

SLUG TODAY PARODY: PULL THE PINK PGS. 9-16

# THE PAPER



Illegal landing or wider road?

## LP logging of Silver Estate: two more apparent violations

BY GREG KING

Louisiana Pacific Corporation has apparently violated Timber Harvest Plan (THP) conditions in its logging of Guerneville's Silver Estate by constructing a landing not noted on the THP and by failing to provide the new surface with waterbars.

The landing, a flat area used to store harvested logs, is on a sharp turn in the haul road leading to the Silver Estate and rests a few hundred yards above the Guerneville sewage treatment plant near the end of Neeley Road.

From below the logging road, the landing is a high wall of loose mud with stumps, trees and slash strewn throughout and a stream running through the middle. Above, on the edge of the landing, are two piles of logs and three heavy tractors. Numerous trees near the site have been cut. The area appears highly unstable and unsafe and should be avoided.

Item 30 of the THP asks, "Will any roads or landings be constructed or reconstructed?" LP's registered professional forester Greg Checkal answered the question, "No."

The California Department of Forestry (CDF) Forest Practice Rule number 1034.x(5) requires that all landings outside a water protection zone "that are greater than 1/4-acre in size or whose construction involves substantial excavation" be noted on the THP map. The landing is not on the map, and its size is yet unknown. The extent of excavation is determined by CDF.

CDF's Tom Osipowich, who was the review team chairman for the Silver Estate THP, was apparently unaware that the new landing is a violation of the rules. Although he had not seen the area, when Osipowich heard a description of the site he determined that it had been converted into a "standard landing." He said that the logs and foliage pushed over the embankment into the mud is "a very common occurrence...to get rid of the debris from the landing."

Osipowich was sympathetic to a determination that the landing is dangerous, but he said that, "As far as endangering people, one, it is a trespassing situation and, two, it's a very common occurrence."

CDF's Chuck Joiner said this week that the state agency does not "govern safety," and therefore could not legally explore the apparent hazards imposed by walking near the landing. But, he added, "When you build a landing in winter, it usually is kind of mucky."

Joiner is unsure if LP violated the Forest Practice Rules because he has not seen the landing. But he added that, "You could be right, there could be a problem." He said that the landing is "an issue that I'll have to take up with (LP)." Joiner said he would probably request an inspection from LP sometime later this week.

The Forest Practice Rules state that anyone who "willfully" violates a rule is guilty of a misdemeanor and could be punished by a \$1000 fine, a six-month county jail term or both. CDF could halt logging operations at a site if a violation "would

result in imminent and substantial harm to soil, water or timber resources, or to a fish and wildlife habitat." The closest fish-inhabited stream is the Russian River, about a quarter-mile south of the landing.

The waterbreak that existed on the 180° turn, before the landing was constructed, diverted a substantial winter stream away from the road's direction and into vegetation. This water was rechanneled and, as of Tuesday (Mar. 11), flowed without a waterbreak around a pile of redwood logs, over an embankment and down into a newly constructed skid trail.

A waterbreak is "a ditch, dyke, or dip" designed to divert streams away from roads and skid trails, according to the Forest Practice Rules. The water must flow "into some form of vegetative cover, duff, slash, rocks or less erodible material wherever possible (so) that erosion shall be minimized."

Timber operator Ken Parmeter, who contracts for nearly all LP's Sonoma County harvests, said, "We didn't make a new landing," and called the area in question "a wide spot in the road."

Louisiana Pacific has two other documented violations on the Silver Estate: The company failed to notify all the neighbors within 300 feet of the harvest site, as required by state law; and foresters cut the five largest redwood trees adjacent to the Clar Tree, a violation of an out-of-court settlement. The 336-foot Clar Tree is Sonoma County's tallest.