

Jackson State Forest Logging in Excess of Allowable Cuts

What level of harvest is permissible?

In a memo to Hal Slack, State Forest Manager, from John Griffen on the subject of “Harvest Volume vs Allowable Cut – 6/30/97, dated December 5, 1997, Mr. Griffen states, “The allowable cut is, by forest policy and in keeping with board policy, regulated such that the total volume harvested over any five year period may not exceed the calculated allowable cut for that period.”

The memo further states, “The allowable average annual cut for the analysis period is 28.5 mmbf, as determined in the 1983 management plan. The allowable cut for the five year analysis period is 5 times 28.5 = 142.5 mmbf.” Note: “mmbf” stands for “thousand thousand board feet, or million board feet.”

Given the constraint imposed by the policy of not exceeding the allowable cut on a five-year rolling average basis, the permissible harvest in any one year can be determined by summing the harvests of the previous four years and subtracting that figure from the five-year allowable cut. I term this permitted one-year harvest level the *permissible harvest or cut* to distinguish it from the “allowable cut,” which JDSF applies only on a five-year average. When JDSF exceeds the permissible harvest, it violates the allowable-cut policy of the 1983 Management Plan. It is important to understand that JDSF knows the permissible cut at the beginning of a harvest year, thus any harvest that significantly exceeds the permissible cut requires a deliberate management decision.

JDSF Exceeded Permissible Cut Every Year From 1997 through 2000

Table 1 shows the amounts by which actual harvests in JDSF have fallen under or exceeded the permissible harvest in each year between 1990 and 1999, assuming an annual allowable cut of 28.5 mmbf. In the years through 1996, harvests (except for 1991) were below the permissible level. In 1997, 1998, 1999 and 2000 actual yearly harvests exceeded the permissible levels – by amounts ranging from 2.8 to 13.3 mmbf.

Allowable Cut: 28.5 mmbf versus 29.4, 29.5, and 29.7 – which number is valid?

Mr. Griffen’s memo of 1997 states that the allowable cut is 28.5 million board feet (mmbf), but the 1983 management plan calculation shows 29.4 mmbf, which is “rounded up” to 29.5 in the following plan discussion.¹ Andrea Tuttle in her letter to Kathy Bailey dated December 10, 1999, states, “Our current management plan provides for an annual harvest of 29.7 million board feet.” Internal CDF correspondence on allowable cut in the latter part

¹ JDSF Management Plan, 1983, p. 72.22.

of the 1990's began referring to 29.5 mmbf. Which of these numbers ought to have legally controlled the five-year average allowable cut during the 1990's?

The figure of 29.7 mmbf cited by Andrea Tuttle is apparently just an error, because the 1983 management plan never mentions this figure.

The accurate figure from the 1983 Management Plan is 29.4 mmbf, but the allowable cut was officially revised in 1985 to 28.5 mmbf.² The downward revision was the result of an allowable-cut calculation based on the 1984 inventory.

The Management Plan anticipates the revision in the allowable cut: "In 1985 and again in 1990, this allowable cut level will be recalculated based on new inventory and growth information, but it would not be expected to change more than 10% at either time."³

Unequivocally, 28.5 mmbf is the legally mandated allowable cut. Why did CDF slip back to using the 29.5 mmbf figure? One can surmise that it was because of the desire to make harvests greater than the allowable cut. Even with continuing pressure from John Griffen, CDF Sacramento continued to set harvest levels that would knowingly violate the allowable cut. By reverting back to the old 1983 allowable cut, the transgressions were reduced in magnitude considerably.

Although the difference between 28.5 and 29.5 mmbf per year may seem small, it amounts to 5 mmbf over five years; thus it changes by 5 mmbf the permissible annual harvest allowed within the constraint of the five-year allowable average.

Table 2 shows harvest figures assuming the allowable cut is 29.5 mmbf per year. Even with this higher allowable annual cut, actual harvests still exceeded the permissible cut in 1997, 1999, and 2000, but by 5 mmbf less each year.

² Letter from Forest Tilley, State Forest Manager, November 15, 1985. "The allowable cut was agreed [with Sacramento and Region Staff] at 28.5 million annually."

³ JDSF Management Plan, 1983, p. 73

Allowable, Permissible and Actual Timber Harvests in Jackson Demonstration State Forest – 1990-1999

Definitions

Permissible Cut is the amount that can be cut in a given year without exceeding the 5-year allowable cut.

Excess Cut is the amount by which the Actual Cut exceeds the Permissible Cut in that year.

Table 1: Allowable Cut = 28.5 mmbf per year

Year	Prior 4 yr. Cum. MMBF	Permis- sible Cut MMBF	Actual Cut MMBF	Excess Cut MMBF
1990	120.3	22.2	20.1	-2.1
1991	115.2	27.3	36.6	9.3
1992	114.1	28.4	14.9	-13.5
1993	104.7	37.8	32.7	-5.2
1994	104.3	38.2	12.3	-25.9
1995	96.6	45.9	12.9	-33.1
1996	72.8	69.7	45.5	-24.2
1997	103.4	39.1	48.2	9.0
1998	118.9	23.6	26.5	2.8
1999	133.0	9.5	22.1	12.6
2000	142.2	0.3	13.6	13.3

Sources of Data:

The underlying data and sources are presented in Table 3.

The 1983 Management Plan specifies that the allowable cut is to be compared with all timber cut (scaled), including “any sawlog volume removed in minor sales or lost through catastrophe (wind, fire, or pests);” thus the harvest volumes shown are the appropriate ones to compare to the allowable cut. Note that there may be additional deductions from the allowable harvest volume due to losses through catastrophe.

Table 2: Allowable Annual Cut = 29.5 mmbf/year

Year	Prior 4 yr. Cum. MMBF	Permis- sible Cut MMBF	Actual Cut MMBF	Excess Cut MMBF
1990	120.3	27.2	20.1	-7.1
1991	115.2	32.3	36.6	4.3
1992	114.1	33.4	14.9	-18.5
1993	104.7	42.8	32.7	-10.2
1994	104.3	43.2	12.3	-30.9
1995	96.6	50.9	12.9	-38.1
1996	72.8	74.7	45.5	-29.2
1997	103.4	44.1	48.2	4.0
1998	118.9	28.6	26.5	-2.2
1999	133.0	14.5	22.1	7.6
2000	142.2	5.3	13.6	8.3

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The underlying data and sources are presented in Table 3.

The 1983 Management Plan specifies that the allowable cut is to be compared with all timber cut (scaled), including “any sawlog volume removed in minor sales or lost through catastrophe (wind, fire, or pests);” thus the harvest volumes shown are the appropriate ones to compare to the allowable cut. Note that there may be additional deductions from the allowable harvest volume due to losses through catastrophe.

Table 3: Timber Harvest Volumes in Jackson Demonstration State Forest

Year	Major Sales MMBF	Minor & Salvage MMBF	Volume MMBF	Cumulative MMBF	Prior 4 yr Cum. MMBF	5 yr Cum. MMBF
1990			20.1	951	120.3	140.4
1991			36.6	987	115.2	151.8
1992b	14.9	0.02	14.9	1,002	114.1	129.0
1993	32.6		32.7	1,035	104.7	137.3
1994	12.3		12.3	1,047	104.3	116.6
1995c	12.3	0.5	12.9	1,060	96.6	109.4
1996d	40.4	5.0	45.5	1,106	72.8	118.3
1997	47.0	1.1	48.2	1,154	103.4	151.5
1998	26.1	0.2	26.5	1,180	118.9	145.3
1999	21.8	0.2	22.1	1,202	133.0	155.1
2000e	13.5		13.6	1,216	142.2	155.8

a. Timber Harvest volume and value figures for 1990-1991 are from page 2 of an unknown publication of JDSF, identified at bottom left as dated 05\28\97, C:timber.rev. For 1992-95 (latest figures in this publication), the figures in the publication agree with the figures published in the JDSF annual reports. The harvest volumes are the total of Class III (industrial) sales and "Salvage" and "Sawlog" Class 1 sales.

b.. Timber Harvest values for 1992-1999, except 1995, are from Annual Reports (various years) of JDSF. Split salvage and sawlogs are excluded from "Minor & Salvage." When Split & Salvage were combined in the Report, they were omitted.

c. Annual Report for 1995 apparently in error. Used data from John Griffen memo to Hal Slack, dated December 5, 1996.

d. Annual Report data supplied via discovery did not have Minor Sale & Salvage data; used 5.046 MMBF from John Griffen Memo of December 5, 1996. Harvest volume is also from Griffen Memo.

e. Year 2000 data from data sheet titled *Jackson Demonstration State Forest Timber Yield and Revenue, 1995-2000*, received via fax from John Griffen, March 28, 2001; Minor Sawlog Sales and Salvage are missing.