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February 23, 2010

Clerk of the Board, California Air Resources Board
1001 I Street, Sacramento, California 95814

Sent via electronic submittal via <http://www.arb.ca.gov/lispub/comm/bclist.php>

RE: Forestry Sector Protocols

Dear Air Resources Board members:

The following comments are in regard to the Air Resource Board public meeting to be held Thursday, February 25, 2010, to consider a process for adoption of greenhouse gas accounting protocols for compliance purposes, including withdrawal of Board adoption of voluntary greenhouse gas (GHG) accounting protocols.

These comments are submitted on behalf of the California Native Plant Society, the Center for Sierra Nevada Conservation, Sierra Forest Legacy, and the Sierra Club, Mother Lode Chapter. I have submitted letters and comments to the ARB in 2008 and 2009 relative to the development of the Climate Action Registry (CAR) forestry protocols.

I am a biologist with over twenty years of experience with forest conservation issues and policy, both with the Forest Service and the National Park Service, and working for non-profit organizations. I have lived in Northern California for over 30 years. I have observed the steady loss of native forest both on public and private forest lands in our state and am deeply concerned about the failure of the state resource agencies to stem these losses. Healthy forests are essential to the protection of air and water quality and are the primary source of wildlife habitat in the state.

Like many other Californians watching the development of climate change policy in the state, I was very disappointed last September to learn that - in spite of objections by leading scientists in the field of forest ecology and climate change - the ARB recommended adoption of the fatally flawed CAR's forestry protocols. Objections were also raised and brought to the attention of ARB from knowledgeable citizens that reside in rural forest communities throughout Northern California and are intimately familiar with the impacts of rampant clearcutting occurring in the region unabated for the last decade. The forestry protocols sanction and reward the continuation of clearcutting in the region, and present a dangerous threat to the viability of Sierran natural resources.

Within days of the announcement of the ARB's approval of the CAR forestry protocols, timber giant Sierra Pacific Industries (SPI) announced a \$10 million deal with a multinational company to trade forest offsets under the new protocols. Under the protocols, SPI can continue with business as usual – clearcutting – as long as they commit to letting their plantations grow for 100 years.

Scientists have documented that plantations do not begin to store carbon at levels sufficient to offset the emissions resulting from clearcutting for decades. In the Sierra Nevada, conifers also go through a period of decades where they grow very slowly. At 100 years the trees are only just beginning to store up carbon in any significant manner. But SPI will be permitted to cut these forest offset stands again at 100 years, and start this process over again. Under this scenario, no net carbon will be sequestered, or the amount will be so small as to be insignificant. Yet forest management is easily one of the few sectors where wise decision making and policy could result in a viable means to curb global warming. Sadly, the state resources agency has failed to exercise their power and authority to act in the best interests of the people in this instance.

The forestry protocols present not only a deeply flawed and ineffective means to store carbon, but promoting such policies has real and significant environmental impacts to air and water quality and biological diversity (e.g., plant and wildlife survival). Any forestry protocol scenario for cap and trade must undergo full CEQA analysis, as there are real impacts and the potential to accelerate the existing cumulative impacts that are already occurring from business as usual.

A decade ago, Sierra Pacific Industries signaled its intention to clearcut nearly two-thirds of its nearly 2 million acres of California forest. Since 1999, the company has already clearcut nearly a quarter of a million acres – 250,000 – acres of native forest in the Sierra Nevada region and continues to submit new clearcutting timber harvest plans each year totally tens of thousands of acres. These clearcuts are planted to largely single species pine monocultures that are managed as farm crops, with heavy applications of toxic herbicides that eliminate the native plant communities permanently.¹

The steady loss of habitat for California's native species that is already occurring, with the virtually unlimited amounts of clearcut logging that is permitted under the California Forest Practice Act, has placed untold numbers of species of plants and animals on a trajectory towards local extirpations, and ultimately towards extinction. The loss of native plant diversity and habitat for wildlife is irreversible and significant. The pollution

¹ Figures on timber harvest are on file with the California Dept. of Forest and Fire. Herbicide applications made to timber lands are on record with the California Department of Pesticide Regulation.

of drinking water supplies in the headwaters of the region's streams and rivers is also significant.

The loss of our forests contributes to greenhouse gas emissions and global warming. Scientists have clearly identified the importance of maintaining our forests as buffers against climate change and the Sierra Nevada is a crucial lynch pin for the state's economy and supplies much of the water supply of the state.

Sierra Pacific Industries has been fined and cited repeatedly by CARB and the state's water quality control boards, for violations of clean air and water laws. As you know, the company was fined \$13,000,000 by the ARB for violations that took place between 1999 – 2004 at four Northern California SPI facilities: Susanville, Loyalton, Quincy and Lincoln. Violations included operating without air pollution control equipment; disconnecting equipment; tampering with equipment; falsifying reports; and actively concealing violations from regulators. This company has a history of blatantly and willfully violating the law, and apparently views the fines as part of the cost of doing business. As one of the Fortune 500 companies and the largest private land holder in the state, apparently the company can afford the fines.

ARB thereby has significant evidence to suggest that voluntary compliance with the forestry protocols - without a legally binding conservation easement to assure long term protection of forest stands – may invite willful non-compliance and fraud.

Further, the high incidence of plantations across the Sierra's landscape – which are increasing annually – has resulted in more fragmentation and road density, with increased associated human related fire ignitions. As the region heats up, the likelihood of increased forest fires has been forecast by virtually everyone who has studied the issue. Forest plantations burn at high intensities with 100 percent mortality in most instances. The forestry protocols provide no methods for monitoring how such losses will be accounted for.

While I have used Sierra Pacific Industries as an example here, I do not mean to imply that all companies or forest owners are suspects for fraud or that the forest offsets do not have value in the effort to curb global warming. But they must be real. The use of *conservation easements* with legally binding contracts must be integrated into the forestry protocols. Forest stands traded as offsets for emissions must be protected for perpetuity, and must be monitored for compliance by state regulators.

The protocols will not result in net sequestration and will not be effective for the intended purpose to meet the objectives for reducing global warming. Clearcutting must never be permitted as a tool qualifying as a forest offset in any cap and trade scheme.

Finally, I want to point out to ARB that the most current scientific analysis and management planning process for the state's wildlife, the State Wildlife Action Plan

(SWAP) completed in 2007, explicitly identified the continuing downward trend for wildlife populations and habitats and the impacts of climate change on the state's water and other resources. The SWAP put forward explicit recommendations to reverse these trends, which included placing discrete limits on the amount of clearcutting that can occur in each forest watershed. Apparently the SWAP did not inform the ARB or CAR process for developing forestry protocols for cap and trade in the slightest. The development of the SWAP is required under federal law, and I believe the plan should be utilized and implemented with due diligence.

Thank you for the opportunity to provide input to this process. Please feel free to contact me if you have any questions. You can reach me at 530-622-8718 (Sierra Forest Legacy).

Sincerely,

s/

A handwritten signature in cursive script that reads "Vivian Parker". The signature is written in black ink and is positioned below the "s/" indicator.

Vivian Parker