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Contact:

Britt Bailey, Director, Environmental Commons, 707-884-5002

Ursula Jones, President, Friends of the Gualala River, 707-785-3431

Local Environmental Groups Support State Water Board's Right to Require Monitoring for Private Land Timber Harvesting

Environmental Commons and Friends of the Gualala River joined twenty other northern California groups in supporting the State Water Board's decision to require monitoring of water quality in privately owned forests.

Monitoring of waterways in logging areas will help protect the Public Trust resources of California, which include rivers, streams, and wildlife. Both organizations are involved in maintaining the Public Trust by encouraging sustainable harvesting, conserving clean water and resources, and protecting wildlife.

The California State Water Resources Control Board and the Regional Water Quality Control Boards are mandated to protect water quality and Public Trust resources.

Attorneys for the groups filed the Amici Curiae (friends of the court) brief because private timberland owner Pacific Lumber asked the court to reject a decision by the regional water board to require monitoring of water quality within watersheds where it is cutting redwood and Douglas fir trees.

"Pacific Lumber is attacking the legal basis of the State's ability to protect water quality," said Ursula Jones, President of Friends of the Gualala River. "We can't protect our rivers and fish without scientific measurement of logging impacts, which requires adequate monitoring."

Director Britt Bailey of Environmental Commons said, "The California legislature has clearly expressed the public policy of the state to preserve water quality and water resources. Our Water Code specifies that the waters of the state be protected for use and enjoyment by the people. Pacific Lumber and other private timber companies are regularly harvesting to the detriment of our waters, while resisting monitoring that would document the damage they are causing."

Monitoring of water quality ensures that the public will be informed if waters in a forest become too muddy or warm to support salmon. Fine sediment reaching streams decreases the survival of juvenile salmon; turbidity tests measure sediment in streams. Salmon and steelhead require cold water; as water heats up, cold water fish sicken and die. Automated thermometers called hobotemps can record water temperature every 20 minutes around the clock. The data is then uploaded to computers for analysis.

The water boards have a duty to prevent and decrease pollution of natural watercourses. The state legislature mandates regional boards to establish objectives defining the levels of water quality needed to protect beneficial uses, such as fish habitat and drinking water. The water boards require monitoring to make sure water quality is being maintained.

Environmental Commons, Friends of the Gualala River, and other Amici Curiae are represented by attorneys for the Environmental Protection Information Center (EPIC), based in Garberville.