

“North Coast Timber Conflict Flares Up—Again” was published in *The Anderson Valley Advertiser* and *The Bohemian* on July 27, 2016. The article covered a number of topics. Excerpts as they relate to Mendocino and Humboldt Redwood Companies are included here. You may find the entire article here: <http://www.bohemian.com/northbay/last-stands/Content?oid=2978137>

Mendocino and Humboldt Redwood Companies found a number of comments that would benefit from additional correction, clarification or commentary which are presented on the right side of the page in green italics.

Substantial factual information on Mendocino and Humboldt Redwood forests and its practices are available at [www.mrc.com](http://www.mrc.com). Wherever possible we have provided direct links to specific material on our website to help the readers have easy access.

Text of Article <i>Text of article begins below, spaces placed to allow facts to line up with text of article.</i>	<b><i>Mendocino and Humboldt Redwood Company Facts Corrections, Clarifications and Commentary</i></b>
[ BEGINNING OF ARTICLE BELOW]	<p>Mendocino Redwood Company (MRC) was created in 1998 from lands purchased in Mendocino and Sonoma county with the publicly declared mission to be good stewards of the forest and at the same time run a successful business. We have made significant progress in that regard:</p> <ol style="list-style-type: none"> <li>1. Adopting policies to make MRCs forestlands FSC certified (since November 2000);</li> <li>2. Adding more than <u>1 billion board</u> feet of redwood and Douglas fir trees by lowering the rate of harvest;</li> <li>3. Defining of old growth down to the level of an individual tree, along with implementation of a policy to protect all individual old growth trees across our property;</li> <li>4. Elimination of traditional clear cutting from our property;</li> <li>5. Long term investments to improve habitat for fish across the property by controlling or holding back more than 1 million cubic yards of sediment (more than 100,000 dump trucks of dirt) from the coastal streams flowing through our forest;</li> <li>6. Removal of more than 36 long time fish barriers, increasing fish bearing streams by more than 20 miles.</li> <li>7. Operating as an open and transparent business; including an open invitation to take interested individuals anywhere in the forest;</li> </ol>

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North Coast Timber Conflict Flares Up—Again  
by Will Parrish

In June, Mendocino County voters resoundingly passed Measure V, which declares intentionally killing and leaving standing dead trees a public nuisance under certain circumstances. The measure received 62% of the vote — even though its main opponent, Mendocino Redwood Company, spent more than \$250,000 in a campaign to defeat it that mainly relied on a stream of repetitive campaign mailers.

In a major embarrassment to MRC CEO Sandy Dean, the main architect of the No on V campaign, the company spent at least \$25 for every Measure V “no” vote.

The measure’s explicit aim is to limit the widespread timber industry technique of hack ‘n’ squirt, which involves cutting around the base of the tree, peeling back the bark and spraying a systemic herbicide called Imazapyr into the freshly opened gashes.

[ARTICLE CONTINUES]

to come; and

9. Employing about 250 skilled employees in Humboldt County earning family-level wages and benefits.

MRC used the opportunity of Measure V to share with the broad community our activities. Because of complex California election laws and out of an abundance of caution MRC was extremely careful in reporting our activities associated with telling our story. It is very expensive to communicate during an election, yet important to share information about MRC. In fact, proponents of Measure V accused MRC of violating election laws. MRC appealed and the Election Board determined MRC fully complied with these complicated reporting rules.

<http://www.hrcllc.com/news/fppc-clears-mrc-of-wrongdoing/>.

Campaign material may be found here:

<http://www.hrcllc.com/measure-v/>.

Bob Mertz is President and CEO of MRC.

The method in question for treating tanoak involves a notch being cut in the trunk of the tree and a small amount of herbicide (approximately 2 ml) injected directly into the trunk. Spraying is eliminated and the short half-life of imazapyr prevents chemical from escaping the tree. It is the most effective and safe method for treating tanoak.

Historically, California is home to some of the most prodigious forests on earth. Lumber production in California has steadily declined since the 1950s, however. A similar trend that also occurred in other Western States.

The biggest reason is the timber industry's history of profiteering. Most companies have treated their trees like green gold that was theirs to mine.

As a result, soil that once grew trees in the forest has washed into streams and chokes vital fish habitat. The trees that remain – including third, fourth, and sometimes even spindly fifth-growth replacement – hold back less floodwater, provide far less animal habitat, and sequester far less carbon dioxide.

[ARTICLE CONTINUES]

MRC was created in 1998 from lands purchased in Mendocino and Sonoma county with the publicly declared mission to be good stewards of the forest and at the same time run a successful business. This set a different, sustainable and better path. The legacy of these forests includes tens of thousands of acres of redwood and Douglas fir forest dominated by tanoak. MRC is committed to restoring these forestlands to a natural balance of conifer and hardwood. Treating tanoak encourages that balance.

Since the inception of MRC, approximately 70,000 acres have been restored by removing approximately 1 million tanoaks, resulting in establishment of more than 14 million additional redwood and Douglas fir trees.

Mendocino and Humboldt Redwood Companies significantly reduced the harvest level when the forestlands were purchased in 1998 and 2008, respectively. Since their inceptions more than 1 billion board feet of redwood and Douglas fir have been added to MRC forestlands and over 500 million board feet have been added to HRC forestlands.

Long term investments to improve habitat for fish across the ownership have removed more than 50 fish barriers and prevented more than 1,400,000 cubic yards of sediment (more than 140,000 dump trucks of dirt) from entering coastal streams flowing through MRC and HRC forestlands.

[http://www.hrcllc.com/wp-content/uploads/2012/04/MRC-Data-Sheet\\_2016.pdf](http://www.hrcllc.com/wp-content/uploads/2012/04/MRC-Data-Sheet_2016.pdf)

MRC and HRC are regulated by seven (7) state and federal agencies including the North Coast Water Quality Control Board and the Department of Fish and Wildlife. These agencies ensure streams are protected from sediment inputs and require the remediation of existing sediment sources.

Even so, timber remains a major industry in California, particularly in northern counties like Humboldt, Shasta, Siskiyou and Mendocino, which account for about half the state’s timber harvest. Roughly 20% of that harvest currently occurs on public lands.

### **In the Shadow of Hurwitz**

In 1985, Houston-based investor Charles Hurwitz used “junk bonds” floated by financier Michael Milken (who later spent two years in jail for financial fraud) to finance a hostile takeover of locally owned logging company Pacific Lumber. This cutthroat move gave Hurwitz control of 200,000 acres of Humboldt County timberland, including more than half of all remaining privately owned old-growth redwoods on the West Coast—and, thus, in the world.

By the time Hurwitz cashed out of the land in the mid-aughts, his company – Maxxam Corporation – had clear-cut roughly three-quarters of his ownership.

In 2008, the Fisher Family of San Francisco purchased the land and formed Humboldt Redwood Company (HRC). Best known as owners of the Gap and Banana Republic retail clothing empire, family matriarch Doris Fisher and her sons, Robert, William and John (who is also well-known as the majority owner of the Oakland A’s), are all billionaires. Along with forestland they had previously purchased in Mendocino and Sonoma counties, the Fishers own more coastal redwood forest than perhaps any private entity ever has, roughly 440,000 acres.

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MRC and HRC employ over 500 people in family wage jobs with excellent health and welfare benefits to make FSC-certified sustainable local products for local markets. That makes for sustainable local jobs and bucks the trend of manufacturing leaving California and the US. We are proud to be Californians making products for California and the western U.S. Estimates vary but for every single forest products job 6-10 additional jobs are created which equates to support for an additional 3-5,000 jobs in our rural communities.

The company immediately pledged a new era of harmony between environmentalists and the timber industry. They vowed to abstain from traditional clear-cutting, preserve old-growth trees and invest in road improvements to reduce erosion into streams, which despoils fish habitat.

“From the beginning, we committed to demonstrating that it is possible to manage productive timberlands with a high standard of stewardship,” recently retired HRC President Mike Jani told me in an interview last year.

To many residents of the Elk River watershed, which drains into Humboldt Bay south of Eureka, those words are almost entirely empty. For the past 20 years, large-scale logging upstream has caused floods of increasing intensity that have damaged their homes and threatened their safety.

The problems started when Hurwitz’s Maxxam conducted large-scale clear-cutting that badly reduced the soil’s capacity to absorb rainwater and created a massive sediment plume that has buried much of the river’s north fork. But the problem has worsened as HRC and another large timber company, Green Diamond Resources Company, have continued intensive logging.

“HRC’s ‘sustainability’ is based on trampling our constitutional rights, and spending huge sums of lobbying money in order to do so,” says Jessie Noell, a long-time Elk River resident.

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MRC and HRC have upheld commitments made since our inceptions. Please see our website for more details on these commitments at <http://www.hrcllc.com/key-policies/>.

HRC recently updated the community on the initiatives we undertook upon acquisition of these properties in late 2008. [http://www.hrcllc.com/wp-content/uploads/2016/03/Press-Release\\_HRC-updates-initiatives\\_BMertz\\_3-30-16\\_FINAL.pdf](http://www.hrcllc.com/wp-content/uploads/2016/03/Press-Release_HRC-updates-initiatives_BMertz_3-30-16_FINAL.pdf).

In late 2008 HRC acquired the property in Elk River as part of buying the bankrupt assets of Maxim. HRC immediately changed the forest management approach in the Elk River watershed and the entire property. This included engaging local neighbors and interested parties in reporting our activities in these important watersheds.

[http://www.hrcllc.com/wp-content/uploads/2015/11/NF-Elk-River\\_Press-Release\\_20151124\\_FINAL.pdf](http://www.hrcllc.com/wp-content/uploads/2015/11/NF-Elk-River_Press-Release_20151124_FINAL.pdf).

[http://www.hrcllc.com/wp-content/uploads/2016/05/Elk-River-Restoration-Grant-Approve\\_Times\\_Standard\\_052516.pdf](http://www.hrcllc.com/wp-content/uploads/2016/05/Elk-River-Restoration-Grant-Approve_Times_Standard_052516.pdf).

HRC eliminated clear cutting immediately upon acquisition of the property in late 2008.

Elk River restoration efforts involve many parties. Collaborative efforts between landowners, regulators, non-profits, neighbors and government resulted in some positive outcomes:

<http://www.hrcllc.com/news/a-day-on-the-elk-river/>.

[http://www.hrcllc.com/wp-content/uploads/2015/11/NF-Elk-River\\_Press-Release\\_20151124\\_FINAL.pdf](http://www.hrcllc.com/wp-content/uploads/2015/11/NF-Elk-River_Press-Release_20151124_FINAL.pdf).

[http://www.hrcllc.com/wp-content/uploads/2016/05/Elk-River-Restoration-Grant-Approve\\_Times\\_Standard\\_052516.pdf](http://www.hrcllc.com/wp-content/uploads/2016/05/Elk-River-Restoration-Grant-Approve_Times_Standard_052516.pdf).

The EPA has informed state agencies that the destruction of the Elk River, an important salmon-bearing stream, violates the Clean Water Act. In the late-1990s, they enacted a “memorandum of understanding” with the North Coast division of the state water board requiring that the board develop a plan for cleaning up the sediment in the river by 2002.

Fourteen years later, the water board still has not implemented the plan. According to Rob DiPerna, EPIC’s forest and wildlife advocate, the reason is straightforward: political pressure from timber companies and the regulatory agencies that favor them.

“The water board up here is getting hit from all sides,” DiPerna says. “HRC and Green Diamond are politically hammering them, and other state agencies have pressured them, essentially on HRC’s behalf.”

DiPerna notes that Maxxam caused most of the original damage, even if HRC has worsened it. In a 2015 post on the company’s web site, it says that “Humboldt Redwood had a recent difference of scientific opinion with the North Coast Regional Water Quality Control Board and remains in dialogue with the agency about the best way to address downstream flooding issues.”

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<http://www.hrcllc.com/news/coho-salmons-survival-in-california-faces-an-upstream-swim/>.

Humboldt Redwood Company has been active with the North Coast Water Quality Control Board to collaboratively prepare updated permits to ensure water quality is maintained.

HRC works hard to restore the forest we own and set an example for other forest owners, managers and regulators to be good stewards of the forest and at the same time run a successful business. We have made significant progress in that regard, especially in Elk River. In the Elk River watershed alone:

1. Over 75 million board feet of redwood and Douglas fir has been added to the forestlands while sustainably harvesting conifers on a selective basis.
2. Over 56,000 redwood and Douglas fir seedlings have been planted.
3. Over 159,000 cubic yards of sediment have been removed or stabilized to eliminate these sources of sediment from streams.
4. Over 77 miles of roads have been storm-proofed.
5. Approximately 466 road stream crossings have been upgraded to control sediment and withstand large storm events.

In addition to the efforts by HRC to remediate sediment sources on their land in the Elk River watershed, HRC has been actively involved in the Elk River Stewardship Program, an open and transparent venue for residents, land managers, and other stakeholders to develop solutions and identify potential projects (remediation and restoration actions, flood hazard mitigation, and monitoring plans. This program is looking for near-term opportunities for improvements around water quality, nuisance flooding, infrastructure, fisheries, drinking water supply, and coordinated monitoring.

But the company later filed a lawsuit against the board for not authorizing sediment discharge and logging operations into the Elk River as part of a timber harvest plan the company filed.

For HRC, the problem is that the Elk River is one of the only areas of its land with large stands of merchantable timber, since Maxxam cut most of the rest.

Noell and other local residents say that doesn't constitute an excuse.

"We have a right to be able to use our water and not to be flooded three to 20 times per year," says Kristy Wrigley, a fourth-generation apple farmer who lives along the Elk River's north fork. Her lands are no longer productive due to the flooding.

One of the only other places where HRC owns large stands of timber is in the Mattole River watershed. It meets the Pacific Ocean at the westernmost point of the continental United States, in the town of Petrolia, located along the largest swath of undeveloped coastline in the nation, the Lost Coast.

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The lawsuit involves one (1) Timber Harvest Plan (THP) and a permit required from the North Coast Regional Water Quality Control Board. This Board failed to issue this permit despite HRC complying with all regulations required to obtain the permit.

HRC recently completed a property-wide timber inventory to guide management planning. This plan lays out the timing and location of future harvests. As with the property as a whole, periodic harvests are scheduled in the Elk River watershed.

In the Mattole, HRC has received approval to conduct the largest late-successional (a term for nearly old-growth) timber harvest in Humboldt County in at least 17 years. The areas they are attempting to log include steep slopes that Maxxam had failed to reach—a fact that is deeply painful for residents who fought off those plans in the late '90s and early 2000s.

A road blockade erected by local activists in 2014 has forestalled most of the logging, and HRC has since been engaged in discussions with locals and environmentalists about a compromise that would allow them to log some of the land, an approach that DiPerna says distinguishes the company from Maxxam, which never entertained input from environmentalists.

A newly minted local residents group called the Lost Coast League is seeking to acquire HRC's land in the Mattole – including about 17,000 acres – to become an ecological preserve that would limit the harvest of trees to that which facilitates their recovery.

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The Timber Harvest Plans in the Mattole River watershed referenced here contain second growth redwood and Douglas fir with scattered old growth trees. Since its inception, HRC has a policy of retaining all old growth trees, down to individual trees. Steep stream side slopes and inner gorges are evaluated by a licensed geologist. HRC THPs in these areas call for limited harvesting and/or exclusion of any timber harvesting.

Over the course of the last year, HRC has met with Mattole residents and interested parties, such as the Mattole Restoration Council, to discuss proposed harvesting plans and restoration work in the watershed. As a result, a document was prepared to respond to questions from interested parties: [http://www.hrcllc.com/wp-content/uploads/2016/07/Mattole\\_2016\\_for\\_website\\_072116-1.pdf](http://www.hrcllc.com/wp-content/uploads/2016/07/Mattole_2016_for_website_072116-1.pdf).

HRC since inception has been engaged with local neighbors in the Mattole River watershed including many field trips and meetings. HRC paused logging due to safety concerns over trespassers on the property. Conversations continued with local neighbors and interested parties. As a result this document was prepared: [http://www.hrcllc.com/wp-content/uploads/2016/07/Mattole\\_2016\\_for\\_website\\_072116-1.pdf](http://www.hrcllc.com/wp-content/uploads/2016/07/Mattole_2016_for_website_072116-1.pdf).

HRC is unaware of any interest from any party to acquire some or all of our property and intends to own and operate a sustainable forest for many years to come.

**Hack 'n' Squirt in Mendocino County**

Spanning the coastal zones from Santa Barbara to southern Oregon, tanoak trees have been a staff of life for indigenous people, who historically relied on their acorns as a food source. To modern timber companies, however, they are largely a weed tree. Tanoak often thrives in land disturbed by logging, which include most of California's coastal redwood and Douglas fir forests.

The most cost-effective means of eliminating tan oaks—and other undesirable hardwood species—is a method called “hack 'n' squirt,” which involves cutting around the base of the tree, peeling back the bark and spraying a systemic herbicide called Imazapyr into the freshly opened gashes.

The largest practitioner of this technique is Humboldt Redwood Company's southern counterpart, Mendocino Redwood Company (MRC), which the Fisher family also owns. According to documents MRC submitted to state and federal agencies in 2012, they had conducted hack 'n' squirt on 78,000 acres of their land at that point—roughly 3 percent of vast Mendocino County's private lands.

[ARTICLE CONTINUES]

MRC was created in 1998 from lands purchased in Mendocino and Sonoma county with the publicly declared mission to be good stewards of the forest and at the same time run a successful business. This set a different, sustainable and better path. The legacy of these forests includes tens of thousands of acres of redwood and Douglas fir forest dominated by tanoak. MRC is committed to restoring these forestlands balance of conifer and hardwood. Treating tanoak encourages that balance.

Since the inception of MRC, approximately 70,000 acres have been restored by removing approximately 1 million tanoaks, resulting in establishment of more than 14 million additional redwood and Douglas fir trees.

Tanoak treatment and selective management of MRC forestlands is a more expensive style of forest management compared to even-aged management or clearcutting. Even-age management would remove all the standing tanoak and conifer but MRC policies since its inception in 1998 eliminated clearcutting.

The method in question for treating tanoak involves a notch cut in the trunk of the tree and a small amount of herbicide (approximately 2 ml) being injected directly into the trunk. Spraying is avoided and the short half-life of imazapyr prevents chemical from escaping the tree. It is the most effective and safe method for treating tanoak.

But the widespread herbicide use and killing of trees has outraged many Mendocino County residents who, as mentioned above, resoundingly passed Measure V.

In 1984, the California Legislature approved a bill sponsored by which overturned a Mendocino County ban on aerial spraying of herbicides. In a naked power play, the bill stipulated that only the Legislature can restrict the use of pesticides and herbicides, and not counties.

Thus, Mendocino County activists have been unable to call for an outright ban on hack 'n' squirt.

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Treatment of tanoak is selective, direct and safe.

Measure V was created due to a well-intended, but misguided notion tanoak treatment creates fire hazards. In fact there is a lack of correlation between treated stands and fire safety.

[http://www.hrcllc.com/wp-content/uploads/2016/05/Lack\\_of\\_Correlation\\_to\\_Fire\\_Intensity\\_in\\_Treated\\_Tan\\_Oak\\_Stand.pdf](http://www.hrcllc.com/wp-content/uploads/2016/05/Lack_of_Correlation_to_Fire_Intensity_in_Treated_Tan_Oak_Stand.pdf).

MRC regularly reviews internal policies to encourage fire safety. These include procedures and processes we have used for more than a decade, such as:

- a. Partnering with communities to place dedicated fire-water tanks, improve egress for remote neighbors and coordination of activities with local fire districts.
- b. Working in Sacramento to encourage investment in Mendocino county infrastructure through the return of taxes paid locally and deployment of CalFire resources.
- c. Donations of time, equipment and money to Volunteer Fire Departments.

MRC strengthened its practices to improve coordinating with local fire districts, fire experts, climate experts and CalFire on pilot projects for fuels hazard reduction and additional road access in the remote parts of the County.

The rationale for Measure V is that MRC and other smaller timber companies are “manufacturing a fire hazard,” says Albion-Little River volunteer fire chief Ted Williams, by leaving so many trees standing dead. Williams was one of the measure’s official proponents.

MRC says they try to use hack ‘n’ squirt only “once in the life of a stand [60–80 years],” and that the practice is necessary for speeding up the restoration of redwoods and Douglas firs that predecessor timber companies recklessly overharvested. They also note that it is the most cost-effective way of limiting tanoaks.

The effectiveness of Measure V is subject to legal interpretation. As MRC forester Jesse Weaver informed local residents, the company has continued to use the technique since the passage of Measure V, though he would not say if they plan to continue relying on the practice after the county officially certifies the measure.

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The restoration of the forest can occur while providing safety to firefighters and adjacent landowners. There are many examples of wildland fires where firefighters successfully and safely controlled fires in and adjacent to areas where tanoak had been treated. A few examples include the 2008 Mendocino Lightning Complex fires, the Comptche Fire, and the Lodge Fire. In some instances, the fires were controlled in tanoak treatment areas.

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Tanoak treatment and selective management of MRC forestlands is a more expensive style of forest management when compared to even-aged management or clearcutting. Even-age management would remove all the standing tanoak and conifer but MRC policies since its inception in 1998 eliminated clearcutting.

On July 19, about 30 local residents temporarily blocked one of the entrances to MRC's Ukiah mill to call on them to "abide by the spirit" of Measure V, as one of the protesters told me, by committing to an outright hack 'n' squirt ban.

Approximately 11 people were met at the Ukiah mill by MRC Stewardship Director, Sarah Billig, who offered to take them to the forest to look at the treatment of tanoak first hand. MRC's long standing policy to take anyone anywhere on the property. To the place of their choosing we will go there. Take us up on it. Pick a place and call 707-463-5113 to make arrangements. We will take you anywhere on the property. If you are unable to make the trip you may find videos of our activities in the forest at: <http://www.hrcllc.com/about-us/forestry-videos/>.

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1. Adopting policies to make MRCs forestlands FSC certified (since November 2000);
2. Adding more than 1 billion board feet of redwood and Douglas fir trees by lowering the rate of harvest;
3. Defining of old growth down to the level of an individual tree, along with implementation of a policy to protect all individual old growth trees across our property;
4. Elimination of traditional clear cutting from our property;
5. Long term investments to improve habitat for fish across the property by controlling or holding back more than 1 million cubic yards of sediment (more than 100,000 dump trucks of dirt) from the coastal streams flowing through our forest;
6. Removal of more than 36 long time fish barriers, increasing fish bearing streams by more than 20 miles.

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7. Operating as an open and transparent business; including an open invitation to take interested individuals anywhere in the forest;
8. Completing a substantial rebuild of our Ukiah sawmill, assuring that Mendocino County will have infrastructure in the processing of wood products for many years to come; and
9. Employing about 300 skilled employees in Mendocino County earning family-level wages and benefits.

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4. Elimination of traditional clear cutting from our property;
5. Long term investments to improve habitat for fish across the property by controlling or holding back more than 400,000 cubic yards of sediment (more than 40,000 dump trucks of dirt) from the coastal streams flowing through our forest;
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7. Operating as an open and transparent business; including an open invitation to take interested individuals anywhere in the forest;
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	<p>Scotia sawmill, assuring that Humboldt County will have infrastructure in the processing of wood products for many years to come; and</p> <p>9. Employing about 250 skilled employees in Humboldt County earning family-level wages and benefits.</p> <p>MRC and HRC are regulated by seven (7) state and federal agencies, including CalFire. Additionally, MRC and HRC voluntarily subjects itself to third part verification of forest practices under the guidelines of the Forest Stewardship Council (FSC) and has done so since 2000. We publish our inventory and many other details of our forest management on our website It is straightforward to find information on our management of the forest.</p> <p>From our inception we have encouraged transparency and we have a publicly stated policy of taking anyone to anywhere on the property at any time to see our practices first hand. Please contact John Andersen at 707-272-1177 to arrange for a tour. Additionally, we post our inventory and other forest facts on our website. You can find more information at <a href="http://www.mrc.com">www.mrc.com</a>.</p>
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