

Environmental Protection Information Center Annual Report 2016

eplc

## Because Life Depends on Healthy Forests

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EPIC advocates for science-based protection and restoration of Northwest California's forests

### From the Executive Director

We are the Resistance. We stand for science, fight for fairness, and promote broad public participation in decisionmaking in order to ensure that our nation's environmental laws are upheld and not undermined. Together, we stand in solidarity with allies across the spectrum to rebuild our democracy as one of the best tools for protecting the environment. EPIC does this work to protect public trust values, and we vow to defend issues such as endangered species, public lands, and climate change from being sold out in favor of private profits and corporate greed.

We can't help it. It is in our bones. Forty years ago, EPIC began as a spunky group of volunteers, committed to reforming California's broken forest practice laws. Forty years later, not much has changed. We are the same at heart—dreamers, activists, nature lovers and idealists—but today, we are staffed by experts and armed with the support of over 12,000 of you.

2016 was another strong year, full of good work—too much to fit on one page. Some of our long-time members may be surprised to see that we are still at work on many of the same issues. Here are a few of the highlights:

We began 2016 with a rally to defend public lands against antigovernment protesters favored by Tea-Party politicians. As our local news reported, "Public Land Fans Occupy Wildlife Area for a Little Bit, Sing, Eat Snacks, Then Leave." I can think of a no better way to protect our public lands than to love them (and make our love well known)!

In the redwoods, EPIC has continued our advocacy for the Elk River and its residents (both human and otherwise). The Elk River is the drainage for much of Headwaters Forest. In the 1990s and 2000s, we petitioned for stronger protections for the Elk River in the face of Maxaam's Pacific Lumber wanton clearcutting. Today, we are still fighting for adequate regulations that will ensure the restoration of the river. In 2016, EPIC intervened in a lawsuit against the Regional Water Board brought on by a timber company intent to pollute the river—and won—defending clean water in the process!

We continue to defend the rare and threatened wildlife that call our forests home. In 2016, we listed the northern spotted owl as a threatened species and moved the Humboldt marten to a "candidate" species under the California Endangered Species Act. The marten's slinky cousin, the Pacific fisher, has been a priority for EPIC since we first petitioned the U.S. Fish and Wildlife Service in 2000. Last October, we sued the Service for reneging on its conclusion—made during the Bush administration, no less—that the fisher warrants protection.

Increasingly we turn to collaboration and partnership to move landscape level projects forward. Last spring, EPIC, together with the Karuk Tribe and others, sued the Forest Service over the Westside Project, a disastrous logging project in the Klamath National Forest. The Westside Project gave everyone a reason to hate it: it killed spotted owls; it could, in the words of a Karuk fisheries expert, lead to the localized extinction of mid-Klamath salmon; and the timber was sold for so little that it cost the government money. EPIC and our allies succeeded in reducing the scope of the project by more than 60%, which protected nearly 12,000 acres of forest from logging.

I am not going to sugarcoat it: 2017 and beyond are going to be challenging. We have a new president who does not believe in science and a Congress intent on removing our foundational environmental laws from the books. Things will get worse before they get better. But resistance is not futile, resistance is fertile. Together, we are sowing the seeds of a verdant future. These seeds are sown in EPIC's everyday work. In summer 2017, we are introducing EPIC Groundtruthing BaseCamp, which will be an opportunity for our membership to get their boots on the ground, and out into the forests, to develop on-the-ground monitoring skills that will help challenge bad logging projects, destructive grazing and other Forest Service actions that degrade the environment. Our goal is to help mobilize the public will, which in turn provides the necessary political pressure to help get the job done! The job of maintaining and enforcing environmental laws and protecting the natural world by promoting environmental democracy... the voice of the people, by people, for the people, for the environment.

Thank you for standing with us. May all your mountains be peaked with glaciers (that abide!),

Malyne

Natalynne DeLapp-Hinton Executive Director

# Together We Protect Wild Places

Challenging Westside Timber Sale

EPIC and conservation allies implemented a full-court press strategy against the Klamath National Forest's post-fire logging project, the Westside Fire Recovery Project, whereby EPIC and allies pressed every opportunity to influence, challenge, or delay the project. While we filed suit in the Northern District Court, Klamath National Forest moved forward with timber sales and sale implementation, forcing us to seek a temporary restraining order, which was denied. We appealed this denial before the Ninth Circuit. In an unpublished decision, the Ninth Circuit ruled against EPIC, returning the case to the district court. Unfortunately, the wheels of justice move slowly, the merits of the case have yet to be heard, and no court date has been set. We remain committed to following the lawsuit through to the end, and will work to ensure proper mitigation and implementation standards are followed.



While we lacked success in stopping salvage logging in the Klamath National Forest, we dramatically reduced the size of the project, and our efforts have dissuaded other regional national forests from attempting to replicate Klamath National Forest's "big gulp" approach.

Grazing Monitoring Project

The Project to Reform Public Land Grazing started seven years ago in support of water quality testing within fourteen grazing allotments in the Marble Mountain and Trinity Alps Wilderness Areas. Over the years, volunteers have logged over 150 person days monitoring and documenting violations and environmental impacts. The grazing monitoring project works to hold the Forest Service accountable to the Clean Water Act. While it is certainly impossible to eliminate all the negative impacts of grazing on water quality, riparian areas and wetlands, the negative impacts within Northern California's wet meadow headwaters could be substantially reduced if Forest Service managers would require that grazing permit holders implement modern grazing management methods, including regular herding to rotate grazing among the various pastures on an allotment.

Protecting Elk River Watershed

The Elk River is the largest freshwater tributary to Humboldt Bay, flowing from its headwaters in the coastal mountains to Humboldt Bay. Degraded by decades of intense industrial logging, the steep unstable slopes continue to erode and fill the river channel, which means that during storm events, the river quickly floods. This flooding is more than a mere nuisance for residents of the Elk River watershed, it puts lives at risk by closing important local roads and destroying homes. There was a win for Elk River when a



judge sided with clean water and good government in dismissing a lawsuit brought by Humboldt Redwood Company against the North Coast Regional Water Quality Control Board over a disputed Timber Harvest Plan within the watershed. Meanwhile, EPIC and allies filed a petition with the State Water Quality Control Board challenging last minute changes to a new permit issued by the Regional Water Quality Control Board to allow Humboldt Redwood Company to continue polluting in the Elk River.

#### Humboldt Marten

Victory for our furry friend! In response to a petition from EPIC in 2015, the California Fish and Game Commission voted to make coastal martens a "candidate" species under the California Endangered Species Act. As candidates, coastal martens cannot be killed or harmed and will receive a year-long formal "status review" that will most likely lead to them being formally listed under the Act in 2017. Fall 2016, EPIC filed a lawsuit against the U.S Fish and Wildlife Service for failure to list the Humboldt marten under the Endangered Species Act.

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## 2016 EPIC Victories!

Northern Spotted Owls

Victory for our feathered friend! The California Fish and Game Commission (by unanimous decision!) listed the northern spotted owl (Strix occidentalis) under the California Endangered Species Act. The Commission's decision ended the four-year review process, first initiated by EPIC's petition for listing in 2012. While northern spotted owls have been listed under the federal ESA for over 20 years, the State of California has never protected the species under California law. The listing of the northern spotted owl is one small step towards recovery. The northern spotted owl is under siege on many fronts, threatened with extinction by past and ongoing habitat loss, primarily to timber harvest, which can exacerbate competition from the aggressive and invasive barred owl.



Pacific Fisher

In fall 2016, EPIC and our allies filed suit in U.S. District Court challenging the U.S. Fish and Wildlife Service's unexpected decision in April to deny Endangered Species Act protection to Pacific fishers. Closely related to minks, martens and wolverines, Pacific fishers are severely threatened by logging, use of toxic rodenticides by illegal marijuana growers, and incidental capture in fur traps. Although the Service proposed federal protection for the fisher in 2014, the agency reversed course and withdrew the proposal in 2016 even though the fisher's poor status remained largely the same. We are excited for our day in court to show that the U.S. Fish and Wildlife Service bent over backwards to appease industry interests.

#### Northwest Forest Plan

EPIC is actively engaging the emerging Northwest Forest Plan Revision process. We are participating with over twenty other environmental groups in Oregon and Washington on the forthcoming revisions. Unfortunately the dynamics of the new presidency has changed our collective strategy from one of advancement of a new revision to defending the hard-won gains in the original Northwest Forest Plan. We have our work cut out for us as the timber industry is emboldened by Trump's promise to up timber production on public land.

### Richardson Grove State Park and Smith River Canyon

In the campaigns to protect Richardson Grove and the Smith River, no news is good news! EPIC continues to defend the ancient redwoods within Richardson Grove State Park and the Smith River canyon from Caltrans' misguided highway expansion projects. We are prepared to initiate an active defenses if and when the projects move forward. This September will mark ten years of defending the old growth forest of Richardson Grove!



### Humboldt County Cannabis Workshops and Handbook

Our goal is to help cannabis farms come into compliance with new environmental and county regulations for the good of the environment and our community. In 2016,

EPIC developed and distributed 6,000 Humboldt County Farmer's Compliance Handbooks, and hosted six workshops for more than 500 people. The success of the workshops was due to a collaboration of environmental organizations, business leaders, and public agencies to educate people about a suite of new laws and regulations that were developed to address California's unregulated medical cannabis industry.

## EPIC LOOKS BACK:

### 1980s

#### 1977

Local residents Marylee Bytheriver, Robert Sutherland "The Man Who Walks in the Woods," and Ruthanne Cecil form EPIC in Garberville, CA. EPIC started as an ad hoc group that worked on local environmental issues, e.g. aerial spraying of herbicide 2,4,5-T, one of the components of Agent Orange on forested communities. Unlike many national environmental efforts, EPIC's work was built on a local vision of responsive government and sustainable communities that would produce timber, jobs, and wildlife habitat in perpetuity.

### 1990s

#### 1992:

Thanksgiving weekend massacre in Owl Creek. Pacific Lumber illegally enters old growth to log without sufficient permits potentially harming marbeled murrelet habitat. EarthFirst! to the woods. EPIC runs to the court. After the long holiday weekend, the court stopped the loggers.

#### 1990:

Coastal Headwaters Association
v. CDF I, EPIC successfully
stopped a timber harvest plan
to log old-growth habitat
in the Mattole Watershed,
which effectively prevented
fish spawning habitats from
being adversely impacted.

#### 1983:

EPIC filed its first forestry-related litigation aimed at stopping Georgia-Pacific from clearcutting the Sally Bell Grove. EPIC forced the California Department of Forestry and the private timber industry to address the cumulative impacts of its logging activities on sensitive and irreplaceable natural resources. EPIC v. Johnson changed the legal and regulatory landscape for the timber industry in California, and also served as the format for future forest related litigation.

#### 1981:

EPIC is formally incorporated with a broader set of goals:

1. Preserve critical old growth forest remnants and the biological diversity they contain. 2. Reduce the degradation of timberlands through the improvement of forest practices.

3. Stabilize the local economy through sustainable production in healthy, diverse forests. 4. Educate the citizenry regarding their public interest in the forests, their intrinsic value, and the avenues of influence to them through state and federal agencies. 5. Channel information on environmental matters

#### 1993:

In EPIC's first federal lawsuit, Marbled Murrelet and EPIC v. Pacific Lumber Co., the court determined that Pacific Lumber's plans to log 237 acres of contiguous old-growth forest in Owl Creek would violate section 9 of the ESA by harassing and harming the threatened marbled murrelet. EPIC was the first entity to successfully use the Endangered Species Act to stop logging on private land, and the success of this case saved the marbled murrelet's critical nesting habitat -safeguarding this vital

#### 2003:

EPIC led a coalition of organizations into victory by halting a 1,050-acre logging plan in the Trinity Alps Wilderness. In Sierra Club, EPIC, et al. v. Bosworth and USFS, the court ruled in favor of EPIC and agreed that the timber sale would damage soil and wildlife habitats.

#### 2004:

EPIC filed a federal lawsuit to challenge Maxxam/Pacific Lumber's so-called "Habitat Conservation Plan" and "take" permit to kill endangered species. EPIC released a report documenting 325 violations that state officials issues to Maxxam/PL in the preceding five years, many causing severe, irreparable harm to fish and wildlife species

# 40 YEARS OF ADVOCACY

#### 1987:

EPIC's first suit against the Pacific Lumber
Company resulted in a court finding that the
California Department of Forestry had not only
'rubber-stamped' certain THPs, but had intimidated
the Department of Fish and Game and the Regional
Water Quality Control Board staff from making any
comments critical of THPs. This suit led Department
of Fish and Game policy to review some old-growth
plans more carefully. It also resulted in mandatory
marbled murrelet surveys and development of
murrelet surveying protocols.

#### 1983:

EPIC v. Johnson victory! EPIC saves 75 acres of old-growth redwoods, renamed Sally Bell Grove memorializing the last full-blooded Sinkyone Indian whose personal survival and resilience personified the activist, and native efforts to preserve the grove. The land is now part of Sinkyone State Park, and is also the first ever Inter-Tribal Park where people can learn about indigenous Californian land stewardship and practice land restoration.

#### 1997:

Mendocino Environmental Center, EPIC v. DFG, EPIC successfully helped to protect salmon habitats by halting a big log salvage project from river bottoms. CEQA compliance would require competent DFG personnel to review the environmental impacts associated with the project and on-site review.

### 1995:

EPIC and several other environmental protection organizations work together to get Coho salmon listed as a threatened population in Oregon Natural Resource Council v. Brown case. The South/Central California population was listen in October of 1996 and the Northern California/Southern Oregon population in April the following year.

#### 1988:

In Sierra Club v. Board of Forestry, EPIC helped make it a requirement for THPs to include information about the presence of old-growth, and oldgrowth dependent wildlife species before approval of logging plans by the Board of Forestry.

#### 1988:

EPIC and Sierra Club file suit, against the Board of Forestry and Pacific Lumber, leading to a unanimous California Supreme Court decision halting two Headwaters logging plans.

#### 1999:

March 1st, Headwaters Deal is signed. 7,500-acre Headwaters Forest Reserve is transferred to the public. Habitat Conservation Plan goes into effect. Hurwits gets \$480 million and several thousand acres of additional forestland in the Deal.

EPIC emerged victorious in the California Supreme Court case of FPIC v. CDF and PL. In the rush to complete the Headwaters Deal by March 1, 1999, state agencies bent and broke many of their own rules and regulations. EPIC filed suit on March 31, 1999 to challenge many of the deficiencies in Pacific Lumber's Sustained Yield Plan, including the amount of destruction of marbled marrelet habitat it authorizes and the deficient manner in which it analyzes cumulative impacts from logging such a vast number of acres of ancient forest and other environmental effects.

### 2000s

#### 2006:

EPIC v. USFS, EPIC successfully halts the Comte Timber Sale, and ill-advised experiment involving removal of mature old-growth. This action saved the habitat for several species monitored under the Survey and Manage program.

#### 2012:

EPIC receives the preliminary injunction halting Caltrans! Richardson Grove highway development project, which would cut into and pave over the roots of many of Richardson Grove State Park's ancient redwoods. The road-building agency pursued this project solely to benefit passage for oversized commercial trucks. Caltrans has been prohibited from any project construction activities by both a 2012 federal court injunction and a state court order in 2014. The Rein in Caltrans campaign at EPIC began as a result and grew to include the Willits Bypass project in Mendocino and the Highway 197/199 widening project on the

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#### Redwood Hikes

Come and join us for a series of spring and summer excursions in our majestic and criticallyimportant redwood region parks and reserves, the home of the tallest trees on earth. Hikes will be guided and conversations will include: the ecology, sociology, history, management, protection, and conservation of our public parks and reserves in the redwood region of Humboldt, Del Norte, and Northern Mendocino Counties.

Sunday, April 2, 2017: Lady Bird Johnson Grove, Redwood National Park

Sunday, May 7, 2017: Big Tree Wayside Area, Cathedral Tree/Foothill Trail Loop

Sunday, July 9, 2017: Stout Grove, Jedidiah Smith Redwoods State Park

Sunday, August 6, 2017: Trillium Falls Trail, Redwood National Park

Sunday, September 17, 2017: Salmon Pass Trail, Headwaters Forest Reserve



For more information, or to RSVP, please call (707) 822-7711, or e-mail: briana@wildcalifornia.org

### Groundtruthing BaseCamp

Mark your calendar for EPIC Groundtruthing BaseCamp

June 9-11: 2017 on the Klamath River near Seiad Valley. We
will host forest monitoring workshops to analyze timber sales
and grazing allotments. By investigating conditions in the
forest and providing the scientific and legal documentation
to fight harmful commercial activities, we can protect intact
wildlands! Festivities will begin at noon on Friday and end at
4pm Sunday.



### EPIC 40th Anniversary Fall Celebration: Judi Bari Honored

You're invited! EPIC's 40th Anniversary Benefit Fall Celebration, a gourmet catered farm-to-table dinner, followed by award presentation to honor the late Judi Bari for her lifetime achievement in environmental activism.



Judi was a renowned environmental, labor, and social justice leader. Best recognized for her activism with EarthFirst!, her philosophy of nonviolent protest set the tone for the success of Redwood Summer and future direct action movements against corporate logging.



Celebrate fourty years of grassroots activism for forest and wildlife protection with the EPIC community. Dine, dance and laugh together on **Saturday**, **November 4**, at Mateel Community Center (59 Rusk Lane, Redway, CA 95560).

### EPIC Changes Ahead

This spring, we say goodbye to our Executive Director, Natalynne DeLapp-Hinton. While Natalynne is leaving, her impact on the community and all things EPIC will stay with us. During her eight years with us, Natalynne built upon our strong brand as California's North Coast forest protection organization all the while centralizing EPIC'S strengths as an operationally and strategically focused powerhouse. Her unconventional and bold strategies introduced a collaborative and principled standard of communication that sought to build bridges and work within the community to find pragmatic yet idealistic solutions.

To take Natalynne's place, Tom Wheeler is assuming the role of Executive Director. Since Tom joined EPIC in 2014, he has brought a keen legal eye to EPIC's work. Tom was drawn to EPIC for its predominant "history of fighting and winning the fights no one thought possible." Tom is excited to continue to bring his legal skills



to work on protecting our wild places. Briana Villalobos officially joined the EPIC staff in January as the Director of Communications and Development. So if you see a new face around, let Briana know you are excited about her joining the team! Briana is responsible for energizing and engaging with the EPIC community. Her role is to you

energizing and engaging with the EPIC community. Her role is to work collaboratively with members and volunteers to organize events and provide resources and materials for membership development and enhancement.

The faces of EPIC are changing, but our heart remains the same. We have an exceptional staff of experts and support from a community of people who dare to think the world can be a better place. Together, we are powerful and together we will ensure California remains wild.

### Three Ways to Maximize Your Gifts

GIVE WILDLY: Enroll in Automatic Giving

Help EPIC mount our fiercest defense by signing up to automatically renew your membership with annual, quarterly, or monthly automatic giving options. It's secure, easy and helps your gift go straight to protecting the wildlife and wild places that you love.

To renew or enroll in automatic giving, please go to wildcalifornia.org

#### GIVE EVERLASTING: Add EPIC to Your Will

Consider a gift in your will or living trust to EPIC. Leaving a legacy gift is simple: If you currently have a will, you can easily add a codicil (an amendment) to include a gift to EPIC. An example of appropriate language for inclusion in your will or living trust is:

"I give, devise and bequeath to the Environmental Protection Information Center, a California nonprofit public benefit corporation with the Federal Tax ID # 94-2798433 and the mailing address of 145 G Street, Suite A, Arcata, California 95560, the sum of \_\_\_\_\_\_\_\_dollars [or otherwise describe the asset] for its general purposes and use at the discretion of the Environmental Protection Information Center's Board of Directors."

### GIVE STOCKS: Donate your stocks to EPIC

You can write off the gift and reap substantial tax savings! It's easy to transfer stocks and bonds. EPIC's investment account is with Edward Jones Registration Title is: EPIC Inc. Account Number: 203-09101-1-7 DTC#0057

# Looking Ahead 2016-2017

As we're writing this, it is only two months into the new year, but we have already accomplished so much. EPIC was back in court against CalFire, arguing that CalFire's consideration of climate change and carbon sequestration was illegal. We have worked to stop a new post-fire logging project on the Klamath National Forest. We submitted a rulemaking petition to the Board of Forestry to clarify language in the rules, which in turn will curb abuses allowing limitless logging. And we petitioned the California Department of Food and Agriculture to name English ivy as a noxious weed, thereby prohibiting its sale. Phew!

2017 is shaping up to be an important year. President Trump has made his environmental agenda clear: pillage and poison. He has support from his cabinet—a smattering of yes-men, industry hacks, and Washington insiders. And he has support from Congress. In Trump's first year, we need to step up.

We are preparing a full court press defense of our public lands. Our national forests and parks are facing an existential threat. The House of Representatives have passed a rule package to make selling off public lands easier and legislation has been introduced to terminate the EPA. EPIC will be there to fight back, old-school style: letter writing campaigns, the airwaves, and the court of public opinion. Together, Trump and his cabal of Tea Party renegades don't stand a chance.

Even if Congress doesn't sell off our public lands, Trump can still dish out some damage. We have already heard rumor that the Forest Service is under pressure to "get out the cut." They'll have to get through EPIC first. Our attorneys are on speed dial and are ready to take up the charge. The push has already begun. EPIC has submitted comments on numerous timber sales that threaten habitat connectivity, and targeted fragile ecosystems set to be on the auction block in 2017.

EPIC is also going on the offensive. If we can no longer rely on federal environmental law, we need to rethink California law to take up the slack. EPIC has already submitted two rulemaking petitions to stregthen existing laws. That's just the start. We have a binder full of ideas to improve California, from the seemingly mundane—redefining terms to close

industry loopholes; to the bold—drafting new laws for a better future. California has always led the nation. It is time we take back that mantle and lead again.

Protecting this place is the job of a lifetime. It's hard work, but as Teddy Roosevelt said, "Far and away the best prize that life has to offer is the chance to work hard at work worth doing." Thank you for making our mission possible.



### Environmental Protection Information Center Annual Report Fiscal Year January 1, 2016 to December 31, 2016

STATEMENT OF ACTIVITIES		STATEMENT OF FINANCIAL POSITION	
REVENUE OF SUPPORT	\$150,483	ASSETS	
Membership &Donations	\$79,000	CURRENT ASSETS	
Foundation Grants	\$19,188	Checking/Savings	\$182,573
Interest Income	\$433	Other Current Assets	\$14,150
Legal Fees & Awards	\$8,641		
		TOTAL CURRENT ASSETS	\$196,723
TOTAL SUPPORT	\$257,700		
	LEGIS -	FIXED ASSETS	
EXPENSES			
General & Admin	\$31,879	TOTAL ASSETS	\$196,723
Fundraising	\$42,738		*****
Prorgrams	\$180,741	LIABILITIES & NET ASSETS	a determinate
	. Albarit	LIABILITIES	
TOTAL EXPENSES	\$255,358	Accounts Payable	\$468
M.		Credit Cards	\$315
Increase (decrease) in Net Assets	\$2,343	Other Current Liabilities	\$7,256
		Long-term Liabilities	The Mark Town
CHANGE IN ASSETS	\$2,343		COST TO STATE OF THE PARTY OF T
Net Assets at Beginning of Year	\$186,341	TOTAL LIABILITIES	\$8,039
Ner Assets at End of Year	\$188,684		
The same of the sa		NET ASSETS	
	- CONTRACTOR	Unrestricted Net Assets	\$171,793
		Temp. Restricted Net Assets	\$14,548
		Net Income	\$2,343
		TOTAL NET ASSETS	\$188,684
		A SOCIAL STATE	
The state of the s	The state of the s	TOTAL LIABILITIES & NET ASSETS \$196,723	

## Contributing Foundations

Environment Now, Firedoll Foundation, Lisa & Douglas Goldman Fund, Humboldt Area Foundation, Patagonia Environmental Grants Program, Vincent J. Coates Foundation, Weeden Foundation, Wild Woods Foundation, Footprint, Laney B. Thornton Foundation, Flora B. Thornton Foundation, & Jiji Foundation

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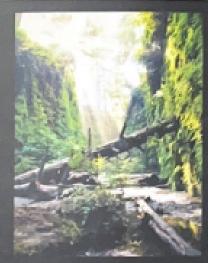
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