

BOARD OF SUPERVISORS MEETING  
May 26, 2015

**“For all items NOT on the agenda”**

**(Each Speaker Limited to 3 Minutes)**

**Voluntary Sign In Sheet**  
**(Public Appearances – 1:30pm)**

- ✓ 1. Charles L. Ciancio
- ✓ 2. DAN ZIMMERMAN
- 3.
4. Jack Zimmerman
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9. ~~Charles D~~
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- 14.
- 15.
- 16.

Date: 5/26/15

To: Humboldt County Board of Supervisors and others

Subject: **Atlas is shrugging**

Provided thoughts are from seventy plus years of living in rural areas, from a well educated with a college degree sound mind and body, from someone who has faced and solved problems involving full and property use of resources, and from someone who has faced and solved some of life's hard hurdles,

Even on the QT, experienced leaders are being ignored, world is going to pot, and there is no intestinal fortitude in play. As a lead supervisor, I have learned **no One can know it all. Wise people surround themselves with experienced people and even in disagreement use all input to solve problems.**

I see provided listed problems and big picture not grasped by county supervisors and other elected and unelected so-called leaders. Routinely I only see a few at relevant meetings, and I am forced to believe a minority (especially those who use hi-tech electronics) are in control.

Many will say bad weather is due to unprovable Global Warming, middle-east has macho people and peace makers fighting over problems, solutions to domestic problems are decided by inexperienced media and voters, and on and on.

Locally marijuana issue is out of control, issue of water use gets lost in all protectionist and getting-along rhetoric, push for no clear-cutting is hurting many species and humans even in special places, and field experience is not utilized.

## **Atlas is shrugging**

Charles L. Ciancio

(An old tired field forester, who has lived the real world no one gives much attention)

California Registered Professional Forester (RPF) #317

P.O. Box 172,

Cutten (Near Eureka in the redwoods), CA 95534

707-445-2179

**PS – Are you folks a waste of my limited time and resources?**

Date: 5/25/15

To: Humboldt County Board of Supervisors and others

Subject: Real realities I have learned

As a lead supervisor, I have learned **no One can know it all. Wise people surround themselves with experienced people and even in disagreement use all input to solve problems.**

- Living seventy plus years, I can now see my side based around the Ten Commandments and factual realities not winning.
- I see protectionist thinking behind Middle-east mess and many world problems starting long ago.
- Unproven speculation and theory should not replace historically proven and experienced peer reviewed science and site specific facts
- Many voters and working, taxpaying, family, low to low middle income, producing folks do not understand all that is thrown at them via hi-tech and other means.
- By not understanding all that is happening, many working, taxpaying, family, low to low middle income, producing folks are abandoned by a controlling minority.
- Protectionism is preventing full and proper use of natural resources which includes properly applied disturbance while protecting special places and things.
- By being explained away, humans are not credited for doing bad things
- When compared to larger total population, Beck, Rush, O-Reilly, Fox, media, and others preach many truths to minority choirs.
- I find E-mail to be a limited and lousy way to communicate.
- Current compromising, politicking, and getting along thinking has resulted in many things not getting better, many things getting worse, and list of problems getting longer.
- Current compromising, politicking, and getting along thinking results in bad being mixed with good
- The media thinks the world revolves around what happens inside the media
- My field and family experiences and friend forester killed tell me marijuana legalization is coming which may increase safety in the field, cause downhill skid of rural economy, and cause a lot of bad.
- Everyone will be in violation of some law or regulation in some way at some time
- My version of "Trust but verify" involves "Believe nothing or anyone unless real world truths are provided to support it"
- There is no proof that "all there is" is created by an almighty being, and there is no proof that "what there is" is not created by an almighty being.
- We have reached a point where everyone needs to watch their back and keep their powder dry.

I have tried many ways to get those in power to wake-up, but I find it sad, I see few given the power like my county supervisors grasping the big picture and doing all they can to make things better. I look back and see as a younger person all the stupid, naïve, good, smart things I have done. I see all the hurdles I have had to overcome and some principles I ignored to feed a family. Being too stubborn to just sit back on top of my mountain, be ignored, and accept all the B.S., I may be alone and Atlas may Shrug, but in my time left, I will not go down without kicking, fighting, and hollering. Maybe I will find someone with the power and some intestinal fortitude who will use the real factual world to make things better.

Charles L. Ciancio

(An old tired field forester, who has lived the real world no one gives much attention)

California Registered Professional Forester (RPF) #317

P.O. Box 172, Cullen, CA 95534, 707-445-2179

## Messes I see coming

I find my county supervisors, many elected and unelected leaders, and many others with the help of the media, protectionism, confusing legalese, those with money and power, and an unaccountable Fourth Branch of regulators are sitting back, watching the accompanying listing of things happen.

In Humboldt County, an area full of natural resources, regional big picture is mostly ignored. Half the economy is provided by taxpayers, and other half is from private economy with timber industry by far being biggest contributor to private economy. More taxes are being forced from the private sector, efforts to further decimate the timber industry are in play, incentives for large and small land ownerships are eliminated, fights between loggers, fishermen, and others is promoted, improved highway access to the area and properly placed access to many areas is resisted, regulations are pushed which promote properly applied disturbance which helps spotted owls, fish, and many other wanted species, push for more and more protection and preservation of many things has special places and things and humans destroyed by uncontrolled fire, fees collected for fire control are not shared by those who actually fight fires, low paying tourism involving least visited National Redwood Park in the USA and for other things is promoted as a replacement economy, affected area is in a state where 80% of the wood used in the state comes from out of the state and most taxpayer owned lands lay fallow while remaining private lands remain unharvested which grow all of state's wood needs, collected fire fees are not shared with those actually fighting fire, local funds like Headwater funds are not spent wisely and used to help those put out of work, access is eliminated which would help manage areas, control fire, and help recreational use and economy while spreading out human use which helps to protect special things and places, area producing a lot of water is controlled by rest of state which is short of water, private local economy is not good and getting worse while more and more tax money is requested for things that do not help those deserving help, increased harbor use is fought against, east-west railroad idea is not fully understood, and on and on and on.

Other issues involving guns, drugs, immigration, Hillary messes, chopping heads off in the middle east, IRS mess, Benghazi hidden stories, Russia and Ukraine mix-up, populous areas rioting before all facts are known, unjustified protectionism, slanted media, confusing legalese improperly applied, cowboys rebelling over cattle use of taxpayer lands, increasing dependence on imports produced outside this country, and on and on are happening.

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California Registered Professional Forester (RPF) #317

P.O. Box 172,

Cutten, CA 95534

707-445-2179

5/19/15

Humboldt Community Services District  
P.O. Box 158  
Cuttan, CA

Dear Folks:

Having been to Humboldt Bay Municipal Water District meeting(s), having hunted, fished, and lived in north coast all my life, having been lead field forester over many years handling northern California and northern California Valley water issues, and on and on, I know more about Ruth Dam, it's watershed, and handling northcoast water than most people.

I am forced to understand how California Governor's water restrictions will affect me. This letter provides a general outline of restrictions and water situation as it applies to me as a seventy year old (of sound mind and body, living on a fixed income) water rate payer.

Maybe a water crisis will come in the future which requires restricted use of the water stored behind the Ruth Dam, but right now, the area serviced by the Ruth Dam is not facing a water shortage. An abundance of stored water has resulted due to Ruth Dam being built to provide water to two pulp mills which are both gone, all kinds of problems stand in the way of utilizing the abundance of stored water locally, and a lot of water eventually winds-up unused in the ocean.

I find the factual reality of the Ruth Dam and an abundance of water being unfactually handled by a regulatory protectionist bunch in far away Sacramento. As has been set-up to occur by allocated populous controlled representation, urban areas especially in California have been set-up to control rural areas. Many areas like urban areas are feeling the pain of protectionist thinking, and it is looking like these areas want Ruth Dam water recipients to also feel some pain.

When this area has shown it can properly store water, provide water to the local area and potentially to rest of the state, help fish and many other plants and critters, increase recreational economy, and in many ways be financially well-off, I see a factual mishandling happening. I see an area with a poor economy unjustifiably being punished which I understand is half supported by taxpayer dollars due to unjustified protectionism. I see the largest supporter of a private economy, the timber industry, consisting of private landowners, workers in the timber industry, those in support industries, taxpayers contributing to the private economy, and other unnamed groups, slowly being decimated by the same unjustified protectionism.

As a simple water rate payer, I want to know how determination of any fine or penalty will be measured, justified, and distributed. Humboldt Bay Municipal Water District and Cutten Community Service District folks have been helpful and as so many in the Fourth Branch of Government fondly and routinely say "Have trust the right thing will be done".

From attending a Humboldt Bay Municipal Water District meeting, I found 7/1/15 was when a \$10,000 fine measurement will be applied to Water Districts, determination of the need for this fine will start on 6/1/15, and nothing was provided to explain how this fine would be applied and determined needed.

From discussions with a HCSD representative I learned the following:

- In addition to already in place for 2014, four more restrictions will be applied to water use.
- Excessive water use will be via observed extra use and warnings will be given.
- Fines will not be applied unless a warning is first given.

Rural areas may have lost control of their futures by the way things are set-up to let more populated areas control rural areas, but it is not morally right for areas with a factual, adequate water supply to be punished by factually incorrect and misguided protectionist thinking.

I have put a target on my back all my life fighting unjustified protectionist regulations and warped representation of rural interests, and I probably should keep my mouth shut, Like so many others now do, I should probably sit-back and hope nothing bad will happen; however, all my life I have not waited to be harpooned by hard realities. I prefer to know what is coming; so, I can be prepared to handle what is coming.

Yours,



Charles L. Ciancio

(An old tired field forester, who has lived the real world no one gives much attention)

California Registered Professional Forester (RPF) #317

P.O. Box 172,

Cutten, CA 95534

707-445-2179

cc: State Legislative Representatives

Dear Board of Supervisors

This letter is intended to make you aware of a threat to public safety that you are mandated to prevent. Climate disruption is speeding up faster than anyone thought possible and though uncertainty exists concerning what the future holds there are two things that we know for sure. On one hand we need to stop releasing massive amounts of carbon and methane into the atmosphere, and on the other we need to remove massive amounts of carbon from the atmosphere as fast as we can and sequester it for hundreds, if not thousands of years. The action requiring your attention refers to the latter, and specifically the fate of the world's best known form of long term carbon sequestration, the redwood forest, as clearcutting on short term rotation of these forests returns the carbon storage capacity to zero after each harvest.

To date all legal challenges that claim activities emitting CO2 are a public nuisance have been rejected by the courts for the reason that there are already existing statutes that address carbon emissions. However, there is no state or federal law that demands that forests be retained for their ability to sequester carbon on a long term basis, yet this need is equally paramount to reducing CO2 emissions. The closest we have come is AB 1504 that requires the Board of Forestry to *"strive to go beyond the status quo sequestration rate and ensure that their policies and regulations reflect the unique role forests play in combating climate change."*

However, even this has not been done even though the state is acutely aware of the importance of redwood forest sequestration as seen from this state website;

*"When trees breathe they take in carbon dioxide, release oxygen and store carbon in their trunks. Trees lock away carbon in a more permanent way than other plant species due to their size and relatively longer life spans.*

*This process, called carbon sequestration, is something California's redwoods do better than just about any other species on the planet. When given the right conditions, redwood trees gain height and girth quickly. Underground, forest soils and root structures store even more carbon. Because redwoods live for thousands of years, they are a very long-term source of carbon storage.*

*Undisturbed forests do the best job at sequestering carbon. Cutting down trees inevitably alters carbon storage, and releases carbon dioxide into the air as the wood decays". (CDPR 2015)*

What is being stated applies to all forests. Cutting a forest down ends it's usefulness as a carbon storage bank and begins the cycle of decay and carbon release. This fact has also been acknowledged by the former head of CDF, Andrea Tuttle.

*"Forests are a huge carbon-storage bank, and represent our largest opportunity to remove carbon dioxide already in the atmosphere. When forests are lost to development, fire or degradation, they become a major source of emissions. (Tuttle 2015)*

The key word in the above quote is degradation. In relation to climate change it primarily means managing the forest so that it no longer serves it's purpose as a long term sequester of carbon as Green Diamond and others are currently doing.

The importance of forest sequestration cannot be stated strong enough. There are three forms of carbon removal that could sequester substantial amounts of carbon from the atmosphere. These are the world's oceans, forests and human induced geoengineering. Of these it is only the world's forests, that offer us any hope of truly avoiding a climate catastrophe, as the oceans are turning acidic from carbon uptake, and different forms of geoengineering are untested, environmentally destructive and many years away from even limited application (NAS 2015a, NAS 2015b).

The conifer forests of western North America, and especially redwood forests, hold an

important key to our survival (Keith 2009, Pan 2011). An old growth redwood tree alone can store as much as 2,000,000 pounds of atmospheric carbon and keep it locked up anywhere from 1,000, to over 2,000 years. On the other hand a young redwood tree ready for short rotation harvest might contain approximately 25,000 pounds of carbon, and release 90% of that carbon over the next 40 years (Ingerson 2009, Smith 2006). At that time the new growth forest is then ready for harvest and the cycle of cut and emit begins again with no long term sequestration occurring.

Unfortunately the fact that letting forests grow to maturity is critical for planetary survival is unknown to most because of a concerted effort by the timber industry to obscure this information by using misleading advertising and questionable pro-industry research while denying the scientific community's views on the importance of forest sequestration. The following facts refute their claims.

Claim #1) Clearcutting a forest is a positive form of carbon storage, and results in a carbon sink.

This is the most detrimental of their manipulations. When a forest is cut down and turned into wood products, more than half of the carbon in that forest is left behind in the branches, leaves, stump, roots and topsoil. Much of this carbon decays and is released in a short period of time (Jandl 2007, Bonan 2008, Thomas and Martin 2012).

Of that which makes it to the mill, much of this is mill waste. Less than 20% of the cut tree's carbon is actually converted into wood products. ( Ingerson 2009, McKeever 2002)

Claim #2) The lumber produced from this harvest will stay in use for 100 years.

In truth 90% of the carbon will be released within 40 years depending on how the wood is used. Research has shown that when all uses are taken into account less than 5% of the cut tree's carbon will survive 100 years (Smith 2006, Gower 2006, Ingerson 2009, Miner 2006).

But even staying in use for 100 years would not be the type of sequestration that is needed to avert climate chaos, as this carbon would be entering the atmosphere around 2100 when we need to be carbon negative or expect the worst.

Claim #3) If the forest isn't used for lumber it will be converted into something else.

Though hard to fathom this rationale, the following quote from Green Diamond's recent report on climate change, "A Forest Carbon Future" shows how it is used;

*"Healthy markets for forest products act to help keep forests in place as forests, instead of seeing them converted to other, less carbon friendly, uses. In other words, if we want more land growing trees, we need more markets for those trees". (Green Diamond 2015)*

This irrationality is typical of the timber industry. They claim only two options for a forest, either make money from lumber or turn it into something else. At no time do they consider the most important option when addressing climate change, leaving the forests in place to store ever more carbon far into the future.

Claim #4) A redwood forest takes on the bulk of it's carbon during it's early years of growth and very little after.

Recent research has shown this to be untrue to the extreme as these quotes illustrate. The first one is from HSU professor Steven Sillett concerning our redwood forests;

*"The oldest tree we measured produced more heartwood in its main trunk over 651 years...than contained in any tree we measured [less than] 1500 years old. Increasing wood production as trees age is a mechanism underlying the maintenance of biomass accumulation during forest development and the carbon-sink capacity of old-growth forests" (Sillett 2009).*

The above holds true for all forests as the following details.

*"Large, old trees do not act simply as senescent carbon reservoirs but actively fix large*



*amounts of carbon compared to smaller trees; at the extreme, a single big tree can add the same amount of carbon to the forest within a year as is contained in an entire mid-sized tree” (Stephenson 2014).*

Claim #5) The Timber Productivity Act and zoning laws preempts the industry from nuisance laws.

Even though wording in the TPA states that logging shall not be considered a nuisance, this does not stop a municipality or county from their mandated responsibility of protecting public safety as the Supreme Court of California has ruled in *Big Creek Lumber Co. v The County of Santa Cruz*;

*“the TPA provides that, while timber operations conducted within a TPZ pursuant to the FPA shall not constitute a nuisance...that limitation is inapplicable to any timber operation that endangers public health or public safety.”*

Claim #6) Saving tropical forests is far more important than saving temperate forests.

In a report from 2009, Keith et al found that the biomass potential and carbon carrying capacity of temperate rainforests exceeded that of both tropical and boreal forests combined.;

*“[T]emperate moist forests occurring where temperatures were cool and precipitation was moderately high had the highest biomass carbon stocks. Temperate forests that had particularly high biomass carbon density included those....in the Pacific Northwest of North America.” (Keith 2009)*

It is well known that redwood forests store a greater amount of carbon per acre than any other form of biota on earth (Jones and O'Hara 2011). They also store that carbon for 1000 to over 2000 years while the average life expectancy for a tropical forest is 100 to 500 years.

Claim #7) Biomass is a good form of electricity generation.

Another point industry uses to justify their actions is that using wood mill waste to generate electricity reduces their carbon footprint. What isn't stated is that burning wood releases more carbon than coal per unit of btu generated (PFPI 2015). The same was found to be true in a report issued by a consortium that included timber industry trade groups. Burning wood to generate electricity released greater amounts of CO<sub>2</sub> than using coal, and many times that of using natural gas (Manomet 2010).

When all the other beneficial aspects of a forest are taken into consideration it becomes obvious that there is no logical reason for harvesting trees when addressing climate change. Instead, by letting our redwood and other conifer forests grow to full maturity, we are taking the most responsible action we could take to alleviate the climate crisis. On the other hand, by continuing to clearcut trees in short rotations as Green Diamond and other companies are doing, and not allowing forests to continue sequestering and storing carbon for a longer period of time, we are doing the worst, most irresponsible thing imaginable for planetary survival.

The importance of the redwood forest as a carbon storage bank can no longer be denied. Leaving those forests to grow to maturity is the single most effective tool we have in fighting global warming. Since it is now obvious that the industrialized world has no intention of cutting back CO<sub>2</sub> emissions to a safe level, the importance of sequestration takes even greater weight. So much so that those forests no longer belong to timber companies or even their rightful owners, the original inhabitants of those forests. They now belong to all of humanity and it's time for humanity to stop their destruction. Or as stated in the Oslo Principles; *“The biosphere, all forms of life within it and the ecological processes that maintain all living organisms are part of the common heritage of humanity. Human beings, because of their unique nature and capacities, have an essential duty as guardians and trustees of the Earth to preserve, protect and sustain the biosphere and the full diversity of life within it....Avoiding severe global catastrophe is a moral and legal imperative. To the extent that human*

*activity endangers the biosphere, particularly through the effects of human activity on the global climate, all States and enterprises have an immediate moral and legal duty to prevent the deleterious effects of climate change.”*

Wildman (AKA Dan Zimmerman),  
Northcoast Ocean and River Protection Association (NORPA), Trinidad, CA.

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# Neal I. Sanders

## Attorney at Law

OVER 25 YEARS EXPERIENCE

DEFENDING CLIENTS IN CRIMINAL CASES

### COURTS

## Superior Court Judge announces retirement

*The Times-Standard*

Humboldt County Superior Court Judge W. Bruce Watson will retire early January 2016 after 23 years of service.

According to a Superior Court of California press release, Watson's term will end Dec. 31 and his vacancy will be filled through an appointment

process by the Governor.

Superior court judge terms are six years. Applicants for this position must be licensed attorneys with at least 10 years of experience, the release said. For information on the application and appointment process contact the Office of the Governor or the State Bar of California.



### Professional Associations

California Attorneys for Criminal Justice

National Organization for Reform of Marijuana Laws (NORML)

Former Chair  
Humboldt County Human Rights Commission

California NORML

# 442-4200

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### EUREKA

## Forecast: Clouds to remain

### Another quiet week of weather ahead

By Ray Aspuria

[raspuria@times-standard.com](mailto:raspuria@times-standard.com)  
[@AirUpsa707](https://twitter.com/AirUpsa707) on Twitter

All is quiet on the western front — again.

"It looks like pretty quiet weather this week for the most part," said National Weather Service meteorologist Brian Garcia. "Quite the same we've had the last few days. We've had a lot of cloud cover over the coast and that will probably continue this upcoming week"

Partly sunny skies are forecast today in the Eu-

reka area with a high near 61. That is expected to be followed by mostly cloudy days through Saturday. Daytime temps are slated to hover in the high 50s and low 60s. Night temperatures are predicted to dip in the low 50s.

Travelers, namely hikers, can expect more troublesome weather east of Humboldt County. Garcia said the Trinity Alps and the eastern portions of Humboldt County may see a slight chance of rain and thunderstorms.

Over in the Eureka area, Garcia notes a building ridge will bring fog to the low coast in the later portion of the week.

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## Weather

FROM PAGE 2

Another dry spell does little to alleviate a North Coast region which returned to the Severe Drought classification (D2-D4) by the U.S. Drought Monitor ([droughtmonitor.unl.edu](http://droughtmonitor.unl.edu)). The area was previously in the Abnormally Dry (D0) designation, the organization's lowest drought intensity.

The North Coast is part of nearly 94 percent of the state in the Severe category.

Brad Rippey of the U.S. Department of Agriculture notes showers would be grand, however, they are not helping as much as you'd think.

"Beneficial showers dampened parts of Califor-

nia and Nevada, but failed to dent the Far West's serious hydrological drought," he wrote on the USDM website. "Despite atypically heavy showers for May in California, Nevada, and Arizona, the drought depiction remained effectively unchanged. Simply stated, the late-season rain and snow showers have improved the appearance of the landscape but have left the underlying, long-term drought virtually untouched. Even with the showers, California's topsoil moisture was rated 85 percent very short to short on May 17, while subsoil moisture was 90 percent very short to short."

Contact Ray Aspuria  
evenings at 707-441-0527.