

California Department of Forestry
Second Review Hearing on NTMP 1-06NTMP-011 SON

March 30, 2009

Attendees:

Ron Pape – CDF Review Team Chair
Giny Chandler – Chief Legal Counsel/Cal Fire
Ruth Norman – Cal Fire
Nick Kent – Forester employed by Bohemian Grove
Arlan Trammer – Forester for Nick Kent
Tom Spittler – CDF Geologist
Wayne Whitlock – Bohemian Grove Counsel
Patricia Henley – Reporter for North Bay Bohemian
Kimberly Burr – River Watch
Dixie Lewis – Pole Mountain Coalition
Aleah Middling – Cal Fire
John Blair – Member of public from Occidental
Aleksandra Takala – Member of public from Occidental
Kathy Walden – Bohemian Redwoods Rescue Club
Rick Coates – Forest Unlimited
Larry Hanson – Forest Unlimited
Jay Halcomb – Sierra Club Redwood Chapter
Pam Conley – Austin Creek Alliance
John Hooper – Bohemian Redwoods Rescue Club
Paul Carroll – Bohemian Redwoods Rescue Club Counsel
Cherie Blatt – Regional Water Quality Control Board
Stephanie Buss – California Department of Fish and Game
Stacy Martinelli – California Department of Fish and Game
David Kenley – Member of Public
Matt Oggero – Bohemian Grove Manager
Joel Butler – Bohemian Grovekeeper
Jim Danley – Bohemian Club (videotaped meeting, no permission sought)

The NTMP 1-06NTMP-911SON Second Review Number Two was held on March 30, 2009 at 2 pm at California Department of Forestry on Ridgway Avenue in Santa Rosa, CA., in the meeting room within the Forest Practices Building. Ron Pape chaired the proceedings.

Recording was begun just prior to formal meeting discussion.

Ron Pape: ...first is, we're gonna do a—this is a Review Team, not a public meeting. We're going to go ahead and handle the Review Team business first, ah...this has been in the works for quite a while. The Pre-Harvests were done back in 2006, ah...there were some significant, um, recommendations resulting from it. It took the RPF and landowner several years to get it worked out. What I want to do is go through the Review Team stuff, ah, information first, see if any of the other agencies have any questions, concerns, or if their

concerns have been met. Ah, one person that is not here today that was instrumental in a lot, bringing about a lot of changes along with the, ah, FD was Ken Hoffman from the U.S. Fish and Wildlife Service. Ah, his concern was based on the original harvest schedule; there was a chance over time that Northern Spotted Owl habitat would be reduced. He wanted to see more trees left, larger basal area, canopy cover which the RPF has addressed which we'll get into a little later. And I do have in the file a technical assistance letter from Ken for the overall concept of the NTMP per se, but it will still require individual technical assistance letters for each notice of operation.

Ken's the only one that isn't here, so I guess we might as well just--

Giny Chandler: Maybe before we start, let's—so you all know who the players are, at least from the staff perspective, maybe we can start with Water Quality and go around at least our horseshoe of the table so everybody knows who we are.

Cherie Blatt: I'm Cherie Blatt from the North Coast Regional Water Quality Control Board.

Stephanie Buss: I'm Stephanie Buss from Department of Fish and Game.

Stacy Martinelli: Stacy Martinelli, Fish and Game.

Ron P.: Ron Pape, Cal Fire.

Giny C.: Giny Chandler, Cal Fire.

Tom S.: Tom Spittler, California Geological Survey.

Ruth Norman.: Ruth Norman, Cal Fire.

Ron P.: Why don't we just go around, everybody else...ah...let's go around the table all the way and --

Giny C.: Nick Kent is the—as most of you I think know, is the RPF.

Wayne Whitlock.: I'm Wayne Whitlock and I'm an attorney here on behalf of the Bohemian Club.

Dixie Lewis: Dixie Lewis, Pole Mountain Coalition.

Kathy Walden.: Kathy Walden, Forest Unlimited.

Larry Hanson: Larry Hanson, Forest Unlimited.

Joel Butler: Joel Butler, Bohemian Grove Superintendent.

Matt Oggero: Matt Oggero, Bohemian Club General manager.

Jay Halcomb: Jay Halcomb, Sierra Club.

Pam Conley.: Pamela Conley, Austin Creek Alliance.

John Hooper: John Hooper.

Paul Carroll: Paul Carroll, representing John Hooper and his group.

Ron P.: OK, ones along the back, start...(laughs).

Arlan Trammer.: Arlan Trammer, Forester for Nick Kent.

Patricia Henley.: Patricia Henley, reporter for the North Bay Bohemian.

Aleah Middling.: Aleah Middling, Cal Fire.

John Blair: John Blair, Occidental Chamber of Commerce.

Aleksandra Takala.: Aleksandra Takala, KOWS Radio of Occidental.

Jim Danley.: Jim Danley, Bohemian Grove.

David Kenley.: David Kenley, Radio KGGV Guerneville.

Ruth N.: And, has everybody signed in?

Giny C.: I think what we want to do is a game plan, just so you all know. As Ron said, as we start with all the agency comments and then there will be an opportunity for public comment. Ruth has got the ever-present clock; five minutes per person, and she will let you know when the time is up. That's part of why we did the signup sheet so we got sort of a general idea of how many people wanted to comment. We will put the signup sheet into the record so if anybody wants a copy of it you'll know who was here, you know, will know who said what. And then Ron will close the public comment period and finish up.

Ron P.: Yeah. Between what we have with the agencies, I'll go over a few of the practices and proceed with a call for the public comment. So, okay...ah...yes, Tom, you want—from Cal Fire's perspective, our concerns were raised during the PHI, and, ah, through the process have been addressed and put the modifications. We did share some of the concerns with the other agencies early on. My general feeling is that they have met what other agencies have asked and with the—our one big issue was the acreage issue...uh, it was determined it's Cal Fire's policy that the use of a conservation easement is appropriate, and therefore with that we took the acreage issue to a satisfactory result from Cal Fire's perspective. Ah...another issue we had primary was growth and yield. Nick as a result of the request of Fish and Game--Fish and Wildlife service significantly scaled back the rate of harvest and went from 1.1 down to 700,000 in the first decade as is indicated in the NTMP. That harvest rate will go up in subsequent decades as the growth rate increases. With those two primary issues, and then Fish and Game had issues on marbled murrelet, which again, this—all--the whole issue of growth and yield, the acreage, Fish and Game's concerns, Fish and Wildlife, they all

kind of intermixed. And as a result the residual stand in any one operating area will be significantly higher than the Forest Practice minimums or the Fish and Wildlife minimums for NSO. About three-quarters of the area, the minimum basal area per acre retained will be 100, and roughly about 25% of the area it'll be 130 square feet which is significantly above the Forest Practice requirements of 75 square feet for site 234. Ah...the canopy closure is going to be in excess of 60% of trees 11 inches and larger. Nick, just jump in if I get something messed up. So basically with that, Ken was happy; he did have some significant concerns early on. He met with Nick several times onsite to work things out, but I think right now where Cal Fire is coming from is unless there's something significantly that comes up before the review agencies today, I'm satisfied with the responses we've got, so... Cherie, you want to—might as well jump in and let's just get the review team part of things.

Cherie B.: Okay. Ah...thank you, Nick, for putting in all our recommendations that we passed forward over the year. We've done many, many inspections up there. The NTMP will probably qualify for a waiver of waste discharge requirements. I wanted to say that our waiver is expiring on June 24, 2009, and we have a draft NTMP—ah--we have a draft waiver of waste discharge requirements that's going in front of our board on June 4 in Santa Rosa. The public is allowed to come to that board meeting and speak for five minutes if they want to. The draft is on our website and I have a copy of the draft and Power Point presentation that was given during our public meeting last Thursday. There's some changes that will be involved if new plans are put under the new label, so if your plan does not get signed sometime this year, I don't know exactly where the deadline, the cutoff will be, but you may have to redo some of the wording in your plan to meet this new waiver. So I brought this for you today and you can have this.

Nick K.: Okay, thank you.

Cherie B.: I did want to say that there's just ongoing maintenance needed in the Bohemian Grove because of the road along Smith Creek and the double LPZ and other mount points that have many water criscrossings. So we're constantly watching for that, will be looking for your reports and anything, you know, that you guys report to us. I know that you're going to be out there during the wet time. We've stepped this up. For most NTMPs the landowners can do their own inspections. In this case Nick or the RPF will be going out there doing inspections, so that is a good thing and I just wanted to point that out.

Ron P.: One thing more, I thought we might...one of Cherie's original concerns was there were several identified erosion control sites in the original document that were supposed to be fixed during 2006 once the plan was approved, and when we got to 2007 and it was obvious Cherie was pretty concerned that those problems be corrected by the winter of 2007. And I would like to thank Fish and Game and everybody, that is, Stacy, that worked on getting it expedited, sixteen hundred permits, so, uh, the Grove could do the work on their own and prevent potential significant problems with two of these sites where undersized culverts and failing fill on Class IIs, and if they would have let go there would have been some significant damage. So I want to thank Fish and Game and everybody that worked on that one, too. Okay (laughs).

Stacy M.: Okay. Um, I've been out of the loop for a number of months on this, so...can we just go back to the conservation easement, I want to discuss that for a second.

Ron P.: Sure.

Stacy M.: Ah, and...what was the purpose of the conservation easement? What...was that to reduce to acreage of the NTMP?

Nick K.: Ah...the purpose of the easement was really part of the whole larger land management plan, looking at the entire property, and they realized that these are areas that they really didn't have, uh, intent to do much commercial harvesting included in the NTMP to begin with just to give some flexibility. And, ah, with the plan taking longer, you know, they—they looked at the, uh, at these areas and thought, you know, this is a good time to lock those in with the easement. You know with the original plan, original assessment was, it was under the 2500 acres, so...

Stacy M.: Okay.

Nick K.: ...you know, as far as I'm concerned, you know, that was not an issue. Ah...but yeah, so we've got permanent protection out there. We've got, yeah, boundaries all surveyed in, and Rocky Mountain Elk Foundation, we'll be dealing with them on, ah...you know, they're constantly involved in the loop if (inaudible) goes on and (inaudible).

Stacy M.: Uh hmm. Was there any thought of, too, having Fish and Game review drafts of this? It's been recorded, is that correct?

Nick K.: Right. Right.

Stacy M.: Okay. So, was there any opportunity that Fish and Game could have weighed in on some of the language in the conservation easement?

Nick K.: Ah...you know, it was something that was really not a regulatory...uh...

Stacy M.: Okay.

Nick K.: ...decision, so...you know, rather than involving agencies in something that could have later understood on their own, so...

Ron P.: We didn't see it until it was finalized.

Stacy M.: Okay.

Ron P.: And the oth—the other reason is the acreage, depending what source of data you use, it was hovering around about 2500 acres. Some of it was, a few of it was slightly higher but then you have what's non-timber land, and this, by going a conservation easement, as far as the Department's concerned, it addresses the issue. Yes, there are commercial species present but no, they are not available for any form of commercial activity in perpetuity. And there's even language in there, if something would happen to Rocky Mountain Elk, it would transfer over to another agency. So now the Main Grove and the one you were concerned about with the murrelet at Bull Barn--

Stacy M.: Uh huh, right--

Ron P.: --those are off-limits for commercial activities permanently.

Stacy M.: So, is there any nexus between the NTMP and the conservation easement? Is the conservation easement...is the conservation easement going to be amended into the NTMP or are they two stand-alone documents?

Ron P.: It's not in the NTMP, it's in the NTMP file as supporting documentation. There's references to the conservation easement in the NTMP document. The conservation easement at this point is not—it's in the file as supporting documentation. I suppose it could be added if it was deemed necessary. Is it adequate enough in the file?

Stacy M.: Well--

Ron P.: It's about another—it's about another sixty pages (laughs).

Stacy M.: --Bohemia Ranch, I think then, incorporated their conservation easement into the NTMP. So there's a direct relationship.

Ron P.: Uh hmm.

Stacy M.: But I was just curious if these were two kind of stand-alone documents, or...

Ron P.: There's two—yeah--

Stacy M.: Yeah? So, the conservation, and let's see, the Main Grove, ah...are...is all that language then duplicated in the NTMP? I mean, they didn't really find--

Ron P.: Ah...no. All Nick has done is made references to the conservation easement. There's several places that as a result of—there'll be no commercial-related activity and therefore the areas of the conservation easement were not discussed in the NTMP other than to acknowledge that they were there, they existed, and, uh...

Stacy M.: Um hmm.

Nick K.: Yeah. So those areas are not in the NTMP. We still have the murrelet protection in those areas, but basically we're not going to be doing anything in those areas except for possible hazard trees.

Stacy M.: Ah—yeah—I mean, I guess that points to my next question. So the whole reason for the Upper Bull Barn reserve area is for conservation only. So I guess my question is, ah, the allowance of trails, roads, gazebos, tree removal, fire cutting—and I guess from my point of view it doesn't seem consistent with a conservation area, and I'm just wondering why you have another 900 acres which you feel that you need to conduct those activities within a conservation easement area?

Nick K.: Well, those are activities that are already occurring pretty much, I've got a road going through it, there's trails --

Stacy M.: --right--

Nick K.: --running through it, so it—you know, those that—they're not going to be doing anything in that area that's gonna really affect the, ah, conservation values. That's very debatable.

Stacy M.: I think the big one for us, the removal of dead wood, which I think you addressed in the NTMP...it seems to me in (inaudible) there's a level of dead wood in the conservation easement language. If the function is to conserve the biological resources but yet knowing that--

Nick K.: What, uh, what page are you looking at?

Stacy M.: Uh, 14 of the conservation easement. It's a significant biological resource, and I guess it doesn't seem consistent with the whole.

Nick K.: Okay.

Stacy M.: But maybe if it's an outside document, I'm not sure if that's even germane to Second Review. It just seems like...

Nick K.: Yeah, it really is a different issue--

Stacy M.: --see, it's a different—yeah--

Nick K.: --in terms of the NTMPs, you know—those are not timber operations.

Ron P.: Not really here, because we're not...if you've got some concerns I'm sure you can work with Nick on something, and, you know, as a separate process, uh, to see where they can go.

Nick K.: --and it is just to keep in those areas, it's just to keep—allow the present use, which is recreational at this point. And they've got an access road going through it, so...

Stacy M.: Um hmm.

Ron P.: --which connects the floor to the ridge, which is—that road is pretty significant.

Stacy M.: But I guess it's a concern because the NTMP addresses this as a model forest, and I guess a model forest, ah, removal of (inaudible) tree wouldn't necessarily be a model conservation effort.

Nick K.: Yeah, I don't think we would, you know, the idea isn't to clear that area. It's really to keep it the way it is, and, you know, you have to have some language in an easement to

allow some flexibility. And, so...but I invite you to come out, and, you know we can go out there and look at it, you know, from a Fish and Game standpoint.

Stacy M.: Definitely. Well, that's what I—who's gonna be—in one of the recommendations about it, I mean I guess it can...

Ron P.: --yeah, I can't—but I can't as a separate document, we're not—we're not a signature pooler, it's kind of like how those Humboldt redwoods have that conservation, but not what we did with--

Stacy M.: Ah, and just out of curiosity, the Grove's standard for safety hazard just for our own education. Is there a specific--

Nick K.: You know that has to be cleared in terms of removing a tree...

Stacy M.: Yeah...

Nick K.: ...that has to be cleared with the Rocky Mountain Elk Foundation, unless it's an imminent hazard where it's gonna, where it's about to fall, it's, uh...

Stacy M.: --okay—okay—so that's Rocky Mountain--

Nick K.: So they have quite a bit of oversight over tree removal.

Stacy M.: Okay.

Ron P.: And when they did—I suppose, Nick—they did have an arbor within the trees, and there is a couple of them that are questionable at this point in time, uh...before they go, that's got to be looked at. It's kind of a double-edged sword, I mean I work with it here. Once you're put on written notice that there's a safety hazard...(laughs)...not a lot you can—I did talk to Ken about that. Just—I ran it by him, he said as long as they're clearly identified by, uh, as a safety hazard backed up by arborists and others, he says Fish and Wildlife is not gonna--

Stacy M.: I think State Parks has the same concerns and they operate on a similar level.

Wayne W.: If I could just clarify a couple of points on that, what I think the effect of the conservation easement means that, so the Bohemian Club won't be submitting timber harvesting plans or NTMPs, or—that area is outside the NTMP and not subject to commercial forestry at all. I think the Club will be happy to, you know, show you around where those—in those conservation areas, talk to you about the values that they're trying to protect with the Rocky Mountain Elk Foundation and all that stuff, too, so...just, ah, separate in the sense that it's, you know, outside of the NTMP, so....

Stacy M.: Okay. So...

Cherie B.: I have a question about that the conservation easement is outside of the NTMP but we have erosion control sites in this conservation easement. So could you explain that? I don't understand the--

Nick K.: --yeah, it's an appurtenant road going through there, so, yeah, we—I think we've done some work--

Ron P.: We—we—we hook it as an appurtenant road--

Wayne W.: --yeah, so appurtenant roads are still subject to regulation that way, just the way they would on another landowner's property.

Ron P.: That's my understanding, Rocky Mountain's aware of that.

Nick K.: Yeah, we did...we have worked out one of those sites. That first one dropped down in--

Cherie B.: Okay. Okay.

Wayne W.: So they're not part of the NTMP for forestry regulation, but appurtenant roads are treated the same way--

Cherie B.: You told me that on the phone but I wanted to clear it in here. Thank you.

Stacy M.: On this, you talked about when we met last week you were going to individually mark trees in the Grove. Is that correct, you're going to work with some Humboldt and--

Nick K.: Yeah. Yeah.

Stacy M.: Ah...in other areas of the NTMP is there going to be any permanent retention or proposed marking for permanent retention of trees?

Nick K.: Um, you know throughout the plan it's something that we talked about. Steve Sillett recommended that'd be a good thing to do, and so--

Stacy M.: Okay.

Nick K.: --it's something that, uh, believe I mentioned that in there too.

Stacy M.: Okay. Well, something I'd like to recommend, ah, on the murrelet consultation, I think it's the December '08, ah...it has a Table 1 that we developed. And it has a description of all the trees that we looked at, and I'm wondering, since most of them do occur in the RD40 areas it seems that if there's any provision to have those retained that were inspected I think that would be, ah...

Nick K.: Uh, within those murrelet?

Stacy M.: Yeah, within the murrelet areas. And it seems that, um--

Ron P.: We did talk about them on legal grounds, and then--

Nick K.: Yeah.

Stacy M.: Yeah, and it seems like there might—since those were kind of the best of the best, ah, you know, it might be a good tradition to have them marked permanently for retention.

Nick K.: Yeah, and actually, Stacy, I think 99% of those trees would be because they're your old-growth redwood. They're the green culls that we talked about.

Stacy M.: Um hmm. Right. Ah, in terms of the murrelet areas, if no murrelets are found will timber harvest occur in there?

Nick K.: Ah...

Stacy M.: Any provision to...

Nick K.: They're pretty small, I mean, we've got, you know, most of the Upper Bull Barn has got most, I think, entirely in that big grove in the south, we've got mountains, pretty small patch; Mt. Heller where that osprey tree is, there's some big trees up by the sewer tank, that's an area that we don't have any need to cut--that area. On north ridge, the bigger area that's under some old growth in there, and then that down over the road is, you know, big, you know, big old-growth type fir, so--

Stacy M.: Um hmm. Um hmm.

Nick K.: So I really don't think we're going to cut anything in that because we can't in the plan anyway, so...you know if we don't find murrelets in there...the main reason for a survey in there is so that we can get close to those areas and do the field management.

Stacy M.: Okay. I guess the last question, ummm...prior to NTO, would Fish and Game be invited to do a site inspection in the NTMP areas that propose RD40 thinning?

Nick K.: Ah, it's...you know...I guess I could do that as a courtesy, yeah.

Stacy M.: As a courtesy. At least an identification saying that, "Here's some opportunity to go out to NTO, you know, Fish and Game, if you're available."

Nick K.: What would be the...your concern in there? I mean that—I guess, I guess I'm just trying to think of the idea--

Stacy M.: Ah, just to make sure that we target those large trees, and, I guess, ah, take a look at the mark. Ah, and that's something that, you know, if we have time that we'd like to do.

Nick K.: Yeah. We notify Cherie about every year on the road assessment, so, we can notify Fish and Game...

Stacy M.: And—and—it would just have to be for the RD40, I think, areas, for the most part.
Umm...

Nick K.: Sure. I don't see any problem there.

Stacy M.: Okay. Well, let's make that our foundation then.

Stephanie B.: And I had one thing, and it was regarding the protocols for active raptor nests.

Nick K.: Okay.

Stephanie B.: Ah, you...in the NTMP it states that, you know, if a nest is found a special treatment area would be established. Ah...and then harvesting will not be allowed, but then the zone, until after the young have fledged the nest and are independent, or August 1, whichever comes first. As stated as, you're saying, you're—August 2 you can cut the tree down but there still might be a nest with fledged, you know with young that haven't fledged yet. So I'd actually like to see the wording changed to basically until after the—that harvesting will not be allowed until after the young have fledged and are independent.

Nick K.: Okay.

Ron P.: Which one is this, now, Stephanie? The, ah...raptor?

Stephanie B.: It's the—it's the interim, it's the protocol for active raptor nests. And that statement's on 35.3.

Wayne W.: Maybe alternative language, like either that date or until they've fledged--

Stephanie B.: No—no. It will just be if the nest is found that the, uh, no harvesting will be allowed within the zone until after the young have fledged and are independent.

Giny C.: So if they've fledged and they're independent by July 15th they can harvest on July 16th.

Ron P.: But if it was August 16th, it'd be--

Giny C.: --they'd have to wait—right.

(Ron P., Giny, and others break into muted conversation.)

Ron P.: ...fledged, and...what do you mean, biologically independent?

Stephanie B.: Ah, and are—and are independent. Yeah.

Ron P.: I'd like to go back real quick on this number one that you brought up, Stacy, with the murrelet, ah...the murrelet areas. I've got—I've got, you know, outlying—in those areas,

even if it comes out they're not going—do you want those bigger trees like we saw on that first visit out there, would you like them tagged?

Stacy M.: Well I'd like to seem them identified, yeah--

Ron P.: --somehow identified...permanently identified...

Stacy M.: --could we GPS everyone of them? But I don't—I mean, I can certainly get the files to make the Team prior to NTO that—I mean it'd be nice to have tagging effort in the main grove. It'd be nice have it somewhere, tagging effort, in those murrelet areas. Because there were some significant structurally important trees, that seems like obviously they wouldn't be cut, I think, under the language of the NTMP--

Ron P.: ...ah, tag or GPS it.

Stacy M.: Mmm hmmm.

Ron P.: Now, this is the whole grove at once, or just part of the NTO, in those areas, I mean...I can word it either way.

Nick K.: --assessed above the NTO, because...and then it's fresh.

Stacy M.: Yeah. Okay.

Ron P.: Ah...will either of you be available real quick sometime mid-morning on Wednesday after I get these finalized? I could run them by one of you to make sure--

Stacy M.: I'll be on the (inaudible)...

Stephanie B.: Ah, I'll be in Sacramento, I mean—sorry (laughs).

Ron P.: Okay, I'll try (laughs).

Stacy M.: You know the (inaudible) trimming, or the...

Stephanie B.: ...yeah...

Stacy M.: Actually you know how tall the tree was. We'll see if we can...yeah.

Ron P.: Yeah. Because I—I've got to get them out Wednesday. They've got to be mailed out by Wednesday afternoon, so...I may come in tomorrow. I may—okay.

Tom S.: There were several general recommendations of dealing with including of just maps, geologic maps in the file, ah...ah—winter inspections, things of that sort which have all been accepted. Public safety issues in terms of incorporating requirements of the Air Pollution Control Board that was accepted, ah...and in the specifics of which they were, like, six or seven, perhaps...three, four, five, and six and those were all addressed, so—my recommendations have all been accepted, including the request that we be notified for NTOs

so that we can inspect it in case there—to see if there are changed conditions, essentially. Incorporated my recommendations, so—that’s that.

Ron P.: You know one of the things from Cal Fire’s standpoint of view as far as the growth and yield information, that was reviewed by Chris Maranto of our Sacramento staff. And he submitted a letter, or a memo to the file, ah, like Friday after reviewing it, that he was okay with the information and he found it appropriate. And if anybody wants a copy of that, they can get it—after this meeting if we get done soon enough it will be in the file. So that’s pretty much what I’m basing my opinion on, on the growth and yield. I am not a growth and yield-type expert, Chris is. He went through it, ah...during the course of it he had several requests of Mr. Kent to make some minor revisions which have been made. Ah...so that’s for the growth and yield. My guess is—this is if everybody has got from the reviewing agencies, ah, then we can move on. Basically, ah...go quickly, ah, based on the recirculation date of the entire, redone put-together NTMP document, it was re-circulated on March 25. Public comment will remain open for forty-five days; the forty-fifth day comes out on Saturday, May 9 so the final close of public comment will be 5 pm Monday, May 11. Ah...anything you bring up here today to be—to get a written response, it’ll have to be submitted in writing to this office, ah...the address is on our website. It’ll have to be submitted in writing to this office. After that date, ah...an official response will be prepared. We will look at everything, we will review additional public comment as it comes in to see if anything that’s significant, new information versus difference of opinion from professionals, we will look at those and see where we go. If there was something significant there is a slight possibility that there could be another Second Review, although generally how it’s handled is once I make my—we make our recommendation it goes to the Director’s representative and, ah...she’ll either work directly, if it’s significant enough, the project could be recommended for denial. But as part of that practice, before our Forest Practices, we have to essentially advise them how they can fix it. So, it’s just going to have to wait now, you know, after today and just see what happens and where we go. Then once public comment period, there will be a significant amount of time that it’ll take to prepare an official response for this plan. What I’d like to do now, Ruth there has the list—ah...turn it over to the public now. Ah...like to keep it focused, and if you have questions, I would like them to be asked of the reviewing agencies, and then if we—we will direct anything to Nick that we feel appropriate. So if we can go that way, let’s get it started.

Ruth Norman: Okay. The first one on the list is Aleksandra. And when you get down to one minute, I have a little hand, so...

Aleksandra .: Thank you. Well, I’m glad to be here and to listen to this as much as John Hooper. On Wednesday I interviewed him on KOWS. I do live in Occidental, so this does impact me as a representative of Sonoma County. We do overlook the Bohemian Club and the forested areas that you’re talking about cutting. So it will impact not just the natural life that lives there, but everyone who lives in this valley. That I consider to be pretty important as far as real estate is concerned, and its value. We are at a time in our country where we have seen a great deal of greed that has got us into a situation that will be very difficult to get out of. We need to look at the situation and see why do we need to make money off of this Grove, when it was originally was put together and it was taken care of by the Bohemian Club. And cherished by the Bohemian Club, and...yes, there was twenty years of cutting into the 80s to 2005. Why this needs to continue, especially with the amount of

logging that's allowed. The herbicides at sixty acres per year to be spread out and, ah, stop growth at the bottom of the forest floor basically is how I see that, it also goes into the ground water, the creek water, the Russian River water, which then in turn comes down to Occidental to be drunk in the neighboring restaurants, in the Union restaurant, as well as anyone close to town. They do get this water. So the impact of this I see as great when only two percent of two million acres of redwood forests still exists here in Sonoma County, that we are going to take that two percent and risk losing it. We've seen that things have dried up, that moisture is a huge thing here. We see the cloud come over the river with the fog and the fog drip is certainly involved in the water table of the entire county. And it seems to not be taken as a serious matter when we are here potentially in drought conditions again, even though we just got some rain, we had the worst drought in recorded history in California last year. And right before the rain started we were going to be seeing a fifty percent cut in water use mandated by the County. That these trees have provided water, still provide water, still provide food for the animals who need the food, the area to nest—I had a serious question about can the trees be cut down the day after the nesting birds have flown off. What happens with the next year's nesters if you take down those trees? So, you know, it's an impact of not just this nest, but it's future nests. Every year birds nest and they need to have this area. The deer are being pushed and pushed and pushed back into smaller areas, being killed on the roads constantly as Fawn Rescue will mandate there, that as we urbanize Sonoma County the wildlife is being less and less and less priority here. We have to come to some point where we share the Earth with every living thing in my opinion. And this is a place of beauty...why come here to cut it down? You know, you enjoy this three weeks out of the year, we hear the guns go off every year for three weeks, you know, at your firing range. You know, that's fine—we want to see you have a good time; the public isn't allowed there, women are not allowed there, you know, I'm not even talking about those issues. We're just talking about the forests and the health of the forests. And the people of Sonoma County care about this, and, I'm...I'm just wondering, why do you need more money? That seems to be the downfall of this country at the moment, and I think it needs to take another look. And that's all I have to say.

Ruth N.: Okay, the next name on the list is John Blair...or Blaine.

John Blair.: My name is John Blair. I represent the Occidental Chamber of Commerce and also am an Occidental volunteer firefighter. And regardless of what Steve Baxman says I don't believe that reducing and cutting down the healthy redwood trees will enhance the ability of a redwood forest to withstand wildfire. As you open up the canopy encourages the growth of the understory; it also reduces the moisture, and both of those things enhance wildlife. I'm going to be one of the people out there protecting homes when forests burn. I would prefer not to see the fire danger increase. Also, I'm not against sustainable forestry. Ah, I just don't believe—my research has shown that I don't believe the level outlined in the timber harvest plan is sustainable at those levels. And if I could be convinced that they were then I wouldn't be against those but I believe that the level is much lower than what the timber plan proposes. Thank you.

Ruth N.: Ah, Jay Halcomb?

Jay H.: Thank you. Ah, briefly the Sierra Club continues to be concerned about the level of logging and about the justifications for that level of logging, and the attendant issues for

logging and wildlife, so they remain our concerns. We're also concerned about the particular use of a conservation easement, and, uh, it needs--this situation that it's justified in that manner. And that—finally we have a question about the process from which this occurred here because I noticed that documents continue to be submitted to CDF as late as Friday.

Ron P.: Okay. Ah—the Plan was re-circulated on the twenty-fifth of March. Prior to that there was a complete revision and why the RPF chose to do it that way was to keep it—page numbers, there was information scattered throughout it. Ah...he made one additional correction, I believe it was March 23, that contained some information which the department determined significant. The information that came in Friday, several people looked at it and it was of our opinion that it was not significant information, it just clarified information that was already in the document. There was a few “checked the wrong boxes” type deal, ah... stuff like that. And that was—the only thing that is not in the NTMP document, and if anything does have to come in significant from the RPF as a result of this review and/or additional public comment, that would require it to be re-circulated for another full 45 days. Right now based upon the recommendations that Fish and Game want, I don't consider those significant that would require additional recirculation, just to kind of clean things, tie up loose ends, right? Yeah. So I mean, the goal is, and who knows how it's going to play out, that right now the last significant information came in prior to March 25 when we re-circulated. Hopefully nothing else does come in; if it does, it will be re-circulated again. We don't have any problem doing that; we've done that with other—but it—the changes or additions are going to have to be considered significant. So that's what that additional stuff—but what was up on the website after February was everything except the revisions he made that one time. And those revisions were made prior to the re-circulation, and those revisions were included in the revised document. The only thing that wasn't in was about the, I think it was around twelve pages of material that was submitted by Mr. Kent on Friday.

Ruth N.: No further comment? That's it? Okay, John Hooper, you had “possibly” down.

John H.: Well, I'll reserve my right to submit written comments during the comment period, but for now, there's one, uh, area that maybe could be clarified right away. The Bohemian Club retains a media consultant who described this NTMP as a proposal to selectively harvest over a twenty-year cycle an overcrowded section of this forest. But the NTMP itself says that during the first cycle, the entire forest will be harvested, so is there a way—that seems confusing to a member of the public. Is there a way of clarifying that?

Ron P.: Nick, do you want to...I wasn't even aware of that.

Nick K.: Ah—yeah. I mean the media consultant doesn't have anything to do with the NTMP so I can't comment on that. Sorry for your confusion.

John H.: Sure, well—just to note it for the record.

Ruth N.: Ah, Paul Carroll?

Paul Carroll.: Yes. Giny and Ron, hello.

Giny C.: Hi.

Paul C.: I have a few questions. They're mostly procedural. I look at the website that contains the documents constituting or comprising the NTMP. And I found it impossible-- there have been--to navigate the new NTMP that Mr. Kent submitted evidently in February--

Ron P.: Yeah.

Paul C.: --with the thirteen new documents that have been submitted since. Now those thirteen new documents take up more hard drive space than the revised NTMP itself. In addition, the latest document, Ron, that was filed on March 27—it's hard for me to believe that it does not constitute significant new information. But I leave that to you to determine. But for a member of the public who is going to use his or her computer to access the plan--

Ron P.: Um hmm?

Paul C.: --it can not be accessed online now in any meaningful way. It simply can't. Because there's no way of taking all of the revisions, however minor they are, and substituting them into the document.

Ron P.: Okay. Well, a complete doc—now the way I understand it, and I don't have any direct seeing that it gets done, once the document is officially re-circulated the original submission was deleted from the website and the big, long document is the fully revised with all the inclusions except the 27th in it. I have to go over and look at the table. I haven't had a chance to look at it. Now why there are so many documents also, it has partially to do with how we have to upload. Like the NTMP document had to be split into, I believe, six different parts. So that was prior to the recirculation, I believe that was 8a, 8b, and then there was not—but—like I said, once the document is re-circulated, the original document was submitted back in 2006 should have been deleted, replaced with the re-circulated document. Now that does leave some confusion with that laundry list, so to speak—and I have to check into that, Paul, because that's—I have nothing—and your point is well taken.

Paul C.: And—and this would be my request. Ah—the request would be that at some point, can there be a document online that is the NTMP with every new revision, so that the public can review a stable, unchanging document?

Ron P.: Right now, with the exception of what came in on Friday, which basically we've considered insignificant—I mean that could change over the next 45 days. There is a document up there that is the complete, stable, revised document because the original went from like 200 pages; the final version is 400 and something. So I haven't looked at the website this morning, Paul.

Paul C.: But—but I--

Giny C.: Lemme—lemme jump in here because I have a feeling I know what you're asking. Are you looking for the equivalent of a “track changes”, where you take the old document and you interpolate the new pages?

Paul C.: Well, if I were to come here and look at the latest iteration, I think that the thirteen documents that have come in since the—since the filing of the latest NTMP, I think that the new pages are put in by staff into the February 2009 NTMP.

Giny C.: They normally would be put in with—isn't it little blue-dot whatever the page number, .1, .2--

Ron P.: It's—no—no, we don't—what we do is, in fact this time staff didn't do it, I did it (laughs). Prior to recirculation, we took the February 25th document—and the February 25th document had all the other changes in it. It had the acreage, the conservation easement and stuff like that. I put it together. I gave it to our clerical people, who prepared the mailing lists, sent out the re-circulation notice. And like I say, whether it's been done this morning I'm not sure, I'd have to check. But once we put up that one...once the re-circulation letters go, either that afternoon or the next day, they generally deleted the original NTMP document and put the update. We don't do point—but we do the replacement pages--

Giny C.: I think what I—I think what you're getting at is that there are changes to the internal parts of the document that are put up there in a separate document.

Paul C.: Yeah. Yes.

Giny C.: And aren't you saying you're having trouble figuring out where those changes fit into the document that's online?

Paul C.: Well. I mean, it's just an impossible task to take eighty or ninety new pages, spread over thirteen new documents, and to go back to the February 2009 NTMP and put them in.

Ron P.: That's why we did it, that's why we re-circulate it. Because when we re-circulate, we put all those pages, all those pages, all those changes—those were put in. Here's the hardcopy.

Giny C.: The document on the website is, all the page changes are made current to that date. The date that letter came out, any of those page changes that came in before that date are physically inserted in there.

Ron P.: --are in there. And they are identified by--

Giny C.: A document on the website has all the page changes up through the day the recirculation letter went out.

Paul C.: Even if it's dated February 25?

Ron P.: Yes. Yes. And how you get that--

Giny C.: Well, the bottom line is that we're still working with the website. It's a new program for us and it's not perfect. You know, it may be that you have to look at a hardcopy to really understand how the pieces fit together.

Paul C.: So if I'm going to determine a time, a determination's been made that all of those new documents, which as I say are longer than the new NTMP, all of the post-filing 2009 February NTMP documents which take up more space than the NTMP, you're saying are insignificant?

Ron P.: Yes, uh—no, there's some of the—okay, I just thought of something. There are about three documents—there are about three documents in there that is how they were not part of the NTMP, but we posted them because we knew it was an issue of how the acreage was—Nick did about a, what was it, twenty--twenty-five page of how you did the acreage, the complete, uh, conservation easement is in there. Normally those would not be put up, those are not part of the NTMP. They are part of what we call the goldenrod, the supporting document. We put those up as a convenience, courtesy to the public because we knew they were issues. We wanted to have them—so there might have been some confusion there. We may have to work on our naming convention. But as far as parts of the plan, all page changes we had prior to March 25 when it was re-circulated are in the document.

Paul C.: Okay. Okay.

Wayne W.: So if I could—so the other documents are part of the public record, but they're not part of the NTMP?

Ron P.: That's right. The conservation easement, how you got the acreage, and there was one other—the growth and yield. There was--Nick did some letter to explain how he got from point A to point B. Normally those would not be up on the website, but my supervisor made the decision. They were controversial points. Put it up so everybody can see it. And I could see where that could lead to your...

Paul C.: Okay. Well then it sounds like, ah, based on what you're saying that the thing you need to address is just this March 27 document and determine whether or not that's new and significant.

Ron P.: Yeah. Yeah. Yeah.

Paul C.: Okay. Going forward, I do think it would be to everyone's benefit if we clarified the purpose of the conservation easement. Ah, I didn't think the dialog between Mr. Kent and Ms. Martinelli and you, Ron, actually made it clear. And I would like to know, and I think it would be in everyone's interest to know, because there are policy issues underlying the use of a conservation easement to avoid the regulatory burdens of a THP.

Ron P.: Okay--

Paul C.: Well they--can I—can I just finish this question please?

Ron P.: Okay, sorry.

Giny C.: (Quietly to Ron) Hold on, this one's mine.

Paul C.: Okay (room laughs). I would like to know if CDF is relying on the conservation easement, at least in part, to satisfy itself that the land holdings of the Bohemian Club are less than 2500 acres.

Giny C.: And the bottom line is, because there's a discrepancy between the GIS data and the County's assessor parcel data, and there's some confusion about whether they were over or under 2500 acres, yes, the conservation easement makes it clear that they are under 2500 acres. And the policy decision on the department's part is that because that land is no longer available for commercial timber operations that it therefore does not meet the definition of timberland. And that's a policy decision that the department has made.

Paul C.: And I can leave anything else for a letter.

Giny C.: Right.

Paul C.: Ah...

Giny C.: I'm not trying to play hide the ball, it's simply what the department has determined.

Paul C.: Right. Ah, and we'll write letters on the policy implications of...of that.

Giny C.: I'm sure you will.

(Nervous laughter at head of table.)

Paul C.: Ah...there were—and let me know when my time is up.

Ruth N.: Yeah, it's kind of tough.

Paul C.: It's tough (room laughs).

Ruth N.: Consider yourself two more minutes.

Paul C.: I'm trying to make Ron talk (room laughs). Ah...there were strata maps in the original NTMP that allowed Stacy to do her very very wonderful job of showing what happened to the forest over the 100-year horizon. Those strata maps are no longer in the new NTMP, am I right about that, Mr. Kent?

Nick K.: Ah...yeah, that's true.

Paul C.: Can they be put back?

Nick K.: Well, ah...I can answer that. Ah, you know the, ah...basically it's the interpretation of the strata maps was not what those strata maps were designed for. And so there were some conclusions based on the strata maps that were not accurate, so that's why I put those in there, you know, that all the large trees are going to be cut down. That's not true, and so I didn't want to go through that same interpretation of those strata maps. That's why the, ah,

development, the standard development over time is included, because that's more representative of what's going to happen out there.

Wayne W.: And just one other—I think you it a made a point, Jay, that—you know what we resubmitted is really the new NTMP. It's a new NTMP. We're all starting over with this edition and re-circulation of the NTMP, so there are things that aren't in there, new things that are in there. This is the new NTMP.

Giny C.: I mean, if you have a copy of the strata maps, maybe you should pick up a copy of the old NTMP. Obviously as a member of the public you can submit those into the record, and if you do that, they will be dealt with.

Paul C.: I just assumed that strata maps have changed if the harvesting rate and schedule has changed, that's all.

Giny C.: And—and—Nick, that's your question.

Nick K.: Yeah, I just answered it—yeah.

Paul C.: One last question, ah...growth and yield have been big issues with this NTMP.

Ron P.: Yes.

Paul C.: And I assume the calculations are made based on a Kryptos program, which in turn depends on the parameters inserted into the program. Is there a way for the public to get the parameters that are used for the program? I understand that the program itself is available to members of the public. But if the growth and yield that is being described by the NTMP is based on parameters unknown to the public, the public is missing the basic information on which those measurements are made.

Ron P.: Okay, this goes into the area of confidentiality of growth and yield, ah...we do not require the individual breakdown of information. We do not require for the big timber companies either, ah--

Giny C.: If they provide it, it usually is provided under trade secret. I mean, it is provided to us with a letter saying "this is confidential information and you will not reveal it".

Ron P.: And we can't.

Giny C.: And, in that case if we have it, and somebody wants to get it, there going to have to go get a court order to get it.

Paul C.: But isn't that for an industrial tree farm? In other words, what is proprietary is their economic profile.

Giny C.: Well, whether you're industrial or not, if you are harvesting commercially there is an element of strategy on how you sell your trees, and so we as a department, we are told that information is confidential; we keep it confidential because the argument has been made to

us, and I think that California case law bears it up, that if it will give someone a commercial advantage to know that information then we have the obligation not to reveal it. Whether or not you are a non-industrial tree farmer does not mean that you are not selling your trees commercially, it simply is a difference in how you go about the harvest.

Paul C.: But is—are we talking about the same thing? I thought Kryptos, what it did is allowed you to calculate growth and yield. And are you saying that growth and yield calculations, such as the rate that a certain size redwood grows during a certain year in its life, that that's proprietary?

Giny C.: It—it largely depends on what the landowner submits to us, but there are times when yes, that is considered proprietary.

Ron P.: In this case, we did require—ah--

Giny C.: I don't believe we have the information.

Ron P.: We don't—we don't have it, ah, per your request. I think you'll hopefully--

Paul C.: How do you—how do you know that the parameters, then, are...are based in sound science...if you don't—

Ron P.: What we do in this—we've got several people on staff over in Sacramento, ah...in this particular case, Chris Meranto (note: spelled as pronounced) has done the evaluation of it. I've been in contact with him several times. He had a couple of minor—he reviewed the data that's in the plan. Based on what is in the plan, he wrote this memo, ah...I can—right at the end I can go and make a couple of copies of it, ah...won't have to mess around—but this explains his evaluation of it, and, uh--

Giny C.: Do you have a copy of that, Paul?

Paul C.: No, I don't have it. Thank you.

Ron P.: --why he felt the information was adequate. I was not party to any of those discussions about growth and yield; it's not my area of expertise, that's what we've got people like Chris and others for. And they looked at it and they felt comfortable with it. Ah—yeah, the Kryptos puts in—you have to take plot information and how fast your trees are growing, I mean—the basic program is there, but you've got to put a whole bunch of stuff in that's based on cruises, right, Nick?

Nick K.: Yeah, most of the, ah, you know, the retention that's in the Section 14—Section 2 and 14 is, that was, you know those were a lot of the parameters. And those are all in there.

Paul C.: Some are in? Okay. Well, I think you've answered my questions.

Ruth N.: And, I'm going to make a wild guess that Cherie, Stephanie, and Stacy—you meant you were part of the review team?

Cherie B.: There is one thing that I did want to say, ah... Water Quality had the opportunity to go out there again. Ah, in our waiver we reserve the right to go out there again. We have, ah, General Waiver Condition G-9 says the discharger shall allow Regional Water Board staff entry onto the affected property with reasonable notice for the purpose of observing, inspecting, photographing, videotaping, measuring, and/or collecting samples or other monitoring information to document compliance or non-compliance with this order. If entry is unreasonably withheld, our executive officer may terminate the waiver and, ah, we will know when timber operations begin because of waiver G-11, which states, for an approved NTMP, written notification indicating commencement of timber harvest activity shall be submitted to the Regional Board at least five days prior to commencement of timber harvest activities. So we do have the opportunity to go out, ah, on NTOs. So I wanted to just point that out.

Ron P.: Sure. Cherie, this question: is that above that five-day notice, the written notice—is that above and beyond the submission of the NTO to us, which we distribute to all of the reviewing agencies? That's in addition? That's just my own clarification.

Cherie B.: Yes. In addition. Right. We usually get a letter, ah, from the RPF stating "we're going to start within a few days".

Ron P.: We're going out. Heh!

Ruth N.: Okay. And, Dixie, you had a question.

Dixie L.: I do, yeah. I have--a couple of question came up from the course of the conversation today. I wanted to ask Ron and Stacy, actually, maybe can answer this question about the first cycle. How long does that last, ah, in the NTMP? At—this question is related to the Northern Spotted Owl.

Ron P.: Okay, this is mod—their modeling ten decades, ten year—ten year cycle, right, Nick?

Dixie L.: Right. Okay, that was my original--

Nick K.: Twenty year.

Ron P.: Twenty year.

Nick K.: Ten year—dec—decade is...

Ron P.: The cycle is two decades. Okay, twenty year.

Dixie L.: So, twenty year cycle. Okay, um, my question is regarding the Northern Spotted Owl. Twenty years from now, how about the—how will the owl be addressed, in other words? Um...

Stacy M.: Did Ken's consultation letter say that, ah--

Ron P.: He just—yep, each NTO requires a TA, technical assistance letter, from them. Right now, probably most of you know, we're—things are changing. But since Ken's been involved, he will be on the hook to do the TAs for Bohemian Grove—it's not going to fall on Cal Fire or Fish and Game, at least for the foreseeable future. Because they, ah, they have to get a technical assistance letter, and one of Ken's concerns was addressing exactly what you said about the impact on the original rate of harvest and cycle. He was concerned if they harvested that over time, suitable habitat would've decreased.

Dixie L.: Right.

Ron P.: That's why he wanted the larger basal area, the canopy closure, that was to specifically address the maintenance and/or improvement of NSO habitat.

Dixie L.: Um hmm.

Ron P.: Because as it was originally submitted, there was a concern with Mr. Hoffman that it would, um, over time, the habitat would decline.

Dixie L.: And that was my concern as well, and I know that Nick Kent originally wanted to convert it all to non-habitat for the owl. So, I, you know, I'm really wanting to keep tabs on this to make sure that the owl will have enough.

Ron P.: Yeah. And that's one of the, that's one of the things that took so long, was they—because when, ah, Nick agreed to leave that—the whole thing had to be remodeled, they had to redo quite a bit of the actual hard data correction on it, but that was specifically, ah, a result of Ken's concerns about the sustainability of the NSO habitat. At this point Ken is, with the revisions, he's more than happy.

Dixie L.: Okay. What was that canopy cover again, was that sixty-five?

Ron P.: Sixty per—sixty.

Dixie L.: Sixty percent, okay.

Ron P.: ...of eleven-inch...

Nick K.: About sixty per of the base--basal area. Yeah.

Ron P.: Basal area? Okay.

Nick K.: And then sixty percent of twenty-four-inch category is eight inches, so each large tree category we have to retain sixty percent.

Ron P.: And to counter information that has been received that--that over time this is going to convert into a small tree-diameter farm, there is data in the re-circulated THP that shows over time because of the reduced harvest the actual diameter, the numbers are increasing and one of the things that was submitted on Friday is a graph of that information. Nick took the information that was in the plan and put it in a graph form, so it's easier to see. You don't

have to go looking at columns of numbers and play with it. That was one of the suggestions of Chris to take the data that was in the plan and convert it to something easy for the public to look at.

Dixie L.: Okay, thank you. Ah, one more, ah comment. As a member of the public, I would like to see this Rocky Mountain Elk or whatever it's called (laughs), ease—ah, conservation easement become a part of the resubmitted, correct, this is a resubmitted NTMP. It's not --

Ron P.: Yeah. It's not a replacement, it is—yeah.

Dixie L.: --because I'm getting a little confused, as Mr. Whitlock just stated that it's a brand new NTMP. If that--

Ron P.: --it's a brand new document.

Dixie L.: --if that's the case, then it needs to go through the whole—we need to start at square one. And seeing that the original acreage is now in a conservation easement that was to be harvested in the original plan, I'd like to see, as a member of the public, what that conservation easement entails, you know, the borders, to where the harvesting is going to take place so I can make an intelligent--

Ron P.: --it—it is up on the website. That's one of the documents that Paul was talking about.

Dixie L.: Oh, it is, okay. Oh, okay.

Ron P.: You're just—that's one of the documents that's up there. It's not part of the NTMP document, but again because several comment letters have said they withdrew the original NTMP and started over, that is incorrect. This is just—Nick submitted a whole new document. There are many pages that are the same, but because of the volume and number of changes, to keep it trackable by everybody, he just submitted a complete page one, two, three, four instead of page 1.1.1.a. So it is still the original. The only thing that...from the original, ah, 2006 submission is Page 1 and Page 7, which are the signature pages, and the archeological addendum.

Dixie L.: Well, again, um...I'd like to see that as part of the resubmitted plan, so the public can sense, um...the public can have access to the original plan before it was changed and that acreage is now a conservation easement that's included in it. So that's something that needs to be disclosed in the NTMP. I also would like to say that Pole Mountain Coalition does not support the NTMP; we'd like to see the Bohemian Club go back to timber harvest plans they have submitted in the past. So I just wanted to make that statement. And that's it.

Ruth N.: Who's next...unless anyone wants to add a name to the list at this point?

Larry Hanson: Larry Hanson, Forest Unlimited. And just want to say that we're still very concerned with, ah, with the NTMP, basically with the levels of cut as well as this exacerbating the problems of reduced wildlife habitat, forest fire, geologic problem, and

water quality issues. And also am kind of concerned with how the time frame is being kind of shortened. We got our notice here on Friday, I see it was the 25th, but we didn't get it until Friday. And at that point apparently many documents had been submitted, and you can see a lot of people here today but I don't think a lot of people had a chance to look at documents in order to prepare for proper public testimony.

Ron P.: Okay, there's two ways that we could've handled it. We could've done it the way we did; we could've waited to re-circulate it until after Second Review. The main point is that from today, there is still forty days of time for public comment. It does not cut short the public's right to participate. This is really not a public hearing per se; we let the public speak. It's pretty well clear in the Forest Practice rules that it's a workshop-type meeting and if time permits. So we try and make it available. And again, I urge everybody—you know, I'm sure they're going to do it—if you've got concerns, get them in and get them in before—you've got a month and a half. And right now, I don't anticipate anything else significant. One thing, Giny, from your standpoint; if we were to put the conservation easement in the NTMP, would that be considered significant input?

Giny C.: Well, it's up to the landowner if they want to incorporate it into the THP, or into the NTMP. It's not our call.

Ron P.: Okay. So I could go ahead, ask the question if he tells us to--

Giny C.: I mean, the conservation easement is available to the public both on the website and in the file. But it is not incorporated into the NTMP, as part of the NTMP.

Ron P.: And one of the reasons from the RPF was, there's a lot of stuff in there that's not germane to the particulars. There's a lot of stuff in it, plus about maybe two or three pages of real beef in there mixed with—because what's also confusing the public, the original conservation easement with Rocky Mountain Elk Foundation was for when they did the wastewater treatment plant up on top. That was the request I believe of—one of you two ladies.

Stacy M.: Our botanist, yeah. Our botanist.

Ron P.: And that one doesn't ban timber harvesting in it. What it is, is up on top it prevents activities in the serpentine soil, but not where there's commercial forest land. So that's in there, and when I first took a look at it and trying to compare it with the map, I was going—"what's going on?". Because the two boundaries did not match. And I think this is part of the landowner's decision; it's there, it's in the record, ah...you can make comments on it. We can use it to respond to your comments. So I think from a legal perspective, correct me if I'm wrong, it doesn't really make a difference whether it's in the NTMP document or on the website, I think, a little bit—that brings home Paul's issue. I'm going to have to talk to some of our people, how we name this stuff. Because normally the conservation easement, those other two documents, would not have been put on the website. We did it as a courtesy to the public, in this case.

Dixie L.: Well, I still say it should be part of the NTMP. Thank you.

Ron P.: Okay. Do we note it?

Paul C.: In that regard, the relationship of the—Nick—and may I speak for...

Ron P.: Fish and Game's got it (laughs).

Paul C.: In relationship, the relationship of the conservation—this goes to Fish and Game's point; it seems to me that the conservation easement is very much a part of this NTMP. Indeed, arguably the NTMP would not be an NTMP but for the existence of the conservation easement. Therefore, Fish and Game's concern that this may not be a model conservation easement is germane, and I believe should be considered.

Ruth N.: Anybody not spoken that wants to speak?

Ron P.: No. Well, what I'd like to do now is, ah, close the public part of this, not testimony per se, and I'd like to poll the review team members where we go from here. We've got three choices: recommend it for—without mitigation, with Stacy's mitigation, or denial. And based on my review of the plan, and what I've heard today, I'd—my recommendation is to recommend the plan for approval with the additional three mitigations that Stacy had.

Stacy M.: Okay. Can we huddle for a second?

Ron P.: (Laughs loudly.)

(Review team begins to discuss the changes possible and other topics, in chaotic manner not discernible. Eventually all meeting attendants begin chatting; meeting basically disintegrates protocol for about 5 minutes.)

Ron P.: One more thing we gotta...hey guys. (Makes banging gavel-like noise.) We need to act on...I brought up—how do we want to proceed with this, recommend for approval with the additional mitigation? Or...you know, I mean I need a formal recommendation so I can sign it—

Stacy M.: Yeah. With the recommendations.

Tom S.: With the recommendations.

Ron P.: Cherie?

Cherie B.: Yes.

Ron P.: Okay. So that's where we're gonna go. And again, public comment closes May 11 at 5 pm. And thank you for...everybody, I think Paul you had a couple of good things with that website, and before we—here we did somebody a service and it confused the issue, and I mean—I'll have to talk to Leslie and the guys about that. I can—I can see your point.

(Meeting informally adjourns and again breaks into chaotic conversation. Recording stops at 1:23:14.)

NOTE: All records presented by typing herein or either exactly as on the tape or denoted as inaudible. Hanging phrases, and other apparent conversational anomalies are put down exactly as they happened (verbatim).