



Forest Project Submittal Form

Instructions: This form should be completed in order to submit a forest project to the Reserve. A *forest project is a planned set of activities designed to increase removals of CO₂ from the atmosphere, or reduce or prevent emissions of CO₂ to the atmosphere, through increasing and/or conserving forest carbon stocks.*

Please complete all fields as thoroughly as possible. If the project in question is still in the planning/development phase, all fields must be completed using best available data and estimates based on the proposed project design. This is an interactive Word form. Upon completion, please save this form as a PDF prior to uploading it to the Reserve. All fields must be completed, even if the answer is also provided elsewhere; if a field is not applicable insert N/A in the space provided.

Reserve project ID (numerical, as it appears in the Reserve software): **CAR1004**

Section 1: Project Contact Information

1. Project name (as it appears in the Reserve software): **Finite Carbon - Berry Summit**
2. Account holder (as it appears in the Reserve software)¹: **Berry Summit, LLC**

Is the account holder authorized to sign the "Attestation of Title" form on behalf of all forest owners?¹

☒ Yes ☐ No

Is the account holder authorized to sign the "Restrictive Covenant and Project Implementation Agreement" (the "PIA")?²

☒ Yes ☐ No

Please disclose any impediments that may exist to the account holder signing the PIA:
n/a

3. Forest owner (name of business entity as corporation, partnership, or individual): **Berry Summit, LLC**
4. Forest owner contact: **Sean Carney**
5. Technical consultants who have assisted in project development (name of business entity as corporation, partnership, or individual): **Finite Carbon Corporation**
6. Technical consultant contact: **Tim McAbee**

¹ The account holder must also be the forest owner. The forest owner must sign the Attestation of Title and the PIA. Multiple parties that are involved in the ownership of the land and project itself must be disclosed to the Reserve in this form.

² Please review the PIA prior to listing to determine if the account holder is eligible as a forest owner.

7. Other parties with a material interest in the project: **n/a**
8. Date of form completion: **June 4, 2013**
9. Form completed by (name, organization): **Tim McAbee, Finite Carbon Corporation**

Section 2: Ownership and Organization Summary

10. Is the proposed forest owner the property owner(s) in fee for the project area? (Owner in fee is the absolute owner of real property and free from any restrictions, conditions or limitations.)

☒ Yes ☐ No

If yes, please complete the following:

- (a) Provide documentation (e.g. deed of trust, title report, etc.) showing the forest owner's ownership interest in the property and its interest in the trees and standing timber located on the property. Upload as a separate PDF titled "*Ownership Interests Documentation*."

If no, please answer/complete the following:

- (a) Explain how the entity identified as the forest owner has the right to undertake the project, register it with the Reserve, and execute the PIA:
- (b) Would the forest owner's execution of the PIA breach any relevant legal obligation or agreement it has with the fee owner(s) of the property?

☐ Yes ☐ No

If yes, please explain:

- (c) Has consent been given by the fee owner(s) of the property to the project and to the forest owner executing the PIA?

☐ Yes ☐ No

If no, please explain:

- (d) Does the forest owner anticipate that the fee owner(s) of the property will also execute the PIA with the Reserve?

☐ Yes ☐ No

- (e) Will the fee owner(s) of the property consent to the execution of the PIA and assist in the recording of the Memorandum of PIA on title?

☐ Yes ☐ No

- (f) Provide documentation (e.g. deed of trust, title report, etc.) showing the forest owner's ownership interest in the property or its interest in the trees and standing timber located on the property. Upload as a separate PDF titled "*Ownership Interests Documentation.*"

11. List all property owners in fee, the ownership structure, and the Assessor Parcel Number (APN) for each tract of land in the project area:

Names/Entity	Entity Type (e.g. corporation, partnership, individual)	APN
Berry Summit	LLC	316-0756-002, 316-076-002, 316-076-004, 316-081-007, 316-081-008, 316-082-001, 316-082-002, 316-184-002, 316-184-004, 316-184-009, 316-185-001, 316-185-005

12. If more than one name is listed as fee owner in the table above, who is authorized to sign on behalf of all parties and who will be designated to manage the project³? **n/a**

13. Provide documentation (e.g. deed of trust, title report, etc.) showing other property interests existing within the project area, which are held by third parties and affect the trees and standing timber located on the property (e.g., mineral rights, timber rights, easements, rights of way, leases etc.). Upload as a separate PDF titled "*Ownership Interests Documentation.*" In addition, in the table below, please list all entities that hold any direct or indirect⁴ legal interest⁵ in the trees or standing timber located on the property and what right the entity has through such interest to impact the trees or standing timber on the property.

Name/Entity	Type of Legal Interest	Potential Impact on Trees / Standing Timber

³ Only one entity can sign the Attestation of Title, Attestation of Regulatory Compliance, and the Attestation of Voluntary Compliance. If a forest owner consists of a combination of eligible entities, it is the responsibility of the forest owners to designate one entity with the authority to sign on behalf of all parties.

⁴ An "indirect interest" is any property interest that is not specific to trees or timber, but that could potentially impact the trees or standing timber located on the property.

⁵ Such interests could include a mineral or subsurface interest, surface interest, development right, future interest (reversionary or remainder interest), easement, or right of way.

For each entity listed above, please provide further explanation of their rights to impact or otherwise affect the property, trees, and standing timber located on the property, and what impediments such rights could potentially pose to implementation of the forest project: **n/a**

14. Is this project located on public land?

☐ Yes ☒ No

If yes, describe how the project's management activities and baseline will be approved, including any public vetting processes necessary to evaluate management and policy decisions concerning the project activity:

15. Is this project area located on tribal land?

☐ Yes ☒ No

If yes, describe how the land within the project area is owned by a tribe or private entities:

Section 3: General Project Site Information

16. Please select the project protocol under which this project is being submitted:

Forest Project Protocol, Version **3.2**

17. Specify your forest project type:

☒ Improved Forest Management

☐ Reforestation

☐ Avoided Conversion

18. Is this project intending to be issued Offset Credits as an early action offset project?

☒ Yes ☐ No

19. Is this project intending to be issued ARB Offset Credits under the Compliance Offset Protocol?

☐ Yes ☒ No

If yes, please submit the project using the Offset Project Listing Information Form – Compliance Protocol.

20. Project site state: **California**

21. Project site location, including county (e.g. Humboldt County; Fresno; Near Truckee):
Humboldt County, CA; near Willow Creek

22. What assessment area or area(s) does the project fall within? (See the Assessment Area Data file at: <http://www.climateactionreserve.org/how/protocols/forest/assessment-area-data/>
If multiple assessment areas are identified please indicate the approximate percentage of the forest project's total area contained in each area.) **Southern Cascades - Mixed Conifer: 2,112.86 acres (100%)**

23. Have any GHG reduction tonnes from the project ever been registered with or claimed by another registry or program, or sold to another third party prior to registering with the Reserve? **No**

If the answer is yes, you must complete and return a "Project Transfer" form.

24. Total project area acreage: **2,112.86**

25. Please describe the rationale for determining the project area boundaries: **All commercial forestlands on the property were selected as the project area**

26. Describe the GHG Assessment Boundary for the project, including any optional carbon pools/reservoirs that will be included (refer to Tables 5.1 – 5.3; at a minimum list the required pools): **IFM-1 (Standing live carbon), IFM -3 (Standing dead carbon), IFM -7 (Carbon in in-use forest products), IFM-8 (forest product carbon in landfills), IFM - 9 (Biological emissions from site preparation activities), IFM – 14 (Biological emissions/removals from changes in harvesting on forestland outside the Project Area), and IFM -17 (Biological emissions from decomposition of forest products).**

27. Provide a general description of the forest conditions within the project area:

- a. Species (tree) composition (the species listed should be consistent with those found within the project's assessment area): **The existing forest vegetation types within the project area boundary are described as mixed conifer with Douglas-fir, white fir, Port Orford cedar and tanoak the primary species with incense cedar, ponderosa pine, sugar pine, pacific yew, pacific madrone, California laurel, big leaf maple, golden chinkapin, red alder and other hardwood species found to a lesser extent.**
- b. Age class distribution: Describe the approximate age classes that occur within the project area (e.g. 10% aged 10-20 years, 40% aged 21-30 years, 50% aged 31+ years, etc.):
No more than 40% of the forested acres are in ages less than 20 years old. The

age class distribution consists of 125.29 acres (5.9% of project area) in age classes near or less than 20 years old, with the balance in age classes greater than 20 years old.

- c. Management history (describe what has been occurring on the property prior to implementation of the forest project): **The project and the surrounding area has historically been used for timber production, wildlife habitat objectives, and limited outdoor recreation. It is zoned for the Coastal Region under the CA forest practice rules.**
 - d. Associated flora and fauna: **The overall forest health is good within the project area. Active timber management through past harvesting has shaped the species composition which consists of Douglas-fir, white fir, Port Orford cedar and tanoak as the primary species with incense cedar, ponderosa pine, sugar pine, pacific yew, pacific madrone, California laurel, big leaf maple, golden chinkapin, red alder and other hardwood species found to a lesser extent. The most notable species-level wildlife feature is the northern spotted owl.**
 - e. Recreational opportunities: **Recreational activities include but are not limited to hiking, mountain biking, camping and photography.**
 - f. Watercourses (list major watercourses that are within the project area): **The project area is mostly situated in the Willow Creek watershed which drains into the Trinity sub-basin, and eventually into the Klamath River Basin. A small portion of the southern tip of the property stretches into the Noisy Creek-Redwood Creek watershed which drains into the Mad-Redwood sub-basin and eventually into the Northern California Coastal. Watercourses present within the project area include Willow Creek which runs east-west along CA Highway 299 and Low Gap Creek and Cedar Creek which both intersect Willow Creek.**
28. Provide a general description of land management activities occurring on similar landscapes: **Similar landscapes in the surrounding area continue to manage for timber production, wildlife habitat objectives, and limited outdoor recreation.**
29. Will the project become part of an aggregate?
- ☐ Yes ☒ No

Section 4: Project Eligibility

30. Project start date (MM/DD/YYYY): **May 10, 2013**

- a. Specify the actions that identify the project start date: **Recordation of transfer of property to forest owner**

31. First reporting period (MM/DD/YYYY): **05/10/2013** to **06/10/2013**

32. Have the forest owner(s) as identified in question #3 owned the property within the project area since the project's start date?

☒ Yes ☐ No

33. Is commercial harvesting planned or ongoing within the project area?

☐ Yes ☒ No

If yes, describe how the forest owner will satisfy one of the three requirements for employing and demonstrating sustainable long-term harvesting practices (refer to Section 3.10.1 of the Forest Project Protocol for additional information).

☐ Third party certification as explained in Section 3.10.1. Please explain:

☐ Operating under a renewable long-term management plan that demonstrates harvest levels which can be permanently sustained over time and that is sanctioned and monitored by a state or federal agency. Please explain:

☐ Employment of uneven-age silvicultural practices and canopy retention on all of its landholdings within the same assessment area as explained in Section 3.10.1. Please explain:

34. Specify how the project meets (or will meet) the following requirements under "Natural Forest Management" (refer to Section 3.10.2 of the Forest Project Protocol for additional information):

- a. *Native species*: Does the project currently consist of at least 95% native species based on the sum of carbon in the standing live pool? ☒ Yes ☐ No

If no, indicate how you will meet this requirement:

- b. *Composition of native species*: Does any one tree species currently exceed the 'composition of native species' percentage in the Assessment Area Data file?

☐ Yes ☒ No

If yes, indicate how you will meet this requirement:

- c. *Distribution of age classes/sustainable management*: Indicate how the project will meet this requirement:

☐ Third party certification. Please explain:

☐ Operating under a renewable long-term management plan that demonstrates harvest levels which can be permanently sustained over time and that is sanctioned and monitored by a state or federal agency. Please explain:

☐ Employment of uneven-age silvicultural practices and canopy retention. Please explain:

☒ Not applicable, no commercial harvesting is occurring within the project area.

- d. *Structural elements (standing and lying dead wood)*: How will the project ensure that structural elements are recruited and retained in sufficient quantities throughout the project life? **Active removal of standing or lying dead wood will not occur over the project term. As a result, standing dead trees will be retained and eventually contribute to lying dead carbon pools.**

35. Will the project incorporate broadcast fertilization? ☐ Yes ☒ No

36. Will this project employ a Qualified Conservation Easement or Qualified Deed Restriction?

☒ Yes ☐ No

- a. Date the Qualified Conservation Easement or Qualified Deed Restrictions was/will be recorded (MM/DD/YYYY): **07/01/2013**
- b. Terms that affect forest management within Qualified Conservation Easement or Qualified Deed Restriction: **Terms will align forest management with that which is allowed by the forest project protocol.**

Reforestation Projects

37. The project is submitted under the eligibility requirement of:

- a. ☐ Less than 10 percent tree canopy cover for a minimum of 10 years.
- i) Describe the reason for the lack of forest cover:
- b. ☐ Subject to a significant disturbance that has removed at least 20 percent of the land's above-ground live biomass.
- i) Describe the nature and effects of the significant natural disturbance that occurred:
- ii) Indicate the eligibility scenario pertaining to the project site as identified in Appendix E of the Forest Project Protocol and explain why your project meets that scenario criteria OR provide a description of how the project occurs on a type of land for which the forest owner has not historically engaged in or allowed timber harvesting:

38. List any laws, statutes, regulations or other legal mandates that would encourage or require reforestation on the project area:

Improved Forest Management Projects

39. Does the forest land have an estimated canopy cover of 10 percent or greater? **Yes**

40. Does the project take place on land that was part of a previously registered forest project?

☐ Yes ☒ No

If yes, why was the project terminated?

Improved Forest Management Projects on Private Lands

Description and citation of any and all legal constraints affecting forest management activities on the project area: **Z'Berg-Nejedly Forest Practice Act of 1973 (California Public Resources Code – Division 4, Chapter 8):** Designed to protect, enhance & restore California's timberland.

California Forest Practice Rules (Title 14, California Code of Regulations, Chapter 4): Regulations used to implement the Forest Practice Act that govern timber operations.

California Timberland Productivity Act of 1982 (Gov.C. 51100 et seq.): The intent of this Act is to "encourage investment in timberlands based on reasonable expectation of harvest", and to "discourage premature or unnecessary conversion of timberland to urban and other uses".

California Environmental Quality Act (CEQA) (Pub.Res.C. 21000 et seq.): statute that requires state and local agencies to identify the significant environmental impacts of their actions and to avoid or mitigate those impacts, if feasible.

Porter-Cologne Water Quality Control Act (California Water Code, Division 7. Water Quality): This is the primary vehicle for implementation of California's responsibilities under the federal 1972 Clean Water Act.

Clean Water Act of 1972 (33 U.S.C. §1251 et seq.): The Act (CWA) establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters.

California Endangered Species Act (Fish & G.C. 2050 et seq.): Protects and Preserves all native species of fishes, amphibians, reptiles, birds, mammals, invertebrates, and plants, and their habitats, that are threatened with extinction.

Endangered Species Act of 1973 (16 U.S.C. 1531-1544, 87 Stat. 884): The Act provides for the conservation of ecosystems upon which threatened and endangered species of fish, wildlife, and plants depend.

The above legal considerations impose the following timber harvest constraints on the subject project, under the baseline harvest scenario:

The Z'berg- Nejedly Forest Practice Act of 1973 (FPA) and the corresponding Forest Practice Rules (FPR): The rules that specifically effect the determination of baseline are those that include limits to silviculture activities. This includes the requirements for minimum basal area retention, rotation ages, harvest adjacency restrictions, watercourse buffer widths and protection zones.

Improved Forest Management Projects on Public Lands

41. Describe how current and future public policy will affect onsite carbon stocks and how the baseline modeling incorporates constraints imposed by all applicable statutes, regulations, policies, plans and activity-based funding: **n/a**

Avoided Conversion Projects

42. Describe how the type of anticipated land use conversion is legally permissible:
43. Describe how the project area will be dedicated to continuous forest cover (i.e., through a conservation easement or transfer to public ownership):
44. Was the land under private ownership prior to project start date? ☐ Yes ☐ No
45. Has a real estate appraisal for the project area been conducted? ☐ Yes ☐ No
46. Specify the highest value alternative land use identified in the real estate appraisal for the project area and describe how the physical characteristics of the project area are suitable for the alternative land use:
47. Where conversion is to commercial, residential, or agricultural land use, is the slope of the project area greater than 40%?
- ☐ Yes ☐ No ☐ N/A
- If yes, please explain:
48. Where conversion is to mining land use, describe the extent of mineral resources existing in the project area:
49. Where conversion to residential, commercial, or recreational land use is anticipated, please describe:
- a. The proximity of the project area to metropolitan areas:
 - b. The proximity of the project area to grocery and fuel services and accessibility of those services:
 - c. Population growth (people per year) within 180 miles of the project area:

Additional information:

I have completed and/or reviewed this form, and believe it contains the most accurate data and information possible.

Signature of individual completing form: Tim McAbee

Name: **Tim McAbee**

Title: **Director**

Organization: **Finite Carbon**

Date: **06/04/2013**

End of form