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## MEMORANDUM

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**DATE:** December 3, 2020

**TO:** Rich Sampson  
California Department of Forestry and Fire Protection  
135 Ridgeway Avenue  
Santa Rosa, CA 95401

**FROM:** Kevin Doherty  
Department of Conservation  
California Geological Survey  
135 Ridgeway Avenue  
Santa Rosa, California 95401

**SUBJECT:** Second Review of Timber Harvesting Plan 1-20-00084 SON

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References:

CGS, 2020, Engineering Geologic Review of 1-20-00084 MEN, Unpublished Memo to Helge Eng, Deputy Director, California Department of Forestry and Fire Protection, Santa Rosa, CA, prepared by Kevin Doherty, dated August 18, 2020.

SCTPW, 2020, Intent to Cooperate with Redwood Empire Sawmills on Replacement of Culvert along Neely County Road, in conjunction with Silver Estates Timber Harvest Plan, Road Point #1 within THP# 1-20-00084 SON, Letter to Jesse D. Weaver, Redwood Empire Sawmills, prepared by Janice Thompson, dated November 2, 2020.

Dear Second Review Chair

CGS reviewed the RPF responses to PHI recommendations made by CGS in a PHI memo dated August 18, 2020 for THP 1-20-00084 SON (referenced above). The RPF responses are dated November 2, 2020.

Based on the RPF responses and conversations with the RPF and Cal Fire staff during a meeting on November 20, 2020, CGS has the following comments and recommendations:

Map Point 1: The RPF response to CGS PHI recommendations includes a letter from Sonoma County Transportation and Public Works Department (SCTPW, 2020) that discloses the county's intent to cooperate with the THP proponent/landowner (Redwood Empire Sawmills) in replacing the undersized and plugged culvert at Map Point 1. The inlet of the culvert is located within the northern THP boundary and extends to the north under Neely Road, a publicly maintained road outside of the proposed THP boundary. The undersized, plugged and failing culvert was determined to constitute a potential public safety hazard during the PHI. According to the County letter, the proposed replacement work is to be approved under the THP permitting process with all work to be conducted by the THP proponent/landowner (Redwood Empire Sawmills). Concern was raised by Cal Fire during a meeting on November 20, 2020, that

overseeing what appears to be a public works project along a non-appurtenant road located outside of the THP boundary is not consistent with the provisions of California's Forest Practice Rules. Because it does not appear that the public safety hazard can be mitigated without replacing the existing crossing, it was determined that the proposed map point should be removed from the THP. Based on discussions with the RPF, the County will not prioritize the replacement if it is required to pursue a separate permit outside of the THP approval process, resulting in the public safety hazard remaining. This intention is not clarified in the County's letter (SCTPW, 2020).

According to the RPF, existing conditions and concerns at the crossing were described in a pre-consultation report by the North Coast Regional Water Quality Control Board, which occurred prior to the PHI. It was noted by the RPF and Cal Fire inspector during the November 20, 2020 meeting, that a copy of the NCRWQCB pre-consultation report was provided to Sonoma County and is attached to the THP. Based on cursory review of the THP, the pre-consultation report does not appear to be included in the THP and has not been submitted as part of the RPF responses.

It is the intent of CGS to ensure that adequate notification of the existing public safety hazard has been provided to the responsible party, Sonoma County. As was discussed during the PHI and November 20, 2020 meeting, we acknowledge that the RPF, Redwood Empire Sawmills and Cal Fire do not have the authority to compel the County to provide a response to the notifications or prioritize the culvert replacement. Even with limited or no responses from Sonoma County, providing the records of notification attempts in the THP will document the due diligence taken by the RPF and Redwood Empire Sawmills to notify the County of the existing public safety hazard. Consistent with CGS PHI recommendations at Map Point 1, please include in the THP all attempts at communication with Sonoma County regarding Map Point 1, including but not limited to emails, letters, site visit/phone logs and a copy of the RWQCB pre-consultation report. CGS assumes no liability in the event that the existing undersized, plugged and failing culvert is left in place and the public safety hazard remains.

Original signed by  
Kevin F. Doherty, CEG # 2666  
Engineering Geologist



Concur  
12/3/2020 original signed by  
Date, David Longstreth, CEG # 2068  
Senior Engineering Geologist

