

Buckeye Mixer: Guest Speaker District Attorney Elect Maggie Fleming

The Buckeye will be celebrating Fall with a Mixer on Thursday, October 16, 2014 at the Elks Lodge in Eureka from 5:30 – 7:30 p.m.

Buckeye Mixers are a great place to socialize and share ideas with fellow Buckeye members. Following an hour of fellowship and refreshments, newly elected District Attorney Maggie Fleming will address the group. Maggie was overwhelmingly elected to office during the June 2014 primary election with 60% of the vote against 3 other candidates. She will take office in January 2015 and speaks passionately about changing the culture of politics in the DA's office. Please join us for this informative presentation.

Maggie will address issues affecting landowners and her prosecution



Maggie Fleming

priorities. Following her presentation, she will take questions from the audience. This is an excellent opportunity for Buckeye members to get to know our new District Attorney and let her know issues of importance to us all.

Feel free to bring a guest or a potential new Buckeye member.

**BUCKEYE MIXER
THURSDAY, October 16, 2014
5:30 – 7:30 p.m.
Eureka Elks Lodge
445 Herrick Avenue
Eureka, CA**

There will be a \$20.00 charge for participants which includes an assortment of hors d'oeuvres, wine and coffee. A no host bar will also be available.

Chairman's Message

Through The Buckeye, members have an opportunity to express their ideas and concerns not only to others who face similar problems but to regulators who are in a position to influence future legislation. Because one of the primary missions of The Buckeye is to educate, we have not only increased the number of newsletters each year but we have also added a second mixer to our schedule.

The Buckeye has benefited from having an excellent

Board and executive director this year and we hope that our effort to "educate" our members has helped keep our message on track.

Will Rogers once said, "Even if you are on the right track, you will get run over if you just sit there."

William C. May - Chairman

Producers Work to Keep Abattoir Open

Redwood Meat Company located in Eureka is an important piece of Humboldt County's livestock infrastructure. They are the only USDA federally inspected slaughterhouse on the north coast providing services for not only individuals who raise their own cattle and lambs for personal consumption, but also for Humboldt county's growing organic and grass fed beef industry as well as lamb producers who market their lambs locally. They also provide an outlet for local cattlemen and dairymen for their cull cows.

Redwood Meat has been shut down twice this summer by Federal Meat Inspection officials. Following the second shutdown, Redwood Meat management met with USDA representatives, negotiated and agreed to a Consent Decree specifying actions they must take to continue to operate. **It is important to note that none of the violations for which Redwood Meat was cited for are food safety related.**

Due to the ever increasing and complex level of regulation imposed on meat processing facilities, Redwood Meat has hired Sarah Poff, a consultant with extensive experience in the meat processing industry to help them develop plans and procedures to meet current regulations, and those conditions imposed by the Consent Decree.

Recognizing that we all have a stake in maintaining a viable meat processing facility in our area, the Humboldt County Board of Supervisors, Congressmen Thompson and Huffman and numerous individuals

have rallied to support Redwood Meat.

Given the losses incurred while shut down, and the costs of changes mandated by the Consent Decree, an ad hoc committee was formed (including cattlemen, sheep producers, industry organization representatives, members of the Board of Supervisors, Congressman Huffman's field representative and a board member of local funding organizations) to seek funding to provide Redwood Meat the initial funds to get the process started.

This effort is not about benefiting one particular business. It is about maintaining a marketing option that benefits all north cost livestock producers, as well as those who market locally produced products. On behalf of the ad hoc committee, Humboldt County Farm Bureau is collecting donations to assist in preserving our local meat processing facility.

If you wish to donate to the fund, make checks out to Humboldt Co. Farm Bureau and mail to:

Humboldt County Farm Bureau
Meat Processing Facility Fund
5601 S. Broadway
Eureka, CA 95503

Be on the lookout - Buckeye Membership Survey

The Buckeye Board of Directors will be mailing a Membership Survey to all Buckeye members in the next few weeks. As an organization, The Buckeye wants to continue to serve our members in the best ways possible. Your input is valuable to us and will assist us in focusing on issues and tasks important to you as a member.

return as soon as possible. If you have any questions regarding the survey, feel free to call or email our Executive Director Johanna Rodoni. 707-725-8847 or buckeye@humboldt1.com

Thanks for your continued support and for believing in the mission of The Buckeye!

Please take time to fill out the 10 question survey and

Wildlife Services Program Supported by Board of Supervisors

The mission of USDA APHIS Wildlife Services is to provide Federal leadership and expertise to resolve wildlife conflicts to allow people and wildlife to coexist. Humboldt County currently has only one USDA Wildlife Services employee to provide service to the entire county.

Following testimony from Jeff Dolf, Humboldt County Agriculture Commissioner, numerous agriculture leaders, animal rights activists and others during public comment, the USDA Wildlife Services Contract was renewed at Humboldt County Board of Supervisors July 22 meeting by a unanimous vote of the Board despite a direct threat of lawsuit from Center for Biological Diversity's attorney.

Supporters of the program pointed out the importance of the program for rabies control and domestic animal depredation control amongst other issues. Opponents of

the program gave testimony regarding "incidental take" of non target species implying that the occurrences were common. It is interesting to note that according to their own figures, in a letter dated July 2, 2014 from Center for Biological Diversity to the Board of Supervisors, the "incidental take" of non target in the last decade amounts to only .00125% of all animals taken.

In Humboldt County the majority of the calls for service are in the urban/rural interface areas where a large population resides. This is not about animal rights or indiscriminate killing of wildlife. The Program's efforts help people resolve wildlife damage to a wide variety of resources and to reduce threats to human health and safety. Funding for the Wildlife Services Program is a combination of federal appropriations and cooperator-provided funds.

Forest Thinning Pilot Project

Assemblyman Wes Chesbro was successful in adding Humboldt, Del Norte, Mendocino and Sonoma counties to a three-year Forest Fire Prevention Pilot Project with the passage of bill Assembly Bill 2142 which he introduced to enhance the criteria included in Assembly Bill 744. The north coast was not originally included in AB 744. AB 2142 not only adds the four counties, but also increases the tree size allowed to be cut from 18 inches up to 24 inches in diameter for the purpose of thinning forests to create defensible space for wildfire protection on private land. AB 2142 was approved unanimously by both houses and was signed by Governor Jerry Brown in September.

Fuel reduction projects have significant economic costs associated with them and the bill is crafted to encourage these forest thinning projects for private landowners with the increased tree diameter specifications included in AB 2142. The larger diameter trees allowed gives landowners increased flexibility in designing a defensible space while hopefully being able to at least break even or possibly make a small profit.

Under the new program landowners are still required to hire a registered professional forester and licensed timber operator. The area being harvested must be within an area identified as being moderate or high fire risk and less than 300 acres. Cleanup of slash following the harvesting project will require that the ground be cleared of all tops and limbs over a certain size still to be determined. The Board of Forestry is in the process of adopting regulations for implementation of the pilot project.

The Buckeye has given a considerable amount of input on the Forest Fire Prevention Pilot Project from the landowner's perspective to make forest thinning treatments economical while reducing fuels for the purpose of fire prevention. A big thanks goes out to our Assemblyman Wes Chesbro for authoring AB 2142 and listening to The Buckeye's input, along with many other stakeholders, agencies and environmental constituencies, and successfully carrying this bill through the tedious and complicated legislative procedure. The pilot project is expected to take effect before the end of the year.

Water Rights in California

With the on-going severe drought conditions in California Mark Twain's words from the 1800's still ring true. "Whiskey is for drinking; water is for fighting over!"

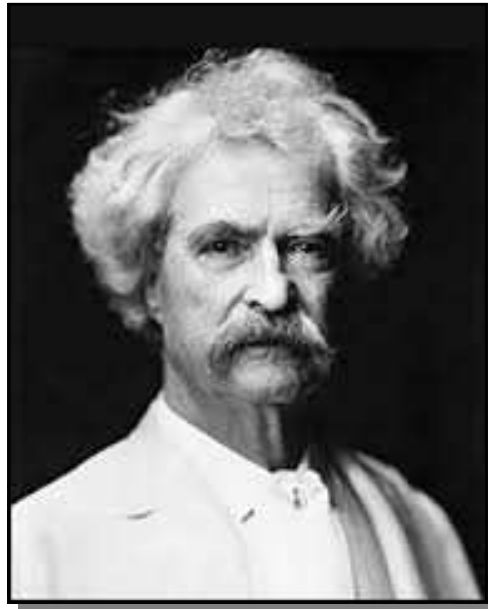
During an informative presentation given by Jack Rice, Associate Counsel for California Farm Bureau, landowners learned a great deal about water rights. Prompted by warning letters sent out in January by the State Water Board to many landowners that there may be Water Diversion Curtailments on Post 1914 junior water rights and followed by a second letter in June announcing immediate Water Diversion Curtailment of Post 1914 junior water rights on the main stem of Eel River, North Fork of the Eel and Van Duzen rivers, Mr. Rice explained water rights in general and what curtailment orders mean to landowners.

Most people have relatively little knowledge about their water rights. Water rights are usufructuary which means you have the right to use water, but you do not own the water itself. Water rights are real property rights and are protected by the 5th Amendment. Water rights are subject to regulation and limitation. How do you know what type of water right do you have?

Riparian water rights are the right to the natural flow of a watercourse. The water can only be used on the parcel contiguous to the watercourse, applies only to the smallest tract held under one title and used only within the origin watershed. It may not be stored except for short periods, can not be lost by non-use, may not be extinguished, but can be limited and is correlative with other riparian lands (everyone shares). Riparian water rights are

not recorded. They are a historical right if your property touches the watercourse and sometimes referred to as a "common law" right.

Appropriate water rights fall into 2 categories: Pre 1914 (senior water rights) and Post 1914 (junior water rights).



Mark Twain

Pre 1914 also known as senior water rights were established before 1914 when the Water Commission Act was implemented and allows water to be stored and exported.

Post 1914 also known as junior water rights are water rights established after 1914 by State Water Resource Control Board. These are described as permits or licenses and can be lost by non-use (5 years). The State Water Board's web site shows all recorded junior water rights (Post 1914).

State Water Board has the most jurisdiction over junior water rights (Post 1914) with much less jurisdiction over senior water rights (Pre 1914) and over riparian water rights (the most senior water right).

Groundwater is an overlying right and is correlative with other overlying landowners. Prescriptive rights can be acquired. California is one of the few states that separate Surface and Groundwater rights and regulations. Counties have a lot of authority over groundwater. A need to develop ground water management plans that allows "sustainable use" was discussed.

Can landowners oppose the curtailment? Yes, but it would likely be very expensive. No one has tried yet. If you are in a watershed that is affected, you can present a "voluntary approach" showing what practices you can use to improve conditions and

Water Rights in California (cont)

may avoid curtailment. Springs are considered surface water and also a riparian right thus cattle watering from springs are not curtailed.

The link to the State Water Resources Control Board's Electronic Water Rights Information System database and mapping for water rights holders to query their water right by Application

ID or Primary Owner, see their permit or license, and see location on GIS map is:

http://www.waterboards.ca.gov/waterrights/water_issues/programs/ewrims/#db

Humboldt Redwood Company Seeks FSC Re-certification

Humboldt Redwood Company (HRC) has recently undergone its Forest Stewardship Council re-certification process seeking renewal of its original certification received in 2009. HRC was created in July 2008 through the reorganization of the former Pacific Lumber Company and related entities.

HRC consists of approximately 209,300 acres of forestland spanning across over 60 Northern California coastal watersheds. Management of HRC lands are guided by their Habitat Conservation Plan that provides for conservation measures for many endangered and threatened species.

The Forest Stewardship Council (FSC®)¹ is a non-profit organization devoted to encouraging responsible forest management. FSC® sets national and global standards that ensure forestry is practiced in an environmentally responsible, socially beneficial, and economically viable manner. HRC's evaluation was carried out in mid-August by SCS Global Services, a certification body endorsed by the FSC®. HRC's forest management operations were assessed against the FSC-US Forest Management Standard (v1.0). The full evaluation process is multi-phased and begins with public notification, distributing the standards and soliciting comments from stakeholders. This was done in part with a public meeting held in Fortuna hosted by

the SCS Audit team as well as through personal interviews and communications. The audit team then spent three days conducting a field assessment of sites and operations within the forest management unit, covering issues raised during previous evaluations, stakeholder concerns and an overall representative sample of sites. The field evaluation was completed in mid-August on HRC lands. Now the Audit team will synthesize the findings, determine compliance with the FSC standard, and issue a final report and certification decision.

FSC certification lasts for five years with annual surveillance audits confirming the continuous adherence to FSC Standards. HRC has made a long term commitment to managing its forestlands in accordance to strict environmental and socioeconomic standards and expects to continue its FSC certification into the future. If you would like to learn more about the Forest Stewardship Council please refer to their website at

<https://us.fsc.org/>.

¹ FSC-C031337



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ADDRESS SERVICE REQUESTED



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On the web at

www.buckeyeconservancy.org

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