

**RICHARD A. GRASSETTI  
GRASSETTI ENVIRONMENTAL CONSULTING  
7008 BRISTOL DRIVE  
BERKELEY, CA 94705  
(510) 849-2354**

Mr. George Gentry, Executive Officer  
California Department of Forestry and Fire Protection  
1416 Ninth Street  
P.O. Box 944246  
Sacramento, CA 95814

February 28, 2006

**SUBJECT: COMMENTS ON DRAFT ENVIRONMENTAL IMPACT REPORT FOR  
THE JACKSON STATE DEMONSTRATION FOREST MANAGEMENT PLAN**

Dear Mr. Gentry

Grassetti Environmental Consulting (GEC) was retained by the Dharma Cloud Foundation to conduct a peer review of the Jackson State Demonstration Forest Management Plan Draft Environmental Impact Report (DEIR). These comments represent my independent evaluation of the DEIR. I have over 22 years of experience writing and reviewing environmental impact assessments, have worked on over 200 CEQA documents, and have taught impact assessment at Cal State university, East Bay (formerly Hayward) for over 10 years (see attached qualifications). I have been recognized as an expert on CEQA in the California courts. This letter presents my comments with respect to the adequacy of the DEIR to meet CEQA requirements.

My review indicates that the DEIR is a nearly unreadable and often incomprehensible mélange of data and information that has been neither synthesized nor arranged in such a way as to provide an analytical trail from the project description to impacts to mitigation. As such, it fails to achieve the CEQA mandates of clear impartial analysis and full disclosure to the public and decision-makers. In addition, the deficiencies in project/ alternatives description, baseline, impacts assessment, and factual errors/ contradictions result in a document that fails entirely to fulfill its required purpose of identifying potentially significant environmental impacts and mitigating them. As such, it also fails to fairly and fully disclose to the public and decision-makers the environmental implications of this project. Therefore, it is my professional opinion that the document's deficiencies are so severe as to require major re-writing and recirculation for renewed public review.

General and specific comments are provided in the attached table. Accompanying letters by Baye, Stritholt, Taylor, and Higgins detail deficiencies in the document's treatment of forestry, fisheries, and other biological resources. Please feel free to contact me at (510) 849-2354 if you have questions regarding these comments.

Sincerely;

Richard Grassetti  
Principal

## **General Deficiencies**

The following deficiencies are prevalent throughout the DEIR and render it inadequate on its face to meet CEQA disclosure requirements:

- As detailed in the Specific Comments below, and the accompanying letters from technical experts Baye, , as well as the detailed analysis of forest resource issues presented by statistician Vince Taylor, the 1400+ page document is a disorganized “data dump” of relevant and irrelevant information that mixes setting and impact information with extraneous information that should be in an appendix or excluded from the document completely. It is unreadable even to a CEQA expert with over 22 years of experience. In fact, this is the most disorganized and disjointed document I can remember reviewing. It has redundant and often inconsistent setting and cumulative impacts sections placed in different section of the EIR. It repeatedly fails to address scoping and 2002 EIR comments, and contains erratic shifts in technical level, scientific and regulatory jargon, and general public language). All of these failures and excesses combine to result in a document that fails its basic CEQA purpose: to inform the public and decision-makers, and provide them the opportunity to meaningfully assess the environmental implications of approving the project or alternatives. In the end, this document clearly does not comply with CEQA Guidelines Sections 15140 and 15141, which require that EIRs “be written in plain language so that decision-makers and the public can rapidly understand the documents”, and that “the text of Draft EIRs should normally be less than 150 pages and for proposals of unusual scope or complexity should normally be less than 300 pages. In short, this length, structure, and content of this document preclude the lay-public and decision-makers from informed decision-making.
- Despite (or perhaps because of) its length, the document provides remarkably little actual information on the project area, but rather focuses on describing environmental processes (i.e. biological, hydrological, geomorphologic, and economic processes) and generic background data. Because the information provided is not synthesized, integrated, or comparatively related it becomes nearly useless to the lay-reader.
- As discussed in the Specific Comments below, this data-dump deficiency is aggravated by the document’s absolute failure to relate setting, impact, and mitigation discussions. In addition, the minimal impacts “analyses” are often just unsupported conclusions.
- The document also contains a number of factual errors and contradictions. These are described in the Specific Comments, below and in the accompanying letters from technical experts Baye, Strittholt, Taylor, and Higgins.

## **Inadequate Project and Alternatives Descriptions**

The following deficiencies result in a project and alternatives description that fails to present adequate, stable detail from which to conduct an impact assessment that objectively assesses the project’s impacts, and that fails to allow the public and decision-makers to meaningfully discern the differences between the environmental impacts of project alternatives.

- The Project Description is unclear as to the basic purposes of the Plan and how the Plan is intended to meet those purposes. Is it just a logging plan with some monitoring or are there real experiments that are proposed that drive the specifics of the logging plan? For example, the Project Description for Alt C1 states that, "With limited exception, clearcutting is permitted only for research purposes." (Executive Summary, p.8). Yet the Timber Resources section indicates that 40% of the proposed logging would be clearcutting, and that 20% of the total forest area would be clearcut over the term of the plan. (This acreage may, in fact be even greater, due to CDF's distinctions between a number of forest harvest types that all are essentially clearcutting). Please explain this apparent inconsistency. What's the purpose of the research? Why is such a large area of clearcutting required for this research? How do the logging and research interrelate? Is there research being done on the forest that can't be done on commercial forests? Why isn't the research being focused on sustainable forestry rather than traditional forest practices, the results of which are obvious from the environmental setting information?
- It also is unclear if the plan is primarily a mitigation and research plan for past problematic logging practices or really just a blanket timber harvest proposal for the forest. It appears to be both. However, its impacts as a timber harvest proposal are obscured in the document by an emphasis on the mitigation strategies. Unfortunately, as detailed below and in the accompanying Baye, Strittholt, and Higgins letters, many of the mitigation strategies are either unsupported or have proven ineffective in the Forest.
- As detailed in the Specific Comments below, and in the attached Strittholt and Taylor comments, the EIR omits any meaningful spatial characterization of each of the alternatives, thereby making a realistic assessment of impacts impossible (see, for example, the Aquatic Resources and Timber Resources discussion (EIR Sections 6.1 and 6.3)).
- As described in the specific comments below, the Alternatives chapter's descriptions of the Alternatives are insufficiently detailed and are too vaguely worded to permit complete, accurate, or meaningful assessment of potential impacts. Alternatives description is scattered throughout the document, making it hard to understand what's actually being proposed. This lack of detail precludes meaningful review. Specifically, the DEIR's failure to adequately describe the alternatives results in a "grain" (level of detail) of impacts assessments are often so coarse that the EIR (and the reader) is unable to discern differences in impacts amongst alternatives. This is particularly problematic in a document of this length.

### **Inappropriate Baseline**

As summarized below and detailed in the Specific comments herein and in the accompanying expert letters, the DEIR's Setting sections fail to comply with CEQA Guidelines Section 15125 (a) that the EIR must include "a description of the physical environmental conditions in the vicinity of the project at the time the Notice of Preparation is published...from both a local and regional perspective".

- Environmental setting typically consists of two components: 1) resource conditions on the ground at the time the DEIR is issued, and 2) existing operations that are contributing to those conditions. The DEIR is inconsistent in its treatment of these conditions and, particularly deficient in its failure to consider the differences

between current logging operations and proposed project logging operations. In certain instances, the EIR considers the environmental setting to be past logging practices and not the current (since 2000-2) nearly no-logging practices. The project baseline is also problematic; the EIR generally treats the baseline as past timber harvest activities/methods/approaches, however there has been no timber harvesting over the past 4-6 years. Therefore, the CEQA operational baseline should not be the past, extensive, and environmentally problematic timber harvesting, but rather the current no-harvest scenario.

- Many of the studies used to describe the baseline conditions are old, out of date, and do not reflect 2005-6 on-the-ground conditions:
  - As detailed in the accompanying Taylor letter, most of the timber inventory that forms the foundation for both the development of Plan/EIR alternatives and the EIR impacts assessment is 17 years old, this despite the fact that CDF has recently conducted an updated inventory. As described in detail in the Taylor comments, the forest inventory is further deficient in that it fails to address timber harvest at a watershed or sub-watershed level. This lack of an adequately grained forest inventory results in a failure to identify sensitive habitats and water quality conditions in the setting, which leads to a corresponding failure of the EIR in identifying project impacts and mitigation measures. As detailed by Taylor, not only is the forest inventory out of date and too coarse to be meaningful, it also includes a number of other significant deficiencies rendering it inappropriate for use as the forest baseline in this EIR.
  - As described in the Strittholt letter, the EIR's forest classifications do not reflect on-the-ground conditions. Further, they incorrectly characterize the existing and potential habitat values of various subareas of the Forest. Most importantly, the EIR's classification of the forest fails to identify forests in the 100 to 150-year-old range, which are both needed to provide future old-growth habitat, and which currently provide of the old growth habitat values essential for the survival of threatened species.
  - As detailed in the specific comments below, as well as in the accompanying Baye and Higgins letters, critical water quality, fisheries, and other species data are similarly out of date. Further complicating the analyses is the fact that critical studies on different, but related, resources (for example fisheries and water quality) are from different time periods, making the EIR's requisite interdisciplinary assessment difficult and of questionable validity.

### **Inadequate Impact Assessments**

As summarized below and detailed in the Specific Comments below and in the accompanying technical expert letters, the DEIR fails to comply with CEQA Guidelines' Section 15126.2 (a) requirements that "Direct and indirect significant effects of the project on the environment shall be clearly identified and described, giving due consideration to both the short-term and long-term effects. The discussions should include the relevant specifics of the area, the resources involved, physical changes, alterations to ecological systems....and other aspects of the resource base such as water, historical resources, scenic quality, and public services."

- The DEIR fails to address important forest-wide issues, particularly pertaining to fish and wildlife issues. The Forest's importance to, and overall project impacts on special status species ranging from the northern spotted owl to salmonid species, are not evaluated in terms of the overall plan. Similarly, mitigations that can only be addressed at the Plan level, such as habitat Conservation Plans, are not evaluated in this document, but rather inappropriately deferred to the THP stage.
- The project impact assessment fails to assess potential individual or cumulative impacts of the project over the next 5-20 years, many of which may be significant, in fact, more significant than those of the project. Instead, it focuses only on the very long term (30-100 years). The focus on the long-term results in an EIR that just misses many of the project's impacts. For example, sediments associated with logging may increase until the roadways stabilization program is implemented, which, depending on funding, could be up to 10 years. Similarly, the project would harvest many of the older (80-100-year old) existing trees, but obscures the biological impacts of that harvesting by focusing the analyses 10-100-years from now, when current saplings approach late seral stage. This failure to evaluate 5-30-year project impacts both skews project impacts (and the need for mitigation) and fails to identify numerous potentially significant impacts of the projects, ranging from sedimentation and water quality to salmonids and amphibians. CEQA requires the analyses of all project impacts, not just those at the end of the Plan period, which, ironically, are the most speculative.
- The DEIR repeatedly defers project-site specific studies to the future THP stage, despite containing a detailed list of THP's proposed for the first 5-10 years of the Plan. Although programmatic EIRs may appropriately defer some analyses to future site-specific environmental reviews, this applies only to impacts and project that are speculative.
- The document's analytical approach is academic and conclusatory, rather than critical. The impact analyses do not take a worst case analytical view, but rather a detached and often overly optimistic view that provides considerable information on processes but generally does not clearly tie the analyses to the conclusions. Many of the impact assessments are conclusatory and not well supported by fact/analysis. The EIR's conclusions appear to have been developed independently of the analyses and often conflict with the text of the analyses.
- Some of the impacts are "segmented" by different causes and not aggregated as a whole (i.e. sedimentation segmented into roads, recreation, logging, etc.). This results in piecemealed impacts that do not represent the effect of the overall action.
- Most of the cumulative impacts assessments do not approach cumulative impacts in an additive or synergistic manner, but rather use this analysis to identify project impacts as proportionally minor and therefore not significant cumulatively. This is in direct contravention of the requirements for cumulative impacts analysis in CEQA. In addition, the cumulative impact discussions fail to address the project impacts in combination with past impacts, contrary to CEQA requirements.
- The DEIR further trivializes project impacts by assuming that compliance with THP's and Forest Practice Rules (FPRs), in combination with Plan guidelines will mitigate project impacts to less than significant levels. This circular reasoning

assumes that plan policies (including THPs and FPRs) will mitigate all Plan impacts. Yet this reasoning is unsupported by evidence in the EIR. In fact, the declining resources under current FPRs and THPs enumerated (i.e. continuing declining fisheries) in various EIR sections indicate that those procedures/practices are inadequate to mitigate the impacts of logging under the Plan.

- The DEIR's failure to adequately assess or correctly identify project impacts as *potentially significant*, results in a corresponding failure to identify the need for mitigations. Simply stated, because CEQA requires that only significant impacts be mitigated, and the EIR fails to identify numerous potentially significant impacts, it then necessarily fails to mitigate those missing impacts.

### **Inadequate Mitigations**

The DEIR fails to comply with CEQA Guidelines Section 15126.4 requirements that "an EIR shall describe feasible measures which could minimize significant adverse effects..." Additionally, as described below and in the Specific Comments section of this letter, the DEIR fails to comply with Guidelines Section 15126.4(a)(1)(B), which stipulates that "Formulation of mitigation measures shall not be deferred until some future time."

- Many mitigations in this DEIR simply defer the actual mitigation/necessary study to future site-specific THP's. This deferral of mitigation is inappropriate because this EIR could and should contain programmatic mitigations that would reduce or assure less-than-significant impacts. If impacts are to be considered "less than significant", the mitigations in this document should provide a framework that assures that project impacts will in fact be mitigated to a less than significant level. Absent those details/requirements in this document, the impacts cannot be considered mitigated to less than significant.
- Many of the Plan's policy and EIR mitigation measures are vague and unenforceable. They frequently consist of future studies, or are couched in terms such as "should be considered", "coordinate with", etc. Simply stated, they just don't assure mitigation and, as such, many impacts considered "less than significant" in the EIR should, in fact, be considered significant and unmitigated.
- A program EIR is the appropriate, and frequently the only, vehicle for programmatic mitigations, such as Habitat Conservation Plans. This EIR fails to identify any such regional mitigations for impacts of cumulative and Plan logging, despite clear evidence of declining resources (i.e. fisheries, other special status species) to which the project contributes, at least in its first 20 years.

SPECIFIC COMMENTS ON DEIR

<b>Introduction</b>	
The Plan and EIR do not comply with “Allowable cut levels must be derived from pertinent current inventory and growth data.” Data used in the EIR are outdated; new inventory supposed to be completed soon. In order to comply with this policy, the Plan and EIR should be revised to include that data. The EIR analyses should be revised to account for the updated data, and the document should be recirculated for public/agency review.	p. II-7, item (C)
Project description fails to describe the proposed logging plan/ types of logging/ annual logging/ etc. Also, the duration of the plan is not disclosed in the project description. This information is critical to evaluating environmental impacts of the project.	Section II, general
<b>Project Information</b>	
Section III.5 is a data dump that doesn’t provide any CEQA-relevant information. It serves only to confuse the reader, and should be deleted from the EIR.	Section III.5
<b>Environmental Setting</b>	
Environmental Setting Section (Ch V) is redundant and irrelevant to the CEQA analyses. What is its purpose?  Additionally, it is not an environmental setting section as described in CEQA Guidelines section 15125. Instead, it is more of a land management setting. It is superfluous and confusing, and should be deleted or integrated into the topic-specific setting sections.	Section V, general
The Alternatives section, p. VI-1 states that all alts “are feasible” (paragraph 3), yet the summary says they’re not feasible.	p. VI-1
The summary table should be revised to include the mitigation measures.	Section I, general
The Alternatives Section, p. VI-3, addresses the issue of whether it is JDSF’s role to assure species don’t go extinct, and concludes that it is not because JDSF is too small to fill that role.  However, the EIR fails to acknowledge, either in this section or in the Cumulative Impacts section, that, if project logging activities contribute to their extinction, this would be a cumulatively significant impact.	p. VI-3
<b>Alternatives</b>	
As detailed in the Baye and Strittholt letters, and in specific comments	general

on the technical analyses below, and as summarized in the General Comments, above, the description of the alternatives is inadequate in both technical and spatial detail to allow the EIR to conduct a meaningful comparison of impacts between the project and alternatives.	
<b>Aesthetics</b>	
Threshold of significance is in error – “In managed forests such as JSDF, timber harvesting is not generally presumed to have a significant adverse effect on aesthetics whereas the same treatment in an unmanaged setting may be significant” (pp. VII.2-12 and13). This is not appropriate per CEQA.	pp. VII.2-12 and13
Impact 1 analysis too coarse to be meaningful.  Further, it considers short term impacts (2-5) years as not particularly significant (p. 13)...ignoring repeated such “short-term” impacts throughout 45% forest (p.15).	p. VII.2-15
Are “Additional protections not described in DFMP but employed by CDF.” (p. VII.2-18) included as CEQA mitigations or not? They need to be added as mitigations to assure implementation.	VII.2-18
Mitigation 3 – Future CEQA process isn’t a mitigation – CEQA allows approval of projects with significant unmitigable impacts.	
Visual impacts Less Than Significant “Findings” on pp. VII.2-26-28 are argument/setting but not impacts analysis. In addition, many of the items in the findings are neither required nor incorporated into the plan.	VII.2-26-28
Mitigation 4 – this mitigation is too vague and unenforceable to actually mitigate anything.	VII.2-28
<b>Air Quality</b>	
The PM10 analysis (p.V.II.5-10) (impacts in setting section) is only for diesel fuel use (air toxics) and fails to include other logging activities. Inappropriately piecemeals the impact so it’s not possible to tell if overall PM10 emissions exceed the 80 lbs/year significance threshold. The importance of this omission is noted on p. VII.5-14 “ <i>The largest source of PM10 emissions on JSDF is from vehicle and equipment travel on unpaved roads...Slash burning represents the second largest source of PM10 emissions...</i> ” Yet emissions from these sources are not calculated in the impacts analysis and, instead, are just assumed to be less than significant. Overall PM10 contributions are likely to exceed the 80 lbs/year threshold. At a minimum, calculations are required to assess this impact in the EIR.	VII.5-14

Aquatic Resources	
<p>As described in the California Regional Water Quality Control Board, North Coast Region’s comment letter dated February 9, 2006, the water quality analysis has numerous substantive errors and deficiencies. The RWQCB letter spells out in detail how the water quality analysis makes a series of “best case” assumptions that are unsupported in the EIR or in the Plan itself. As described in that letter, there is no evidence in the Plan that it would, in fact, protect water quality such that the project would not significantly adversely affect aquatic resources. TMDL’s are not proposed to be met, and as a result, salmonids may continue to decline as a result of implementation of the Plan. The RWQCB letter also provides evidence that deferring water quality protection to the THP stage has not adequately protected water quality, even in the most recent THPs that were written to be consistent with the Plan’s policies.</p>	General
<p>The RWQCB’s comments are echoed by fisheries biologist Patrick Higgins’ comment letter, which flatly contradicts the EIR’s Reliance on Forest Practice Rules that form the foundation of the mitigation for timber harvest impacts on aquatic resources under the Plan. There is no disagreement among experts on this fact – as detailed in the Higgins letter, numerous studies have shown that the FPRs fail to mitigate impacts on fisheries and other aquatic resources. The EIR either fails to address these studies, or acknowledges them but then stands their conclusions on their head. This fails the CEQA process entirely.</p>	General
<p>As detailed in the Stritthold letter, the EIR fails to include any meaningful watershed assessment, but rather a fragmented and often misinterpreted mélange of studies that are never synthesized or integrated as to their relevance and meaning to the impact assessment.</p>	General
<p>As detailed in the Stritthold letter, The EIR also fails to address the project’s contribution to stressors on sensitive aquatic species, both individually and in terms of cumulative timber harvesting activities.</p>	General
<p>As detailed in the Stritthold letter, the EIR fails to address the importance of JDSF stronghold watersheds to the recovery, survival, or failure of sensitive aquatic species. The impacts of the various alternatives on these strongholds is never described or assessed in the EIR.</p>	General
<p>EIR states “<i>the current condition of aquatic resources was assessed as part of the watershed analysis conducted for JSDF as part of a draft Habitat Conservation Plan (CDF 1999)</i>”. On page VII.6.1-18, it is revealed that the stream inventories were actually done in 1995, 1996, and 1997, with the majority of the studies dating from 1995. The EIR Aquatic Resources assessment is using six to 11-year-old baseline information, which does not reflect current on the ground conditions. The old information describes a baseline that was being heavily impacted by</p>	VII.6.1-2

<p>logging; the current baseline is likely far less impacted because the Forest has not seen active logging since 2000/2002. In fact, this is explicitly acknowledged in the EIR, pp. VII.6.1-44 and 45:</p> <p><i>The rate of timber harvest increased substantially from the mid- 1980's to the mid-1990's in the Noyo River Watershed, when compared with periods for the last 70 years (Figure VII.6.1.10. In some sub-basins approximately 80% of the land area has been included in a THP applying a range of harvest prescriptions. Extensive harvests in portions of the Big River watershed to the south of the JDSF occurred from the mid 1980s through the decade of the 1990s.</i></p> <p>The degradation of the watersheds both within and outside of JDSF in that period are clearly described. However, the DEIR fails to inform the reader whether this paints an accurate picture of current conditions in the watershed, nearly a decade later. Therefore the Setting discussion appears to be at least incomplete and at most deceiving.</p> <p>Updated baseline information is necessary in order to conduct an accurate assessment of project impacts (change from baseline conditions to post-project conditions).</p>	
<p>This chapter has a 98-page setting section and an 11-page impact/mitigation section, including analysis of impacts to six alternatives, or less than two pages of impacts/mitigations per alternative. The setting section is a data dump of all available information on fisheries and associated hydrologic, sediment, and water quality information. There is no indication in the text as to what is important or not important. Further, where varying data sets and conclusions are provided, there is no comparative assessment to allow the reader to understand what's actually being used to determine the EIR's conclusions regarding the sensitivity or importance of the resource, or of the factors affecting the health of the aquatic resources.</p> <p>This is a multi-disciplinary assessment rather than an interdisciplinary assessment.</p>	VII.6.1, general
<p>An EIR is intended to inform the public and decision-makers, many of whom are lay people with little technical background. This EIR in general, and the Aquatic Resources section in particular are so heavily laden with untranslated technical jargon that it fails to serve CEQA's public information purposes. For example, the pool habitat and sediment and spawning gravel quality assessments on pp. VII.6.1-21 through 25 are completely indecipherable technical jargon. Similarly, the discussions of fish populations on pp. VII.6.1-76 through 81 are completely indecipherable to a non-fish biologist. The steelhead listing information on pp. VII.6.1-87 through 91 is another form of data dump – much of this information has nothing to do with the study area at all. The lay-reader is left at a complete loss in attempting to understand the meaning and significance of this</p>	VII.6.1, general

<p>information. This problem of a complete failure to edit the document to remove extraneous information and explain key facts and processes so that a logical trail from setting to impacts to mitigation can be followed by the reader is repeated throughout the section and document.</p> <p>Interestingly, of the entire 98 pages of setting, one paragraph on p. VII.6.1-37 seems to sum up the entire mountain of gibberish:</p> <p><i>“In early-seral stages, the immature riparian vegetation (both hardwood and coniferous species) is a low-to-moderate shade source and a poor contributor of large wood. In mid-seral stages, the riparian vegetation is a good shade source and a low-to-moderate contributor of large wood. Most riparian vegetation does not become a good source of large wood until late-seral stages. Although much of the land is currently in early- to mid-seral stages, riparian habitat should improve over time (20-90 years).”</i></p> <p>However, the EIR fails to inform the reader what will happen to the fisheries in the interim, i.e. in the next 20 years, which will be the primary focus of the plan. Will the fisheries drop below self-sustaining levels? Will there be any fish left to enjoy the improved conditions in the future? Will certain alternatives avoid 20 years of continued degradation of the resources?</p> <p>This is of real concern because, fisheries stocks have declined precipitously as shown on Table VII.6.1.8, and recognized by the NMFS’s 2001 listing of the Coho <i>“The Central California Coast ESU is presently in danger of extinction”</i>. (DEIR, p. 57). This was echoed by CDFG in 2002, and by the 2000 NOAA Fisheries listing of Northern California steelhead populations as threatened. The DEIR, p. VII.6-71 further acknowledges that <i>“Chinook salmon continue to exhibit depressed population sizes [and that] spring-run Chinook...may not be extant anywhere in the range of the [Coastal California] ESU.”</i></p> <p>Somehow, despite the document’s acknowledgement of the fisheries crash, the DEIR concludes, absent any supporting data, that continued widespread logging of the Forest would have no potentially significant impact.</p>	
<p>As detailed in the Higgins letter, the EIR mysteriously relies on 1996-2001 water temperature data despite the existence of an extensive system of instantaneous water temperature monitors. This fails to describe an important baseline condition at the time of preparation of the EIR, as required by CEQA.</p>	
<p>As detailed in the Higgins letter, the EIR uses an incorrect turbidity threshold for salmonids of 40 ntu, while it has been clearly shown that 25ntu is the correct threshold standard. Please revise the impacts assessment using the correct threshold.</p>	
<p>The Habitat Suitability Overview on pp. VII.6.1-37 through 53 provides relatively detailed information (albeit outdated) the major</p>	<p>VII.6.1-37 through 53</p>

<p>tributaries in the Planning Area, however this information, like most of the setting information, is not carried through to the Impacts and Mitigations discussions. Because the specific areas to be harvested under the plan are known (and disclosed elsewhere in the document), it is possible to determine at this time the project logging's impacts on each of these water courses. Therefore it is impermissible to fail to assess this impact in the Plan EIR, and improper to defer those assessments to the THP stage.</p>	
<p>Section 6.1.12 describes the project components intended to protect habitat. This information Project Description or Impacts information, not setting. This is an example of the muddled organization of the document, where setting and impact information is frequently mislocated such that the reader is prevented from understanding the differences between baseline conditions and post-project conditions.</p>	<p>Section 6.1.12</p>
<p>Sections 6.1.12, 13, and 14 also set forth a host of mitigation included in the plan, which, the EIR concludes, is adequate to protect aquatic resources (the EIR states explicitly that no additional mitigation are required). Yet the Impacts discussion fails to provide any analysis that these protections would actually protect the resources. Rather, the impacts discussions seems to take the position that, because the Plan would be better than the 1995-6 logging methods, that the project impacts would be beneficial. This fails to acknowledge the large-scale logging that would be permitted by the Plan, which may not be beneficial compared to the current no-logging conditions.</p>	<p>Sections 6.1.12, 13, and 14</p>
<p>Impacts 1a-e conclude that the project would have less than significant or beneficial impacts on various hydrologic, geomorphic, and debris conditions affecting fisheries. However, there is no analysis as to the effects of the project logging's impacts, in the context of past and existing degradation of fisheries habitat, on actual fish populations.</p>	<p>p. VII.6.1-99 – 104</p>
<p>For Impacts 2-4, there is no analysis as to the effects of the project logging's impacts, in the context of past and existing degradation of fisheries habitat, on actual fish populations. The big question of whether the fisheries would continue to decline, and to what extent, remains unanswered.</p> <p>Impact 5, which should explicitly answer that question, basically states that habitat would improve compared with current (or at least 1996) degraded conditions, but concludes with the vague "Some beneficial effects on fish and amphibian populations will result from the cumulative effects of these measures." This "Impacts assessment" fails completely to address the EIR's stated significance criteria, namely whether fish or amphibian populations will drop below self-sustaining levels.</p> <p>Impact 6 has a similarly vague conclusion of beneficial effect, but even that conclusion is based on an extremely tentative conclusion that "These measures will lead to improvement of instream habitat and</p>	<p>pp. VII.6.1-105-111</p>

<p><i>may</i> (emphasis added) lead to increased numbers of fish.</p> <p>In none of these “analyses” are the numerous studies described in excruciating detail in the setting section referenced. There is simply no analytical trail to support the conclusions that the project would result in rejuvenation of the depressed fisheries, or protect them from extinction due to project or cumulative (past, present, and reasonably foreseeable) forest management practices.</p>	
<p><b>Botanical Resources</b></p>	
<p>The EIR relies almost entirely on CNDDDB data for its identification of botanical resources. Doesn’t the JDSF have its own species survey data (at a more-detailed stand level)? If so, that information should be incorporated into the EIR.</p>	<p>General</p>
<p>The last paragraph on p. VII.6.2-13 states that project impacts on the 100-acres of unique plant communities will be evaluated separately when specific projects are proposed. This is an improper deferral of analysis. To the extent that the plan permits certain activities in those areas, impacts should be determined in this EIR, at least on a general level, and programmatic mitigations identified and adopted that would eliminate potential impacts to these species/habitats.</p>	<p>p. VII.6.2-13;</p>
<p>The claims that Impacts 1-5 would be less than significant because of the plan’s site and species-specific protection measures is entirely unsupported by fact. The Management Plan calls only for surveys and future development of mitigation for plant species of concern, and has only generic language regarding protection activities in old-growth forests and wetlands. Similarly, the goals and objectives in the plan are so vague as to not provide any mitigation assurance (for example, they are conditioned by terms such as “work towards”, “minimize”, “as feasible”). Nearly all mitigation is deferred to the THPs.</p> <p>As discussed above, programmatic mitigations should be identified and adopted that would eliminate potential impacts to these species/habitats. Absent explicit mitigation measures, the EIR contains no evidence to support its conclusions of no significant impacts to plant species.</p>	<p>VII.6.2-21-24;        VII.6.2-25-29</p>
<p>The Additional Management Measures (referred to as a Mitigation Measures in the ADEIR) for cumulative botanical impacts rely on vague recommendations for “discouraging”, “monitoring”, “future study”, and “consultation” to mitigate this impact. These vague terms do not assure mitigation and, therefore, either this impact must be considered significant or the mitigations need to be revised to require specific measures to avoid the project’s contribution to cumulatively significant impacts.</p>	<p>VII.6.2-45 &amp; 46</p>
<p>This section fails to address the potential impacts on special status plant species, communities, and habitats from the use of herbicides.</p>	<p>VII.6.2, general</p>

Please add this analysis to the EIR.	
<b>Timber Resources</b>	
The timber resources section fails to provide the information on the age of forest stands. This information is critical to identifying impacts of the project on numerous sensitive species, both in the short- and long-term. Specifically, "mature" forests are not identified, nor are the impacts of removal of those forests in the plan. See the Strittholt letter for additional discussion of this issue.	General
The second paragraph notes that new forest inventory information will be available by the end of 2005, and that the Continuous Forest Inventory also is scheduled for completion at this time. Given that the DEIR was released to the public in mid- December, 2005, this information should have been included in the EIR rather than the old data. This is particularly important given Board Policy 0351.4 C, which states that "Allowable cut levels must be derived from pertinent current inventory and growth data." The EIR's failure to use the current forest inventory data results in a Plan and CEQA analysis that fail to comply with this Board Policy.	p. VII.6.3-4
The discussion in this chapter indicates that the Department has a clear plan for which areas of the Forest will be harvested, and what sorts of harvest will be applied to each area (i.e. Fourteen Gulch compartment described on p. VII.6.3-11), yet the impact assessments throughout the EIR fail to reflect the specificity of this plan. The impact assessments should be revised to assess site-specific impacts of the plan to the extent that the plan is site-specific. Deferral of analysis and mitigation this analysis to future THP's is not permissible under CEQA. At a minimum, mitigations should be expanded to assure mitigation in all of these areas.	General
The criteria used in the evaluation of even-aged stands (see pp. VII.6.3-11-12) are so vague as to not assure that significant adverse impacts would occur. For example, "The amount of regeneration harvesting in an assessment area may need to be constrained in order to reduce the potential for adverse cumulative watershed, habitat, aesthetic, or other environmental impacts" is so vague as to be meaningless; it provides no guidance to implementation of the project, not any assurance of mitigation against cumulative impacts. Please revise these criteria to provide for mitigation against cumulative impacts, which should be the primary focus of the EIR.	Chapter VII.6.3, general
This entire chapter is really part of the project description and should be integrated into Chapter III to allow the reader a full understanding of the project being assessed (prior to reading half of the EIR), and to reduce the redundancy of the document.	Chapter VII.6.3, general
Table VII.6.3.4 should be in the Project Information chapter – it clearly indicates what that chapter fails to disclose; that 29% of the entire forest and 40% of the high production area is proposed for	p. VII.6.3-28

clearcutting.	
The Plan includes the use of herbicides on hardwoods, yet the EIR includes no analysis of the potential impacts of the use of herbicides. (See additional comments on the hazards and Hazardous Materials Section)	p. VII.6.3-30
<p>Whether or not Impacts 1 and 2 are considered beneficial or adverse depends on the baseline and duration considered in the analyses. Continuing to protect already extant and protected old-growth forests, (as considered beneficial in Impact 1) is not a beneficial impact because those groves already exist and current “no-cut” policies would not be altered by the Plan.</p> <p>Similarly, Impact 2 continues to cut large swaths of the forest and therefore does not benefit the forest compared with current no-cut management.</p> <p>Further, the EIR impacts assessment grossly considers growth over the entire forest and not specific sub-basins, where harvesting may far outstrip growth. The Plan includes enough detail for sub-basin analyses, and these should be included in the EIR as they are key to other impact assessments such as biological resources and water quality.</p> <p>Finally, as discussed in previous comments, the conclusions that the Plan would result in increased late-seral stands and total board feet of standing timber are based on outdated forest inventories and must be updated with current inventory information.</p>	pp. VII.6.3-32 & 33
Impact 3 is not a CEQA environmental impact and should be deleted from the EIR – maximum sustained production is an economic, not environmental, consideration and may, in fact, create more environmental impacts than lesser production levels. Please remove this non-environmental “impact” from the EIR.	p. VII.6.3-38
Impact 4 is not a CEQA environmental impact and should be deleted from the EIR – use of silvicultural methods is a management goal, not an environmental consideration and may, in fact, create more environmental impacts than lesser production levels. Please remove this non-environmental “impact” from the EIR.	p. VII.6.3-40
<b>Forest Protection</b>	
<p>The first paragraph states that pest management activities is not required under CEQA. This is false; if it is part of the project and may result in environmental impacts (i.e. from use of pesticides), it is required to be assessed.</p> <p>Additionally, the “Impacts” subsection has the wrong focus – instead of focusing on diseases, it should focus on the potential impacts of IPM to the various environmental resources areas. Please revise as</p>	p. VII.6.4-1; sec. VII..6.4, general

appropriate.	
Sub-section 6.4.2 is entirely out of place and results in piecemealed impact assessments. Forest protection measures that are part of the Plan his information should be summarized in the Project Information section and impacts should be evaluated and the discussions integrated into the discussions on the various resource topics represented by the subheadings.	Section VII.6.4.2, general
The so-called “mitigations” in this section are not mitigations for project impacts, but rather means to assess or treat various tree pathologies. This section needs to be revised to mitigate the potential impacts that IPM activities may result in (i.e. use of pesticides and herbicides).	Section VII.6.4.3, general
<b>Wetlands</b>	
This section fails to provide any meaningful analysis of the potential impacts of the Plan to wetlands. It includes no maps or descriptions of wetlands within the Forest, nor does it identify or evaluate potential project impacts to those wetlands. Instead it relies upon a vague Plan policy to “manage wetlands in a manner that maintains or restores productivity....” And, rather than evaluating compliance with that goal, just assumes compliance. CEQA requires a trail of evidence supporting conclusions, not just unsupported assertions.	Section VII.6.5, general
<b>Wildlife</b>	
<p>This 270-page wildlife section is a massive data dump where important issues are buried in trivia and semi-random data. Various evaluations of habitat are presented but the reader is provided no means of determining the validity of each approach, or even which approaches/ conclusions are ultimately included in the impacts analysis.</p> <p>Despite this bulk of data, no specific impact or mitigations are called out in the text. It’s format does not follow that of the rest of the EIR. Impact, setting, and mitigation information is first mashed together and general Plan policies are assumed to mitigate even if they would only “potentially be implements” (see, for example marbled murrelet discussion on bottom of p. 89). Impacts of alternatives are not discussed immediately those of the project, as in other chapters. The Impacts discussions are not numbered and are not tied back to, or supported by the setting discussions. For potentially significant impacts, surveys for species are considered sufficient to mitigate impacts to less than significant levels when, under CEQA case law, surveys do not constitute mitigation and even where the EIR acknowledges significant reductions in habitats (i.e. Cooper’s hawk, bald eagle, osprey marbled murrelet, yellow warbler, Vaux’s swift, purple martin, etc.) over the next 20 years. In fact, Table VII.6.6.17 clearly shows that numerous special status species, including nearly all carnivores and fur-bearers, would experience major habitat</p>	Section VII.6.6. general

<p>declines through 2030, some of which would continue far longer into the future. Habitats for some species (i.e. white-tailed kite and northern harrier) would be eliminated entirely. Nowhere does the discussion evaluate the significance of 20-30 years of declining habitats to species already in marked decline or threatened with extinction. This analysis needs to be added to the EIR for each species to comply with CEQA's analytical requirements.</p> <p>The entire section needs to be edited to succinctly describe the wildlife resources and habitats of the forest, and provide relevant information upon which to conduct the impact assessment. This entire chapter is unreadable to the layperson and fails completely to provide. The CEQA-mandated evaluation of potential significant impacts and mitigation measures on these resources.</p>	
<p>As detailed in the Stritholt letter, the use of WHR's tends to underestimate project impacts. In nearly all cases, more detailed assessments have shown "a dramatic reduction in habitat potential for most wildlife species" compared with the WRH models.</p>	General
<p>The EIR wildlife assessment fails to provide adequate analytical detail to allow the public and decision-makers to compare how the different alternatives' impacts compare spatially; this information is required to identify impacts on specific special-status species.</p>	General
<p>The EIR wildlife assessment fails to provide adequate analytical detail regarding the effects of cumulative stressors on specific special-status species. For example, the various subcategories in the Watershed Cumulative Effects discussion are disaggregated and addressed separately, and the impacts are never re-aggregated.</p>	General
<p>The assertion that the project would not conflict with any habitat conservation plan or equivalent is not correct. Recovery plans for the various state- and federally listed threatened or endangered species are, in fact, habitat conservation plans. The EIR should be augmented to address the proposed JSDf's Management Plan's compliance with these species' ESA Recovery Plans.</p>	p. VII.6.6-130
<p><b>Geology and Soils</b></p>	
<p>As described in the California Regional Water Quality Control Board, North Coast Region's comment letter dated February 9, 2006, the water quality analysis has numerous substantive errors and deficiencies. The RWQCB letter spells out in detail how the sediment analysis makes a series of "best case" assumptions that are unsupported in the EIR or in the Plan itself. As described in that letter, there is no evidence in the Plan that it would, in fact, protect water quality such that the project would comply with TMDL requirements, either individually or cumulatively. The RWQCB letter also provides evidence that deferring sediment protection to the THP stage has not adequately protected water quality, even in the most recent THPs that were written to be consistent with the Plan's policies.</p>	general

<p>The statement that harvest-related surface erosion is a temporary impact does not mean that the impact is less than significant. Please define “temporary” in this context and discuss how this sort of temporary impact may be significant.</p>	<p>p. VI.7-8</p>
<p>Porter Cologne Act discussion: Items 1 and 2 state that the Basin Plan prohibits discharges deleterious to fish, wildlife, and other beneficial uses. Yet the EIR discloses that ongoing timber harvesting activities in the Forest have contributed to Forest-specific and cumulative degradation of habitats and species contra to these prohibitions. The EIR provides no substantive information/ analyses that would lead the reader to believe that such deleterious effects would not continue, albeit at lesser levels. In order to assess the project’s compliance with these regulations, please provide calculations indicating whether the Plan would result in or contribute to exceedances of TMDL’s.</p>	<p>p. VII.7-27</p>
<p>Hillslope management policies in the Plan consist of field review and consultation with geologists. Consultation and review do not provide mitigation because there are no actual requirements for avoiding or mitigating impacts to unstable slopes from timber harvest activities. Therefore these policies cannot be shown to mitigate project impacts.</p>	<p>p.VII.7-30</p>
<p>Impacts 4 and 5: See above – ‘modern forest management practices’ referred to on p. 37 have still resulted in massive fisheries declines due in large part to water quality/ sedimentation issues resulting from landsliding and erosion. Further, landslides still result from timber harvesting and associated road-cutting. The impact refers to people and structures but fails to address the water quality implications of landslides. The Plan adds consultation with geologists to these practices, but no actual on-the-ground mitigation/ avoidance is required. Therefore this impact is still significant.</p>	<p>p.VII.7-36 - 41</p>
<p><b>Hazards and Hazardous Materials</b></p>	
<p>Last paragraph: Studies have shown that the greatest water quality contamination and health hazard impacts are not from the glyphosate itself, but rather from the quantities of adjuvants and surfactants, which are added to the glyphosate herbicide mixture in larger quantities and have greater toxicities to humans. Please describe and evaluate the environmental and human health effects of the all components of the glyphosate herbicide mixtures, as well as any other known herbicide mixtures that may be applied in this forest. The EIR acknowledges (p. 8-11) that the low herbicide uses cited in the document would be substantially increased with the proposed Plan, therefore the EIR should assess the potential impacts of the anticipated quantities of herbicide use.</p>	<p>p. VII.8-11</p>
<p>First full paragraph states that “Because DPR is the CEQA Lead Agency, this determination [of no environmental impact of a pesticide] is binding on all state agencies, including CDF.” The EIR further explains that DPR would be responsible for responding to any</p>	<p>p. VII.8-15</p>

<p>comments on herbicide use. This is patently false and misrepresents CEQA's analytical requirements. The cited CEQA sections (Statutes section 21080.1 and Guidelines section 15050) do not state, imply, or otherwise indicate that all state agencies must make the same findings for a specific project in a specific area as the DPR made for statewide general application of herbicides. The EIR fails to provide any actual analytical evidence that herbicide application associated with the Plan would not result in any significant impacts. In fact, the EIR fails even to identify the general quantities of herbicides to be used. It does not identify adjuvants and/or surfactants to be used in the Forest. There is simply no analysis; instead the EIR relies on legal arguments that are unsupported in the statutes. The DPR's CEQA findings did not consider specific sensitive resources or surfactant formulations and cannot logically be applied to all specific application sites in the State.</p> <p>The State itself has recognized this and prepared numerous EIRs on the projects involving large-scale use of herbicides, all of which include actual analyses of the potential impacts of the herbicides (for example the <i>SF Bay Estuary Invasive Spartina Project EIR</i>, and the <i>Egeria Densa Control Program EIR</i>). Please revise the EIR to include an actual analysis of herbicide use and recirculate for public and agency comment.</p>	
<p>See above; the EIR is fundamentally lacking any actual analysis of pesticide use. Further, the reference to a 2001 PALCO THP where CDF made similar findings is peculiar. CDF seems to citing itself to say that its (clearly erroneous) interpretation of CEQA is correct. This entire impact discussion is nothing more than legalistic argument unsupported by fact or statute.</p>	<p>Impact 3; p. VII.8-20 through 22</p>
<p><b>Heritage Resources</b></p>	
<p>This section muddles impacts in with the setting section, blurring the distinction between setting and impacts (see, for example, p. VII.9-15, 2<sup>nd</sup> paragraph, p. VII.9-193<sup>rd</sup> paragraph).</p>	<p>Section VIII.9, general</p>
<p>If the Cat barn is to be torn down as part of the Plan, that would be a significant unmitigable impact under CEQA (see <i>League for Protection of Oakland's Architectural Resources v. City of Oakland, et. al., Feb 10, 1997</i>). Please revise the EIR impact section accordingly.</p>	<p>p. VII.9-19</p>
<p>Roadway development is known to adversely affect cultural resources (p. 32) and, as noted on the bottom of p. 33, road-building proposed in the Plan could still adversely affect these resources despite the management plan policies. Therefore, the EIR should still consider this impact to be potentially significant.</p>	<p>p. VII.9-33</p>
<p>Per settled case law, Mitigation Measure 1's requirements of documentation and data recovery of historic buildings that may be affected by THP activities would not mitigate the impacts below the significance level( see <i>League for Protection of Oakland's Architectural Resources v. City of Oakland, et. al., Feb 10, 1997</i>).</p>	<p>p. VII.9-43</p>

<p>Therefore this impact is significant and not mitigable. Please revise this impact accordingly.</p>	
<p>Mitigations 3, 4, 8, 13, and 14 also do not guarantee any actual mitigation of potentially significant impacts to less than significant levels in that they rely primarily on future studies, consultation, and training, and not avoidance or on-the ground mitigation.</p>	<p>pp. VII.9-43-52</p>
<p><b>Water Quality</b></p>	
<p>As described in the California Regional Water Quality Control Board, North Coast Region’s comment letter dated February 9, 2006, the water quality analysis has numerous substantive errors and deficiencies. The RWQCB letter spells out in detail how the water quality analysis makes a series of “best case” assumptions that are unsupported in the EIR or in the Plan itself. As described in that letter, there is no evidence in the Plan that it would, in fact, protect water quality such that the project would not significantly adversely affect aquatic resources. TMDL’s are not proposed to be met, and as a result, salmonids may continue to decline as a result of implementation of the Plan. The RWQCB letter also provides evidence that deferring water quality protection to the THP stage has not adequately protected water quality, even in the most recent THPs that were written to be consistent with the Plan’s policies.</p> <p>These deficiencies is significant to the extent that the impact assessment needs to be completely redone and recirculated to provide decision-makers and the public with meaningful information regarding the project.</p>	<p>general</p>
<p>Please identify the numerical TMDL’s for the project’s Noyo and Big River watershed. Please describe how current conditions compare to these TMDL’s. The EIR Water Quality Impacts section should then compare project water quality conditions with these TMDL’s to determine significance.</p>	<p>p. VII.10-7;        Section VII.10,        general</p>
<p>First bullet point: Increased sediment occurs for 10-11 years. This is not a short-term impact, particularly given the life cycles of salmonids. Please revise text and analyses accordingly.</p>	<p>p. VII.10-9</p>
<p>Similarly, nitrate levels can rise 3-5 times for periods of 3-5 years. Please reconsider the significance of this “short-term” impact in light of life cycles of salmonids.</p>	<p>p. VII.10-11</p>
<p>Please provide a detailed evaluation of anticipated Plan water quality compliance with each of the waste discharge prohibitions and water quality objectives identified on pp. VII.10-15 &amp; 16. The water quality impact assessment should be revised to reflect project compliance/non-compliance with these criteria. This approach is consistent with the significance criteria identified on p. VII.10-20.</p>	<p>p. VII.10-15</p>
<p>Impact 1: The EIR provides no quantitative evidence that past water</p>	<p>p. VII.10-21</p>

<p>quality problems and violations of water quality standards will not be violated under the Plan. Instead the EIR claims that “long-term potential sediment delivery in these already sediment-impaired waterbodies will be reduced...” (p. 23). This sidesteps the issue as to whether or not the Plan will comply with applicable water quality criteria, the knowledge of which is essential to identifying the environmentally superior alternative, as well as the significance of the Plan’s own impacts. To remedy this deficiency, please conduct a quantitative model that permits the reader to determine whether the Plan will result in compliance with TMDL’s and other water quality criteria in the Basin Plan for each 10-year plan period.</p>	<p>through 25</p>
<p>Impact 6: Please discuss the potential water quality impacts of the Plan’s proposed use of herbicides on water quality.</p>	<p>p. VII.10-27 &amp; 28</p>
<p>Please provide evidence supporting the conclusion that the proposed 200-foot neighbor buffer would actually mitigate all potential land use impacts. Please provide evidence that the California Department of Parks and Recreation and Mendocino County agree that this buffer is adequate.</p> <p>This comment also applies to Impact 3, Cumulative Impacts.</p>	<p>p. VII.11-10 &amp; 13</p>
<p><b>Land Use Planning</b></p>	
<p>The Thresholds of Significance need to be augmented to address actual land use conflicts, such as conflicts with the adjacent parks.</p>	<p>p. VII.11-11</p>
<p>Please add a discussion of potential conflicts with adjacent State Parks uses to the Impact 2 discussion/analysis.</p>	<p>p. VII.11-11 &amp;12</p>
<p><b>Noise</b></p>	
<p>Impact 1: The Noise impacts assessment is devoid of any analysis. What would the noise levels be at the nearest residence? At the adjacent State Park lands?</p> <p>Mitigation 1 inappropriately defers all noise mitigation to future THPs.</p> <p>Therefore the EIR reader is informed of neither the impact or mitigation. Please add detailed impacts analyses and mitigation requirements to guide THP site-specific impact and mitigation assessment (i.e. limitations on hours of work, limitations on equipment use near sensitive human or animal receptors).</p>	<p>p. VII.12-12</p>
<p>Impact 2: The Vibration impacts assessment is devoid of any analysis. What would the vibration levels be at the nearest residence?</p> <p>Mitigation 2 inappropriately defers all noise mitigation to future rock quarry permits.</p>	<p>p. VII.12-12</p>

Therefore the EIR reader is informed of neither the impact or mitigation. Please add detailed impacts analyses and mitigation requirements to guide site-specific impact and mitigation assessment (i.e. limitations on hours of work, limitations on equipment use near sensitive human or animal receptors).	
Impact 3: Temporary impacts can be significant (see Berkeley Keep Jets Over the Bay v. Board of Port Commissioners case). Please provide an analysis of potential temporary noise impacts on both human and sensitive special status animal species.	p. VII.12-13
Impact 4: This is a conclusion supported by zero analysis. Please provide an noise assessment showing if/how well the Plan's 200-foot buffers mitigate noise impacts on sensitive species and humans.  Please note that the "mitigation" for helicopter flight noise' only requires "consideration" of flight characteristics. Consideration is not mitigation.	p. VII.12-13
Mitigation 3 (Impact 6) is not actual mitigation but rather just deferral of mitigation to the project reviews. Please provide actual mitigation as described in comments on Impact 1, above.	p. VII.12-15
<b>Public Services and Recreation</b>	
Please update the discussion of the Big River Interim Management Plan, which should have been complete at the date of release of the DEIR.	p. VII.14-14
Please add the following threshold of significance: If the DFMP would conflict with the use of existing nearby or adjacent recreation resources.	p. VII.14-21
Please describe why decommissioning of Road 200/loss of access to waterfall Grove is not considered a significant impact to recreational resources. What is the basis for the conclusion that Impact 2a is "less than significant"?	p. VII.14-23
Please add an analysis of the project's potential conflicts with recreational uses/enjoyment of the adjacent State Parks.	p. VII.14-24
<b>Transportation and Traffic</b>	
The truck trip generation analysis is an impermissible plan-to-plan assessment. Rather than comparing truck trips under the proposed Plan with the current Plan, project trips should be compared with current conditions, which involve minimal timber harvest/trucking. The project would generate on the order of 8,000 truck trips/year, or about 53 trucks/day, which equates to about 106 one-way trips/day. Please assess the potential for impacts to roadways, including congestions/delays and wear, of these truck trips.	p. VII.15-3

<p>The traffic chapter fails to include any cumulative traffic impacts analysis. Chapter VIII, Cumulative Impacts also fails to provide any quantitative assessment of cumulative traffic impacts. Please add this.</p>	<p>p. VII.15-10</p>
<p><b>Cumulative Effects</b></p>	
<p>Cumulative impacts assessment is split up between this chapter and some, but not all, of chapter VII. This scattering of information makes identification of the cumulative impacts difficult and confusing. For document readability, the EIR should be edited so that the cumulative impacts assessment is in one chapter or the other.</p>	<p>Ch VIII, Cumulative, general</p>
<p>Tables VIII.9 and VIII.10 clearly show that detailed information is available regarding the proposed timber management (harvesting) activities under the Plan over the next 10 years. Because this information is known, the impacts of these specific harvest on specific habitats, species, fisheries, water quality, noise receptors, roadways, and land use conflicts, should be disclosed in this EIR. These THP's should be overlain on sensitive resources maps to determine which, if any, sensitive resources may be affected in the next ten years. Mitigation measures should be included in this document that address the major impacts of these known THP's.</p>	<p>Ch VIII, Cumulative, general</p>
<p>As described in the Higgins letter, CDF does not use timber harvest data to qualify cumulative impacts, but rather relies on an unsupported assumption that all of those impacts are fully mitigated. Because of the past heavy cutting on the Forest, even moderate harvesting in the future would contribute to cumulatively significant impacts. The extent of cut on other lands and the previous intensive management on JDSF suggests that only thinning from below, full cable-suspension selective logging, and "light-touch" forestry over the next 20 years would limit cumulative impacts of timber harvesting to a less-than-significant level.</p>	<p>General</p>
<p>First paragraph concludes that the project "would result in beneficial temperatures over time". This is deceptive in that it fails to describe the 5-10-year impact of proposed THP's on stream temperatures. Because the proposed THP's are known, this analysis must be include in the EIR. Assessment of the 5-10 year harvesting impacts also is important because of the life cycles of the already threatened salmonid runs. Please add this assessment to the EIR.</p>	<p>p. VIII.45</p>
<p>First full paragraph claims that the project would reduce nutrient loadings compared with existing / past logging. Is this true compared with current minimal logging levels?</p>	<p>p. VIII-46</p>
<p>The discussion of large woody debris is not a cumulative impacts assessment. It is just a rehash of measures included in the Plan to reduce this impacts, followed by a vague statement that LWD would increase over time. Please revise so that the reader can discern the level of impact of the Plan plus past and current activities on LWD.</p>	<p>pp. VIII-46-50</p>

<p>What is the level of impact from the known THP's over the next 10 years? How might this affect threatened or endangered fish species during that period?</p>	
<p>The discussion of sediment effects on water quality is not a cumulative impacts assessment. It is just a rehash of measures included in the Plan to reduce this impacts, followed by vague statements that background sediment production would not be increased, and that timber harvest activity sediment production "would be held to a minimum", and that "it is concluded that timber management under alternatives C2 through F will result in a decrease in the current level of adverse sediment cumulative impacts over time". Please revise so that the reader can discern the level of impact of the Plan plus past and current activities on sediment/ water quality. What is the level of impact from the known THP's over the next 10 years? Will cumulative sediment production meet TMDL's? How might this affect threatened or endangered fish species during that period?</p>	<p>pp. VIII-50-60</p>
<p>The Hazardous Materials discussion contains no actual analysis and instead refers back to the Section VII.8. text, which includes no actual analysis of the impacts of herbicides/ pesticides, just legal argument as to why no such analysis is required. The Cumulative Impacts discussion then discusses how forestry use of herbicides/ pesticides is a small percentage of county-wide use of those products. This approach to cumulative impact assessment is entirely counter to the basic concept of cumulative impacts, which is that many small contributors to an impact may result in an ultimately significant impact- instead of saying that the project contribution is small, therefore the impact is not significant, the assessment should calculate what the impact of the project plus other existing and planned herbicide uses are.</p>	<p>pp. VIII-60, 61</p>
	<p>pp. VIII-85-89</p>
<p><b>Other CEQA Analyses</b></p>	
<p>Unavoidable Impacts: Please revise this section in light of the above comments.</p>	<p>p. IX-1</p>

RICHARD GRASSETTI QUALIFICATIONS

**Richard Grassetti**

PRINCIPAL

***Expertise***

- CEQA/NEPA Environmental Assessment
- Project Management
- Geologic and Hydrologic Analysis

***Principal Professional Responsibilities***

1 Mr. Grassetti is an environmental planner with over 19 years of experience in environmental impact analysis, hydrologic and geologic assessment, project management, and regulatory compliance. He is a recognized expert on California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA) processes, and has served as an expert witness on CEQA and planning issues. Mr. Grassetti regularly conducts peer review and QC/QA for all types of environmental impact analyses, and works frequently with public agencies, citizens groups, and applicants. He has managed the preparation of over 50 CEQA and NEPA documents, as well as numerous local agency planning and permitting documents. Mr. Grassetti has prepared over 200 hydrologic, geologic, and other technical analyses for CEQA and NEPA documents. He has analyzed the environmental impacts of a wide range of projects including residential developments, waste management projects, mixed-use developments, infrastructure improvements, energy development, military base reuse projects, and recreational facilities throughout the western U.S. In addition to his consulting practice, Mr. Grassetti is an adjunct professor at California State University, Hayward, where he teaches courses on environmental impact assessment, among others.

***Professional Services***

- Management and preparation of all types of environmental impact assessment and documentation for public agencies, applicants, citizens groups, and attorneys
- Peer review of environmental documents for technical adequacy and regulatory compliance
- Expert witness services
- Assisting clients in CEQA and NEPA process compliance

- Preparation of hydrologic and geologic analyses for EIRs and EISs
- Preparation of project feasibility, opportunities, and constraints analyses, and mitigation monitoring and reporting plans

**Education**

University of Oregon, Eugene, Department of Geography, M.A., Geography (Emphasis on Fluvial Geomorphology and Water Resources Planning), 1981.

University of California, Berkeley, Department of Geography, B.A., Physical Geography, 1978.

**Professional Experience**

1992-Present	Principal, GEC Co Environmental Consulting, Berkeley, CA
1994-Present	Adjunct Professor, Department of Geography and Environmental Studies, California State University, Hayward, CA
1988-1992	Environmental Group Co-Manager/ Senior Project Manager, LSA Associates, Inc. Richmond, CA
1987-1988	Independent Environmental Consultant, Berkeley, CA
1986-1987	Environmental/Urban Planner, City of Richmond, CA
1982-1986	Senior Technical Associate - Hydrology and Geology - Environmental Science Associates, Inc. San Francisco, CA
1979-1981	Graduate Teaching Fellow, Department of Geography, University of Oregon, Eugene, OR
1978	Intern, California Division of Mines and Geology, San Francisco, CA

**Professional and**

Member and Past Chapter Director, Association of *Affiliations* Environmental Professionals, San Francisco Bay Chapter

***Certifications***

Member, International Association for Impact Assessment

***Publications  
and Presentations***

Grassetti, R. *Round Up The Usual Suspects: Common Deficiencies in US and California Environmental Impact assessments*. Paper Presented at International Association for Impact Assessment Conference, Vancouver, Canada. May 2004.

Grassetti, R. *Understanding Environmental Impact Assessment – A Layperson's Guide to Environmental Impact Documents and Processes*. (in press).

Grassetti, R. *Developing a Citizens Handbook for Impact Assessment*. Paper Presented at International Association for Impact Assessment Conference, Marrakech, Morocco. June 2003

Grassetti, R. *CEQA and Sustainability*. Paper Presented at Association of Environmental Professionals Conference, Palm Springs, California. April 2002.

Grassetti, R. and M. Kent. *Certifying Green Development, an Incentive-Based Application of Environmental Impact Assessment*. Paper Presented at International Association for Impact Assessment Conference, Cartagena, Colombia. May 2001

Grassetti, Richard. *Report from the Headwaters: Promises and Failures of Strategic Environmental Assessment in Preserving California's Ancient Redwoods*. Paper Presented at International Association for Impact Assessment Conference, Glasgow, Scotland. June 1999.

Grassetti, R. A., N. Dennis, and R. Odland. *An Analytical Framework for Sustainable Development in EIA in the USA*. Paper Presented at International Association for Impact Assessment Conference, Christchurch, New Zealand. April 1998.

Grassetti, R. A. *Ethics, Public Policy, and the Environmental Professional*. Presentation at the Association of Environmental Professionals Annual Conference, San Diego. May 1992.

Grassetti, R. A. *Regulation and Development of Urban Area Wetlands in the United States: The San Francisco Bay Area Case Study*. Water Quality Bulletin, United Nations/World Health Organization Collaborating Centre on Surface and Ground Water Quality. April 1989.

Grassetti, R. A. *Cumulative Impacts Analysis, An Overview.*  
Journal of Pesticide Reform. Fall 1986.

1986, 1987. Guest Lecturer, Environmental Studies Program,  
University of California, Berkeley.

## **REPRESENTATIVE PROJECT EXPERIENCE**

### **A. PREPARATION OF CEQA/NEPA TECHNICAL ANALYSES/DOCUMENTS**

***Baxter Creek Restoration Project CEQA Consulting.*** Mr. Grassetti assisted City of El Cerrito staff in the preparation of an Initial Study for the proposed Baxter Creek Restoration Project. Client: City of El Cerrito.

***Fallon Villages CEQA Consulting.*** Mr. Grassetti prepared draft EIR sections and provided CEQA guidance for an 1100-acre planned development in Dublin. Major issues included land use, traffic, and biological resources. Client: Braddock and Logan Services.

***Pelandale-McHenry Specific Plan.*** Mr. Grassetti prepared the Specific Plan for an 80-acre residential/commercial development in Modesto. Major issues included land use, traffic, and provision of adequate infrastructure. Client: Meritage Homes.

***Monte Cresta Roadway Extension Initial Study.*** Mr. Grassetti prepared an Initial Study/Negative declaration for a roadway extension in San Juan Hills area of the City of Belmont. Major issues included slope stability and growth inducement. Client: City of Belmont.

***Bethel Island Water Supply Project.*** Mr. Grassetti prepared an Initial Study for a proposed new water supply system for the community of Bethel Island in Contra Costa County. Major issues included growth inducement, archaeological resources, and biological resources. Client: Bethel Island Municipal Improvement District.

***Invasive Spartina Control Project EIR/EIS and Addendum.*** Mr. Grassetti prepared the programmatic EIR/EIS on a plan to control invasive cordgrasses throughout the San Francisco Bay. Major issues included endangered species, visual resources, water quality, and human health and safety. Mr. Grassetti subsequently prepared an addendum for the addition of a new herbicide to the Spartina Control Program. Client: California State Coastal Commission.

***Aptos Sanitary Sewer Replacement Project Initial Study.*** Mr. Grassetti prepared an Initial Study for the replacement of a storm-damaged sanitary sewer pipeline in Santa Cruz County. Major issues included cultural resources and biological resources. Client: Harris and Associates.

***Eastern Dublin Specific Plan Supplemental EIR.*** Mr. Grassetti prepared a Supplemental EIR for an 1100-acre mixed-use project in the City of Dublin. Major issues included traffic, biological resources, public services, noise, and air quality. Clients: Shea Homes and Braddock and Logan Services.

***Consolidated Forward Landfill Project EIR Update.*** Mr. Grassetti prepared an EIR for the expansion and consolidation of the Forward Landfill and the Austin Road Landfill

near Stockton, CA. Major issues include toxics, water quality, traffic, biological resources, and air quality. Client: San Joaquin County Community Development Department.

***Austin Road Landfill Expansion Project EIR Update.*** Mr. Grassetti prepared an Initial Study and Supplemental EIR updating a 1994 EIR for the expansion of the Austin Road Landfill near Stockton, CA. Major issues include water quality, traffic, biological resources, and air quality. Client: San Joaquin County Community Development Department.

***Central Contra Costa Household Hazardous Waste Facility Studies:*** Mr. Grassetti assisted Central Contra Costa Sanitary District staff in the preparation of a Planning Study and subsequent CEQA Initial Study on feasibility, siting, and environmental issues associated with the development of a Household Hazardous Waste collection program and facility in Central Contra Costa County. Client: Central Contra Costa Sanitary District.

***Southwest Richmond Flood Control Project IS.*** Mr. Grassetti prepared the Initial Study and Mitigated Negative Declaration for a proposed flood control project in the City of Richmond. Client: City of Richmond.

***Wickland Oil Martinez Tank Farm Expansion Project EIR Management.*** Mr. Grassetti served as an extension of City of Martinez Planning Department staff to manage all aspects of the preparation of the CEQA review for a 2,000,000 barrel expansion at Wickland's Martinez oil storage terminal. We prepared the NOP, RFP, assisted in consultant selection, and managed the consultant preparing the EIR on this project. Client: City of Martinez.

***Wayside Road Sewer Expansion Initial Study.*** Mr. Grassetti prepared an Initial Study and Mitigated Negative Declaration for a proposed new sewer system in the Wayside Road area of Portola Valley. Client: West Bay Sanitary District

***Los Trancos Woods Sewer Expansion Initial Study.*** Mr. Grassetti prepared an Initial Study and Mitigated Negative Declaration for a proposed new sewer system in the Los Trancos Woods area of Portola Valley. Client: West Bay Sanitary District

***Arastradero Road Sewer Expansion Initial Study.*** Mr. Grassetti prepared an Initial Study and Mitigated Negative Declaration for a proposed new sewer system in the Arastradero Road area of Portola Valley. Client: West Bay Sanitary District

***Lower Orinda Pumping Station Initial Study/Negative Declaration.*** Mr. Grassetti prepared an Initial Study/Negative Declaration for renovating or relocating a wastewater pumping plant in Orinda, CA. Client: Central Contra Costa Sanitary District.

***Shell Martinez Breakout Tanks Project Initial Study.*** Mr. Grassetti prepared an Initial Study for two proposed new waste water storage tanks at Shell's Martinez Manufacturing

Complex. Major issues included air quality, odors, and visual impacts. Client: City of Martinez.

***Shell Martinez Biotreater Facility Initial Study.*** Mr. Grassetti prepared the Initial Study/Negative Declaration for a proposed new biotreater facility for Shell's Martinez Manufacturing Complex waste water treatment plant. Major issues included water quality, wetlands, growth-inducement, and cumulative impacts. Client: City of Martinez.

***Vallejo Solar Power Plant Initial Study.*** Mr. Grassetti prepared a CEQA Initial Study/Negative declaration for a proposed photovoltaic array intended to power a water pumping plant in the City of Vallejo. Major issues included land use compatibility and visual quality. Client: City of Vallejo.

***Ranch on Silver Creek CEQA Consulting.*** Mr. Grassetti prepared the Mitigation Monitoring and Reporting Program and other CEQA compliance tasks for a large residential/golf course project in San Jose. Client: Sycamore Associates.

***Morgan Hill Ranch Initial Study Analyses.*** Mr. Grassetti prepared the Hydrology, Geology, and Hazardous Materials analyses for the Morgan Hill Ranch Mixed Use Project Initial Study. Client: Wagstaff and Associates.

***East Bay MUD Water Conservation Study.*** Mr. Grassetti conducted the field portion of a major water conservation survey for the East Bay MUD service area. Client: Water Resource Engineering.

***East Bay MUD Pipeline CEQA Analyses.*** Mr. Grassetti prepared technical analyses for two EIRs regarding proposed new East Bay MUD pipeline in Sacramento, San Joaquin, and Calaveras Counties. Client: Uribe & Associates.

***Sunnyvale Landfill Power Plant CEQA Initial Study.*** Mr. Grassetti prepared an Initial Study for a proposed landfill gas-fueled power plant at the Sunnyvale Landfill in Santa Clara County. Recommendations for mitigation and further environmental review were prepared. Client: 3E Engineering.

***Fremont Redevelopment Project Hydrologic Analysis.*** Mr. Grassetti prepared the hydrology section for an environmental impact report for four redevelopment projects in Fremont. Client: Wagstaff and Associates.

***Ostrom Road Landfill Hydrologic Analysis.*** Mr. Grassetti prepared the hydrology section for an environmental impact report on the proposed vertical expansion of an existing Class II landfill in Yuba County. Client: ESA Associates.

***Pinole Portion of the Bay Trail Hydrologic, Geologic, and CEQA QA/QC Analyses.*** Mr. Grassetti prepared the hydrologic and geologic analyses for a CEQA Initial Study on

a half-mile segment of the Bay Trail in the City of Pinole. Mr. Grassetti also provided CEQA process consulting services on this project. Client: Placemakers.

***Kennedy Park Master Plan Hydrologic and CEQA QA/QC Analyses.*** Mr. Grassetti prepared the hydrologic analyses for an environmental impact report on a proposed park master plan in the City of Napa. Client: Placemakers.

***U.S. Navy Bay Area Base Closure and Re-Use Environmental Studies.*** Mr. Grassetti assisted in the NEPA/CEQA review process for US Navy Base Closures and Re-Use for numerous bases throughout the San Francisco Bay Area. Work tasks include CEQA compliance overview, internal peer review, quality control reviews, and preparation of technical analyses.

## B. PEER REVIEW CEQA/NEPA COMPLIANCE, AND EXPERT WITNESS CONSULTING

***Los Angeles Airport Arrival Enhancement Project Environmental Assessment NEPA Peer Review.*** Mr. Grassetti prepared a peer review and expert declarations regarding the adequacy of the NEPA Environmental Assessment for rerouting of flight paths for aircraft arriving at Los Angeles International Airport. Major issues included adequacy of assessment of noise effects on traditional cultural practices of the Morongo Band of Mission Indians. Client: Law Offices of Alexander & Karshmer.

***Metropolitan Oakland International Airport Development Plan Environmental Impact Report CEQA Review.*** Mr. Grassetti performed a critical review and assisted in the preparation of comments and ultimately successful litigation regarding the proposed expansion of Metropolitan Oakland International Airport. Major issues included noise, cumulative impacts, and alternatives selection/analyses. Client: Law Office of John Shordike.

***Oakland Creek Protection Ordinance Litigation.*** Mr. Grassetti is providing ongoing expert CEQA and Creek Protection Ordinance consulting for litigation regarding failure to enforce the City of Oakland's Creek Protection Ordinance. Client: North Hills Phoenix Association.

***San Francisco International Airport Environmental Liaison Office Consulting.*** Mr. Grassetti conducted various internal peer review tasks associated with environmental studies being prepared for SFIA's proposed runway expansion. Client: LSA Associates, Inc.

***El Cerrito Lumber Yard CEQA Peer Review.*** Mr. Grassetti conducted an internal peer review for an Initial Study on a controversial parcel in the City of El Cerrito. Client: City of El Cerrito.

***Sausalito Marina CEQA Critique.*** Mr. Grassetti prepared a peer review and critique of an EIR for a proposed new marina in Sausalito. Client: Confidential

***Sausalito Police and Fire Station CEQA Critique.*** Mr. Grassetti prepared a peer review and critique of an EIR for a proposed new public safety building in Sausalito. Client: Confidential

***Napa Verison Tower CEQA Critique.*** Mr. Grassetti conducted a peer review and critique for a cellular telephone tower in the City of Napa. Client: Confidential.

***West Bay Sanitary District CEQA Assistance.*** Mr. Grassetti presented a short-course on successful CEQA compliance for staff of the West Bay Sanitary District in Menlo Park, CA. Client: West Bay Sanitary District.

***Morongo Mining Projects Environmental Reviews.*** Mr. Grassetti provided CEQA, NEPA, and technical consulting to the Morongo Band of Mission Indians regarding two aggregate mines adjacent to their reservation in Riverside County, CA. Client: Law Office of Alexander & Karshmer.

***Napa Skateboard Park Peer Review.*** Mr. Grassetti conducted a peer review and critique for a neighborhood association on a proposed skateboard park in the City of Napa. Client: Confidential.

***Headwaters Forest Project EIR/EIS Review.*** Mr. Grassetti conducted an expert review of the CEQA and NEPA adequacy and technical validity of EIR/EIS on the Headwaters Forest Habitat Conservation Plan, Sustained Yield Plan, and land purchase. Clients: Environmental Law Foundation; Environmental Protection and Information Center, and Sierra Club.

***Global Photon Fiber-Optic Cable EIR Peer Review.*** Mr. Grassetti assisted in a third-party peer review of an EIR on a proposed offshore fiber-optics cable. Client: Tetra Tech, Inc., and California State Lands Commission.

***Coachella Valley Water Management Plan CEQA Peer Review.*** Mr. Grassetti assisted a consortium of Coachella Valley Indian Tribes in reviewing CEQA documents on the Coachella Valley Water Management Plan. Client: Consortium of Coachella Valley Tribes.

***Salton Sea Enhanced Evaporation System Initial Study/Environmental Assessment Peer Review.*** Mr. Grassetti reviewed the draft IS/EA for a spray project to evaporate excess return flow water from the Salton Sea. Client: Morongo Band of Mission Indians.

***Santa Rosa Home Depot CEQA Peer Review:*** Mr. Grassetti conducted a peer review and provided expert testimony regarding the adequacy of the Environmental Impact

Report and associated technical studies for a proposed Home Depot shopping center in Santa Rosa. Client: Redwood Empire Merchants Association.

***Mitsubishi Mine CEQA Litigation Review.*** Mr. Grassetti conducted a review of legal briefs regarding the adequacy of CEQA analyses for a proposed mine expansion in San Bernardino County. Client: Law Offices of Thomas Mauriello.

***Alamo Gate Permitting Review.*** Mr. Grassetti performed a critical review and prepared expert testimony and correspondence regarding the adequacy of CEQA and land use permitting and studies for a proposed gate on Las Trampas Road which would preclude vehicular access to a regional park staging area. Client: Las Trampas Trails Advocates.

***Cambria Condominiums Environmental and Planning Review.*** Mr. Grassetti prepared expert reviews of the potential environmental effects and Local Coastal Plan compliance of a proposed condominium development in Cambria, San Luis Obispo County. Client: Law Office of Vern Kalshan.

***Mariposa County Planning Policy Reviews.*** Mr. Grassetti conducted a review of proposed alterations to the Mariposa County General Plan for CEQA compliance. Client: Dr. Barton Brown.

***Gregory Canyon Landfill Environmental Processing Review.*** Mr. Grassetti was retained to review the environmental permitting and CEQA analyses for the proposed Gregory Canyon Landfill in northern San Diego County. Procedural issues include landfill siting requirements and CEQA process compliance. Technical issues include cultural resources, hydrology, endangered species, traffic, and health and safety. Client: Law Offices of Alexander & Karshmer and Pala Band of Mission Indians.

***Otay Ranch Development CEQA Review.*** Mr. Grassetti prepared an expert review of the Environmental Impact Report for the 23,000-acre Otay Ranch project in San Diego County in connection with ongoing litigation. Major issues were CEQA compliance, compliance with the California planning process, biological impacts, cumulative impacts, and alternatives. Client: Law Offices of Charles Stevens Crandall.

***Punta Estrella Chip Mill Environmental Report Compliance Review.*** Mr. Grassetti prepared a review of a proponents environmental report for a proposed wood chip mill in Costa Rica to determine compliance of documentation with U.S. environmental standards and policies. Major compliance issues included US Clean Air Act and Clean Water Act standards, NEPA standards, and adequacy of overall impacts analysis. Client: Scientific Certification Systems.

***Carroll Canyon Burn Facility CEQA Compliance Review.*** Mr. Grassetti prepared a CEQA process review for a proposed Negative Declaration on a planned contaminated-earth burning facility in the City of San Diego. Client: Law Offices of William Mackersie.

***Monterey Bay Marine Lab CEQA Compliance Review.*** Mr. Grassetti assisted attorneys in review of a CEQA Negative Declaration, NEPA Environmental Assessment, and associated documents for the relocation of the Monterey Bay Marine Laboratory. Issues included the effectiveness of mitigation to cultural and biological resources, the appropriateness of the Negative Declaration versus an EIR, and other CEQA issues. Client: Law Offices of Alexander & Karshmer.

***Monterey Ground Water Ordinances CEQA Compliance Review.*** Mr. Grassetti provided expert CEQA consulting services to attorneys regarding the appropriateness of Monterey County's CEQA processing of proposed ground water ordinances. Client: Salinas Valley Water Coalition.

***Jamestown Whistlestop CEQA Adequacy Review.*** Mr. Grassetti performed an expert review and assisted in successful litigation regarding an Initial Study for a proposed mini mall in Jamestown, Tuolumne County. Client: Law Offices of Thomas Mauriello.

***Sunrise Hills Environmental Impact Report Peer Review.*** Mr. Grassetti performed a critical review of the applicability of the EIR for a proposed 200-unit residential development in Sonora, Tuolumne County. Major issues include grading, erosion, water quality, biological impacts, and visual quality. Client: Sylva Corporation.

***Sonora Crossroads Shopping Center Environmental Impact Report Review.*** Mr. Grassetti performed a review of an EIR for a major new shopping center in Sonora, Tuolumne County. Major issues included geologic and hydrologic impacts. Findings were presented to the Sonora City Council, and pre-litigation assistance was provided. Client: Citizens for Well Planned Development.

***Blue Oaks Residential Development CEQA Studies Review and Critique.*** Mr. Grassetti performed several tasks related to a proposed residential development in western Tuolumne County. Tasks included review of County CEQA procedure, review of Initial Study, review of Draft EIR, and coordination with attorneys. Client: Western Tuolumne County Citizens Action Group.

***Yosemite Junction Project CEQA Review.*** Mr. Grassetti prepared a review and critique of a proposed Negative Declaration for a 40-unit outlet mall in Tuolumne County, California. The Negative Declaration was subsequently denied and the project application rescinded. Client: Sylva Corporation.

***Sonora Mining Corporation CEQA Review/Expert Witness Services.*** Mr. Grassetti conducted a review and critique of CEQA compliance for the proposed expansion of Sonora Mining Corporation's Jamestown Gold Mine in Tuolumne County, California. Client: Law Office of Alexander Henson.

***Save Our Forests and Rangelands Expert Review and Witness Services.*** Mr. Grassetti provided expert review, consulting services, and expert witness testimony on CEQA issues for a successful legal challenge to an EIR and Area Plan for 200,000 acres in the

Central Mountain Sub-region of San Diego County. Client: Law Offices of Milberg, Weiss, Bershad, Specthrie, & Lerach.

***San Diego County Land Use Planning, Consulting and Expert Witness Services.*** Mr. Grassetti provided an expert declaration and several comment letters and background analyses on the proposed amendments the San Diego County General Plan regarding agricultural preserve and water management policies. Clients: Law Offices of Charles Stevens Crandall; Save Our Forests and Rangelands.