

**Navarro-by-the-Sea Center**  
for Riparian and Estuarine Research

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22 April 2013

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SUBJECT: **Letter 1 of 2**  
**Comments on the Mendocino Redwood Company**  
**Draft Habitat Conservation Plan and Draft Environmental Impact Statement/**  
**Program Timberland Environmental Impact Report**

To whom it may concern:

Navarro-by-the-Sea Center for Riparian and Estuarine Research (NSCR) is a public non-profit 501(c)3 established in 2000 to work in partnership with California State Parks to encourage research of the natural and cultural resources of Navarro River Redwoods State Park and the larger Navarro River watershed, and to facilitate their interpretation for the public through restoration of the remaining historic structures at Navarro-by-the-Sea. Our website ([www.navarro-by-the-sea-center.org](http://www.navarro-by-the-sea-center.org)) provides more information on the natural and cultural history of the Navarro-by-the-Sea area, and our work in partnership with State Parks.

Mendocino Redwood Company (MRC) is seeking approval of a Habitat Conservation Plan (HCP) and Natural Communities Conservation Plan (NCCP) for their approximately 213,244 acres in Mendocino County, California. A combined Draft Environmental Impact Statement (EIS) and a Program Timberland Environmental Impact Report (PTEIR) are available for public review and comment until April 22, 2013.

Given the approaching deadline for comments, we are breaking our comment letter into two letters. This first letter identifies our overall concerns and request to extend the public comment period for the HCP/NCCP and the EIS/PTEIR. The second letter will provide additional details on these concerns and make recommendations for how to address them in the HCP/NCCP and EIS/PTEIR.

NSCR has only been able to conduct a cursory review of the extensive documents associated with the HCP/NCCP and the EIS/PTEIR, but is very concerned about the possible implications of the requested approvals on the future land management practices in the Navarro River watershed and broader forest lands of Mendocino County. These concerns include:

- 1) Limited baseline data used in developing the HCP/NCCP and conducting the assessments contained in the EIS/PTEIR;
- 2) Deferral of plans and programs called for in the HCP/NCCP to a future date that are therefore not available for public review and comment;
- 3) Direct and indirect impacts on essential habitat for special-status species within and outside of the Coastal Zone, particularly Northern spotted owl in the Navarro River watershed;
- 4) Lack of critical performance standards, monitoring requirements, and success criteria in the conservation measures in the HCP/NCCP;
- 5) Assumptions regarding take of essential habitat for listed species and lack of any quantifiable compensatory mitigation for that habitat loss;
- 6) 80-year life of the HCP/NCCP and lack of opportunity for continued public input over this multi-generational time period even though many of the management plans called for in the HCP/NCCP have not yet been prepared or would possibly undergo substantial revision based on adaptive management provisions; and
- 7) Need for independent scientific input into the draft HCP/NCCP currently under review.

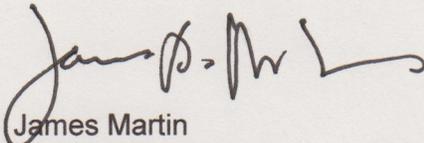
A primary concern of ours is the need for independent scientific input into the draft HCP/NCCP, which has not occurred over the past decade in any meaningful way. Under Section 2801(b)(5) of the Natural Community Conservation Planning Act (NCCPA), the applicant must “establish a process for the inclusion of independent scientific input” to ensure the plan is grounded in scientifically defensible principles and methods, and under Section 2820(a)(1) of the NCCPA, the CDFW shall not approve a plan unless the plan was developed according to that process. As indicated in the acknowledgements on page vi in the Table of Contents to the HCP/NCCP, a “Science Panel” was convened and reviewed a first draft of the HCP/NCCP in 2003. However, the Science Panel has apparently not reconvened to review any of the subsequent drafts of the HCP/NCCP over the past 10 years. It appears then that the HCP/NCCP has therefore has not been prepared according to a process that ensures “...the inclusion of independent scientific input.” The current draft HCP/NCCP should be reviewed by the reconvened Science Panel, with particular emphasis on how new scientific information and changed circumstances may threaten covered species.

NSCR is requesting that the public comment period on the EIS/PTEIR be held open and that the

Science Panel be reconvened to review the current draft of the HCP/NCCP. Depending on the recommendations of the Science Panel, the current draft of the HCP/NCCP should be revised, together with the EIS/PTEIR, if necessary. And if revisions to the HCP/NCCP are necessary to address recommendations of the Science Panel, that the public comment period be extended a minimum of 60 days beyond the completion of the revised HCP/NCCP and EIS/PTEIR. The complexity of the multiple resource issues in a conservation plan of this magnitude warrant a thorough peer review of its accuracy and the scientific validity of the assumptions used in projecting management implications and effects on covered species.

Please feel free to contact me with any questions regarding the above comments. Additional comments and recommendations will be contained in our second letter to be submitted later today. I can be reached by email at [beach127@aol.com](mailto:beach127@aol.com) or by phone at 707-877-3477.

Sincerely,

A handwritten signature in black ink, appearing to read "James Martin", with a stylized flourish at the end.

James Martin  
Board President  
Navarro-by-the-Sea Center