

BEAR VALLEY COMMUNITY SERVICES DISTRICT



Date: July 23, 2015

Re: **Frequently Asked Questions Regarding the Bear Mountain Ranch Timber Harvest Plan**

What is the background of the timber removal activities at the Bear Mountain Ranch property?

The Bear Mountain Ranch ("Ranch"), which is owned by the Abel family, consists of approximately 3307 acres. A significant portion of the Ranch is within the area comprising the Bear Valley CSD ("District"), and the rest of the acreage is immediately adjacent to the District. In 2013, Jeff Gletne, a Registered Professional Forester, submitted a Timber Harvest Plan ("THP" or "Plan") affecting about 1250 acres of the Ranch to the California Department of Forestry and Fire Protection ("CAL FIRE"). The purpose of the THP is to thin the forested areas that are overstocked to improve the health of the forest and remove dead, dying or diseased trees that are creating "snags" or impediments to human and wildlife movement and which present a significant risk of wildfire. Under California's Forest Practices Act (beginning at Section 4581 of the California Public Resources Code), a Timber Harvest Plan is required whenever the removal of certain trees with commercial value is proposed on private property. After a public notice and comment period and revisions to the THP as requested by CAL FIRE and other state agencies with jurisdiction, the THP was approved by CAL FIRE in October 2013. The approved plan is good for a period of up to five years, and may be extended. Here is a link to the Ranch's THP: ftp://thp.fire.ca.gov/THPLibrary/Sierra_Southern_Region/THPs/THPs2013/4-13-011KER/. For more information on Timber Harvest Plans in general, see: http://calfire.ca.gov/resource_mgt/resource_mgt_forestpractice_thpreviewprocess.php.

Does the District have any approval or monitoring authority with respect to the Ranch's Timber Harvest Plan?

No. The decision to approve or deny a Timber Harvest Plan is a vested solely with CAL FIRE. The primary purpose of the THP is to ensure that logging is done in a manner that will preserve and protect fish, forest, water and wildlife resources. CAL FIRE does not have the authority to deny a THP that is in compliance with state and federal rules and laws, and input from the District and its residents is limited to impacts of the proposed logging on the above-mentioned natural resources. Mitigation measures to limit impacts on such resources are included as part of the Ranch's THP.

With respect to compliance with the THP, CAL FIRE conducts site inspections during the life of the Plan and for one year after the reported completion to monitor erosion control and other mitigation measures. If violations of the THP, the Forest Practices Act or other applicable laws are found, CAL FIRE may shutdown operations, and cite or fine the persons involved (e.g., the Registered Professional Forester, Licensed Timber Operator (LTO) carrying out the logging, and the landowner).

What activities are currently being conducted under the Ranch's Timber Harvest Plan?

The Licensed Timber Operator doing the logging -- Witten Lumber -- is the same company that removed the dead and diseased trees from the District's High Country Park. Witten Lumber commenced logging on the Ranch in late April 2015. Trees were removed from the area adjacent to High Country Park first, which provided added fire protection to the District and nearby residents, and then the operations moved further back into the Ranch property.

Witten Lumber primarily used two large trucks to haul the timber, which trucks generally made two round trips a day, although sometimes a smaller third truck made a trip. This is the same amount of truck

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traffic that occurred during the logging of High Country Park this year. The trucks used the following roads to enter and exit out of the District's main gate: Paramount, Jacaranda, and Bear Valley Road.

The logging activities will halt at the end of July 2015. The Ranch is uncertain as to when logging may resume as it is dependent on the availability of Witten Lumber. The District will post notice in the future on its website when the logging resumes and which routes the haul trucks will take.

What rights do the Ranch owners have to use District roads to haul the cut timber?

The Ranch owners have access rights to their property over District roads by virtue of easements reserved over certain property within and abutting the District dating back to a 1971 transaction with Dart Industries, Inc., the company that did the master plan for Bear Valley Springs, as well as by virtue of being District property owners. All District property owners are permitted to have the vehicles of contractors and service providers (e.g., movers, building contractors, landscapers, tree trimmers, etc.) access their property using District roads, provided that appropriate gate passes are obtained. (See BVCS D Code section 4-1-4-2.4.b.)

What about potential damage to District roads due to the size of the hauling trucks?

The District is concerned about potential damage to its roads and closely monitored the haul routes. No visible damage was observed during the two month period in which the same logging trucks were coming and going from High Country Park, nor have any noticeable impacts been observed since the date the same crews moved on to the Ranch to implement the THP. If any damage to District roads is subsequently observed and determined to be related to the logging trucks, the Ranch owners understand that they will be responsible for any such damage and repairs.

Does the District have a written agreement with the Ranch owners regarding the Timber Harvest Plan activities?

No. There is no written agreement in place between the District and the Ranch owners with respect to the THP. After reviewing the Ranch Owner's rights under the approved THP and their rights to reasonably maintain their property, including the right to use District roads for such maintenance activities, the District determined that it could not compel such an agreement.

Who should be contacted if the Ranch's THP activities cause any disturbances to neighbors or problems related to the haul trucks?

Questions or concerns regarding the general operational aspects of the THP may be directed to the Registered Professional Forester overseeing the Plan for the Ranch owners – Jeff Gletne (cell: 559-359-1501). Issues regarding the truck traffic or District roads may be directed to the District's Road Superintendent, Will Parks (661-821-4428).