

“The Imazapyr Alliance” was published in the Anderson Valley Advertiser by Will Parrish, March 2, 2016.

Mendocino Redwood Company 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. Wherever possible we have provided direct links to specific material on our website to help the readers have easy access.

<p>Text of Article <i>Text of article begins below, spaces placed to allow facts to line up with text of article.</i></p>	<p><i>Facts about Mendocino Redwood Company</i></p>
<p>[BEGINNING OF ARTICLE BELOW]</p>	<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">1. Adopting policies to make MRCs forestlands FSC certified (since November 2000);2. Adding more than <u>1 billion board</u> 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.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

<p style="text-align: center;">[BEGINNING OF ARTICLE]</p> <p>On June 10th, 2015, the Albion-Little River Fire Protection District's board of directors considered a resolution at a public meeting to prohibit intentionally killing trees and leaving them standing dead. The measure would have effectively barred Mendocino Redwood Company's (MRC) controversial Hack-and-Squirt technique within the Fire District's roughly 40-square-mile service area.</p> <p>The practice, which we have described numerous times in the AVA, involves injecting a liquid herbicide called Imazapyr into unmarketable hardwood trees – tanoaks, madrones, eucalyptus, canyon live oaks, coast live oaks, and others --and leaving them to rot while standing.</p> <p style="text-align: center;">[ARTICLE CONTINUES]</p>	<p>Ukiah sawmill, assuring that Mendocino County will have infrastructure in the processing of wood products for many years to come; and</p> <p>9. Employing about 300 skilled employees in Mendocino County earning family-level wages and benefits.</p> <p>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 from the legacy of previous owners. This legacy includes tens of thousands of acres of redwood and Douglas fir forest that are now dominated by tanoak. MRC is committed to restoring these forestlands to the natural balance of conifer and hardwood.</p> <p>True oaks, such as canyon live oak and coast live oak, are generally found in numbers that occur naturally and are left untreated. Eucalyptus is treated as this is an exotic species that typically replaces native conifers.</p> <p>Beginning in 1998, when MRC was established, we spent several years on a variety of methods to treat tanoaks (including an ill-fated and expensive effort to make tanoak flooring). After much effort, we concluded the most effective way to bring back a healthy conifer forest in our lifetime was to treat tanoak, selectively, carefully, in the woods, literally tree by tree.</p> <p>Treating tanoak involves using herbicide (about two cups per acre) that is injected directly into the trunk of tanoak trees, following a cut made in the bark.</p>
--	---

The practice is opposed by many Mendocino County firefighters who say it multiplies the intensity of forest fires and adds to the dangers of fighting them.

[ARTICLE CONTINUES]

The treatment results in trees dropping most leaves in six to nine months (depending on the time of year), and beginning to fall down within three to four years. After several years, the treated trees largely decompose and their biomass is added to the duff layer of the forest. The treatment of tanoak reduces competition for sunlight and water allowing redwood and Douglas fir trees to thrive.

Treating tanoak encourages the emergence of a healthier forest by restoring the health of redwood and Douglas fir trees.

Since the inception of MRC, approximately 65,000 acres have been restored to a natural conifer balance by controlling tanoak and planting 8.8 million redwood and Douglas fir seedlings.

CalFire, a Lead Agency on forest regulations, independently reviews and verifies all Timber Harvest Plans (THPs). THPs are considered a California Environmental Quality Act (CEQA)-equivalent Environmental Review Document. Among many things, CalFire reviews THPs for fire safety and requires mitigations where appropriate.

MRC has reviewed its 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.

Two Albion-Little River Fire Protection District board members, Bob Canclini and Sam Levine, opposed the measure. They contended that that it would violate state law. They cited a letter from Cal Fire, as well as letters from the California Forestry Association and MRC itself, asserting that the District lacked the authority to regulate activities on the commercial timberland under Cal Fire's jurisdiction.

The initiative's authors, on the other hand, had sought to utilize a section of the California Code they said allowed them to pass an ordinance limiting timber company activities where health and safety is concerned. Mendocino County Counsel Doug Losak later wrote in a letter that the District does, in fact, have such authority.

Two e-mail threads I obtained in an investigation of the California timber industry's political influence reveal that officials at Cal Fire and the Board of Forestry and Fire Protection collaborated with MRC executives in the process of writing the Cal Fire letter that Canclini and Levine cited.

The e-mails also suggest that state officials sought input during the letter-writing process from an executive at California's largest timber corporation, Sierra Pacific Industries, and the president of California's largest timber industry lobbying organization, the California Forestry Association.

The revelation that these two public agencies, which preside over California's timber industry, partnered with some of that industry's most powerful players to douse the Albion-Little River initiative's figurative flames comes at an important juncture. A similar measure to that which the coastal fire district entertained, which would ban intentionally killed standing dead trees in Mendocino County as a whole, qualified last week for the county's June 7, 2016 election ballot.

It is common practice for companies and the general public to request clarification on rules and regulations associated with the management of forestlands from Cal Fire and the Board of Forestry.

It is common practice for companies and the general public to request clarification on rules and regulations associated with the management of forestlands from Cal Fire and the Board of Forestry.

It is common practice for companies and the general public to request clarification on rules and regulations associated with the management of forestlands from Cal Fire and the Board of Forestry.

The first of the e-mail threads I reviewed for this story was initiated on June 3rd, 2015 by Cal Fire Deputy Director of Resource Management Duane Shintaku, who oversees California's timber harvest review process, on June 3rd. Shintaku was seeking to coordinate his own agency's response to the Albion-Little River firefighters with that of the Board of Forestry.

"I'm thinking that we need to get your draft letter by Friday in order for us to provide any additional input?" Shintaku wrote in an e-mail to then-Board of Forestry and Fire Prevention Executive Officer George Gentry. "I'm sure [Cal Fire official] Dennis [Hall] will be able to provide THP specific [sic] examples of how we mitigated the fire threat, and combined with the points you raised, I think the letter will be very compelling."

Shintaku CC'd his letter to other Cal Fire officials, including Cal Fire Director Ken Pimlott, as well as then-MRC President Mike Jani, Sierra Pacific Industries Vice President for Resources Dan Tomascheski, and California Forestry Association President David Bischel.

The reason for Tomascheki's involvement in the e-mail thread, given that Sierra Pacific Industries does not own any land in Mendocino County, is unclear. The company owns more than 1.5 million acres in California, however, making it the state's largest private landowner. But as I explored in my January 20th story "Cap and Clear-Cut," the company wields considerable political muscle at all applicable levels of state government.

The e-mails demonstrate that the Cal Fire and Board of Forestry officials were not unanimous in their understanding of the Albion-Little River Fire Protection District's authority to pass a measure. Cal Fire official Dennis Hall wrote in response to Gentry's letter that the "statutes you reference are specific to the regulation of

It is common practice for companies and the general public to request clarification on rules and regulations associated with the management of forestlands from Cal Fire and the Board of Forestry.

CalFire, the lead agency on forest regulations, independently reviews and verifies all Timber Harvest Plans (THPs). THPs are considered a California Environmental Quality Act (CEQA)-equivalent Environmental Review Document. Among many things, CalFire reviews THPs for fire safety and requires mitigations where appropriate.

It is common practice for companies and the general public to request clarification on rules and regulations associated with the management of forestlands from Cal Fire and the Board of Forestry.

It is common practice for companies and the general public to request clarification on rules and regulations associated with the management of forestlands from Cal Fire and the Board of Forestry.

It is common practice for companies and the general public to request clarification on rules and regulations associated with the management of forestlands from Cal Fire and the Board of Forestry.

timber operations by a county. The Albion Fire Protection District is not a 'county' and has separate authorities to pass ordinances within their district.”

Shintaku's response was curt: “Dennis, I still want a letter to go out explaining our position on the fire risk and herbicide issue. Ok?”

In the second thread, the Board of Forestry and Fire Protection's Gentry sought approval from each of the four MRC higher-ups responsible for the company's day-to-day operations at the time – Jani, Andersen, Bob Mertz, and Dennis Thibeault, the latter two of whom are former Sierra Pacific Industries executives – before finalizing his own letter.

“Let me know if I should draft something about Board authorities per my original or if this response is adequate,” Gentry wrote. Later in the day, he forwarded the entire e-mail chain to the California Forestry Association's Bischel.

MRC's current president, John Andersen, had kicked off that particular e-mail exchange on June 7th by writing the Board of Forestry's Gentry, and CC'ing Jani, Mertz, and Thibeault. “[The Albion-Little River Fire Protection District] will very likely be voting on this on June 10, this Wednesday,” Andersen wrote. “I will be attending the meeting and could deliver the letter. Thank you for your help on this George.”

In another portion of the exchange, Thibeault raised a consideration that seemed calculated toward public perception of the company's widespread herbicide use. “We probably need to be sure we keep the cause of the dead tree out of the discussion,” he wrote.

It is common practice for companies and the general public to request clarification on rules and regulations associated with the management of forestlands from Cal Fire and the Board of Forestry.

The California Forestry Association promotes sustainable forestry and responsible stewardship of renewable natural resources through environmentally sound policies and conservation practices. Many timberland owners in the state have similar goals for the management of their forestlands, including MRC.

It is common practice for companies and the general public to request clarification on rules and regulations associated with the management of forestlands from Cal Fire and the Board of Forestry.

John Andersen is the Director of Forest Policy for Mendocino and Humboldt Redwood Companies.

It is common practice for companies and the general public to request clarification on rules and regulations associated with the management of forestlands from Cal Fire and the Board of Forestry.

Cal Fire is responsible for fighting and preventing fires within the state, as well as overseeing its timber harvest review process. The Board of Forestry and Fire Protection is a nine-member body appointed by the governor that composes the policymaking branch of state forestry and fire protection, and which appoints an executive officer – in this case, George Gentry – to implement its mandates.

Timber industry representatives make up three members of the Board of Forestry and Fire Prevention, a livestock representative fills one seat and a California Forestry Association representative frequently fills another.

Ultimately, the letter signed by Cal Fire's Shintaku to the Albion-Little River Fire Protection District began as follows: "I am writing to clarify the jurisdiction of your Fire Protection District and to suggest that the ordinances that you are considering will not be applicable to commercial, timbered forest lands within the State Responsibility Area." It went on to cite a 2011 study on fire danger from standing dead trees authored by UC Cooperative Extension Northern California Region Lead Forest Advisor Yana Valachovic. Shintaku and other Cal Fire authors neglected to mention that the study actually concluded that fire hazard is greater in cases of trees killed by herbicides than trees that die from disease.

[ARTICLE CONTINUES]

CalFire, the lead agency on forest regulations, independently reviews and verifies all Timber Harvest Plans (THPs). THPs are considered a California Environmental Quality Act (CEQA)-equivalent Environmental Review Document. Among many things, CalFire reviews THPs for fire safety and requires mitigations where appropriate.

The cited study found a distinction between herbicide-treated stands and Sudden Oak Death stands: "While herbicide treatments temporarily elevate surface fuels, these treatments are limited in area on the landscape, are generally associated with other forest management activities, and, provided that roads remain accessible, generally facilitate rapid firefighter response. Furthermore, decomposition will reduce these single-pulse-driven surface fuels over time. This is in contrast to *P. ramorum*, which will continue to contribute fuels over the long term, serving as a chronic wider-scale forest health hazard that will likely predispose these stands to future wildfire or other cascading ecological issues (Rizzo et al., 2005)."

The study concludes further research is needed to address longer time horizons for both herbicide and *P. ramorum*-infested stands and the interaction between surface and aerial fuels as they influence potential fire behavior.

With a county ordinance that would declare intentionally killed and left standing trees a public nuisance to appear before voters in June, MRC and its political allies will be increasingly promoting such arguments.

But the insider e-mails provide backing for one of the central claims of the ballot initiative's proponents. Many of them have noted that the state agencies charged with protecting California residents from forest fires tend to be timber industry hand-maidens who have worked to undermine local firefighters who are actually the

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 from the legacy of previous owners. This legacy includes tens of thousands of acres of redwood and Douglas fir forest that are now dominated by tanoak. MRC is committed to restoring these forestlands to the natural balance of conifer and hardwood.

Beginning in 1998, when MRC was established, we spent several years on a variety of methods to treat tanoaks (including an ill-fated and expensive effort to make tanoak flooring). After much effort, we concluded the most effective way to bring back a healthy conifer forest in our lifetime was to treat tanoak, selectively, carefully, in the woods, literally tree by tree.

Treating tanoak involves using herbicide (about two cups per acre) that is injected directly into the trunk of tanoak trees, following a cut made in the bark. The treatment results in trees dropping most leaves in six to nine months (depending on the time of year), and beginning to fall down within three to four years. After several years, the treated trees largely decompose and their biomass is added to the duff layer of the forest. The treatment of tanoak reduces competition for sunlight and water allowing redwood and Douglas fir trees to thrive.

Treating tanoak encourages the emergence of a healthier forest by restoring the health of redwood and Douglas fir trees.

Since the inception of MRC, approximately 65,000 acres have been restored to a natural conifer balance by controlling tanoak and planting 8.8 million redwood and Douglas fir seedlings.

CalFire, a Lead Agency on forest regulations, independently reviews and verifies all Timber Harvest Plans (THPs). THPs are considered a California Environmental Quality Act (CEQA)-equivalent Environmental Review Document. Among many things, CalFire reviews THPs for fire safety and requires mitigations where appropriate.

ones attempting to protect health and safety.

“Those e-mails illustrate exactly why a county-level initiative is necessary for protecting people who live here,” said Albion-Little River Volunteer Fire Chief Ted Williams in an interview. I gave Williams an opportunity to review the e-mails so he could comment for this story.

Board of Forestry and Fire Protection Chairman J. Keith Gilles, who is Dean of Natural Resources at the University of California, Berkeley, also had an opportunity to review the e-mails but did not respond to my request to comment on this story. Gilles is a professor in UC Berkeley's Forestry Program. Cal Fire's Duane Shintaku also did not respond to a request for comment on this story.

I also gave Board of Forestry and Fire Protection member Kim Rodrigues, who is director of the UC Hopland Research Extension Center and was appointed to the Board last year, an opportunity to review the e-mails and comment on this story. “As a member of the BOF at this time, none of these letters or the related topic has come to the BOF, so I truly cannot comment,” Rodrigues wrote via e-mail. “I will address this topic as appropriate when/if it comes to the BOF during my tenure.”

Els Cooperrider, a long-time Mendocino County environmental activist who coordinated the collection of signatures for the June 7th ballot initiative, said regarding the e-mails that “we know this sort of thing is going on all the time, but it's astounding to have the proof of it.”

The campaign to oppose MRC's large-scale creation of standing-dead hardwoods – as many as one-million dead trees per year, by one estimate – has placed the timber industry in the tricky position of having to defend a contradiction. For decades, the industry's leaders have stridently lobbied to increase logging – including the logging of dead standing trees – in the name of preventing forest fires.

It is common practice for companies and the general public to request clarification on rules and regulations associated with the management of forestlands from Cal Fire and the Board of Forestry.

It is common practice for companies and the general public to request clarification on rules and regulations associated with the management of forestlands from Cal Fire and the Board of Forestry.

The treatment of tanoak to restore the natural balance of conifer to hardwood is a tool used for decades across the county, the country, and around the world. Small private landowners, industrial landowners, and state landowners all use this tool to achieve this goal in a careful and controlled manner according to state regulations. MRC additionally seeks Forest Stewardship Council certification for its forest management activities. This third party

<p>However, the dead standing trees the industry has specifically targeted are those killed by droughts and insect infestations, rather than herbicides. In recent years, Sierra Pacific Industries, the California Forestry Association, and other entities have used the issue as a wedge to open up greater logging on public lands.</p> <p>In October, California Governor Jerry Brown declared a state of emergency to expedite the removal of an estimated 22 million trees in California forests that are standing dead due to insect infestations attributed to the state's record-setting drought – a decision that one long-time industry observer characterized to me as “a jail-break for Sierra Pacific Industries.”</p> <p>“Our forests are at risk from drought, wildfire and disease, which puts the safety of our communities in jeopardy,” the California Forestry Association's Bischel wrote in an October 30th press release commending Brown's declaration. “By expediting the removal of dying trees, this order will help to enhance the resiliency of our forests by removing fuel, thereby reducing the risk of catastrophic wildfire,” he added.</p> <p>Mendocino Redwood Company is already contending with the perception that they are a wealthy corporation that is working against the will of local residents. The company's activities are always notable, in part, because of its owners: the Fisher family of San Francisco.</p> <p>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 in the East Bay as the majority owner of the Oakland A's) are all billionaires. Their collective worth exceeds \$9 billion. Within the Fishers' 440,000 acres of forestland in Humboldt, Mendocino, and Sonoma counties, the family owns more coastal redwood forest than any private entity ever has.</p>	<p>certification, born out of standards established in the 1990s by environmental groups, has been achieved by MRC for 15 consecutive years.</p> <p>There is a distinction between the massive loss of conifers in the Sierra Nevada range and the careful treatment of tanoak in Mendocino County. Drought and beetle infestations have resulted in a massive, uncontrollable die off of conifers in the Sierra Nevada range. In contrast, tanoak treatment in Mendocino County is carefully controlled, literally tree by tree by hand, and limited in any given watershed to mitigate the potential for increased fire hazards.</p> <p>There is a distinction between the massive loss of conifers in the Sierra Nevada range and the careful treatment of tanoak in Mendocino County. Drought and beetle infestations have resulted in a massive, uncontrollable die off of conifers in the Sierra Nevada range. In contrast, tanoak treatment in Mendocino County is carefully controlled, literally tree by tree by hand, and limited in any given watershed to mitigate the potential for increased fire hazards.</p> <p>Decisions regarding forest management are made by the Land Managers who live in the local community and work in the forest. From our inception we have encouraged transparency and we have a publicly stated policy of taking anyone to anywhere on the property to see our practices first hand.</p>
---	---

The eldest Fisher brother, Robert, is well-known as a member of the inner-circle of the man who appoints the Board of Forestry and Fire Protection's members: Governor Jerry Brown. Fisher serves as co-chair of a little-known cabinet-level body in Sacramento called the California Strategic Growth Council (SGC). Enacted by the state legislature in 2008, the SGC is a cornerstone of Governor Brown's efforts to curb greenhouse gas emissions.

The panel has the broad and unprecedented mandate of coordinating implementation of California's climate change prescriptions across all levels of state government, while also preparing the state to accommodate a projected population of 50 million by the year 2050. But the position poses a conflict of interest for Fisher, whose family owns a company that stands to make millions of dollars from the state's "cap-and-trade" system, and which harvests living tree species – coast redwoods – that scientists have shown store carbon dioxide more efficiently than any other on earth.

As I reported in the AVA last November, MRC has already spent tens of thousands of dollars on its marketing campaign to defeat the June ballot initiative. As of December 31st, 2015, the amount the company had spent was \$52,768.68 – all before the initiative had even qualified. The company has hired a Minnesota-based public relations firm named Risdall Marketing Group to coordinate the campaign, which has been geared toward characterizing Mendocino Redwood as good neighbors to local residents, while implanting the word “treatment” in the public mind as a substitute for “poison” or “poisoning.”

MRC President John Andersen declined to comment on the news that the standing dead trees ordinance had qualified for the June ballot. “I need to check with others at Mendocino Redwood as to election rules and what we can discuss during this time period,” Anderson wrote via e-mail. “I will get back to you when we would

There has been an ongoing conversation around the treatment of tanoak. MRC ran a series of letters to the community about our activities in the forest, found at the following links:

<http://www.hrcllc.com/letters/forest-management-tan-oak-letter-1/>

<http://www.hrcllc.com/letters/forest-management-tan-oak-letter-2/>

<http://www.hrcllc.com/letters/forest-management-tan-oak-letter-3/>

Out of an abundance of transparency, MRC reported related costs to the State Election Board.

John Andersen is the Director of Forest Policy for Mendocino and Humboldt Redwood Companies. Because the matter is now on a ballot, MRC is subject to strict campaign laws.

like to discuss publicly.”

Soon after the June 2015 e-mail exchanges involving involving Cal Fire, the Board of Forestry, MRC executives, Sierra Pacific Industries' Tomascheski, and the California Forestry Association's Bischel, the Board of Forestry's participant in them, George Gentry, concluded his 13-year tenure at the organization and became a lobbyist – for the California Forestry Association. MRC's Mike Jani was chairman of the California Forestry Association's Legislative Affairs Committee from at least 2013 to '15, according to the organization's records.

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 are working 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:

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

	<p>barriers, increasing fish bearing streams by more than 20 miles.</p> <ol style="list-style-type: none">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; and9. Employing about 300 skilled employees in Mendocino County earning family-level wages and benefits. <p>MRC is regulated by seven (7) state and federal agencies, including CalFire. Additionally, MRC 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. From our inception we have encouraged transparency and we have a publicly stated policy of taking anyone to anywhere on the property to see our practices first hand. Additionally, we post our inventory and other forest facts on our website. You can find more information at www.mrc.com.</p>
--	---