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ASSOCIATION

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September 7, 2004

The Honorable Arnold Schwarzenegger
Governor, State of California
State Capitol
Sacramento, CA 95814

Reference: SB 1648 (Chesbro), Request for Veto

Dear Governor Schwarzenegger,

The California Licensed Foresters Association (CLFA) asks you to veto the above-referenced legislation, which addresses the management of California's system of state demonstration forests, most specifically the Jackson Demonstration State Forest (JDSF) in Mendocino County. These forests were created in large part due to the leadership and vision of an earlier generation of California foresters. It would be harmful to dismantle their legacy in order to reward the designs of narrow special interests.

If SB 1648 became law, it would:

1. Undermine the Governor's authority to act in an executive capacity with regard to forest policy
2. Shackle scientific inquiry
3. Diminish regional employment and economic opportunity
4. Slash revenue to state and local governments
5. Discourage sustainable forest management in our Golden State, and
6. Increase California's unethical reliance on imported wood products.

Background

JDSF, located near Ft. Bragg, is the largest and most valuable of California's state demonstration forests. JDSF was created from cutover timberlands acquired by the state in 1947 and is a tremendous forestry success story.

Unlike a park set aside exclusively for preservation, JDSF was established as a working forest designed to demonstrate and study techniques of sustainable forest management. Over the years, research at JDSF has greatly improved scientific understanding and environmental protection in the redwood region by serving as a unique living laboratory for natural resource studies.

Besides fundamental research, JDSF has provided timber revenues to the state and important benefits to Mendocino County's economy in the form of employment in the forest products industry. Under CDF's stewardship, this has been done in an exemplary manner: JDSF's overall timber volume has steadily increased while periodic harvests have provided raw material for the regional timber industry. Trails, campsites and abundant fish and wildlife habitat are among other benefits that JDSF provides.

There are those, however, that don't like forest management even if it can be demonstrated that it is sustainable. With primary funding from one particularly vocal critic, CDF has been sued several times in recent years, leading to an agonizing halt to forest management at JDSF and severe economic impacts to local workers and their families as well as state and local programs.

The Board of Forestry is working on a new Draft Environmental Impact Report for JDSF, expected to be released this fall. Although it seems likely that activists will continue to sue, CLFA believes that this tactic will eventually be exhausted and JDSF will once again resume providing multiple benefits to the region and people of California.

Unfortunately, the same vocal minority which took CDF to court also joined this year with State Senator Wesley Chesbro, who sponsored SB 1648 in what the Author has described as an attempt to end the legal stalemate and modernize state forest management. On the final day of the legislative session, SB 1648 passed in a highly partisan vote. This was done despite the objections of many of the Senator's local constituents as well as CLFA, the Society of American Foresters, CDF and others.

Provisions of SB 1648

In the interest of brevity, the following is an annotated list of some of the key points in the enrolled legislation. If enacted, SB 1648 will:

1. Place new management constraints on JDSF, such as the minimization of even-age silviculture and limits on the manipulation of second-growth timber stands [4668 (a)], [4665.5 (c-e)]
2. Allow up to 15 million board feet per year to be harvested from JDSF during an interim period, as defined [4669.6]. The harvests are limited to commercial thinning with openings no greater than one quarter acre in size, along with other prescriptive constraints [4669.6 (c)]
3. Create an advisory committee and interagency technical committee for JDSF [4666, 4667]
4. Authorize the advisory committee to approve or deny proposed timber harvest plans on JDSF [4669.6 (c) (2)]
5. Require that the Registered Professional Forester (RPF) appointed to serve on the advisory committee not have worked for CDF or forest industry during the previous five years [4666.2 (d) (1)], and
6. Restrict the harvest of trees in existence since 1850, along the lines of the failed SB 754 (Perata) [4668 (c)].

Reasons to Veto SB 1648

CLFA believes that this legislation was poorly written and that its multiple amendments – while providing some improvement – were unable to salvage a suitably bipartisan vision for our state forests and JDSF. In the event of a veto, CLFA is

committed to working with the Author's office should the Senator desire to continue carrying legislation on this issue next year.

CLFA believes that SB 1648's provisions actually punish CDF for its very success in responsibly managing JDSF over the decades. The core impulse behind this legislation has been to take this unique, science-based model of sustainable forestry and turn it into a park, thereby rewarding its proven success by aborting its mission.

We believe that SB 1648 is an affront to science and the free pursuit of knowledge. Its limitations on silviculture will foreclose on prospective research opportunities during the interim period, at a minimum. How can the goal of sustainable forestry in our state advance under such conditions?

California foresters believe that the acquisition of scientific knowledge at JDSF and similar state demonstration forests has only just begun. But under the provisions of SB 1648, researchers interested in studying the effects of forest disturbances greater than a quarter acre in size will now be turned away. It's as if the backers of this legislation feel that research at JDSF has already acquired sufficient information, and that additional inquiry is now unwarranted. That's exactly the wrong message that California law should be sending.

CLFA is also very concerned about the composition and powers of the proposed advisory committee. We believe that the Board of Forestry, with members appointed by the Governor and subject to confirmation by the Legislature, is the proper body to oversee state forest policy and JDSF. A situation where an advisory committee holds veto authority over CDF's proposed timber harvest plans at JDSF would strip the Board, and by extension the Governor, of their executive powers. We believe this alone is sufficient justification for you to reject SB 1648.

SB 1648 also specifies that the Registered Professional Forester (RPF) appointed to the Advisory Committee not have been employed for the previous five years by CDF or the forest industry. CLFA finds this provision to be nothing less than repugnant. California RPFs, by education, experience and state licensing, are professionals in every sense of the word. To exclude so many qualified professionals from public service simply because of career experience in government or the private sector is totally unacceptable.

Governor Schwarzenegger, California now imports 70% of the wood products that we use from other states and foreign countries. CLFA believes that state policies which have the effect of exporting sustainable forest sector jobs actually create greater global environmental impacts. SB 1648 represents an ongoing trend that has just gone too far.

California foresters, as working environmentalists, are asking you to support us by rejecting this job killing, science chilling, deeply flawed, special interest backed legislation. We ask you to affirm good government, sustainable forest management, environmental responsibility and self-reliance in California by exercising your authority to veto SB 1648.

Governor, thank you very much for your consideration of our views.

Sincerely yours,

Chris Quirnbach, RPF #2623
President

Cc: Mr. Dale Geldert, Chief, California Department of Forestry and Fire Protection.
Mr. Stan Dixon, Chairman, California State Board of Forestry and Fire Protection.
The Honorable Wesley Chesbro.
Mr. Hal Wagenet, Chairman, Mendocino County Board of Supervisors.
Mr. Jere Melo, Mayor, City of Fort Bragg.
Ms. Clare Nunamaker, Chair, Northern California Society of American Foresters.
Forestry Department Chairs (U.C. Berkeley, Humboldt State University, California
Polytechnic San Luis Obispo).
USDA Forest Service, Redwood Sciences Laboratory.
CLFA Board of Directors.

The California Licensed Foresters Association, with approximately 750 members, represents the common interests of California Registered Professional Foresters. The Association provides opportunities for continuing education and public outreach to its membership, which includes diverse professionals affiliated with government agencies, private timber companies, consultants and the academic community. Governed by an elected Board of Directors, CLFA was established in 1980 after the passage of the landmark California Professional Foresters Law.