

SOFA



SENTINEL

The Newsletter of the Save Our Forest Association

Fall / Winter 2024

Why Restoring Strawberry Creek Matters

Restoring Strawberry Creek matters because it is so important to all of us as individuals, to the National Forest, and to the San Bernardino Mountains.

Strawberry Creek is a special place where a huge variety of plants and animals evolved and adapted to the unique geological, terrestrial, and aquatic conditions found in the Strawberry Creek Watershed. Most of us believe we have a moral obligation to take care of the Earth and its natural resources, and to pass it on in good shape to future generations.

Prior to the diversion of the springs for bottled water, Strawberry Creek was lined with alders, willows, and other riparian species making it extremely valuable for wildlife. Strawberry Creek supported a huge variety of plants and animals including the southern rubber boa, California spotted owl, mountain yellow-legged frog, two-striped garter snake, southwestern willow flycatcher, least Bell's vireo, Santa Ana sucker, Santa Ana speckled dace, and arroyo chub which are all now listed as threatened, endangered or sensitive. Diversion of the headwater springs has led to declines in amount and quality of the habitat for these species. Many of these species, which had lived in Strawberry Creek for thousands of years, have been completely eliminated since the diversion of the springs. More common species that we know and love like raptors, songbirds, deer, bear, mountain lion, bobcat, fox, and coyote have all been adversely affected by the unnatural drying of the stream. Several miles of stream are now totally dry in the summer

Strawberry Creek has been identified by biologists as one of the highest priority areas for aquatic species restoration in all of southern California due to its isolation and protection from damaging human activities. This would include species that have been eliminated since diversion like the endangered frogs and fish. All it takes is getting the natural water back in the stream. Species such as spotted owl, two-striped garter snake, and rubber boa will reoccupy the degraded habitat as it recovers with the addition of water and other restoration activities like planting riparian and other plants.



-November 2023 Site visit by USFS, State Water Resources Control Board and public.

The location of Strawberry Creek makes it a very important landscape linkage and wildlife movement corridor. Animals that migrate and move seasonally are able to use Strawberry Creek in the winter and then move over the mountain if needed in the summer for cooler conditions. The stream and riparian corridor from the mountaintop to the valley bottom is important to many species that move to fill their needs. The location of Strawberry Creek on the front slope of the San Bernardino Mountains makes it an important linkage from City Creek to Waterman Canyon and other riparian areas to the west.

Riparian and wet spring areas (like the Strawberry Creek headwaters would be without diversion) are less likely to burn nor burn as hot as the upland drier areas without soil moisture and water loving vegetation. The Strawberry Creek headwaters sit immediately below Strawberry Peak and Rimforest where approaching wildfire from the south could, and would, burn into the community. Having a restored, wetter Strawberry Creek headwaters would help protect the community from future wildfires.

Downstream and mountain water users are adversely affected by the removal of water from the springs for bottled water. It is public water, and should not be exported from our mountain. Water that is taken away from the Strawberry Creek Springs is not allowed to flow north in the natural stream to the Valley or soak into the



- Tomas Eggers, Water Board Civil Engineer, and Dave Anderson, USFS Special Uses Manager view the Strawberry Creek pipeline.

groundwater and fractured rock to contribute water to Lake Gregory and springs to the north of the rim at lower elevations. In the valley, removing natural water from the stream results in those residents having to purchase more water from the state which is very expensive.

Restoring Strawberry Creek is important to the San Bernardino National Forest because the Forest has permitted the destruction of the Creek for many years for bottled water in conflict with environmental regulations and policies of the county and water agency. The Forest Plan requires that streams be protected and water only used when the environment can be maintained. Clearly drying the stream for commercial sale of bottled water is not permitted. This should have been mitigated and water returned to the stream in 1988 when the permit first expired. It was not done for various reasons. Restoring Strawberry Creek will help the Forest redeem its responsibility of protecting and caring for our public lands.

Nestlé / Blue Triton Lawsuits Update

Amanda Frye, Hugh Bialecki and SOFA Attorney Rachel Doughty were in Fresno Superior Court on Tuesday, October 16, supporting the State Water Board in the Blue Triton Brands (BTB) lawsuit against State Water Board over the Cease & Desist Order. The Judge required a complete record from Water Board to be filed (BTB wanted abbreviated record) and set January 15 as the date of motion for judgement. The other cases, BTB vs USFS and SOFA vs USFS are still pending action.

One of the most important reasons to restore Strawberry Creek is the example that it sets for the rest of the natural streams and springs that have been altered or destroyed by human use. There are numerous streams and springs that have been severely altered by us in the mountains that can and should be restored. We can all be a part of protecting and restoring our mountain and National Forest by being involved and speaking up for our streams.

-Steve Loe, USFS Wildlife Biologist (ret)

Regulating Groundwater in California

California is a leader in so many ways. But in regulating water, not so much. Forty-eight states regulate both surface water and ground water withdrawals and have done so for many decades. Only two states do not regulate groundwater withdrawals: Texas and California. Astounding, isn't it? That California and Texas are the same in this regard? And for over 50 years California's water withdrawers have fought in the legislature and the courts to keep it that way.

The separation of surface water and groundwater becomes an issue in regulation because hydrologically the two are connected. Surface water often becomes groundwater recharge, and groundwater often comes to the surface in springs. So not regulating them as a comprehensive connected system is hydrologically stupid.

This becomes a significant factor in the Blue Triton /Nestlé case. When Blue Triton's predecessor Nestlé started withdrawing water from Strawberry Canyon, they were tapping into a free-flowing Strawberry Creek, a lively stream with trout and other fish. The "springs" that Nestlé was withdrawing for their bottled water were groundwater springs that came to the surface. And in California, surface water withdrawals are regulated by the State Water Resources Control Board. In the over 100 years that Nestlé was making these withdrawals of surface water, Strawberry creek became "dewatered" – a dry creek bed -- and the groundwater springs that formerly came easily to the surface became only subterranean, needing to be pumped from wells. Hence the legal arguments in the Blue Triton case that the State Board was wrong in its Cease-and-Desist Order – Blue Triton (and virtually every water lawyer in the state) says the Board cannot regulate what is now only groundwater. But in reality, it is now only groundwater because of the past excessive surface water withdrawals. Thankfully the State Board members saw that issue and have made clear that Blue Triton's water right was nonexistent.

We will have to see how this will play out in the legal appeal that Blue Triton has filed. But the long-term issue of whether California will ever regulate its groundwater -- like 48 other states do -- remains a big question.

-Mary Ann Dickinson, Founder & CEO, Alliance for Water Efficiency

Rebuilding Community and Watershed Resiliency

This year's fire season is a stark reminder of how fragile and vulnerable our communities are and will increasingly become in the face of climate change. By July 31, 2024, halfway through the California summer season, more than 763,000 acres had burned, putting communities, across the state and our valued fire-fighting resources strained and stretched thin. By September 5th the wildfire conditions coupled with reckless human behavior became part of the San Bernardino Mountain landscape. Although now mostly contained, the Line Fire continues to burn, consuming 43,978 acres of unique chaparral and alpine landscapes including multiple endangered species, their unique and critical habits, water resources and even our beloved Keller Peak Fire Lookout, built in 1926.



Line Fire, September 7, 2024, from Highway 18.

Like many, my initial thoughts were how quickly can we reestablish the impacted area of our forest, especially related to impacts to water resources that are essential to our ecosystem and community health. The Line Fire scoured the landscape with such heat intensity that it not only created its own weather patterns, but it also destroyed the soil structure and nutrients needed to support vegetation regrowth that reduce flooding, debris flows and other hazards. As a hydrologist, I know this means that mountain and downstream water dependent landscapes and communities will experience adverse water quality for months and years to come.

The San Bernardino Valley Municipal Water District, one of many agencies who are charged with ensuring downstream ecosystem and communities have healthy water resources, are already initiating efforts to increase

monitoring in impacted watersheds, which is key to understanding and mitigating impacts now and well into the future. The water quality monitoring is also needed as we continue to navigate “weather whiplash” where we go from one weather extreme to another including extreme heat and atmospheric rivers. Other opportunities include working with the US Forest Service on their need to improve watershed conditions and health through their Watershed Condition Framework. Strawberry Creek is one such site where we could increase monitoring and restoration as a blueprint to approach the impacted areas of the Line Fire. To say the time to collaborate and work as a team is now an understatement. Every day that passes is a day of knowledge lost.

I wish I could tell you the Line Fire was a once in a lifetime event, however, this will likely become more of the norm versus a “one off” reality. The Line Fire presents a platform for us to renew and create pathways to reduce vulnerabilities through environmental monitoring, education, interdisciplinary and community collaborations, as well as promoting and creating pipelines for agency transparency. This recipe supports our need to formally develop an actively engaged knowledge hub that is essential to better equipping ourselves to mitigate the inevitable risk that will continue to plague our mountains, region, nation, and the world that ties us all together.

-Dr Jen Alford, CSUSB Geography and Env. Studies

Carol Pedder (1936-2016)

Carol Pedder was a dear friend for nearly 30 years. She was a founding member of the Save Our Forest Association which is how I came to know her and call her my friend. Carol's legacy, influence, and impact continue to be felt. She was a staunch Friend of the Forest, Environmental Watchdog, and Eco-Warrior. We shared many experiences over the years: picketing the US Forest Service office, attending many County and Court Hearings, and attending our monthly educational and networking SOFA meetings, to mention only a few. At many hearings, Carol spoke eloquently and passionately to protect our Mountain Quality of Life. After thoughtful evaluation, she would readily speak her mind, call out falsehoods, and speak Truth to Power. Carol was also a gifted writer as anyone can attest to who read her frequent Letters to the Editor.

Carol will be greatly missed, and it is no surprise that she continues to support the Save Our Forest Association, as evidenced by her very generous bequest. As Carol's longtime friend, Jane Guttman, just wrote to me: “Her heart, soul, and spirit were for this Earth.”

- -Maureen Mann

Deep Creek and Snow Valley

On Aug 27, 2024, SOFA, Sierra Club, USFS (ret) biologist Steve Loe and members of the community met with USFS Acting Mountaintop District Ranger Mike Ho, USFS hydrologist Noel Chadwick and Kelley Giron, to view the headwaters of Deep Creek located at Snow Valley Ski Resort. Representatives from Big Bear Mtn Resorts (BBMR, now owners of Snow Valley) were unable to attend so the water well infrastructure could not be examined as hoped.

The purpose of the meeting was to discuss and view the potential impacts of the 1000' deep well at Snow Valley that provides water for potable use, for snow making, and to supply two reservoirs located near Children's Forest off Keller Peak Road.

The well water draw is reported annually but it is difficult to determine how Deep Creek flows change relative to seasonal water use.

Our walk revealed a huge amount of loose dirt and sediment that has been placed alongside the stream (now mostly dry) banks. This was a significant concern of the group that warrants cleanup and stabilization before winter storm events. Runoff from adjacent ski slopes and existing loose dirt will wash into Deep Creek degrading stream quality and its ability to support trout populations.

The recent Line Fire burned into the national forest just south of Snow Valley with currently unknown impacts to Deep Creek.



-Deep Creek pool at Snow Valley

Deep Creek supports the greatest diversity of wildlife habitats of any drainage on the San Bernardino National Forest and has earned the State designation of a Wild Trout Stream, while also being recognized as a federal Wild and Scenic River. Further meetings with the USFS and BBMR are being planned to define the water well impacts and develop sustainable management of this critical stream ecosystem.



-Site visit at Snow Valley inspecting headwaters of Deep Creek. Backs to camera: USFS Hydrologists Noel Chadwick and Kelley Giron, Acting Mountaintop Ranger Mike Ho. Facing camera, Steve Farrell, Sierra Club; Hugh Bialecki, SOFA; Steve Loe, USFS Biologist (ret).

Upper Little Bear Mountain Legal Action

In late 2019, the Upper Little Bear Mountain Club HOA partnered with CalFire to perform an aggressive "fuel reduction" project on 40 acres of common forest land. The project included intense mechanized forest thinning where all trees under 12" in diameter were to be removed and trees over 12" in diameter must be 20 feet apart, any other trees between the 20 feet distance would be destroyed. 85% of Chaparral-dominated areas would be destroyed. The HOA board prevented members from presenting the community with alternative options and used fear tactics to push the project forward. This type of forest thinning was unprecedented for the vintage 100-year-old Blue Jay community,

Unfortunately, the official CalFire CEQA documentation ("Notice of Exemption") describing the planned project details was not provided directly to the Little Bear community members, nor to the surrounding communities, including the contiguous San Bernardino Mountains Land Trust nature preserve - zero outreach was done for these neighboring communities who would be directly affected. Additionally, CalFire's own "environmental review" was hugely inadequate, and instead utilized outdated environmental records. CalFire did not address the most current environmental status of the ULBMC forest parcel via an independent biological evaluation, nor did CalFire assume the presence of the protected and threatened species, the Southern rubber boa. They also did not adequately address other threatened and endangered species like the Spotted Owl which are known to be present in the area. In early June 2021, a live Southern rubber boa sighting was witnessed and recorded by three local residents in proximity to the project site. The SRB video was ignored by both the Upper Little Bear Mountain Club (ULBMC) HOA and

CalFire.

While CalFire's own literature preaches pruning shrubbery and trees within a few feet of homes/structures and hardening of homes against fire threats, these options were ignored in favor of aggressive forest thinning a significant distance from Upper Little Bear residences. Effectively much of the ULBMC 40-acre green belt was converted into wide areas of dense and hazardous cheatgrass, an invasive grass with a burr known to injure or kill wildlife and regarded as a dangerous "flashy fuel"



--Cheatgrass infestation

The project began in November 2021 near Old Toll Road and Golf Course Road in Lake Arrowhead. CalFire's aggressive removal of manzanita was the first cause for alarm. With the help of the California Native Plant Society and their lobbying efforts to protect native manzanita, CalFire agreed to stop removing manzanita. Unfortunately, CalFire continued to destroy much of the other native understory (including nitrogen-producing ceanothus), conifers and black oaks as the project continued intermittently for several months during the winter and spring. CalFire ignored guidelines from the Department of Fish and Wildlife by driving and leaving heavy machinery on the forest floor which was soggy and fragile from winter precipitation. The project also disregarded bird nesting season, which lasts from approximately February until September.

Finally, in July 2022, Save Our Forest Association (SOFA) helped spearhead a lawsuit against the Upper Little Bear/CalFire project, along with co-plaintiffs Endangered Habitats League, California Chapparral Institute, and Friends of Little Bear (FOLB). At the first court hearing in San Bernardino Superior Court, CalFire acknowledged that the Upper Little Bear project was "finished" and that they would immediately remove all their equipment from the project site. CalFire did vacate the project site on that day, however they have not completely abandoned the project.

The project intention was "fuel reduction/fire mitigation" but the opposite occurred. Wherever forest canopy and native understory/chapparral were destroyed, non-native cheatgrass has densely replaced; the effect result is a "type conversion." The non-native grasses or "flashy fuels" have become a worse fire hazard risk for both the Upper Little Bear community and other nearby residential communities. Additionally, the exposed forest, caused by the tree canopy removal, can create a hotter and windier environment that could easily carry burning embers into the residential cabin area. The so-called "buffer zone" CalFire created by removing native forest and understory has actually caused the opposite effect, possibly putting residential communities nearby the forest thinning project at a greater fire risk.

In summary, CalFire and the Upper Little Mountain Club (ULBMC) HOA coerced the neighborhood into this project and provided residents with no other fuel reduction/fire mitigation alternatives. They did zero outreach to the surrounding communities which were also affected. CalFire did not follow California Fish and Wildlife Rules relative to the legally protected southern rubber boa and



-Huge chipper used on the site near Golf Course Road.

had no understanding of the sensitive habitat they were working in. CalFire officials admitted in a June 2024 meeting that they did not have the personnel and knowledge to manage the crew on the ground - and this was a "small scale" project. This resulted in sensitive habitats getting destroyed and disturbed and too many protected trees and chapparral including pink bract manzanita (a protected plant species community) getting cut down. The aftermath is a barren, hotter, lower humidity forest with less natural canopy. These drastic changes allow for dangerous cheatgrass to take over open areas absent the native habitat. As a result, CalFire created a much more fire dangerous area, when a focus on structure defensible space is safer.

--Jason Fineis, Friends of Little Bear

Please take the time right now to renew your SOFA Membership and mail your contribution to

Save Our Forest Association, Inc. P.O. Box 126, Rim Forest, CA 92378.

You can also donate online at: www.saveourforestassoc.org

Holiday Party

Saturday, December 7th, **6:00 pm.** At the Twin Peaks Community Center
675 Grandview Road, Twin Peaks

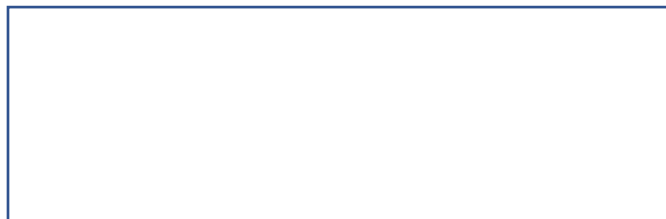
Recognition In Memoriam of Shirley Munch, Esq., 1930-2024, Founding Member of SOFA
Annual Meeting and Updates, Potluck Dinner: Bring a favorite dish to share, SOFA will provide
beverages. Our white elephant silent auction will recycle your treasures! Be creative with your
auction gift!

Live Christmas Music by "Grits & Grady"

This is a wonderful opportunity to share holiday cheer and do some last-minute
holiday shopping.

For more information call Hugh Bialecki at 909-953-0299

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Address Correction Requested

