

A release titled “Lawsuit Filed to Protect Redwood Forest in California From Logging” by the Center for Biological Diversity was circulated on April 6, 2022.

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.mendoco.com](http://www.mendoco.com). Wherever possible we have provided direct links to specific material on our website to help the readers have easy access.

<p style="text-align: center;">Text of Article</p> <p><i>Text of article begins below, spaces placed to allow facts to line up with text of article.</i></p>	<p style="text-align: center;"><b><i>Mendocino Redwood Company Facts Corrections, Clarifications and Commentary</i></b></p>
<p>[BEGINNING OF ARTICLE ON THE NEXT PAGE]</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"> <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>

[BEGINNING OF ARTICLE]

MENDOCINO, Calif.— Environmental groups have filed a lawsuit to stop the Mendocino Redwood Company from logging nearly 1,000 acres of redwood forest in a California watershed that provides habitat for threatened northern spotted owls and fish.

The lawsuit, filed Friday in Mendocino County Superior Court, says the California Department of Forestry and Fire Protection approved the logging project even though it violates a voter-approved county ordinance intended to reduce fire danger and ignores spotted owl protections required by the California Environmental Quality Act.

“Cal Fire blatantly ignored state and local laws to approve this destructive logging project, so we’re hopeful the court will put an end to it,” said Justin Augustine, an attorney at the Center for Biological Diversity. “The last thing we should be doing in the midst of a climate emergency and an extinction crisis is whacking down magnificent old redwoods, killing tanoaks and jeopardizing the coastal redwood ecosystem.”

[ARTICLE CONTINUES]

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.

This ordinance states a public nuisance has been created when trees are intentionally killed and left standing. California state law prohibits agricultural operations, including timber, from being declared a public nuisance and prevails over any contrary provision of any ordinance or regulation of any city, county, or city and county. Mendocino County code mirrors state law and provides additional protections from this practice being declared a public nuisance.

The Department of Fish and Wildlife was a part of the Plan review and had no unmitigated concerns for the protection of NSO.

Since its inception in 1998, MRC has a policy of retaining all old growth trees on the property, both individually and in groups. MRC’s old growth policy can be viewed here: <https://www.hrcllc.com/old-growth>.

The treatment of tanoak to restore the natural balance of conifer to hardwood is a tool used for

The logging project would potentially remove many of the largest trees in the area. Northern spotted owls, protected as threatened in 1990, rely on these trees, but their habitat continues to decline because of commercial logging operations in the redwood region. In 2020 the U.S. Fish and Wildlife Service said northern spotted owls should be reclassified to endangered, but the birds are still awaiting that more protective upgrade.

Many trees were previously set aside to reduce harm from logging practices, but the new logging plan would allow the logging of these large, old trees.

“Mendocino Redwood Company is planning to log large, old trees that are protected under a previous agreement,” said Matthew Simmons, an attorney with the Environmental Protection Information Center. “They shouldn’t log what they’ve promised to protect.”

The project would also kill numerous tanoaks because the tanoaks compete with trees that can be sold for profit. Logging companies kill the tanoaks using a method known as “hack and squirt,” cutting open the tree and injecting herbicide to kill it. In 2016 Mendocino County voters approved Measure V, which prohibits the hack-and-squirt method.

[ARTICLE CONTINUES]

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.

The Official Response to public comments for this plan states “The THP will retain NSO habitat in the THP area and there is abundant NSO habitat in the watershed. Cal Fire concluded, after consultation with the CA Department of Fish and Wildlife, that this THP can reasonably be expected to not result in the take of NSO.”.

Since its inception in 1998, MRC has a policy of retaining all old growth trees on the property, both individually and in groups. MRC’s old growth policy can be viewed here: <https://www.hrcllc.com/old-growth>.

Tree retention was part of a planning agreement for the preparation of a Natural Communities Conservation Plan and Habitat Conservation Plan as well as part of a Spotted Owl Resource Plan (SORP). Those measures were provided in part to mitigate for other operational flexibilities allowed by the planning agreement and SORP. The planning agreement is no longer valid and the SORP was terminated by USFWS. Old growth trees are retained as per MRC policy.

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.

Measure V states a public nuisance has been created when trees are intentionally killed and left standing. California state law prohibits agricultural operations, including timber, from being declared a public nuisance and prevails over any contrary provision of

<p>The proposed logging will also further degrade the local watershed, which is listed as impaired under the Clean Water Act due to its current condition. Logging causes increased sedimentation and higher water temperatures, which prevent the Big River and its tributaries from being able to support threatened and endangered fish, including coho and Chinook salmon and steelhead trout.</p> <p>“The Department of Forestry is not following the rules,” said Alan Levine, director of Coast Action Group. “The first step in forest practice reform is being consistent with the Forest Practice Rules and Act.”</p> <p>The California Environmental Quality Act and the California Forest Practice Act together require logging projects to disclose their potential impacts and to avoid or mitigate any significant harm that logging will cause.</p> <p>The Mendocino Redwood Company has refused to disclose which large old trees in the project area will be cut down, violating state requirements to protect spotted owls. The company has also refused to comply with Mendocino County’s Measure V.</p> <p>[END OF ARTICLE]</p>	<p>any ordinance or regulation of any city, county, or city and county. Mendocino County code mirrors state law and provides additional protections from this practice being declared a public nuisance.</p> <p>Watercourse protections in the THP were reviewed by Cal Fire, North Coast Water Quality Control Board, California Geological Survey, and Department and Fish and Wildlife. They found the protections were consistent with the Forest Practice Rules, including the Anadromous Salmonid Protection (ASP) rules.</p> <p>The THP discusses many potential impacts and mitigation measures to reduce impacts to a level of insignificance. The reviewing agencies included additional mitigations to ensure significant impacts do not occur.</p> <p>The Official Response to public comments for this plan states “The THP will retain NSO habitat in the THP area and there is abundant NSO habitat in the watershed. Cal Fire concluded, after consultation with the CA Department of Fish and Wildlife, that this THP can reasonably be expected to not result in the take of NSO.”.</p> <p>Measure V states a public nuisance has been created when trees are intentionally killed and left standing. California state law prohibits agricultural operations, including timber, from being declared a public nuisance and prevails over any contrary provision of any ordinance or regulation of any city, county, or city and county. Mendocino County code mirrors</p>
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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® C031337) and has done so since 2009. 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. If you are unable to make the trip you may find videos of our activities in the forest at <https://www.hrcllc.com/videos>

Please contact MRC through their website to arrange for a tour. Additionally, we post our inventory and other forest facts on our website. You can find more information at [www.mendoco.com](http://www.mendoco.com)