Panelists were asked to address what concerns, if any, they have regarding expanding the NTMP acreage; and what would it take for them to be able to support or work with an expanded acreage.

Mike Atkins, RPF

NTMPs cost more than THPs because you have to do an inventory. Right now CDF is trying to define what kind of inventory. Typically you provide an inventory of management unit and apply what kind of practices you will perform. Our concept is that you will have the same or more volume of standing timber volume at the end of 10 years as you had at the beginning of the NTMP. There isn't clarity from CDF re guidelines. Increasing acreage could increase inventory costs.

Another big cost is archaeology -- a huge bill. It can cost \$20-\$25,000 to have your property surveyed if there are sites. Another big cost is botanical surveys -- have to be done a year prior to harvest because of flowering season. Another big cost is going thru the regulatory process. All these costs go up through time, and with more acreage. NTMPs have to be amended for new federal and state listed species. The regulatory/review process is cumbersome and lengthy.

Solutions would include direct guidelines from CDF regarding inventory. Surveys to happen at Notice of Timber Operations instead of up-front. Good long-term management creates good habitat – utilize Safe Harbor agreements. The acreage should be unlimited.

Lane Russ, Landowner

His goal is ranching operations that are sustainable. New regulations have changed management. They have logged THPs rather than let them expire. Since 1990, the cost of THPs is up 100%. The landowner has to pay for every rule. Any thing that can give ranchers certainty would be beneficial.

His family was forced to cut timber in order to pay inheritance tax. There should not be a number of acreage on NTMP because it comes down to management. We can get better results with incentives. Regulatory environment manages for what you *don't* want. If we start managing for what we *want*, we would be better off.

Dan Weldon, FLC

FLC created the NTMP, and feels protective of it. Since then there has been a ratcheting-up of requirements the NTMP must follow – pre-approval and reviews. This has added delays to getting them approved. Cost from \$20,000-\$100,000, usually not over \$40,000. FLC tries to maintain simplicity, effectiveness. We have concerns in expanding the acreage: we feel we would lose control and the NTMP would become an even more onerous document than it is now. We want to maintain simplicity.

Richard Gienger, HWC

We need high standards for environmental protection. Concerns are that the NTMP is forever, but foresters change, operators change, the initial intent and vision may be lost. There needs to be monitoring -- periodic reporting and review; need a standardized process to determine what is sustainable. We need a real road management plan. Need a self-monitoring element – simple and direct review by landowner. Right now the burden is on LTOs – we need to close the professional loop. Need an adjustment in period of review. Suggest a 10,000 acre limit for a first pass. Note that the PTEIR is another game in town, another option.

Bill Snyder, CDF

The department sponsored legislation to expand the NTMP to 10,000 acres. Our proposal was to create a separate class from 2,500-10,000 (about 850-900 such landowners in the state.) The mitigation was a conservation easement -- the landowner would agree not to subdivide their property.

Concerns include looking at road management plans for property that size and how to prioritize road fixes, including economic considerations. How to balance the up-front need for all the surveys. The NTMP is a performance-based process. The landowner is tasked with how the property will look in the future. The Department is tasked as to if landowner can make it sustainable and can landowner articulate the plan effectively and plausibly

Holly Lundborg, NCRWQCB

According to FRAPP, a limit of up to 5,000 acres would capture 41% of nonindustrial acreage in California (about 600 landowners.)

The primary problem is the concept of forever -- need to describe management goals so if the land changes hands it is articulated. The permit is tied to the land, not the landowner. Need adaptive management, need to be able to incorporate new regulations into management. Accountability for NTO certifications is an issue. Landowners may need to accept some risk to find some relief. Identify the risks that everyone is willing to accept. Acknowledge the uncertainties. *Unlimited* acreage has a whole lot more issues to discuss... then we're talking SNTMP.

Notes that Water Quality already encourages low impact, light touch plans, with waiver of WDRs

Ken Moore, DFG

DFG's trustee responsibilities: native fish, wildlife and plants -- these resources need to be maintained across landscape. DFG likes NTMPs. The long-term management is better for

wildlife resources. It provides more options for future, some certainty into future. Gives landowners a vision for the future which is positive and secure. Provides more time on the ground for DFG.

Disadvantages to NTMPs: the forever thing, and things do change. Larger NTMPs could make it harder to really look at the whole property effectively. Now we get only one good look, at the beginning. Leave the existing NTMP alone, and develop new options.

No acreage limit would be appropriate, however, if it's put together right.

## **Q & A re NTMP Acreage Increase**

Bill: That NTMPs are forever is not true - there is an expectation of performance; if you diverge from the plan, the department will pull the approval. The responsibility for whether there is a change is the RPF. Then amend the plan if needed. A decision needs to be made about these larger NTMPs whether there should be further process every time an NTO is filed.

A 10,000 acre limit gets the bulk of nonindustrial lands.

Richard Geinger: We need a standardized process for larger NTMP for Cumulative Watershed Effects. Possibilities: 5,000 acres within same planning watershed.

Holly Lundborg: She's not convinced that disclosure is happening, and therefore is not supportive of *all* nonindustrials be allowed NTMPs. The NTP is ministerial, and is not "reviewed." Two things to check on the NTO form: change in conditions, and listed species -- none were checked in any of the forms she looked at. We need to get the legislature to continue NCWAP.

Richard Geinger: We need to get the state to pay for surveys.

Bill Craven: If we agree that there are benefits to the public and landowners with the NTMP, and we agree those benefits could happen if expanded acreage, and if we agree the biggest threat to private land is development, can we combine it all if we were willing to expand so long as landowners forfeit their development rights in order to ensure that kind of timber management could continue forever?

Some responses: The more restrictions there are, the less interest there may be. Less development potential means lower property values – a mixed blessing. Market values are a big variable over time.

Bill Craven: If the public pays for conservation easements, for surveys, what's in it for them, that's guaranteed – how does the public know that the land will stay in production?

Some responses/discussion: Timber Production Zoning is one piece (but can be rezoned.)

Regarding conservation easements – they make a new partner for the landowner. They are voluntary. How would public pay for them?

***Subsequent activities that day (no notes taken): A field trip to the McWhorter ranch; social hour; dinner; and an after-dinner presentation about the Mattole Forest Futures project by Chris Larson, Mattole Restoration Council.***

*During the social hour, workshop facilitators checked in with the group about priority topics for the second day. This led to some lively, spontaneous discussion, and general agreement to focus on: 1) the expanded NTMP proposal; and 2) possibilities for a longer term THP, including a 5-year THP as a "quick fix."*

## **Friday, November 4**

### **Summary of Concerns and Ideas for the "25 year" THP – from Thursday's Panel Discussion**

#### **Concerns:**

Potential intensive harvest over larger area (i.e. by industry) – potential for lots of impacts in a short amount of time.

Need to be able to adapt to changes – physical, political, etc. Would need an update process.

Cumulative watershed effects analysis – would need more analysis than under the current THP

Monitoring and assessment process (revive IWAT, NCWAP)

Potential utilization by industry – different concerns than for NIPF

THP is not a long term plan, it's a permit

THP forces “logging” rather than “forestry”

Operational rule changes still apply

Need to address all the other state and federal permits.

Costs

### **Ideas**

Apply it only to all-age management

A size limit

One per ownership

By ownership within a planning watershed

### **Additional THP Ideas** (*Generated during evening social hour and morning review*)

Extend the THP another two years – “5 year” THP

A “Renewable” THP – performance based

Apply an incremental time increase

Find ways to lower costs

### **Summary of Concerns and Ideas for the NTMP Acreage Expansion – from Thursday's Panel discussion**

#### **Concerns**

Defining “sustainability”

High up-front costs

Opening up existing NTMP to change

It's forever

Need strong feedback loop; monitoring

Potential to lose original intent of management vision

Road management

Only one real opportunity for review

Need representatives from all agencies in review

NTMP rehab rate/entry

Possible effect on existing NTMPs

Too much bureaucracy, red tape

Need to address other state and federal permit requirements

#### **Ideas**

Need inventory guidelines

Longer review timeframes

Move some upfront costs to NTO

Need periodic review or reporting mechanism

Need real road management plan

Self-monitoring

New NTMP program for larger landowners

How to balance review between upfront/initial and ongoing/long-term

Include/quantify long-term management goals

Accountability for NTO certifications by RPFs and CDF

For limited acreage – acreage totals by ownership in a watershed

Acknowledge uncertainty

Standardized process for Cumies  
State do surveys  
Increase acreage limit in increments

**THP and NTMP Breakout Groups:** *Workshop participants divided into two groups to work on the concepts of either expanding the NTMP acreage or increasing the THP time period. Each group then presented their results, followed by questions and discussion.*

### **THP Breakout Group Report and Discussion**

The group ended up discussing three items: 1) a 5-year THP; 2) a Renewable THP; and 3) the need for other, bigger solutions.

#### **1. A “5 Year THP”**

The idea: Create a new THP option, for 5 years, plus a 2 year extension.

- Some think that this would be easy, a no-brainer, it's low-hanging fruit.

Possible “bones:”

Limit to NIPF (would need clear definition of “nonindustrial”)

Limit to uneven-age management

- We need environmental interests' input (not represented in breakout group.)

Agreement: We want to be sure to get other, bigger prizes. We don't want legislators and others to say “we took care of your problems” (with a 5 yr. THP.)

#### **Questions and Comments about the 5 Year THP**

Sally French: We need to hear from the environmentalists

Richard Gienger: Maybe after three years there would be a modest update – a one-page description that says what operation, if any, has happened.

Paul Mason: I suspect that my colleagues are more interested in seeing this apply to non-industrial forest landowners. This one is nuanced enough that I have to bring this back to my group.

Sally French: As a group, we are working only for non-industrials.

Tracy Katelman: How do you define nonindustrials?

Bill Snyder: 2500 acres or less, and not primarily engaged in forest products.

Tracy Katelman: The current definition does not fit.

Paul Mason: It could mean even-aged...

Sterling McWhorter: I would disagree with keeping the industrials out of this process. They may not have the ways to do business that the smaller landowners do business but they are there and might want the option. The NTMP, that's for us (nonindustrials.)

Jim Able: The industrials might balk at the proposal. What about adding all-age management?

John Rice: What about what Richard wants to add, the report? That's a concern.

Bill Snyder: How would a bureaucrat manage all of these? We would need 5 plus 2 plus 5 to regenerate that stand, how would that affect the landowner, and how would we bureaucrats do this...

John Rice: Every year we give an idea of how much we cut, and do that with some documents. Would that cover it?

Jim Able: The first NTMP was one page, now it's 8.5 pages.

Ken Moore: If there is a THP out there that concerns us, we go visit it. I don't know if we want any more paper to have to process.

Sally: Is there a limit on THP size? It seems that the environmentalists would be concerned that five years would mean more logged area...

Richard Gienger: Maybe require a one-page progress report at 3yrs.; could consist of a map and a table.

Discussion with entire group: Go with “uneven-age management” – whether industrial or

non-industrial or both.

## 2. A “Renewable,” Performance-based THP

The idea: Landowners who demonstrate good stewardship (via performance standards) could get THP’s easily renewed if desired at the end of each three year permit.

Issues that would need to be addressed:

- Waiver criteria – time & money – address to save money

- Define framework for CEQA; CEQA compliance

- What is the “project”? Define it

- What would need to be met for “performance based”?

- Where is the line between *permit* and *plan*??

- Keep terminology clear: a *plan* for the land, as compared to a *planning document* that you need to satisfy CEQA

- What about inventory?

- Work to make it a functional equivalent, via the Resources Agency?

- Trying to create a “renewable” THP is likely to end up being a new-ideas-for-the-NTMP effort; nonetheless it is worth exploring further.

Next Step

Research CEQA; put a draft proposal on paper. (Water Quality can help with CEQA research)

### Questions and Comments about the Renewable THP

Jim Able: The idea in a renewal would be to do a pre-harvest inspection. And if everything is cool then you renew it for five years.

Dave Hope: Rewarding people for doing a good job is a great idea. If the review team goes onto your land and sees that you are doing it right you should get credit for that.

Tracy Katelman: Do we take third-party certification ideas from ISF thirteen years ago and apply it here?

## 3. THP breakout session wrap-up consensus comment:

Providing one or more new THP tools for the toolbox will help, but we are still looking for the really big solutions!

## NTMP Breakout Group Report and Discussion

Mike Atkins: Our group was good, but kind of heated and a little frustrated, and I think I know why. We started to turn our work into a re-invention of the SNTMP. It has been a good idea but poorly pitched to landowners. So... I would suggest that we invite Craig Blencowe and his group to define and describe what the SNTMP is: benefits, do’s and don’ts...nobody knows what it has, nobody knows if they like it or not. We need them to explain what it is. Meanwhile, we did get into identifying ideas about increasing the TMP acreage.

### Summary of ideas for increasing “NTMP” acreage:

Create a new option, don’t change the existing NTMP

Start with 10,000 acres

To buyoff on the larger acreage, we thought that there could be a review every ten years for review and renewal.

At the 10-year review point you could introduce any adaptive management techniques to bear on the process.

It needs to meet the *intent* of any new Forest Practice Rules over time;

Based on existing NTMP components, plus some – “rules-plus.” Need to identify what this

“plus” is.

### **Next Steps:**

Define what the (10) year review is.

What is sustainability and what would it entail?

Further define identified solutions from Thursday.

Keep in mind NTMP benefits: flexibility, simplicity, certainty.

Define forestry standards – do they change over time?

Get the landowners onboard BEFORE creating a new option. Will this work, what are their needs?

Identify other agencies and their needs for this new approach

Identify environmental community’s needs for this new approach.

### **Questions and Comments about the NTMP Acreage Increase**

Ken Moore: What is the concern with having another option?

Mike Atkins: It’s not a concern. We have to develop it more to see if someone shoots it down. It has raised the issue of the utility of the SNTMP

Paul Mason: I’d be more than happy to come to the next Buckeye gathering to outline and explain what the intent of the SNTMP is and how we might need something new. Craig might not come up.

John Rice: What was the review item?

Mike Atkins: Every ten years, review that you are / are not meeting your needs based on the objectives that you wrote in the plan.

John Rice: I wouldn’t have a problem with that, but I would with the potential cost.

Mike Atkins: We agreed that it shouldn’t cost anything

Eric Holst: Did we agree that there would be some regulatory streamlining?

Mike Atkins: No

Tracy Katelman: What would a larger-acreage NTMP look like? Are we doing this under a statutory change?

Mike Atkins: Yes.

Bill Snyder: Keep in mind that an SNTMP can only go up to 2500 acres, so to do more acreage means changing the law....The SNTMP is adding protection measures with regard to sustainability.

Johanna Rodoni: “Protection” keeps coming up. I don’t know any landowners who aren’t protecting their land.

Bill Snyder: My understanding of the why is that you could get safe-harbor or habitat protection for a species. From the state perspective. The original idea was to have three gates through which you would pass. The real issue was trying to get as much permit coverage under one document.

Paul Mason: Right now the standards for NTMP are so generally vague, and everyone in this room is managing much higher than the minimum standards.... So it is trying to define a clearer floor.

Sally: Maybe this would reduce the headaches. Would it reduce the costs?

Paul Mason: You are going to be spending less time and money on a bunch of things, and you are not doing anything with cumulative effects. It’s focusing the expenses on those things that have utility for the landowner. So we are trying to focus the input to where it will help.

Dan Weldon: We had a committee look at this and concluded that it wouldn’t help because wider buffers would take land out of production.

Sterling: 2,500 acres is still a problem

Eric Holst: Then think about using the SNTMP as a spring board and to merge the idea of what is best in the SNTMP and other issues.

Jim Able: One of the things that keeps coming up is that we are in love with these

watercourse protections. I haven't seen anything beneficial come out of them in 30 years. As you go north from mid-Humboldt, you could have a huge amount (90%) of the land tied up by watercourse buffers...

Dan Weldon: We have to think about the timing of this for developing legislation.

Richard Gienger: It might be a good idea to have the comparison of NTMP and SNTMP, regarding watercourse zones and other items.

Paul Mason: Right now this is just a document for discussion. We can't take it to the legislature without a lot more development.

Bill Snyder: I can see a next action item: What would you like to see as part of that 10,000-acre LNTMP?

Tracy Katelman: The three groups we really need to hear about are landowners, environmentalists, and agencies.

Mike Atkins: We need a forum with the steering going to keep the dialogue open

Johanna Rodoni: Identify which landowners would qualify for this, and contact them, and get their feedback.

## **SUMMARY OF IDEAS for THP or NTMP "NEXT STEPS"**

**5-Year THP:** ASAP -- Meet with Senator Chesbro and/or staff regarding next steps for legislation. Ask Sen. Chesbro to carry a bill.

**Proposal:** Create a new THP option, for 5 years + 2 year extension, for uneven-age management only. (*Maybe* require a one-page progress report at 3yrs.; could consist of a map and a table.)

Folks will have to really get together regarding any proposed legislation (5 yr. THP) because there will be a lot of wheeling and dealing.

**SNTMP:** Not everyone has same level of understanding of what is being proposed with the SNTMP. Landowners are perhaps least familiar. We need a better understanding in order to evaluate its utility and/or how to merge its development with other proposals.

Have Craig Blencowe, Paul Mason, et al present SNTMP to TBC/BFP. Compare to NTMP; and with normal and "impaired" rules.

Consider merging increased NTMP acreage and SNTMP proposals, for new legislation?

**Larger NTMP:** See notes herein for a list of issues to be addressed and "next steps."

We need an NTMP subcommittee, to follow up on this workshop's NTMP discussions.

**Renewable THP:** See notes herein for a list of issues to be addressed.

Research the CEQA issues; and put a draft proposal on paper.

## **OTHER NEXT STEPS and IDEAS**

### **Events**

The Buckeye Conservancy will have a "mixer" Dec. 7, 5:30-7:30, at OH's Townhouse in Eureka. Mike Atkins will present a brief report about the Buckeye Forest Project. Everyone's invited.

### **The Buckeye Conservancy should:**

Attend Board of Forestry meetings regularly, to provide consistent representation.

Work directly with landowners to coordinate their involvement in all of this.

(and other interest groups) Support budgeting for appropriate agency staffing (for staff to get out in the field.) Provide input to the legislative budget committees, where use of general fund decisions are made. Support use of general fund rather than fees. (Sen. Chesbro chairs the Senate committee.)

### **Topics**

We need to have a discussion on public trust values and the public “paying” for them. Sen. Chesbro is sponsoring a new bond act for June of 2006; it may include cost shares for landowners. Provide input into bond act development.

Don’t just think about year changes or acreage expansions, tell us (CDF/Bill Snyder) what other changes you would like to see that would make the rules better.

Bill Snyder: One of the concepts that Richard had was this inter-agency watershed assessment team; put more of the onus on the state to do the assessment, and then link it to a PTEIR. Then, if people want to undertake management under those conditions, it’s not a PTHP but a Notice -- tier it to SNTMP with a Notice. Take a step further than Mattole Forest Futures. It could be done in a certain area like the Mattole or a watershed, or it could be tied to a particular type of project. This would need legislation change...

### **Tools**

Use the Buckeye Conservancy website for sharing information; have web-based meetings and workgroups.

Have specific working meetings, subcommittees, to help keep things moving forward.

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**To obtain additional copies of this report, or** for more information, contact:

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***The Buckeye Conservancy***

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## Buckeye Forest Project November 3-4, 2005 Workshop Participants

| <b>FIRST</b>     | <b>LAST</b>          | <b>CITY</b> | <b>AFFILIATION (primary)</b>              |
|------------------|----------------------|-------------|---|
| Jim              | Able                 | Eureka      | Forester                                  |
| Mike             | Atkins               | Eureka      | Forester                                  |
| Bill             | Branstetter          | Ferndale    | Landowner                                 |
| Pete             | Bussman              | Blue Lake   | The Buckeye Conservancy /Landowner        |
| Wesley           | Chesbro              | Sacramento  | State Senate                              |
| Andy             | Chittick             | Petrolia    | Mattole Restoration Council               |
| Bill             | Craven               | Sacramento  | Senate Natural Resources Com.             |
| Bill             | Cunningham           | Eureka      | Natural Resource Conservation Service     |
| Scott            | Downie               | Fortuna     | California Dept. of Fish & Game           |
| Mary             | Etter                | Honeydew    | Landowner                                 |
| Mary             | Etter                | Honeydew    | Landowner                                 |
| Ali              | Freedlund            | Arcata      | Mattole Restoration Council               |
| Sally & Richard  | French               | Garberville | Landowner                                 |
| Richard          | Gienger              | Whitethorn  | Humboldt Watershed Council                |
| Zuretti          | Goosby               | Eureka      | Senator Chesbro, staff                    |
| Eric             | Holst                | Sacramento  | Forest Guild                              |
| Dave             | Hope                 | Santa Rosa  | N. Coast Reg. Water Quality Control Board |
| Jim              | Hunt                 | Fortuna     | Landowner                                 |
| John             | Isom                 | Petrolia    | Mattole Restoration Council               |
| Tracy            | Katelman             | Eureka      | ForEverGreen Forestry                     |
| Robert           | Klamt                | Santa Rosa  | N. Coast Reg. Water Quality Control Board |
|                  | Chris                | Larson      | Petrolia Mattole Restoration Council      |
| Holly            | Lundborg             | Santa Rosa  | N. Coast Reg. Water Quality Control Board |
| Leslie           | Markham              | Santa Rosa  | California Dept. of Forestry              |
| Gerald           | Marshall             | Eureka      | California Geologic Survey                |
| Paul             | Mason                | Sacramento  | Sierra Club                               |
| Beth             | Maybee               | Bridgeville | Landowner                                 |
| Sterling         | McWhorter            | Petrolia    | Landowner                                 |
| Ken              | Moore                | Eureka      | California Dept. of Fish & Game           |
| Nancy            | Reichard             | Arcata      | Net Gain, Facilitator                     |
| John             | Rice                 | Kneeland    | Landowner                                 |
| Johanna          | Rodoni               | Ferndale    | Buckeye Conservancy / Landowner           |
| Roger            | Rodoni (Dinner Only) |             | Humboldt Co. Supervisors/ Landowner       |
| John             | Rogers               | Redway      | Institute for Sustainable Forestry        |
| Lane             | Russ                 | Eureka      | Landowner                                 |
| Gary             | Rynearson            | Korbel      | Green Diamond Co.                         |
| Bill             | Snyder               | Sacramento  | California Dept. of Forestry              |
| Bob              | Stansberry           | Honeydew    | Landowner                                 |
| Lorana & Francis | Sweet                | Petrolia    | Landowner                                 |
| Harry            | Vaughn               | Miranda     | Landowner                                 |
| Dan              | Weldon               | Sacramento  | Forest Landowners of California           |
| Judy             | Welles               | Eureka      | Natural Resources Conservation Service    |
| Andy             | Westfall             | Ferndale    | Landowner                                 |
| Gene             | Whitney              | Fortuna     | Landowner                                 |