

## DESIRE UNDER THE REDWOODS

# North Coast dilemma: to cut or to conserve?

By DIANA PEITY

*They are like giant weeds, the majestic redwoods, in their persistent and prolific nature. Hundreds of years before the White man intruded into the groves, lightning destroyed thousands of acres of redwood and scorched out huge hollows in the trunks of others, which nonetheless survived these natural calamities.*

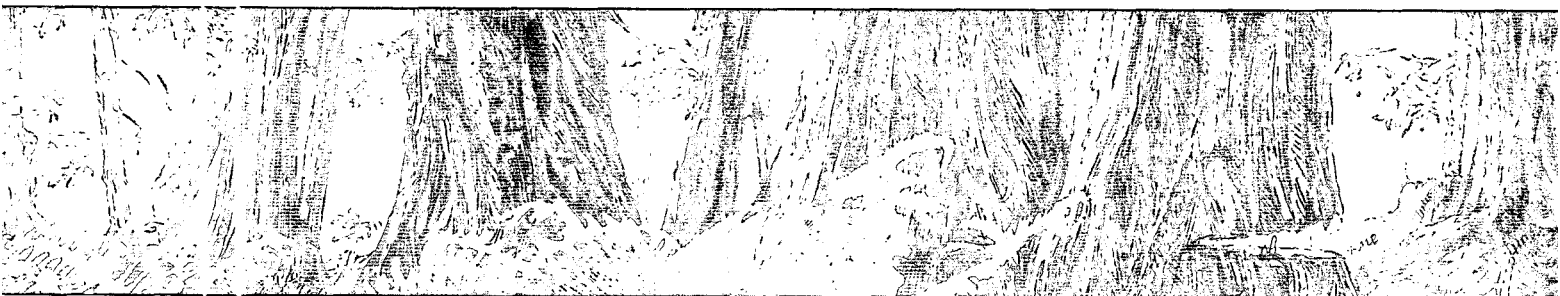
*Then, White settlers hacked down groves and burned stumps to clear forests for grazing. When seedlings relentlessly reclaimed the soil, the early farms were deserted, their occupants replaced by loggers who supplied timber to growing communities. But the furry-barked trees have defied all attacks, always coming back, sprouting from roots and stumps and through seeds borne to earth in cones.*

*In a sense, the redwood's most powerful adversary is itself — its shallow root structure, which can fail to buttress it against wind and flood; its ability to proliferate until its own seedlings are choked; its inability to pump sustenance 300 feet into the crown, where its death begins. But man, too, is an awesome adversary.*

environmental-impact-report requirements. Its origin lay in a lawsuit filed against timber companies operating adjacent to Redwood National Park and Redwood Creek in Humboldt and Del Norte counties. The complaint, filed by the Natural Resources Defense Council, charged that logging by Arcata National Corporation, Louisiana-Pacific Corporation and Simpson Timber Company was destroying redwood groves downstream in the park. A Superior Court judge ruled, in the so-called *Broadus* decision, that the state forester must file environmental impact reports in processing timber-harvest plans before a given project could be begun — which, to the timber interests, meant potential delay.

### Old wounds

The ruling came at an awkward moment for the California Division of Forestry, the industry and the fledgling administration of Governor Brown, and it tended to reopen old wounds while ignoring important issues. The Z'berg-Nejedly Forest Practices Act of 1973 had been law for only one year when the *Broadus* decision was released. The act required that all timber harvest plans for logging projects be resubmitted at the end of 1974. The Division of Forestry was not equipped to handle the extra workload created by the order to file



It is fall, and harvest of California's tallest crop is under way. Loggers are back in the woods after a winter of almost total unemployment, working to the rhythm of chain saws and the whistles of yarding machines. Lumber companies still protest against the tightening of environmental controls on their cutting operations and the state Resources Agency is studying valid concerns behind often invalid assumptions. Loggers still despise "Sierra Clubbers", environmentalists still denounce "forest rapers", and few seem to seek an answer to what role government should play in the future of the timber industry and conservation of forest resources.

Take the controversy that flared earlier this year over

environmental impact reports. Although very little logging normally takes place during winter, the rains had stopped in January and February, and unemployed loggers were eager for work despite full log decks and slow lumber sales. The Brown administration was but 10 days old when Resources Secretary Claire T. Dedrick confronted the problem.

The angry parties were somewhat placated when timber-harvest plans were exempted temporarily from impact-report filing requirements and emergency guidelines and some new-forest practices rules were adopted. No one knows what will happen in January, when temporary solutions run out. In the meantime, the

*Broaddus* ruling is being appealed by timber-owners through the California Forest Protective Association, legislation and lawsuits are pending, and loggers still think someone is trying to do them in.

What happens in the timber industry over the next few years will depend on such variables as the demand for timber, the success of reforestation in achieving sustained yield and the outcome of legislative responses to environmental and forest-practices debates.

### The rise of corporations

The timber industry is divided into three sectors:

- **The actual woods operation** or logging, in which trees are felled, stripped, yarded off slopes and trucked to mills or storage
- **The mill operation** or lumbering in which logs are manufactured into boards
- **Subsidiary operations**, such as fiberboard, particle board, masonite and planing plants and pulp-and-paper mills.

During the sixties, companies suffered decreases in timber production, mills and log exportation. But as they move toward increased manufacture of particle-type products, they have refined sawmill equipment to produce more and better lumber.

The major change in the industry has been the shift from small, privately owned operations to a corporate structure. Dave Snodderly, director of the California Associated Loggers, believes that the inability of small companies to adjust to governmental regulations has been largely responsible for the shift. Nonetheless, the growth of corporate control was probably unavoidable after most small companies failed to recover from the lumber-market recession of the late fifties and early sixties.

It is impossible to examine the timber industry in California without concentrating on the north coast region and its three predominant timber-producing counties — Humboldt, Mendocino and Del Norte. Not only do these counties produce the greatest proportion of board-feet of lumber, but the majority of sawmills and timber operators also are located there. The economic survival of the north coast today depends on lumbering. And lumbering is dependent upon corporate control of logging and principal plant and mill operations.

The relationship between loggers and this corporate structure is mutually beneficial, as long as woods activities run smoothly. More than 500 independent loggers, with payrolls for 12 to 20 men each, bid for contracts to cut trees in California. Contracts come from government when harvest or stumpage removal is necessary on public lands, from small timber-owners who desire to clear land, make a profit off their timber or sell logs to larger outfits, and from corporations, few of which employ their own loggers. Many independent loggers have invested more than a million dollars in equipment. When the weather is bad or the need for logs and lumber drops, they don't work. Unemployment in February averaged 22 percent among the three coastal counties, and this was directly related to the estimated 60 percent jobless rate in the timber industry; logging unemployment was nearly 100 percent.

### Strong policy

Loggers' worries about their future are justified. Logging jobs in the state decreased from 7,161 in 1956 to 4,202 in 1974, while the average number of jobs in the lumber and wood-products sector as a whole has

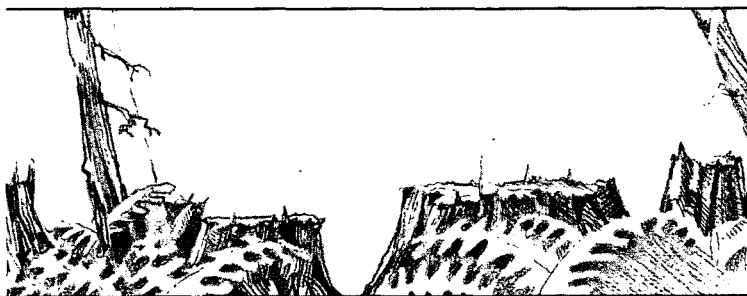
stabilized at 50,000.

It is to the credit of many loggers that they recognize the benefits of measures protecting the environment. But instead of directing wrath at corporate control of their jobs, many woodsmen blame governmental regulations for their problems. While such regulations indisputably injure loggers more than any other part of the industry, such policies have not caused a major impact on forest activities in the state. Despite enforcement of the law since enactment of the 1945 Forest Practices Act, the timber industry in California was largely unregulated and unrestricted (or self-regulated and self-restricted) until passage of the 1973 act. This new law was a legislative response to the 1971 decision in *Bayside Timber Co. vs San Mateo County*. The *Bayside* decision held that the industry was setting forest-practices standards that should be established by the Legislature, and the court declared that to be an unconstitutional delegation of legislative authority.

Forest-practices regulations were in limbo for more than two years until the Z'berg-Nejedly Act took effect in 1974.

Conservationists, resource consultants and members of the industry generally agree that the Forest Practices Act is a strong regulatory policy. John Zierold, lobbyist for the Sierra Club, calls it the toughest act of its kind in the nation. John Callaghan, executive vice president of the California Forest Protective Association, which represents timber-owners, believes it to be adequate in achieving its purpose. Zierold, however, thinks that the rules written by the Board of Forestry to implement the act are too lenient.

The Division of Forestry employs 50 to 60 foresters, who review timber-harvest plans and inspect projects. They approved 2,500 plans during the act's first year. But the act so far apparently has not affected timber activities, aside from the two to three days and paperwork it takes to complete a timber-harvest plan. The major impact of the act, according to Callaghan, has been financial. Logging costs have increased 25 percent, he said (an expenditure that he considers appropriate in many cases). Snodderly and Alan Clark of the Associated



Loggers have blamed such increases for forcing many small operators out of business.

Three principal issues involved in regulation of timber practices are still being debated: control of private land, the legislative intent of the Z'berg-Nejedly Forest Practices Act, and the discretionary power invested in the state forester.

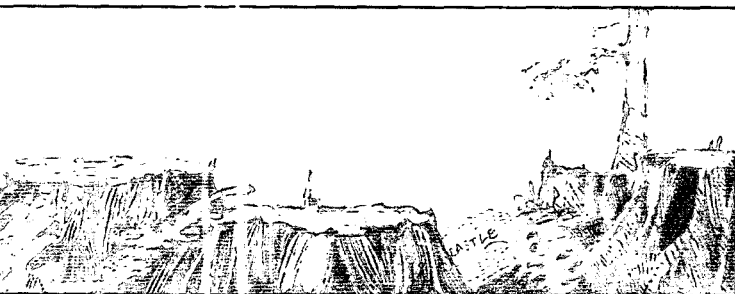
**Private land control.** The problem of private land control involves legal and philosophical aspects of public benefit versus private property rights. Preservation of resources, or removing them from private ownership, is unprofitable for private enterprise while protection of re-

sources can, and often does, encourage economic gain. However, the line separating economic benefit from public benefit is sometimes thin, and protection of the environment can easily infringe on the right of an owner to use property. The timber industry does not believe it should provide a public benefit at its own expense. But environmental regulations enhance timber productivity for large timber owners. It is small owners, with 5 to 50,000 acres of forest land, who are most often injured by such regulations.

**Legislative intent.** The Z'berg-Nejedly Act says that regulation of timberlands should assure that, "where feasible, the productivity of timberlands is restored, enhanced and maintained" and that "the goal of maximum sustained production of high-quality timber products is achieved, while giving consideration to values relating to recreation, watershed, wildlife, range and forage, fisheries and aesthetic enjoyment." To the industry, this means that timber production must be maintained and that environmental protection should be considered only when consistent with that mandate. Conservationists, on the other hand, believe that the Legislature intended both goals to be given equal emphasis, a view held by Secretary Dedrick.

**Discretionary authority.** The Board of Forestry was charged with adopting rules and regulations to implement the new act's provisions. These required timber operators to apply for permits and to submit timber-harvest plans for cutting projects to the state forester for review. The state forester may initiate corrective action against timber operators, as he recently did in a lawsuit against Simpson Timber Company, but his authority basically is confined by board specifications. While the timber industry's representatives approve this lack of discretionary authority, Dedrick wants it increased. Resolution of the discretion issue is crucial to resolving current forest-practices disputes, since the *Broaddus* ruling added the filing of environmental impact reports to the state forester's responsibilities. Such a review requires the exercise of professional discretion.

For its part, the Legislature must answer questions



concerning land control and the purpose of the Forest Practices Act. And it must find solutions that avoid future conflict between the provisions of the forest act and the California Environmental Quality Act.

#### Cutting erosion

Dedrick believes that environmental protection should be built into state law without the imposition of rigid guidelines — an approach that Brown has favored in other areas on the ground that governmental solutions are not complete solutions. Strict enforcement of EIR procedures could "murder the industry", Dedrick said, without actually protecting the environment. And she op-

## California's timber resource

Commercial timberland in California totals 17.4 million acres, 9.3 million of it publicly owned. Of the remaining 8.1 million acres, 4.5 million are owned by large timber interests and 3.6 million by small or medium concerns.

The largest private timber interests, in order of size, are Southern Pacific Land Company, Kimberly-Clark, Louisiana-Pacific, Simpson Timber, Diamond International, Fruit Growers Supply, Georgia-Pacific, Champion International Corporation (U.S. Plywood), American Forest Products, Pacific Lumber, Fiberboard Corporation, Masonite Corporation, Michigan-California Lumber Company and Arcata Redwood.

Redwood accounts for about 1.9 million acres of the state's total commercial timberland. Some 150,000 acres are virgin redwood — never-logged groves preserved in federal or state parks.

poses the duplication of data included in environmental impact reports and timber-harvest plans.

A number of environmental objectives are already contained in Board of Forestry rules. These include protection of spawning grounds, safeguarding wildlife habitats, and restocking cut-over forest to maintain timber production and control soil erosion (perhaps the most important objective). The size of an area to be logged is considered to be a major factor in controlling erosion, and the Board of Forestry has written rules that deal with that factor.

Erosion can destroy future productivity of the land and nearby streams; but the two principal logging techniques — clear-cutting and selective cutting — also erode the soil. Clear-cutting removes every tree and shrub, stripping the ground bare. Its chief harvesting advantage is thus its low cost of execution but it also, obviously, allows for stocking for even growth of new timber and eliminates fire hazards and diseased trees — along with everything else. Selective cutting is a thinning process. Its merits are the freeing of remaining timber from competition for nutrients, the removal of diseased or poor-quality trees, less disturbance to the soil and enhancement of the natural reproduction process. But it is also expensive and requires experienced loggers to avoid damaging the remaining trees.

Neither harvesting technique leaves an aesthetically pleasing forest in its wake. But solutions to forest-practices problems must consider the future of the timber industry in California while providing comprehensive but flexible environmental safeguards so that this renewable resource is renewed. This requires an appreciation of the interrelationship that exists in the use of a resource whose possibilities for exploitation are many and sometimes contradictory, and the values relative.

*Even experts can't always agree on what causes environmental damage — nature or man. Was it weak roots and high winds that toppled the giant redwood, or erosion caused by upstream logging? Two experts — one a logger, the other a resource consultant — recently had occasion to bemoan the loss of such a tree but disagreed on what had caused it.*

*Behind them towered the Howard Libbey Tree, said to be the tallest tree in the world, withering needles and browning crown marking it as dying, slowly, from the top.*

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