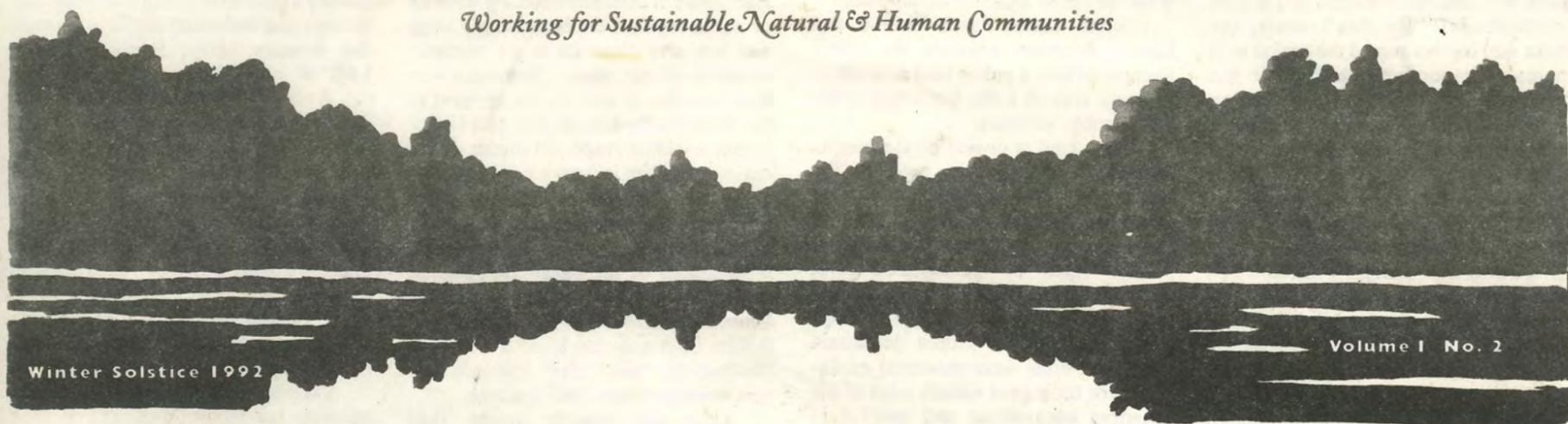


The Northern Forest Forum

Working for Sustainable Natural & Human Communities



Winter Solstice 1992

Volume 1 No. 2

Buy Land-They Don't Make It Anymore



Earlier in this century, MT KATAHDIN was owned by a paper company. Today it is owned by the Citizens of Maine as part of the 200,000-acre Baxter State Park.

Today millions of acres of paper industry lands are for sale at affordable prices.

The single most important step we can take to promote sustainable natural and human communities of the Northern Forests is large-scale acquisition of these lands by the public.

Public lands can best protect the ecological integrity of the region and assure sustainable, locally controlled, economic opportunities for the human communities.

THIS IS A ONCE-IN-A-LIFETIME OPPORTUNITY!



IN THIS ISSUE ARTICLES ABOUT

Land Acquisition

Land Protection

Public Land Management

Forest Practices Debate

Sustainable Community Economics

Vermont Property Tax Reform

The Abenakis & Vermont



Can We Live Here Sustainably & Respectfully?

The litmus test for any Northern Forest initiative is: does it promote the quest for sustainable natural and human communities? By this criteria, the status quo has not served the region well in many important respects. It has produced an ecological crisis, an economic crisis, a social crisis and a spiritual crisis in the Northern Forest region. Recent changes and trends have forced us to confront the fact that even if retention of the status quo were desirable, it is not possible.

Attempts to build sustainable human communities must address the context of the current regional and global crises: destruction of ecosystems, fragmentation of habitat; loss of species and genetic diversity, deforestation, poisoning of air, land and waters, human overpopulation, and unsustainable consumerism, to name a few.

Economic, political and social relationships and institutions must respect the carrying capacity (the physical and ecological limits) of the Northern Forest ecosystems. There is no room for negotiation on this point; one might as well command water to run uphill.

Ecological sustainability is not an issue to be debated; rather, it is the limiting factor within which all other issues must be examined. We must address the multitude of crises facing the region in a wholistic manner. Isolation of economic or social issues from their ecological context will only produce a new recipe for unsustainable, socially irresponsible policy.

This second issue of the *Forum* begins to lay out in a wholistic manner some of the strategies that are integral to developing sustainable institutions and practices.

We open with David Miller's compelling suggestion that the single most important step we can take in this direction is to buy much of the lands currently for sale by paper companies and other large landowners. Michael

DiNunzio and I discuss why the paper industry is selling these large tracts and what the public must do in response.

David Carle, Sarah Thorne and Lowell Krassner examine the effectiveness of recent public land acquisition projects around Lake Umbagog (NH) and Granby, Vermont.

Once land is owned by the public, it must be managed to promote the stability of the natural and human communities of the region. Sandra Coveny warns that existing public lands in the state of Vermont do not adequately protect the ecological integrity of the region. She contends that even if the entire Green Mountain National Forest were managed *exclusively* for ecological values, most of the sensitive ecosystems and species in Vermont would remain unprotected. Buck Young examines the Forest Service's implementation of the Green Mountain National Forest Plan and finds that all is not well—even on a forest that is widely regarded as a model for the rest of the nation.

Many people in the Northern Forest region believe unsustainable forest practices pose the single greatest threat

to the ecological integrity of most of the region's vast forested areas. New Hampshire is currently debating whether or not to regulate the increasingly large and intensive clearcuts in the northern counties of the state. Tammara van Ryn provides us with the background to the New Hampshire debate, and Henry Swan, a widely respected leader of the region's timber industry courageously calls for "restrictive" regulations governing the practice. Mitch Lansky then scrutinizes the unexamined assumptions of the latest "fix" for the industrial forest that has been offered by University of Maine (Orono) professors Robert Seymour and Malcolm Hunter. He finds that their "triad" approach creates more problems than it solves.

Lest the reader doubt that clearcutting and other unsustainable forestry practices are really a problem, two recent books on the Maine woods (reviewed by Gary Lawless) provide compelling factual and visual evidence that there is indeed a crisis of catastrophic proportions in the industrial forest of Maine. Anyone concerned with the fate of the Northern Forests will want to read both Cheryl Seal's

Thoreau's Maine Woods: Yesterday & Today and Mitch Lansky's definitive critique of industrial forestry and industrial society—**Beyond the Beauty Strip: Saving What's Left of our Forests**.

Andrew Whittaker describes a sustainable, resource-based economy for the region that is ecologically benign and locally controlled. One key element of such an economy is locally grown food produced without petrochemical fertilizers and pesticides. The Lost Nation Cider Mill's Michael Phillips describes the dreams and frustrations of a committed local organic farm cooperative venture in northern New Hampshire.

Like the weather, we all talk about property tax reform, but no one does anything about it. Well, Deb Brighton has. She has examined in compelling detail how Vermont's property tax system works (or doesn't work). Reforms that lead to equitable taxation policies require such clear analysis as a first step.

This issue of the *Forum* concludes with Tomas Obomsawin's history of the relations between Abenakis and Euro-Americans in Vermont over the past two centuries. Today, the Abenaki are fighting for fundamental human and property rights long denied them by the dominant culture. But there is even more at stake here than ending centuries of injustice. Prior to the coming of Europeans, the Abenaki and other Native Peoples lived on this continent from time immemorial respectfully and sustainably.

As we enter the Twenty-first Century, we must rediscover a respect-filled way of living that is inspired by the beauty and mystery of the evolving dance of life.

These are a few of the human voices of the Northern Forests. In forthcoming issues of the *Forum*, we will continue to discuss these and other issues critical to the future of this region. Please contribute your voice to this chorus.

--Jamie Sayen



Northern Forest Forum Statement of Purpose

The Purpose of the Northern Forest Forum is: To Promote Sustainable Natural and Human Communities in and beyond the Northern Forest Region.

The *Forum* will focus on:

*The Ecological Integrity of the region and strategies we need to adopt to restore and preserve it;

*The need for Economic Reform into an economy that is ecologically sustainable, equitable, and locally and regionally controlled;

*Community Empowerment; and
*Monitoring the Northern Forest Lands Council.

The *Forum* is the only publication devoted to exploring the Northern Forest as an area of local, state, regional, national and global significance. It will seek to involve all citizens and groups concerned about the future of the Northern Forests, especially groups working for economic and community revitalization, religious and cultural interests, local officials, planners, foresters, and citizens of the Northern Forest communities.

We believe we can find the common ground that unites the diverse elements of the Northern Forest communities—our love for the region. The *Forum* will provide an empowering forum for the unheard voices of the human and non-human communities of the region.

We hope to stimulate a healthy debate that will assist our search to find common ground, not more polarization. We hope the *Forum* will promote a sense of regional and cultural identity and celebrate the integrity, beauty and resiliency of the biotic community and the cultural diversity of the human communities of the region.

The *Forum* will seek to assure that political, economic, social and cultural strategies for the region's future be ecologically sustainable. In particular, we will promote forestry practices and wood products manufacturing that are ecologically sound, socially responsible and economically viable.

Articles published by the *Forum* will represent the views of the authors only, and will not necessarily represent the views of all supporting members of the *Forum* or its editorial staff.

Editorial Policy

The Northern Forest Forum is an independent journal covering issues of importance to the Northern Appalachians (including the Adirondacks and Tug Hill regions of New York). Signed articles reflect the views only of the writer, and do not necessarily reflect the views of the editors or any other groups or individuals associated with the *Forum*. The *Forum* will publish articles that stimulate the search for sustainable natural and human communities in the region.

Publication Schedule

The Northern Forest Forum is published six times a year if funding permits. It will be printed in the middle of the odd-numbered months (January, March, May, July, September, & November). Deadlines for submission will be the First of those months.

If possible, please submit articles on Macintosh-compatible disc. Send articles to: *Forum*, POB 52, Groveton, NH 03582.

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Buying Land: An American Tradition

by David J. Miller

To paraphrase Will Rogers, "I always recommend buying land; for it is one of the few things that is permanent." The purchase of land for public good is about as close to the notion of permanency as you can get. For the past century, it has been a cornerstone of America's conservation ethic from the days of Teddy Roosevelt to more recent days of Mo Udall in the United States Congress. In the Northeast, federal dollars have been used in establishing the Green and White Mountain National Forests along with state funds for protection of unspoiled mountains, rivers and lakes in the Adirondacks. These prizes are provided for today's generation to use, while protected for future generations to enjoy.

On a national scale, where would our National Parks system be today if our forefathers had not invested public monies for public acquisition of land? Land acquisition carries a conservation vision with its use to conserve our natural resources, protect wildlife habitat and provide for recreational activities for many generations to come. If the far right wing of today's society who called public land acquisition unconstitutional had been a majority in the past, would we enjoy today's natural resource jewels? Does the fact that Yellowstone and Mount Washington are in the public domain make them unconstitutional or anti-American?

To the contrary, these magnificent examples of our foresight make the case for future public acquisition so compelling today. In an economic time when large landowners and corporations are looking to liquidate their lands, the federal and state government must step up to the plate and be a player in a buyer's market. The Northern Forest Alliance, composed of more than 20 environmental and conservation groups, has listed a half million acres of forested mountain, river and lake area lands in the Northern Forests region already on the real estate market. This represents only today's snapshot of the public land opportunities for our investment in America's natural heritage. Corporations like Champion International have announced that close to 100,000 of its 150,000 acres owned in the Adirondacks are not part of its

Contributions

Contributions to the Forum are tax-deductible & urgently needed if we are to keep this publication alive.

Please make checks payable to Earth Island Institute, earmarked for "Project #44, The Northern Forest Forum."

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strategic future. Champion conceded that it will be difficult to hold onto these lands and many people expect Champion will probably unload these and other non-strategic forests in the region by the end of this decade.

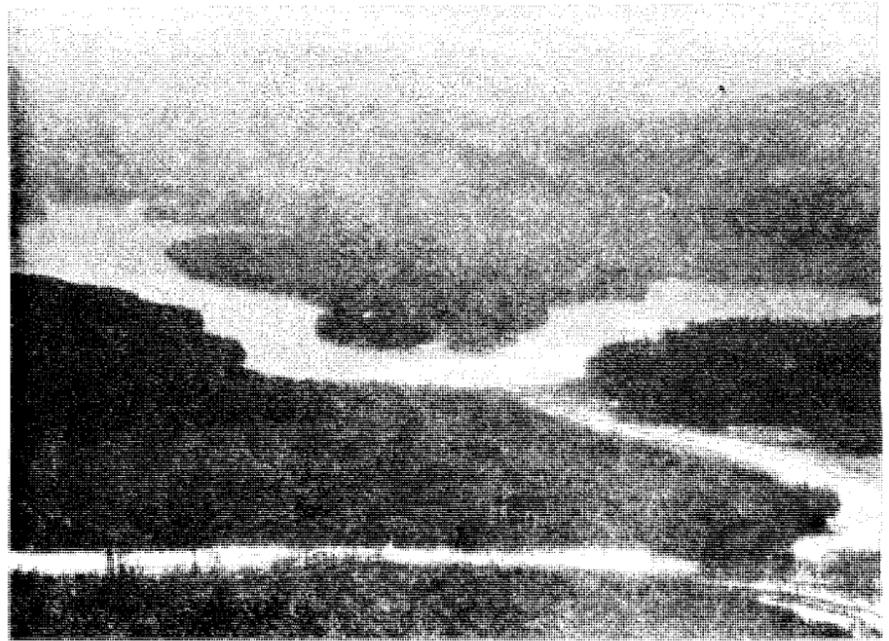
This trend is one that stretches across Northern New England and will involve millions of acres of magnificent lands currently owned by multinational paper companies. We cannot allow these jewels of our heritage to be chopped up, subdivided, and built upon to satisfy the thirst of short-term profiteers. Local communities are recognizing this need with recent editorials in support of public acquisition of Lyons Falls' Pulp and Paper Company lands currently up for sale in the Tug Hill region of New York. In Granby, Vermont, community leaders embraced the federal funds available under The Forest Legacy Program to protect over 1,000 acres of land on the market within their boundary.

Our state and federal funding sources are woefully inadequate to deal with today's opportunities. Federal and state governments must do more than a mere \$10 million Forest Legacy Program which, by itself, cannot meet our greatest challenge. It is time for us as citizens to demand public investment for public good in the finest tradition of America's conservationist ethic. The noise-makers of the far right must be put in their proper place; a fractional minority with no vision and only self-interest at heart. Their "red-herring" issues--such as people being kicked off their land--must be countered forcefully. Government leaders need the courage to invest in our future, instead of capitulating to the distorted rhetoric of the divisive minority.

The Northern Forest lands are changing before our eyes. Large tracts of beautiful forests which have been taken for granted as always being part of New England are on the brink of being marred with "No Trespassing" signs and condominium complexes. In addition, economic pressures have forced certain companies in Northern New England to pursue accelerated herbicide use and clear-cutting of their forested lands. This can result in an unsustainable forestry base and subsequently force these lands to be sold for speculation. Can society at this critical juncture truly dance around the need for public lands to appease the vocal far right? Is that choice in the best interest of future generations? Can our biological resources survive the onslaught? Can public acquisition and easements be a tool to ensure sustainable forestry?

It is time to stop the dance and get to work. We need a conservation vision that provides the resources to purchase the millions of acres of threatened Northern Forest Lands as we enter the 21st century. A new National Program comparable to the historic Weeks Act, which helped purchase the eastern National Forests, must be established and set in motion. This major Congressional commitment would be the cornerstone of public acquisition efforts; it must have the flexibility for areas like the Adirondack Park to be placed in state ownership through conditions and matching funds. We cannot afford to sit idly by and watch the massive conversion of our forests take place, or the generations of tomorrow will surely never forgive our shortsightedness.

(David J. Miller is the Northeast Regional Vice President for the National Audubon Society.)



Follansby Pond, one of the Jewels of the Adirondacks that is for sale. The owner would like to sell to the State, but there is no money available. Photo by Gary Randorf, Adirondack Council.

Endangered Jewels of the Northern Forest

Here is a sampling of some of the tracts of land for sale in the Northern Forest Region that are most threatened by development. In addition to these "Jewels" there are millions of acres of lands for sale in the 26-million acre four-state Northern Forest region that are equally in need of protection through public acquisition. Most of these "Jewels" were part of the 1992 "New Years' Resolution" signed by 16 environmental groups that called on Federal and State government leaders to dedicate adequate land acquisition funds to protect these and other critical landholdings that are currently--or soon will be--"For Sale." None of last year's "Jewels" received protection in the past twelve months, and the Stratford Bog in NH was recently purchased by a local developer who claims he wants to build a ski resort adjacent to the Nash Stream State Forest. Time is running out for the other tracts also.

Adirondacks & Tug Hill

- ***International Paper Company's Raquette River Tract** (20,000 acres of low elevation boreal bogs, spruce flats, swamps, mixed coniferous forests, and hardwood hills in the northwestern Adirondacks).
- ***Follansby Pond** (A 14,000 acre tract that is one of the largest undeveloped, privately owned waterbodies in the Adirondacks. The owner would like to sell to the Park, but there are currently no funds available.)
- ***Lyons Falls Pulp & Paper Lands** (15,000 acres of pristine forest on the headwaters of the Salmon River in Tug Hill region, and 5,000 acres on the headwaters of the Moose River in the Adirondacks. Important migratory bird habitat.)

Northern Vermont

- ***Large Corporate Holdings in the Northeast Kingdom** (Champion International owns nearly 200,000 acres in the Northeast Kingdom. In October a spokesman for Champion indicated to some Vermont timber owners that the company would need to sell much of these holdings.)

Northern New Hampshire

- ***James River Lands** (JR owns 180,000 acres in Coös County that contain numerous lakes streams and wetlands. JR just sold one of its three NH mills and would still like to unload the other two mills. Its NH lands are known to be available, even if not actually for sale.)
- ***Stratford Bog** (7,000 acres adjacent to the Nash Stream. It was included in the 1992 New Year's Resolution. A recent court decision has awarded it to a developer. Look for a new ski resort to be built on the backside of the 3,701 elev. Sugarloaf Mountain).

Maine

- ***Katahdin Iron Works** (an indispensable tract that boasts numerous remote ponds, mountain peaks, miles of undeveloped river and stream shoreline. Of the 70,000 acres in this area, 32,000 are for sale by James River/Diamond Occidental. Champion International owns some of the remainder, and it has indicated an interest in selling.

Remember: this list is just the tip of the iceberg. There are millions of acres for sale in the region, all of which deserve to be managed respectfully, whether by public or private owners.

--Compiled by Jamie Sayen, based on work done by David Miller and other members of the Northern Forest Alliance

Paper Company Lands in Adirondacks & Tug Hill For Sale

by Michael G. DiNunzio

Are We Losing the Working Forests of the Adirondack Park? Ominous Signs Point to an Impending Crisis of Major Proportions.

Over the past century, the privately owned "working" woodlands of the Adirondacks have provided a continuing flow of forest products that underpin a major sector of the region's economy. These woodlands also provide wildlife habitat, clean air and water, and diverse recreational opportunities for the general public. In short, they largely define the open space character of the Park's private lands and have sustained untold numbers of residents for generations. Fragmentation, development, or change in use of these lands would be a catastrophic blow to the economic and environmental stability of the Adirondack Park. Unfortunately, that catastrophe may be looming on the horizon.

Speaking recently before a group of forest industry, environmental and economic professionals, the general manager of Champion International's regional timberland division said his company is now assessing its ownership of nearly 145,000 acres of Adirondack lands. Since this company is the third largest landowner in the Park, when Champion speaks, people listen. And what Champion said sent shockwaves through the community.

Champion considers about 95,000 of its Adirondack acres to be "non-strategic" lands. Apparently, the company does not need these forests as a source of raw material for its nearby mill and the cost of owning this land has become burdensome. Champion's manager stated he wouldn't object if the lands were sold to bankroll the purchase of forested property in the Southeast near another mill.

If this announcement were an anomaly, it wouldn't make much news. But it falls closely on the heels of a similar development.

Lyons Falls Pulp and Paper, recipient of the Adirondack Council's Industrial Stewardship Award last year, has placed 20,000 acres of North Country land on the market. Five thousand of these acres lie within the Adirondack Park, east of the Black River Valley near the village of Old Forge. The remaining 15,000 acres form the core of the nearby Tug Hill forest, which is an integral part of the "woodshed" that provides timber for the Lyons Falls mill and other segments of the local forest-based economy.

The financial plight of Lyons Falls Pulp and Paper, which apparently precipitated their land sale, is particularly troubling for a number of reasons. Lyons Falls is the only mill in the nation which produces a paper product that is entirely chlorine-free. Chlorine is known to produce carcinogenic by-products when used to bleach paper pulp, and eliminating its use is a goal of the national environmental community. [Ed. Note: The Forum is printed on Chlorine-Free paper manufactured by Lyons Falls Pulp & Paper.]

Lyons Falls has also led the way in promoting exemplary stewardship of its woodlands. It recently concluded a precedent-setting conservation deal with the State and the Nature Conservancy, whereby 17,000 acres of private Park

lands were opened to the public through an innovative swap of development and access rights for timber. Finally, it is important to remember that hundreds of families depend upon the mill for their livelihoods. Lyons Falls Pulp and Paper has been a longtime good neighbor in the Adirondack Park, like many other industrial forest owners who have located in and around its borders.

The Champion and Lyons Falls land sales are not isolated incidents. Owners of more than 300,000 acres within the Adirondack Park have either placed their lands on the market or have indicated an interest in selling conservation easements. Some of them have been waiting patiently for many years to sell to the State.

Earlier this year, Georgia-based speculator Henry Lassiter dumped all 100,000 of his Adirondack acres on the market. The latest sizeable stretches of undeveloped shoreline on both Lake George and Lake Champlain are now offered for sale. And the 50,000-acre Whitney Estate, centerpiece of the proposed Bob Marshall Great Wilderness, is beginning to break up.

For the first time in over 30 years, New York is utterly without funds to buy land or easements anywhere. Failure of the 1990 Environmental Bond Act at the polls two years ago, and lack of action by the State Senate last year to pass environmental trust fund legislation has turned an opportunity into a crisis. At a time when great

strides could be made toward permanent protection of Park lands, the state is a mere bystander at the auction block.

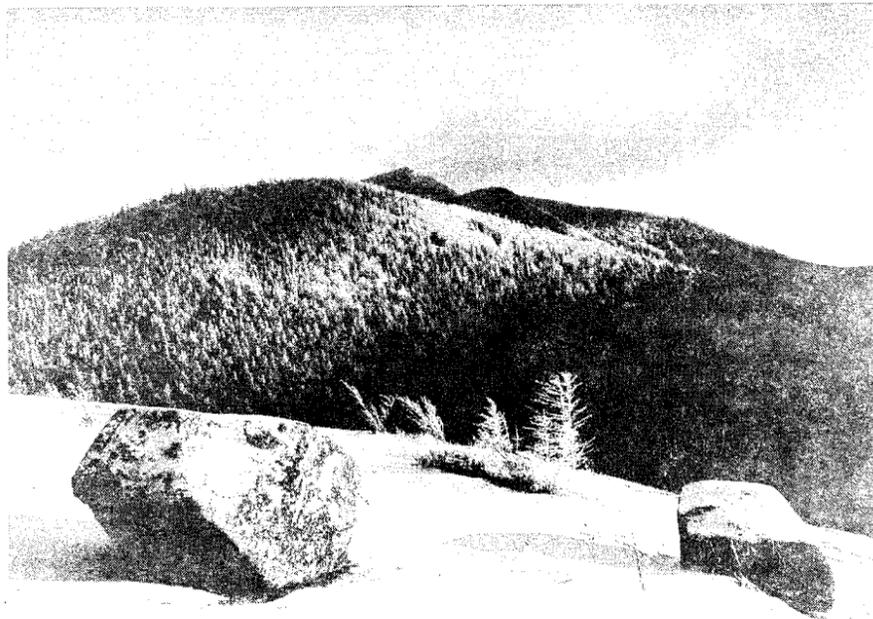
Sales of large blocks of Adirondack forest land by industrial owners is a phenomenon that runs counter to traditional patterns and may signal a new trend in the Park. Over the past 20 years, the percentage of the Park's large private holdings (500 acres or more) owned by the forest industry has nearly doubled. Seven of the 10 largest landowners in the Park are forest industry companies. The industry now controls about 54% of the 2 million acres owned by large land owners.

Working forests can only remain in production as long as they pay their way. If taxes are too high or market prices too low, the burden of ownership could become too heavy to bear, as it was for Lyons Falls. The 5,000 acres they are selling within the Park is being offered at about \$1,000 per acre. That's roughly four times the value of the land for timber production and virtually ensures that a buyer would purchase it for its development potential.

Using similar logic, it is predictable that Champion will be tempted to carve off "non-strategic" lakeshore and roadfront lots from its industrial core lands. If this happens, much of the forest may continue to "work" for a living, but the park would be the loser. Undeveloped shorelines and scenic road corridors are critical to maintaining the character of the Park, and if lost they will diminish it forever.

As we enter the second century of the Adirondack Park, the Adirondack Council will redouble its efforts to secure funding for land conservation. We will also concentrate on working with legislators, community leaders, and with forest land owners to develop new strategies for stewardship in the Park. Some of the tools we will use to implement these strategies involve forest tax law changes at both state and federal levels. And regulatory changes are needed, too. But our immediate concern is to stop the loss of working forests and the precious natural resources they contain. For without them, we cannot sustain either the natural or human communities of this great park.

Michael G. DiNunzio is the Director of Research and Education for the Adirondack Council, Box D-2, Elizabethtown, NY 12922. Tel. (518) 873-2240.



Hopkins Mountain in the Giant Mountain Wilderness. Photo by Gary Randorf, Adirondack Council.

Why We Can't Afford to Buy Northern Forest Lands

Recently 10% of Maine was sold by Georgia-Pacific (headquarters in Atlanta, GA.) to Bowater (headquarters in Darien, CT) for about \$80 per acre. In NH a developer just purchased 5,920 acres surrounding the Strafford Bog for \$119.50 per acre. Using the high figure of \$120 per acre, we could buy the entire Northern Forest Region that is not currently owned by the public--about 22 million acres--for a paltry \$2.64 billion! No one proposes that the public buy it all. But much the 10-15 million acres that are either currently for sale, or are expected to go on the market in the next couple of decades should be purchased by the public and managed sustainably for the benefit of the natural and human communities of the region. At \$120 per acre, the price of 10-15 million acres would cost between \$1.2 billion and \$1.8 billion.

That's less than \$2 billion to protect the evolutionary and ecological integrity of an entire region. All we need to do is allocate \$100 million a year for the next 12-18 years. Show me a better bargain!

To put this into perspective here's how our society currently spends its money.

- *American tobacco companies spent \$2.5 billion on cigarette advertising in 1991
- *Pre-Iraqi conflict, the nations of the world were spending \$2.5 billion daily in peacetime armaments
- *Americans spent \$2.5 billion in the first six months of 1991 on pet food
- *You could not buy four Stealth bombers for \$2.5 billion

Isn't it time to ask our Public Officials why money is always available for instruments of death, but always in short supply when the issue is protecting life?



Bleak Paper Industry Future

A Chance to Buy Millions of Acres of the Northern Forests

by Jamie Sayen

At a forum sponsored by the Land Conversion Subcommittee of the Northern Forest Lands Council on September 21, 1992, a panel of experts on the forest products industry explained why the large paper companies and large institutional investors, such as the John Hancock Pension Fund, are not buying land in the northern forest region.

Bill Wommack, formerly of Meade Corporation stated that between 1977-1987 there was only a 0.2% increase in forest industry land holdings. He does not expect industry to increase ownership in the coming decades.

Evadna Lynn, First Vice President of Dean Witter Reynolds, Inc. and a leading Wall Street analyst of the forest products industry, stated that corporate landowners are selling land either because they have a cash problem, or because they recognize an opportunity to liquidate an asset whose value has, until recently, been illiquid (in other words, they are taking advantage of a recent rise in the value of timber land). But, she added, "the Northern Forest is being bypassed by this resurgence in sawtimber values. As a rule of thumb, the northern commercial forests have a value around \$100 an acre, compared with \$400 an acre in the South and \$1,000 an acre in the West. These differences are based on stand density, regeneration cycles, and the ratio of pulpwood to sawtimber. Few paper companies appear to be looking to their northern timberlands as a source of cash, again seeing them more as insurance [she admitted that "insurance" is a euphemism for "price-fixing" by mills to keep the stumpage paid by mills to non-industrial owners low] against shortages of fiber.

A third panelist, Richard Smith of John Hancock Pension Fund told the forum that large institutional investors such as Hancock had recently begun buying huge tracts of timberland. In 1985 Hancock held only \$70 million in timberland; today it has holdings valued at \$1.2 billion. Overall, institutional investors currently own \$2 billion in timberland, and Smith projected that this figure would rise to \$6 billion in the next couple of decades.

Most of the \$2 billion is invested in the South, especially in the Piedmont Range. There is about \$750 million in-

vested in the Pacific Northwest. Hancock only owns about \$15-20 million in the Northern Forest region. When asked why institutional investors were not buying more of the 3-5 million acres currently for sale in this region, Smith replied that the "economics" weren't favorable. When pressed, he admitted that given the condition of the land (massive clearcuts, mostly pulpwood and chipwood), the asking price for timberland in the Northeast was too high. **Translation: abusive,**

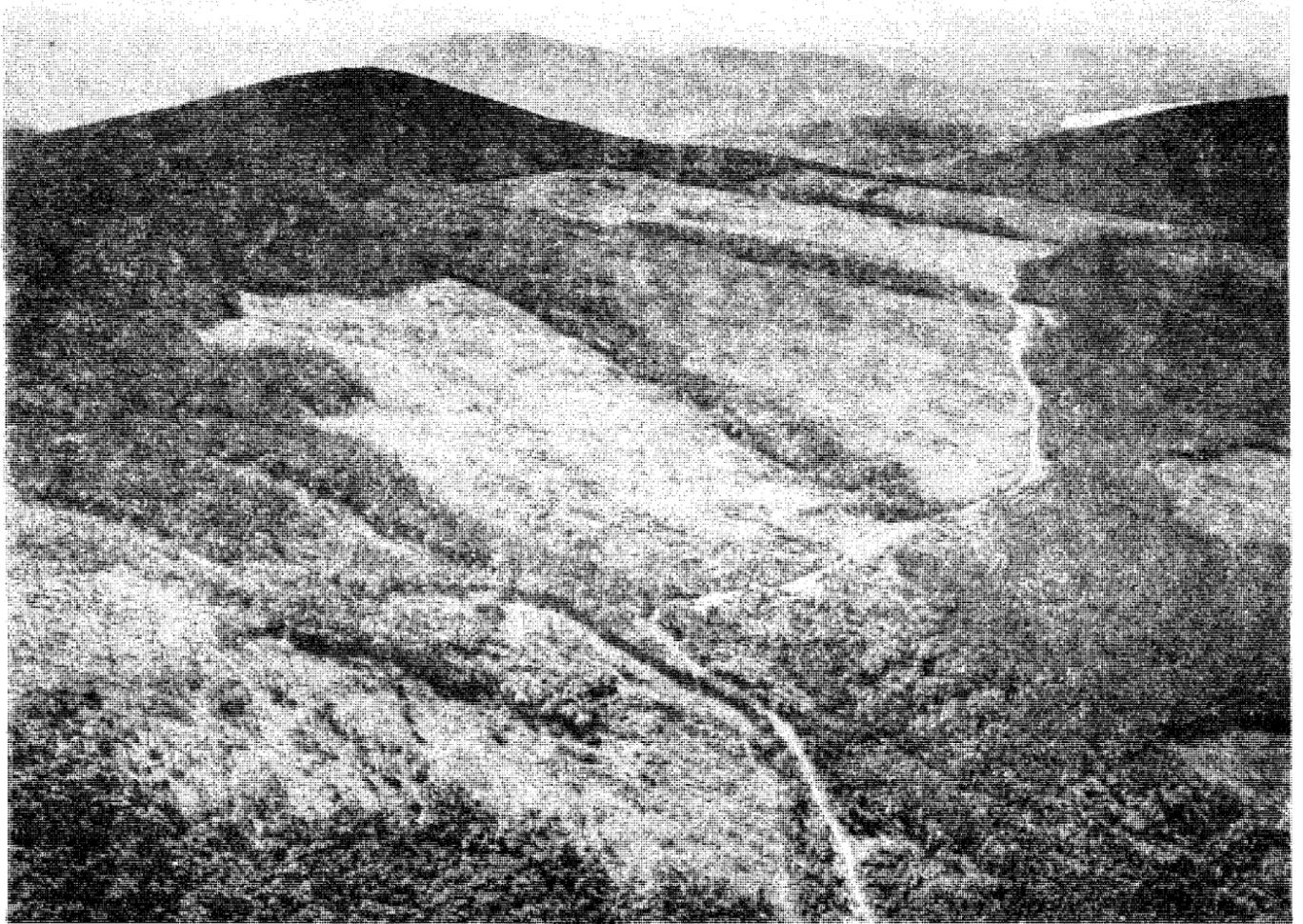
unsustainable forest practices do affect land conversion strategies, and they have scared away the most enthusiastic new big-time private investor, the institutional investors.

So, what is the future for the Northern Forest region? Ms. Lynn suggested that "the outlook for pulp and paper profits has become clouded." The reasons are: overcapacity of mills (the industry expanded capacity by 14% in the late 1980s), a sluggish economy,

greater reliance on recycling, and the uncompetitive condition of the mills of the northeastern states. She said that "the region has 17% of the paper machines in the U.S., but only 7% of national paper and paperboard capacity." Northern Forest mills are old and uncompetitive with the modern mills of the south, and the region's forests are degraded.

But, there's a bright spot according to Ms. Lynn. Prospects for growth in waferboard sales are promising for the region. In other words, the future of the industrial sector of the Northern Forests is in junk wood and degraded forest products.

Continued on Page 9



Industrial Clearcuts in Township D in Western Maine visible from the Appalachian Trail. Photo Courtesy of Alex MacLean--Landslides.

Vermont Town Buys 1639 Acres

by Lowell Krassner

The small Northeast Kingdom town of Granby, Vermont has initiated the nation's first Forest Legacy project. On September 29, the town voted unanimously (36 of its 49 registered voters) to purchase Cow Mountain Pond and timber rights on surrounding land from Champion International. The land, a total of 1639 acres, will remain undeveloped, save for possible campsite lean-tos. An existing trail network will also be maintained.

Cow Mountain Pond has been a traditional recreation site in the community, and citizens feared that it might be lost when they learned that Champion was offering it for sale. In a year-long negotiation, funds for the complex deal were assembled from a wide range of sources, including the Forest Legacy Program's first grant (\$271,000), the Vermont Housing and Conservation Trust (\$180,000), a \$55,000 loan which the town of Granby will repay, and \$5,000 from the Connecticut River Partnership Program. The Nature Conservancy will have interim ownership while final arrangements are completed.

The Forest Service, state officials, the Northeastern Vermont Development Association, and other public and private agencies were involved in the process. Community support from the 80 residents of Granby has been the most vital element. Money has been raised with bake sales, raffles, and pot luck dinners, and now the town has assumed a debt load of \$55,000 to complete the purchase. This debt represents a considerable commitment on the part of Granby citizens, who will have to raise their taxes to repay it.

The Forest Legacy concept was conceived to enable purchase of development rights from private owners, allowing them to continue logging and other forest-based economic activity on the land, while maintaining open-space characteristics. The Granby project is structured differently, for Granby will own only 36 acres, including Cow Mountain Pond and its immediate vicinity. The remaining 1600 acres will belong to the U.S. Forest Service, but timber rights will belong to the town of Granby. A management plan, including timber harvesting, will be drafted by Granby residents in cooperation with U.S.F.S. This plan will assure continuation of both economic activity and the recreation and scenic amenities that have traditionally benefitted Granby's citizens.

Lowell Krassner has been monitoring Northern Forest issues for the Vermont Chapter of the Sierra Club for many years. He also serves on the Forum's Editorial Board.

Legacy Program Protects Working Forest, But Not Biodiversity

by Lowell Krassner

The announcement from Granby, Vermont that a favorite recreation site and 1600 acres of surrounding forest land will be protected from development under the Forest Legacy Program is, in many respects, encouraging. It demonstrates that Federal, state and local governments, plus elements of the private sector can, given popular support, act creatively to fend off one of the perceived threats that the NFLS dealt with. The pond and its environs will not fall prey to any development, a necessary but not sufficient condition for restoration of a healthy forest. Under a sound forest management plan, the area can provide habitat for edge-dwellers and will look presentable. Humans will continue to enjoy outdoor recreation and scenery. But a truly healthy, biologically diverse, self-sustaining ecosystem is far from assured.

Environmentalists, from the beginning, recognized that the Northern Forest

Lands Study and its companion Governors' Task Force were reluctant to deal with the fundamental problem in the Northern Forest: how to restore and sustain the natural biodiversity that is essential to continued ecosystem function. Mounting biologic evidence tells us that full diversity does not recover on lands managed for timber production. It is not just the obvious mammals--marten, lynx, or panther--that are lost; an array of understory plants and invertebrates also disappears. Mounting evidence indicts forestry practices in Northern Forest breeding grounds as a major cause of the disappearance of formerly common songbirds.

Economically valuable tree reproduction will reappear as expected, but the complex web that gives the forest ecosystem its resilient stability is being broken. Each succeeding generation of the forest loses additional strands of the web, and we are the poorer for it, now and beyond the foreseeable future.

Forest Legacy has stopped the immediate threat; but it will not restore the crippled Northern Forest Ecosystem. The sixteen hundred acres that will be cut within 100 years provide neither the space nor the time necessary for recovery. We need extensive, undisturbed forests as the biological reservoir from which genuine biodiversity can flow. Legacy is a first step for one part of the forest, but we must also provide the space and time that are essential for recovery and evolution.

Lake Umbagog Easement- Have Public Expectations Been Met?

by David Carle

The State of New Hampshire recently purchased approximately 450 acres along the shoreline of Lake Umbagog from James River Corporation (JR), whose corporate headquarters are in Richmond, Virginia. The State also purchased conservation easements on approximately 2250 acres from JR behind the lakeshore land to protect the land from development and to maintain a productive forest.

The \$2 million purchase was done through the Land Conservation Investment Program (LCIP), a quasi-governmental New Hampshire agency whose goals include the protection of scenic areas, recreation, productive forests, and fields. Lake Umbagog protection efforts appear to be focused on preventing development, loss of recreational opportunities and degradation of important wildlife habitat.

Do the public benefits from this project justify its \$2 million cost to taxpayers?

When most people think of land protection, they think of protecting a whole array of public values, including forestry, the preservation of scenery, recreational opportunities and wildlife habitat. Measured by these criteria, the Lake Umbagog land purchase does not meet the public's expectations.

Protection from Development

The major goal of the land purchase was protection from development. Yet the conservation easement that covers the majority of the land is wrought with exceptions. James River is prevented from building a "dwelling, tennis court, swimming pool, dock, permanent aircraft landing strip, tower, (or) mobile home," but "roads, dams, fences, bridges, culverts, barns, maple sugar houses, trailers, and sheds" are allowed.

Apparently, it will be permissible to build a temporary aircraft landing strip! If "disagreements arise as a result of placement of such structures or improvements, the dispute will be resolved in favor of continued forest management." In other words, any disagreement will be resolved in favor of James River or a subsequent owner, the party "managing" the forest.

Many towns in New Hampshire have been able to limit or eliminate development by implementing zoning regulations over much larger areas for much less money. The easement not only fails to eliminate development, but allows development activities that most people would consider inappropriate in a "protected" area.

Protecting a Productive Forest

This agreement does not guarantee that the public will be gaining a productive, sustainable forest. The easement will allow the deed holder to "cut and remove forest products, including but not limited to trees, logs, poles, pulpwood, firewood, chips, stumps, biomass (the removal of the whole tree, not just the trunk); and to clearcut." This is only a partial list of logging activities allowed in the easement. If James River, the present land owner, clearcuts the area, as Boise Cascade has done to hundreds of acres on the western shore of Lake Umbagog (including some islands), can these fields of stumps, smashed limbs, stagnant puddles, huge ruts from heavy machinery, and blowing soil be considered productive? Other New Hampshire timber companies have found that clearcutting is not a sustainable business practice. Instead of promoting regulations that prevent the destructive, nonsustainable practices listed in the easement such as whole tree log-

Continued on Page 7

Umbagog: A Good Deal for New Hampshire

by Sarah Thorne
Director

Trust for New Hampshire Lands

In July of 1992, after four years of negotiations, the State of New Hampshire purchased 7.3 miles of shoreline on Lake Umbagog from the James River Timber Corporation and Irving Pulp and Paper, Ltd. In addition, the State acquired a conservation easement on 2258 more acres of upland forest set back from the Lake. The purchase price for the package was \$2 million.

In the accompanying article, David Carle has strongly criticized the easement component of this deal. As lead negotiator on behalf of the state's Land Conservation Investment Program, I offer this rejoinder.

In focusing solely on the conservation easement, Mr. Carle has ignored the focal point of this deal--the full fee simple acquisition of 7.3 miles of shoreline, 446 acres, by the State. The Conservation easement was supplementary to this main goal of fully protecting the shoreline of the lake. Mr. Carle has mistakenly assumed that the \$2 million was invested in the easement alone, when actually, the \$2 million is the value of the shoreline purchase. The easement itself has not been appraised and was regarded by the landowner as a donation.

Mr. Carle criticizes the State for not purchasing the easement land outright. James River, however, had insisted from the outset that they retain ownership of the productive forestland. The fact that this easement land was not for sale seems irrelevant to Mr. Carle. Our acquisition program does not have, nor does it wish to have the power of condemnation.

Mr. Carle's implication that zoning

would have been a more cost-effective means of protecting the land is surprising. First, zoning, unlike an easement, is not permanent. Second, no zoning ordinance in New Hampshire even comes close to disallowing development in a 2258 acre area (50 acres is the largest minimum lot size of which I know). Finally, the Town of Errol has no zoning and its subdivision regulations do not have a minimum lot size. Clearly, local land use regulations impose few development restrictions on Lake Umbagog.

On the subject of easement terms, Mr. Carle criticizes the state for not prohibiting forestry related buildings and roads, for not exercising strong forest management oversight and for not requiring that camping be allowed on the easement land. In addressing these concerns, it is important to keep three things in mind. 1) The shoreline ownership purchased by the state provides ample and the most desirable opportunities for camping. 2) The shoreline purchase protects the lake and the most sensitive habitat and recreation areas. 3) Tighter control over forest management was something that the landowner refused to relinquish after extended negotiations with the state.

The State determined that, to supplement and buffer its shoreline purchase, the conservation easement was very much in the public interest. The easement:

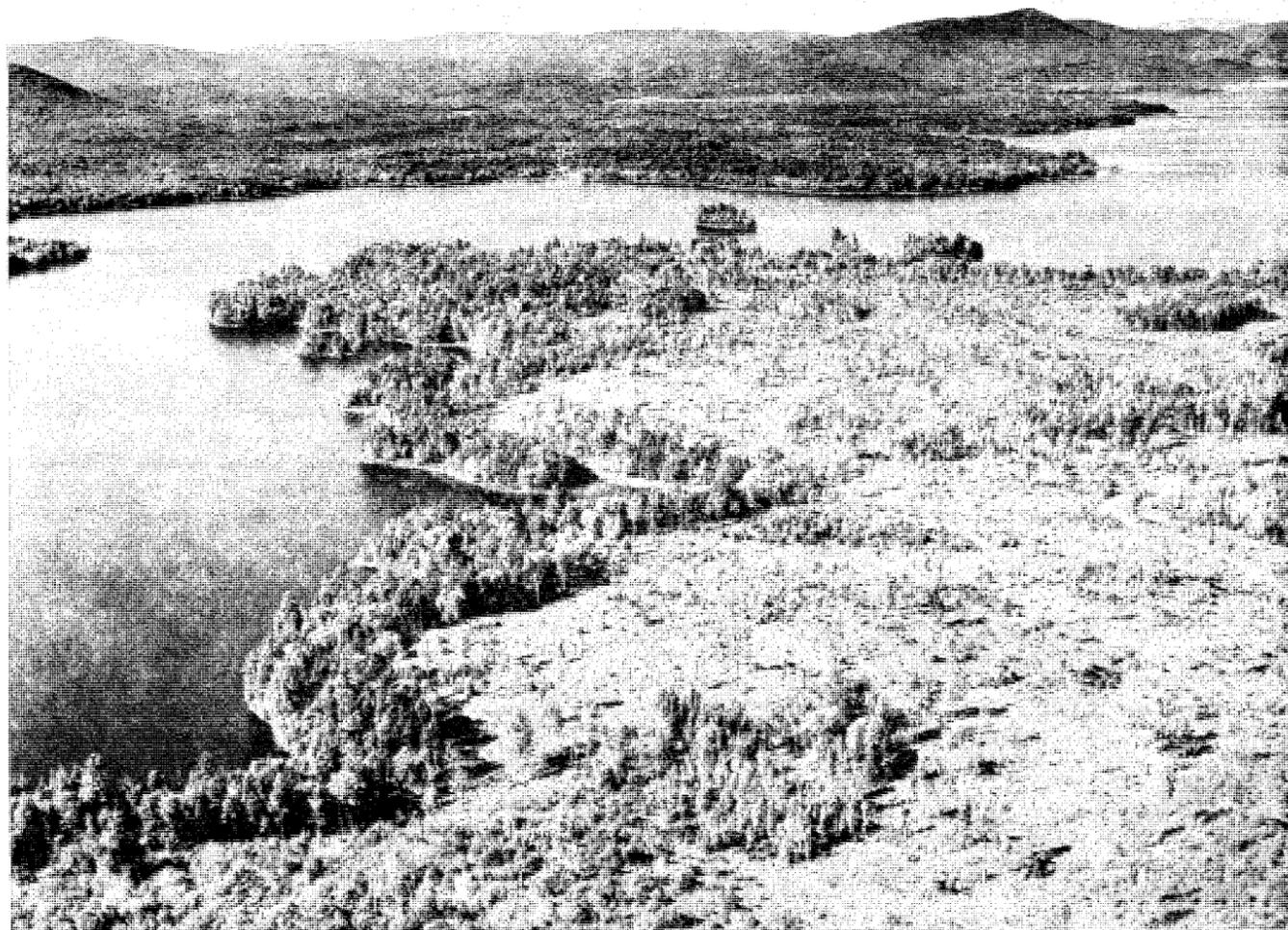
- *prevents residential, commercial and industrial development;
- *prevents commercial mining
- *guarantees public access for hiking, fishing, hunting;
- *provides a permanent snowmobile trail corridor.

Clearly, Mr. Carle would prefer that the entire area be acquired as a wilderness area. Had the state taken this negotiating stance, no agreement of any type would have been secured. We would be \$2 million richer, but we would still be looking wistfully at an unprotected Lake Umbagog.

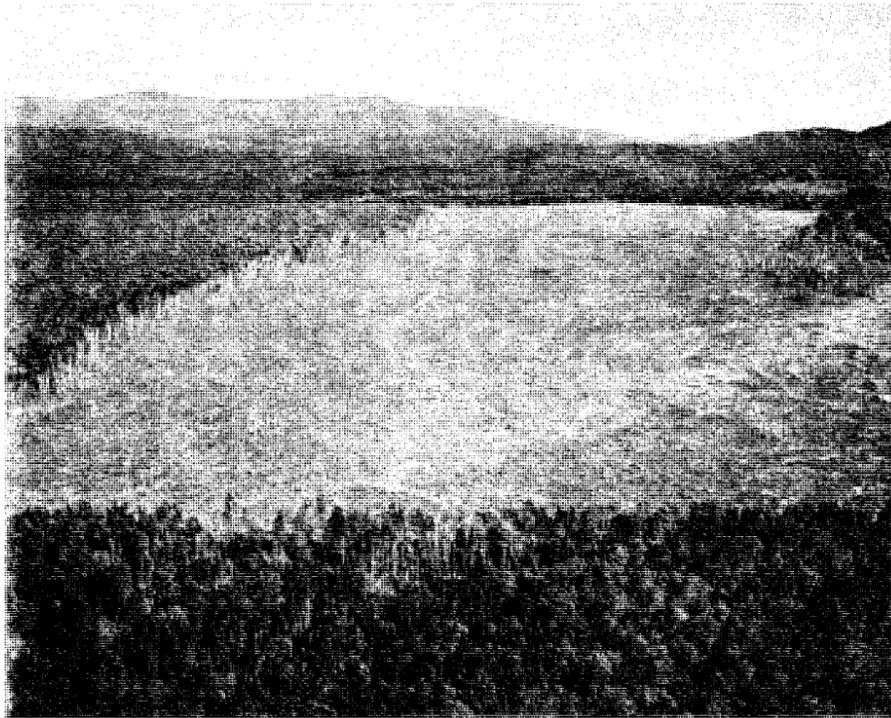
*Sarah Thorne can be contacted at:
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Portsmouth St., Concord, NH 03301.*

Mr. Carle's Response

The major point of my article is: The public's expectations for land protection have not been met by the Lake Umbagog conservation easement. Ms. Thorne's *Counterpoint* does not address that point. She indicates that the Lake Umbagog easement is in the public interest because it will "supplement and buffer its shoreline purchase." Since the shorefront tracts on Lake Umbagog as well as the easement lands adjoin a proposed National Wildlife Refuge, the public should reasonably expect these lands to be managed in a compatible manner, though not necessarily as Wilderness. Instead, the easement allows clearcutting, the spraying of deadly chemicals, road building, and other non-sustainable industrial practices--activities that do not promote a sustainable economy in New Hampshire and are strongly opposed by many people.



Eastern Shore of Lake Umbagog. Will the Conservation Easement be able to protect the Western Shore of Umbagog from this sort of abusive industrial forestry? This clearcut was done by Boise Cascade. Photo Courtesy of Alex S. MacLean--Landslides.



Just a couple of miles north of Lake Umbagog,, Boise Cascade clearcut approximately 600 acres near Sturtevant Pond, just east of the New Hampshire-Maine border. There are numerous smaller clearcuts near this cut. This is the context in which we must measure the effectiveness of protection efforts for the Lake Umbagog ecosystem. Photo Courtesy of Alex S. MacLean--Landslides.

Umbagog

Continued from Page 6

ging, and the spraying of deadly chemicals, the State of New Hampshire is condoning these practices as part of its "conservation" strategy.

Protecting Wildlife

The easement only recognizes three species of wildlife: bald eagle, osprey, and loon. All other flora and fauna that inhabit the easement land are ignored. The eagle, osprey, and loon became threatened or endangered due to the use of deadly chemicals such as DDT (which was legal under applicable statutes and regulations at that time). Yet, the State of New Hampshire is allowing James River to build roads within 100 feet of nesting sites, and to spray the easement land with "herbicides, pesticides, fungicides, rodenticides, insecticides and fertilizers" in the name of forest management. There is no way to prevent the spray drifting onto the publicly owned shoreline land, the proposed National Wildlife Refuge area, or Lake Umbagog itself. It would appear that even eagles, osprey, and loons may not have true protection.

Not only is there a lack of wildlife habitat protection on the easement land, but the activities allowed on this land may endanger wildlife on adjacent land. The public's expectations for wildlife protection have not been met.

Protecting Recreation

The State was concerned that if this land was included in the proposed Lake Umbagog National Wildlife Refuge, recreational opportunities for the public would be strictly limited. Yet, the easement provides only minimal recreation opportunity to the public which is only allowed to walk or drive across the easement land; no overnight camping is allowed. The public will have full use of the publicly owned shorelands but what kind of recreational experience will be there for campers who have to listen to the sound of chainsaws, fellerbunchers, skidders, cutting and hauling of trees, or helicopters spraying the adjacent land with deadly chemicals? Full public purchase is the only proven way to protect the full range of recreational opportunities.

Protecting the Public Interest

The protection of Lake Umbagog easement lands is based on a high level of trust in the deed holder which, at the present time, is James River Corporation. At the moment, James River does not have a chemical spraying program on its lands, but, this could change. There is no guarantee that James River will remain in the area. Irving Pulp and Paper, a Canadian company notorious for its large scale clearcutting, owns an interest in the land in question. Will Irving buy out JR?

JR recently tried to sell its mills in Northern New Hampshire, leaving them on the market for 18 months. The company only withdrew its holdings from the market when the State of New Hampshire agreed to low interest bonds to induce the Berlin and Gorham mills to comply with present environmental regulations. These two James River mills have so severely polluted the Androscoggin River that the New Hampshire Department of Environmental Services has issued public health warnings about the dioxins found in the fish in recent years. In 1990, James River proposed spreading mill waste that contained hundreds of organochlorine toxins, including dioxin (2,3,7,8 TCDD), on clearcuts as a type of "fertilizer."

The public cannot put its trust into the forest products industry. Industry officials continually state their concern about the protection of biodiversity and their willingness to protect these values. Yet, after over two years of negotiations, the Lake Umbagog agreement shows this is only talk.

Conclusion

The Lake Umbagog conservation easement does not meet the public's expectations. Most people would define protection as no development, sustainable forest practices, recreational access, and preservation of wildlife habitat. This easement insures none of these values, despite its \$2 million price tag.

The State of New Hampshire should set land protection goals that meet or exceed the public's expectations. If conservation easements cannot reach these goals, as in the Lake Umbagog example, then full public acquisition

Easements: Advantages & Disadvantages

Advantages of Easements

Costs

- Easements may cost less than titles to the land
- Maintenance costs can remain with the owner

Protection

- Easements can be tailored to meet varying needs and conditions
- The title of the land is left in the hands of the private owner
- Easements may protect against overdevelopment

Taxes

- The land remains on the local property tax rolls
- Easements may reduce taxes for the title holder

Secondary issues

- The value of remaining and neighboring lands may be enhanced by the protection the easement affords

Disadvantages of Easements

Costs

- The value of the rights purchased may be difficult to assess
- Easement costs can equal or exceed full title cost
- Easement lands require ongoing monitoring programs which can be expensive
- Maintenance costs remain with the owner of easement

Protection

- Easement restrictions may be misunderstood or abused by landowners
- Subsequent owners who fail to make title searches may not know of easement restrictions when they purchase the property
- Easement provisions may prove difficult to enforce if not properly prepared
- Land may be stripped of resources
- Easements are susceptible to political deals and favors
- Easements cannot protect wilderness areas, ecological processes, or many shy, sensitive, rare, threatened or endangered species and ecosystems
- Easements are unproven vehicles of protection for large tracts of land over long periods of time
- The title of the land is left in the hands of the private owner

Taxes

- Communities may receive less tax income

Secondary issues

- Land often cannot be used by the public
- Easements rarely allow forms of revenue generation

Public land advocates state that outright public land acquisition provides the most thorough public control of use of land. It also sorts out roles and responsibilities in a simple elemental way.

They acknowledge that easements may be a useful tool for protecting the 'working forest' from development. However, easements are an expensive, ineffective method to protect ecological and evolutionary processes. Full-fee acquisition is the only method that reliably protects habitat for threatened and endangered species and ecosystems.

Easements are a bureaucratic and an economic tool; full fee acquisition is both an ecological and an economic tool.

--David Carle & Jamie Sayen

must be used. The goals must reflect both present needs and future requirements of natural and human communities, and should not be compromised to suit the short term needs of a transnational forest products corporation.

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Buy Land—They Don't Make It Anymore

by Jamie Sayen

*3-5 Million Acres For Sale Today

It is difficult to know exactly how much land is for sale in the Northern Forest Lands Region, but informed estimates by professionals working in land protection and acquisition agree that in the neighborhood of 3-5 million acres have a "For Sale" sign. Most of the land for sale today is owned by out-of-region paper companies.

*Mills and Lands For Sale

In August 1990 the James River Corp. announced that it wished to sell its three paper mills in Coos County in Northern New Hampshire. After 18 months, these mills were removed from the market because no buyer had materialized. JR owns about 180,000 acres in Coos County and another 526,000 acres in Maine. Although these lands may not actually have a "For Sale" sign, you can be confident that JR would be happy to sell.

There are probably another 3 million or so acres that, while not formally for sale, would willingly be sold if an offer were made.

*Non-Strategic Industry Lands

Several of the paper companies own such huge amounts of land that some of this land is located far from their mills. This land is viewed by the paper companies as "Non-Strategic" because of the distance from the mill and the costs associated with harvesting. The paper companies would very much like to sell this land.

An example of "Non-Strategic" lands is the case of Champion International which has paper mills in eastern Maine (Bucksport) and western New York (Deferiet). In October Champion announced that it would like to sell approximately 95,000 of its 145,000 acres in the Adirondack Park because those lands are predominantly hardwood, and their mill in Deferiet wants softwood fiber.

Champion also owns about 330,000 acres in the Northeast Kingdom of Vermont and Coos County, New Hampshire. These holdings are far from Champion's mills, and, therefore, are

"Non-Strategic." It has long been a poorly kept secret that Champion would be happy to sell these lands, and, in fact, in October, a representative of Champion told some Vermont timber owners that it would be interested in selling some of its Northeast Kingdom (VT) holdings.

In the meantime, Champion has intensified its cuts on these non-strategic holdings in northern New England. Viewed from the air, there are some huge (and growing) clearcuts on Champion lands. Champion is the same company that clearcut almost 800,000 acres in western Montana and northern Idaho in the 1980s before placing those lands on the market.

By its own admission, Champion exports 85% of its softwood sawlogs cut in the New Hampshire and Vermont operations to mills in Canada. Three-quarters of these logs return to the US as milled lumber. In addition, roughly half of Champion's workforce in these two states is composed of Canadian citizens.

International Paper, Bowater and other large landowners also have significant holdings of "Non-Strategic" lands. Some employees of these large paper companies would like to sell these lands. Environmentalists would love to buy them before they are stripped of trees.

*10% of Maine Was Sold in 1991 For About \$80/Acre

In October 1991 Georgia-Pacific sold the former Great Northern Nekoosa lands, mills, and hydroelectric rights to Bowater for about \$320 million. In addition to 2.1 million acres, Bowater bought two paper mills in the Millinocket area, the Pinkham Lumber Mill, and rights to the hydroelectricity produced by the dams on the West Branch of the Penobscot River. The value of the hydroelectricity, alone has been estimated to be worth more than Bowater paid for the entire transaction.

Estimates of the price per acre Bowater paid range from \$0 to \$155 per acre. If the mills and hydro were thrown in for free, the price per acre would have been \$155. Therefore, a reasonable estimate of the price is \$80 per acre.

*Granby, VT Votes for Public Acquisition

On September 29, 1992 the town of Granby, Vermont voted unanimously to raise \$55,000 to buy fee title to 1,650 acres of land surrounding Cow Mountain Pond from Champion. The remainder of the \$500,000 purchase price came from three public funding sources: \$271,000 from the federal Forest Legacy Program (the first acquisition under this program); \$180,000 from the Vermont Housing and Conservation Board, and the Connecticut River Partnership Program. Granby was the last town in Vermont to receive electricity. It has no paved roads, and is a small community that relies almost exclusively on the forest products industry for jobs. It is exactly the sort of stereotypical town that the opponents to land acquisition point to when they claim there is no support for public land acquisition in the Northern Forest region. But, the good folks of Granby are real people and they know a bargain when they see one.

*The Public Supports Land Acquisition in the Northern Forests

Survey after survey indicates that the public overwhelmingly supports spending public money to protect land and public values such as water quality, clean air, ecological integrity, recreation, and public access.

The 1990 Northern Forest Lands Study noted on page 49 that: "A recent telephone survey of residents in the study area counties of New Hampshire and Vermont found that north country residents favor public purchase to acquire land for wildlife habitat protection, recreation opportunities, timber supply and wilderness protection." Numerous other studies in Maine and around the region support this finding.

Unfortunately, vocal opposition to public purchase has been orchestrated by certain elements of the real estate lobby, some timber land owners, right-wing property rights groups including the John Birch Society, and other special interest groups. This campaign has spread fear, falsehoods and confusion,

and often dominated public meetings with disruptive, sometimes violent threats.

*Private Property Rights

Property owners do have property rights that must be respected. They have the right to raise a family in a healthy manner, to live in a healthy community and to fair and equitable taxation. They do not have the right to do whatever they choose to their lands. Rather, they have a responsibility to respect the needs of current and future generations of all species and communities that dwell on the land.

Complaints by real estate speculators that they have a right to continue to sell land raise certain questions: Did these speculators actually manufacture the land they sell? Is there an infinite supply of land available to sell and pave over?

The sincerity of private property rights zealots is suspect because they only seem to oppose transactions that help protect the environment and public values. They never opposed the use of eminent domain to construct the ecologically destructive interstate highway system or dams and bridges.

*Public Property Rights

The public has the right to a healthy environment, ecologically sustainable economies, healthy communities and access to land for responsible recreation. Private ownership of the Northern Forests by a small number of corporations has not protected those public rights. In the Adirondacks, it was only after the creation of the Adirondack Park that these public values gained protection. And, even though 42% of the Adirondack Park is "Forever Wild," these lands do not adequately protect the ecological integrity of the entire region. If 42% of the Adirondacks is not enough to provide habitat for all species native to the region, surely the paltry amount of public lands in Northern New England is insufficient to provide refuge for the survivors of the overcut industrial forest lands of the region. Maine, with 15 million acres in the Northern Forest Region has only about 5% of its land in public ownership.

*New Year's Resolution

On December 31, 1991 15 conservation and environmental groups released white paper calling for the acquisition of nine "Endangered Jewels of the Northern Forest: A Willing-Seller Program." These tracts totalled about 400,000 acres. For further information on the "New Year's Resolution" contact David Miller, Regional Vice President, National Audubon Society, Northeast Regional Office, 1789 Western Ave., Albany, NY 12203. Tel (518) 869-9731. Dave is currently at work on next year's greatly expanded "New Year's Resolution."

*We Can Afford to Buy the Land

Given the experiences of public ownership in the Adirondacks versus corporate ownership of the industrial forests of the states of Northern New England, we cannot afford not to buy the land for sale. The cost of acquiring land—our life support system—is only a small fraction of what the Federal government routinely spends on war and ecological destruction. For less than one half of one per cent of the projected costs of the Savings and Loan bailout, we could buy all the land currently for sale in the Northern Forest region and still have plenty of money left over to buy land that comes on the market in ten years, and still have money left over to redesign a regional economy that is locally controlled, equitable and ecologically benign.

The money is available, what has been lacking is the political will to take steps that will protect future generations of all species dependent on healthy northern forests.

As Will Rogers said: "Buy Land; They Don't Make It Anymore."



Raquette River, Adirondack Park. Photo by Robin Brown.

Council Supports Land Acquisition????

Please note the question marks in the headline. After the Northern Forest Lands Council meeting on October 21, 1992 in East Burke, VT, it is difficult to know where the Council stands on this critical issue. The 'Mission Statement' adopted by the Council at that meeting states: "When acquisition is appropriate... consideration should be given to the benefits of conservation easements over fee purchases."

When I complained about the obvious bias against full fee acquisition, the Council acted surprised. I requested that the offending sentence be deleted because it is the role of the Council to sit as an honest forum to fairly assess the strengths and weaknesses of easements and of full fee acquisition, and not to pre-judge such an assessment.

Lowell Krassner of the Sierra Club suggested that the word 'over' be changed to 'and.' To our surprise, Ted Johnston of the Maine Forest Products Council replied that although it had not occurred to him that the wording was biased, he sympathized with our concerns and he would have no objection to making the change Lowell suggested! In the past, Ted has been seen as the greatest obstacle to land acquisition and an honest assessment of the ecological consequences of current forest management practices. So, when he supported the change, we figured the Council would happily comply.

Boy were we wrong! Two of the Council's environmental representatives, Paul Bofinger (Society for the Protection of New Hampshire's Forests) and Neil Woodworth (Adirondack Mountain Club) opposed the change because they felt it would represent yet another reopening of the Mission Statement, an ordeal they wished to avoid at all costs.

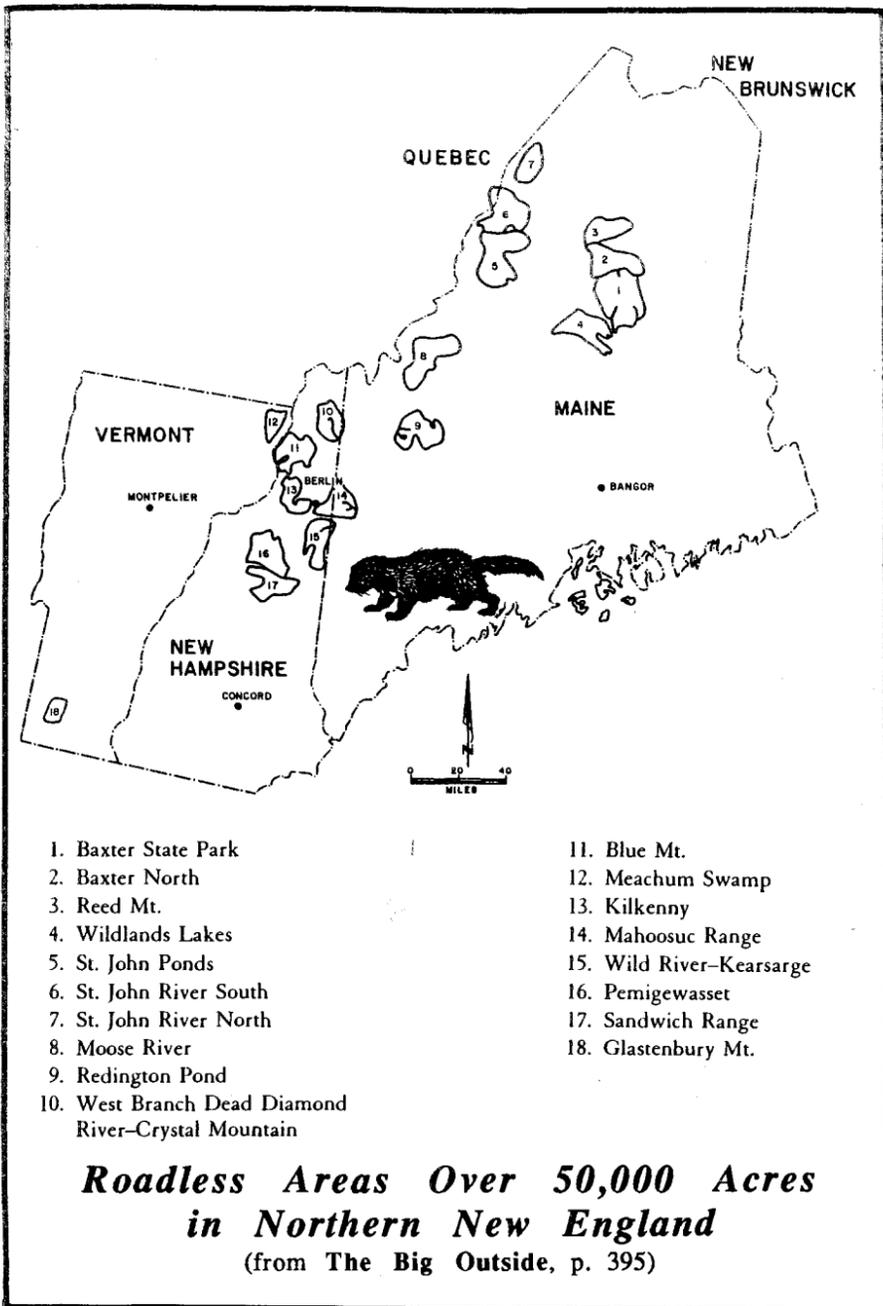
We disagreed, because 15 environmental groups that belong to the Northern Forest Alliance had requested the change during the comment period, but we were overruled, and the biased wording remained. However, we did secure assurances from the Council that it would not act with a bias against full fee acquisition.

So, as it stands now, the Council's 'Mission Statement' retains its biased language against full fee acquisition, but the Council is on record in a public meeting as stating that it will not act in a biased manner against full fee. Ain't bureaucracy sweet?

In practice, what this means to advocates of acquisition is that we must demand that all future documents and projects of the Council explicitly state that full fee and easements will receive fair and equal treatment. Given the biased reading of the Mission Statement, we cannot trust the Council to treat acquisition in an unbiased manner unless it explicitly states this as a policy. If the Council later reverts to its biased attitude and cites its Mission Statement as justification, we must be prepared to remind it of its pledge in the October meeting.

Footnote: During the October Council meeting, its Executive Director Charlie Levesque stated that the Council had received 20 letters commenting on the 'Mission Statement.' Andrea Colnes of the Appalachian Mountain Club pointed out that one of those letters was a proposed 'Revised Mission Statement' (printed on page 25 of the Autumn Equinox issue of *The Northern Forest Forum*) submitted by 15 groups that belong to the Northern Forest Alliance. Those groups represent several million environmentalists! Yet, to the Council, it was just one letter. The message is that if you wish to sign on to a joint letter your group should also send individual letters and get individual members to send letters. Otherwise, we now know, Unity will be portrayed as weakness!

--J.S.



The Big Outside: An Inventory of Wilderness Destruction

THE BIG OUTSIDE: A Descriptive Inventory of the Big Wilderness Areas of the United States, revised edition; by Dave Foreman and Howie Wolke; 1992; 490p.; \$16; Harmony Books (201 E 50th St, New York, NY 10022)

In 1936, the legendary hiker and wilderness advocate Bob Marshall inventoried large roadless areas of the US (excluding Alaska, where airplanes displace cars and roads as primary purveyors of destruction). The largest and the eighth largest forested roadless areas were in Maine--Arrostock (sic: *The state of Maine spells it Arrostock*)--Alagash at 2.8 million acres and Upper St. John at 1.3 million; and five other roadless areas in the East exceeded 300,000 acres. Beginning about half a century later, Dave Foreman and Howie Wolke became the first to thoroughly update and expand upon Marshall's inventory. The findings are abysmal, especially for the Northern Forest region. St. John had been reduced to 3 fragments of 180,000, 90,000, and 70,000 acres; Arrostock-Alagash had been so fragmented by logging roads that it didn't even meet the Foreman-Wolke minimum of 50,000 roadless acres for the East (100,000 acres for the West); and the whole Northeast could claim only 2 roadless areas over 300,000 acres in size: High Peaks and West Canada Lake, both in New York's Adirondack Park. To put this into perspective, large carnivores such as Gray Wolf, Cougar, Lynx, Wolverine, and Black Bear--of which only the bear survives in viable numbers in the Northeast--are acutely sensitive to roads and what roads bring (motors, guns, chainsaws, etc.), and may have individual home ranges more than 100,000 acres in size.

By providing both Marshall's 1936 roadless inventory and their current in-

ventory, Foreman and Wolke chart what we've lost. Equally important, they use principles of conservation biology to show why we must protect and restore vast roadless areas. That *The Big Outside* has not sailed to the top of *The New York Times* best seller list bespeaks the woeful ignorance of this nation's populace. No book is more fundamental for efforts to restore and preserve native wildlife and wildlands in North America's temperate and subtropical zones. Every library should have this book. It is the only work available listing and describing all known large roadless areas in the 48 contiguous states.

The uninitiated, though, may wonder why a lengthy tome has been devoted to *lands without roads*. Why not lands without lawnmowers, or lands without electric can-openers (seriously, they exist!), or without bug-zappers ... or any other of the modern implements of destruction. The answer, in a word (or 3; you never can be sure when drawing from a moribund language), is that roads are the *sine qua non* of habitat destruction in the 48 states. Dave and Howie say it better: "the army of wilderness destruction travels by road and motorized vehicle." Dirigibles should be banned, yes, but the construction of roads into an area is what dooms it.

The results of the Foreman-Wolke inventory should both humble and inspire wilderness proponents in the East. The East has much less roadless country than the West, but tremendous opportunities for wildland recovery. Consider the St. John area mentioned above:

Conservation groups should establish a national priority to acquire ten million acres of paper company land, from Baxter State Park to the St. John River, to form a wilderness-oriented National Park. Dirt roads should be

closed, logged areas restored and extirpated species like Gray Wolf, Woodland Caribou, Wolverine and Catamount (Eastern Panther) reintroduced. Such an area, in twenty years or less, could be one of the finest temperate zone Wildernesses in the world. (p.409)

Moreover, George Wuerthner of The Wildlands Project claims that Maine has the largest area in the US essentially uninhabited by humans--10 million acres in the north of the state--and Jamie Sayen notes that the vast majority of the roads depriving Maine lands of roadless status are narrow unpaved logging roads. Northern New England and New York are heavily roaded now, unfortunately; but they are relatively sparsely settled and their moist climates would allow speedy recovery.

Dave and Howie made a mistake in their revised edition-- through no fault of their own. They sought, but did not get, solid acreage figures from New England conservationists. It is morally incumbent upon Vermont wildland advocates to rectify this mistake. The authors suggested that southern Vermont has a roadless area, Glastenbury Mountain, of 52,000 acres. Recent field studies show that roads penetrate part of this putatively undefiled area. Environmentalists need to see that roads in this area are closed, lest the next edition of *Big Outside* include only 1 Vermont roadless area (Meachum Swamp, 50,000 acres, in the Northeast Kingdom).

Despite their painstaking research, and their ecologically informed arguments for big wilderness, Foreman and Wolke have encountered some criticism for their book, especially from agency bureaucrats. As a friend of both these gentlemen, I wish to dispel one false accusation sometimes leveled against them and against their fellow natural area ad-

vocates: We do not favor the needless multiplication of roadless areas. Indeed, inspired by these two, some of us have as a long-term goal the maintenance of only 1 roadless area in this land: North America.

In sum, *The Big Outside* is a sobering, inspiring, and informative volume that all activists in this country should use as they plot the restoration of their regions. Buy copies for your local library, environmental group, college, high-school, and pub.

Reviewed by John Davis, Editor of *Wild Earth* (POB 492, Canton, NY 13617)

Bleak Industry Future

Continued from Page 5

What is the message to defenders of Northern Forest ecosystems?

(1) The paper industry in this region is in trouble, and land will be for sale--CHEAP.

(2) Institutional investors and paper companies are not looking to buy large tracts of land in this region.

(3) The future of the industry in this region is in products of a degraded forest (waferboard, chips).

(4) The public can buy huge tracts of timber land for an average of about \$100 per acre. The price will be higher on land that has development potential, but on the vast majority of paper company lands in northern Maine (about 8 million acres) there is very little threat of development, and, due to the degraded condition of much of this land, \$100 seems like a reasonable price. Five million acres would cost only a half a billion dollars! You can't even buy a Stealth Bomber for that price.

Does the GMNF Adequately Protect the Ecological Integrity of Vermont?

by Sandra Coveny

Many New Englanders believe that their public lands serve to maintain biological diversity. The U.S. Forest Service, with its multiple use mandate, even has guidelines detailing its obligation to protect biodiversity.

Unfortunately, these guidelines are not being followed, and even if they were, these areas do not cover an area large enough to support a full complement of native flora and fauna comprising the Northern Forest ecosystem.

In New Hampshire and Vermont, public lands account for only about 10% and 5% respectively of the entire land base. Furthermore, these lands are mostly at higher elevations, and are heavily used for recreation. Finally, these lands are not contiguous blocks of habitat; a necessity for many of the large predators such as wolves, wolverines and catamounts.

What about those large green areas on the map labeled National Forests? The boundaries of the National Forests on a state map do not show the numerous inholdings of private lands. These areas in the Green Mountain National Forest, for example, constitute 58% of the entire land base within the boundary lines. Although the Forest Service is trying to acquire these lands, they are still being managed by private citizens. This could mean anything from forested lands, to clearcuts, to condominiums.

Even if all of those gaps were owned by the Forest Service, there would still not exist a representative and sustainable complex of communities. The US Forest Service was formed as a response to the fear that big timber interests would devour the forests here just as they had in Europe. The timber companies had already had their pick of the lands by then, however, and what was left, for the most part, were the less accessible, or higher elevation forests. In New England, these forests had already been completely cut over at least once. And since the days of Gifford Pinchot, the big timber companies have had their way with the public lands as well.

What's Missing From Public Lands?

Oak woodlands are a good example of critical habitat that are underrepresented because they are rare in New England highlands. In fact, low elevation forests of all kinds are under-represented on federal land. These low elevation forests are a critical component of a healthy, sustainable and functioning northern forest ecosystem. Many rare orchids, ladyslippers, songbirds and mycorrhizal fungi occur only on lowland forests. Other species, such as black bear, beaver, moose, and big cats depend on lowland habitats for parts of their yearly cycles.

Large tracts of contiguous forest interior are also rare, so rare that anywhere they occur must be maintained. Of particular concern are the interior forest-dependant songbirds. Their populations are in such severe decline in New England that an entire session of this year's (1992) Society for Conservation Biology annual conference was devoted to the topic. The greatest threat to these songbirds is lack of unfragmented habitat.

Vermont: A Case Study

Looking only at the currently owned federal lands still does not give the complete picture. All federal forestlands on Vermont's Green Mountain National Forest (GMNF) are broken up into "Management units," not one of which is designated for the preservation of native biodiversity.

Approximately 45% of the National Forest is managed for resource extraction--that is, timber harvesting and deer production. Unfortunately, outdated management practices are still predominant on the GMNF, where managing for deer means cutting more trees.

Nearly 50% of the GMNF is not currently open to timber management, about 18% of this is designated Wilderness. How much protection does this afford biodiversity? Not much. These wilderness fragments are primarily managed for recreation, not biodiversity, complete with parking lots, elaborate trail systems, and--if some over-zealous recreationists have their way--vista cuts for pretty views. Especially significant biological areas, such as The Cape, the GMNF's only acknowledged virgin stand of old growth, are designated as Research Natural Areas (RNA's).

For all practical purposes, these fragments are isolated, functionless, habitat museums. The entire border surrounding the 200 acre Cape RNA is slated for cutting by the Forest Service. However, the Vermont contingent of the Eastern activist group, Preserve Appalachian Wilderness (PAW) has successfully reversed the most recent decision to cut adjacent to the Cape because of the GMNF's failure to meet the standards of the National Forest Management Act (NFMA) and the National Environmental Policy Act (NEPA). In the best interest of biodiversity, these adjacent lands ought to be retained as buffers for the island of old growth forest.

The Promise of the Public Lands

If administrative gaps within the forest boundaries (inholdings) were filled-in, the GMNF could serve as

the matrix for a connected network of habitats in southern and central Vermont. Integrated with these habitats would be sustainable timber harvesting areas. Vermont's situation is not unique in New England. Similar strategies could be adopted for surrounding states. Ideally these lands would be connected with the Northern Forest Lands so the entire ecoregion could be viewed and managed with a landscape perspective.

Simultaneous to these landscape studies, of course, there must be economic evaluations. A mere 2.5% of the entire Vermont timber supply comes from National Forest lands. Shifting the wood suppliers to smaller, well-managed, private forestry operations would help local landowners and boost hurting local economies. At the present, it is the taxpayer who

Continued on Page 21



Hundreds of Plant & Animal Species Are Threatened or Endangered in Vermont

The Vermont Agency of Natural Resources (VARNR) has published two booklets listing the rare, threatened and endangered species of the state. One booklet lists the plants, and the other lists the animals. The plants list is 35 pages long, and lists species by distribution, habitat and abundance. The animals list is 13 pages long, listing animals by habitat and distribution.

We are all too familiar with the federally listed or proposed animal species in Vermont such as the bald eagle, Peregrine falcon, Indiana bat, Gray wolf, Eastern Mountain Lion and Woodland caribou. But what about the lesser known species, with less glorious names and reputations, but by no means less important? Species like the Puritan tiger beetle, or the Dwarf wedgemussel? Rare, threatened and endangered animals of Vermont include such species as the cobblestone tiger beetle, found in only 5 places along the Connecticut river and the Slave-making ant with only one known colony, found only in now-rare oak woodlands. Also dependant on oak woodlands are the Five-lined skink, with only one known site, and the Timber rattlesnake with only two remaining dens known.

The list continues with rare butterflies, moths, and mussels, to fishes such as lampreys, sturgeons, trout, minnows, shiners, suckers, perch, and pike, amphibians and reptiles such as treefrogs, mole salamanders, lungless salamanders, giant salamanders toads, turtles, snakes, to birds like the Common barn owl, Spruce grouse, three species of woodpecker, seven species of warbler, and even the Gray jay.

The plant list is much longer than the animal list, and it includes peat moss, the Fragrant fern, the Serpentine maiden-hair fern, Jack pine, Creeping juniper, Horned pondweed, Hairy wild rye and Champlain beechgrass. Other families with endangered species include willow, walnut, beech (which includes oak) elm, sandalwood, buckwheat,

magnolia, poppy and mustard. The list goes on. In fact, there are 48 species of plants listed as state endangered, 182 species listed as state threatened, 4 federally endangered plants and 8 species awaiting funding for studies to show they are endangered. An additional 98 species are listed as species to watch. This means, according to VARNR, that these are considered uncommon, and most are indicators of unusual habitats which should be protected in their own right.

What does existing public land do to monitor and protect these species and the habitats they represent? Nothing. That's right.

Ostensibly, the GMNF is supposed to conduct surveys of proposed timber sale areas for the occurrence of these species. However, there is inadequate funding available for the surveying and monitoring of these species. At best, the GMNF has about 25% of the information it needs regarding Threatened, Rare and Endangered species. Yet it still conducts timber sales.

What could be worse? Even if the GMNF were managed exclusively for ecological values, most of the species listed would not be affected because they don't occur on public lands.

Merely listing species does little for their survivability except to bring the magnitude of the crisis to our attention. We haven't even addressed the real issue, which is that these species represent functioning habitats that are endangered due to the haphazard misuse of land by humans.

What You Can Do: We must get organized; we must work together toward sustainable economies based on sustainable ecosystems. Our protection strategies must begin with what we have. In New England this means the Northern Forest Lands and all existing public lands.

To help protect endangered species and endangered ecosystems, contact Preserve Appalachian Wilderness, 117 Main Street, Brattleboro VT 05301; Tel. (802) 257-4878.

--S. C.

Trouble on The Model Forest

Preserve Appalachian Wilderness Appeals Fifth Timber Sale on Green Mountain National Forest

by Buck Young

On Aug 31, Preserve Appalachian Wilderness filed an appeal of a Forest Service decision to reconstruct roads and harvest timber on 198 acres of the Green Mountain National Forest (GMNF). The 198 acre "Project Area" lies within and directly adjacent to the White Rocks National Recreation Area.

"The White Rocks National Recreation Area represents a large remote habitat in the Green Mountains. This Habitat is important to Bobcat, Black Bear, and Fisher. These species require varying degrees of remoteness for food, denning, and rearing of young.

"The Green Mountain ecosystem is being impacted by primary and secondary home development and by recreational development. The quality of remoteness is being downgraded rapidly... The National Recreation Area provides a stable environment where research results are needed to forecast habitat trends for deep woods species on the National Forest and throughout the mountains of Vermont." (Green Mountain National Forest Plan 3.08)

Over the past eighteen months, Preserve Appalachian Wilderness (PAW) has appealed four timber sales on the Green Mountain National Forest. This appeal is the fifth. Two of the first four appealed proposals were withdrawn by the deciding officers, and two were remanded by the Forest Supervisor.

Each time, the statement was made by the Forest Service that the right decision was made, but that there were procedural problems with the documentation, and that PAW was attempting to halt the implementation of the Forest Plan. The Plan had been agreed to by many members of the public, including environmental groups in 1986. These statements, made in public meetings and to the press, were misleading.

All five appeals were all based on two overall points:

1) That the Decisions made by the Forest Service and the Documentation of those decisions were in violation of the Forest Plan; and

2) The Forest Service failed to disclose to the Public the Reasonably Foreseeable effects of their proposed actions. The National Environmental Policy Act (NEPA) expressly places the burden of compiling information on the agency so that the public and interested government departments can conveniently monitor and criticize the agency's action. *Grazing Fields Farm V. Goldschmidt*, 626 F.2d 1068, 1073 (1st Cir. 1980)

The first point has been brought up in a number of meetings. At a meeting last December in Rutland, Green Mountain National Forest Supervisor Terry Hoffman stated that the Plan was indeed being implemented in an unbalanced manner. He stated that the reason for this was that the current distribution of funds from the Regional Office did not allow for balanced implementation. He promised to write a letter concerning this situation to the Regional Office and Congressional Delegates. In response to this public meeting the Forest Service stated that it agreed to: "Highlight to the Regional Office how

the current distribution of funds for programs does not allow balanced implementation of the Forest Plan."

The next public meeting held was for the required mid-plan analysis. At this time the Forest Supervisor is required to review the plan and see how well it is being implemented, and make suggestions for amendments or change if needed. At that meeting Forest Supervisor Terry Hoffman publicly reneged on his promise to write the letter, claiming that he had "changed his mind," and that the budget and the plan implementation were indeed "balanced."

As a part of the required mid-plan review, PAW presented extensive testimony on how the GMNF had abandoned the directives of the Plan on a programmatic basis ("The Model Forest: A proposal for the Implementation of the Green Mountain National Forest Plan", March 1992). Many of the issues raised were also raised in a public meeting. A resulting paper from the Forest Service stated, "We need to establish position papers on emerging issues including:

- *Habitat Fragmentation
- *Old Growth
- *Off Road Vehicles
- *Long Term Site Productivity Impacts
- *Definition and Scope of Ecosystems
- *Neo-Tropical Migratory Birds"

To date, only the question of allowing Off Road Vehicles onto the Forest (an issue PAW did not raise) has been addressed.

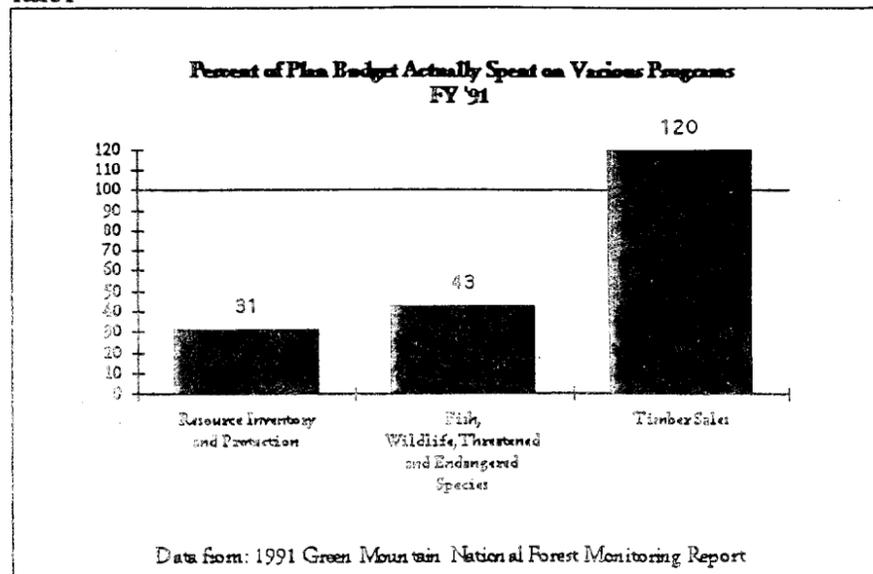
Had the issues raised by PAW in the preceding appeals, at public hearings, or at the Mid-Plan review been addressed, further appeals like this one might not have been necessary. As it stands, the Forest Supervisor has yet to respond to our testimony or complete any of the promised or considered actions detailed at our public meeting, except for "Improve NEPA process".

The Forest Service stated that one action under consideration was to improve the NEPA process on the forest. The resulting action was that a team of "NEPA experts" from Washington DC and the Regional Office were sent to Vermont to conduct a number of week long sessions. Rather than addressing the unbalanced implementation of the plan, the lack of monitoring information, or any of the other substantive issues raised, the "NEPA experts" tried to teach the Forest Service how to do better documentation in order to avoid "problems"--like the appeal--in the future. No members of Preserve Appalachian Wilderness were invited to attend these sessions to help address the issues raised, even though a letter was sent to Supervisor Hoffman requesting an invitation.

The intent of these meetings defies the intent of NEPA as Council for Environmental Quality (CEQ) regulations for NEPA specifically state "NEPA's purpose is not to generate paperwork--even excellent paperwork--but to foster excellent action. The NEPA process is intended to help public officials make decisions that are based on an understanding of environmental consequences, and take actions to protect, restore, and enhance the environment." (CEQ 1500.1(c))

"The primary purpose of an Environmental Impact Statement is to serve as an action-forcing device to ensure that the policies and goals defined in the act are infused into the ongoing programs and actions of the Federal Government." (CEQ 1502.1).

Table 1



In the Implementation Section of the Green Mountain National Forest Plan (pp 5.06-7), the Forest Service prescribes a "Contingency Strategy":

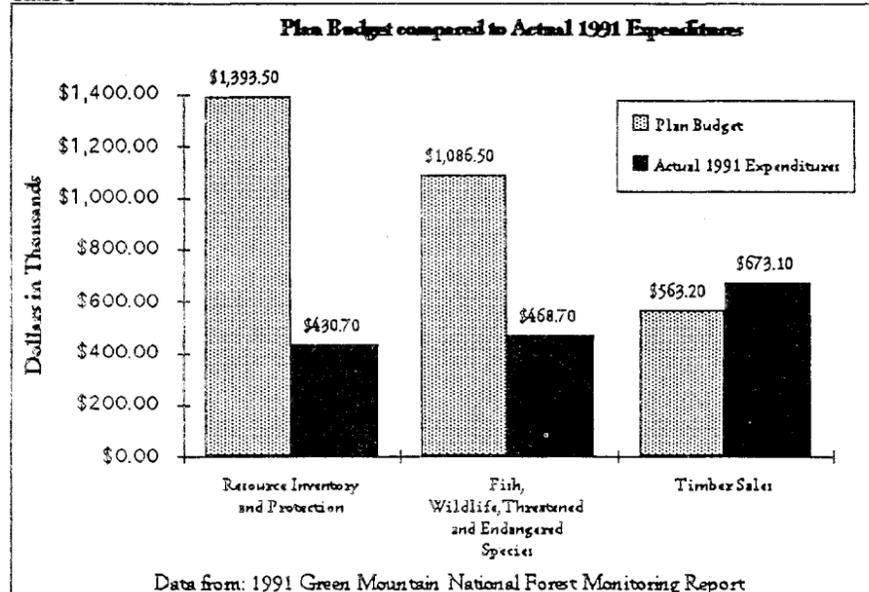
"If the Forest Plan is not fully funded during the next 10 years then some scheduled management activities will have to be delayed, but the overall objectives stated in the plan will not change. Likewise, no cheap shortcuts will be taken which will compromise environmental protection and force us to lose sight of our role as stewards of the land and its resources....

The vegetation management projects which have the least important benefits to the public should be deferred until full funding is received. In most cases this would involve timber sales and roads which are principally intended to meet society's demand for wood. Private lands should easily be able to meet that demand, if necessary.

On the other hand, private lands are less well suited to meet demands for recreation and wildlife benefits, so those programs should be fully funded if possible."

As tables 1 and 2 demonstrate, the Forest Service has, in fact, done just the opposite of their Contingency Plan: they have funded the program they acknowledge in the plan as the least important at more than the full amount allocated in the plan, and the programs they acknowledge as the most important at a mere fraction of the amounts allocated in the Plan.

Table 2



The Fowler Brook II documents show that some progress has been made towards better paperwork, but no amount of paperwork--even excellent paperwork--can substitute for informed decision making based on Environmental Assessments which provide an understanding of environmental consequences. If a team of biologists had been sent over instead of NEPA experts, this appeal might have been avoided.

Intelligent, up-to-date ecological information must be provided to both the Forest Service's Deciding Officer, and to the public at large, who should be thought of by the public servants of the Forest Service as the real Deciding Officers for the management of public lands.

Both the preceding four EA's, and the Fowler Brook II EA fail to disclose the reasonably foreseeable effects of the proposed projects. Therefore reasonable decisions could not have been made based on those documents by the Deciding Officer, nor was the public in-

formed of any of the negative effects of resource extraction on public lands, as required by law.

Both resource managers and the public face difficult decisions concerning the extraction and use of natural resources. Difficult decisions involving difficult trade-offs, however, must be made. In order to make wise decisions about resource use, both the Forest Service and the public need to be well informed of the pluses and minuses of resource extraction. No action can provide everything for everyone. Without information on both the positive and negative effects of an action, wise decisions cannot be made. This is the purpose and requirement of an Environmental Assessment. This requirement has not been met in this or the previous four EA's and Notices of Decision/Findings Of No Significant Impacts.

By presenting an unbalanced and biased assessment of the effects of pro-

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Shades of Grey: The Debate over Clearcutting in NH Continues

by Tammara Van Ryn

One of the most compelling factors that sparked New Hampshire's forest conservation movement a century ago was indiscriminate clearcutting in the White Mountains and elsewhere. Backed by technological advances and a growing demand for sawtimber and pulp, the actions of a relatively small handful of large landowners and timber investors were denuding forests, eroding hillsides, choking streams, and causing massive forest fires.

Beginning in 1881, statesman Joseph T. Walker and the New Hampshire Forestry Commission noted the destruction, but despaired of finding practical solutions. Those came only when a broad spectrum of interests—including hotel owners, industrialists, civic leaders, and conservationists—recognized the crippling effect of the devastation on all aspects of life in the state. Under the banner of the Society for the Protection of New Hampshire Forests, the coalition protected the mountains by convincing Congress, in 1911, to pass the Weeks Act that led to the White Mountain National Forest. In concert with a new state forestry department, the New Hampshire Timberland Owners Association, and others, the Forest Society began a campaign to improve forestry practices on other parts of the state as well.

In the past 80 years, the state's conservation and forestry interests have dramatically increased the awareness and application of conscientious forest management. However, with the exception of federal controls in the White Mountain National Forest, the state "basal area" law that restricts cutting along waterbodies and roads, and limited local laws in some areas, clearcutting still can occur without regulation on private land—just as it did in 1901. Today modern harvesting equipment, uncertainty in land ownership patterns, and decreasing land base is stirring public concern once again.

The modern equivalent of the dramatic photographs that inflamed the early conservationists are hellish images of slash-and-burn forest treatment in the southern hemisphere, denuded forests in eastern Europe, and patchwork clearcuts on federal land in the Pacific Northwest. Closer to home, industry clearcuts in Maine have drawn fire from conservationists, and New Hampshire residents have complained to the Society about troublesome cuts in such towns as Berlin, Lancaster, Stratford, and Pittsburg. Tourism and other business leaders also have commented on the damage ill-advised clearcuts can have on the state's image and economy.

One obstruction to rational debate is the definition of clearcutting. The broad use of the term to encompass everything from one-acre patch cuts to 1,000-acre clearings leads to misunderstanding, misinformation, and over-generalization.

Assessing the impact of clearcutting depends on where the cuts take place, how often, how big, and in what kinds of stands. Some types of wildlife thrive in cleared areas, for example, while others suffer. For recreationists, clearcuts can open views and provide access or they can destroy aesthetic values. For landowners, a clearcut may be the best way to encourage a desirable tree species or it may be an excuse to liquidate the timber.

As arguments have grown on both sides of the debate and pressure on forest resources has escalated, lawmakers

across the nation have been forced to regulate clearcutting. The question was recently put to New Hampshire legislators.

The clearcutting controversy on public lands reached a peak in the late 1960's over clearcuts on the Monongahela and Bitterroot National Forests. Debate raged over industry contract rights, the national supply of timber, timber prices, aesthetics, and concerns about natural resource conservation. The results of this debate were the

Forest and Rangelands Renewable Resources Planning Act, the National Forest Management Act, and their accompanying regulations which limit the size and placement of clearcuts and set restocking standards for clearcuts on public lands. In addition, several states have regulated clearcutting on private land as well (see sidebar).

In 1991, the Forest Society supported legislation to create a committee to study clearcutting in New Hampshire and determine whether regulation is

needed and, if so, what kind. The original hope of the Society was that this committee would be composed of a mix of elected officials and of representatives of divergent views on the topic, providing a forum for discussion. The composition of the committee changed during the legislative session, and the result was a committee composed of legislators, chaired by state forester John Sargent. To assess the nature of their charge, this committee held three public hearings in the fall of 1991.

While most attendees to the hearings voiced general opposition to any new regulations, the committee determined that there was sufficient concern over harvesting in certain areas—particularly at high elevations and on steep slopes—that their deadline should be extended from November 1991 to November 1992.

The Committee's final report was recently released. After two field trips, and no discussion with scientific experts, the Committee concluded that no additional regulations were necessary. The Committee settled on creating a new committee to write a set of best harvesting, or best silvicultural, practices. These would be applied voluntarily.

To voice your concerns about the Committee report, write to Jack Sargent, State Forester, Division of Forests and Lands, PO Box 856, Concord, NH 03302-0856.

NOTE: The full text of this article originally appeared in the Summer issue of *Forest Notes*, a publication of the Society for the Protection of New Hampshire Forests.

Tammara Van Ryn is a Policy Specialist for The Society for the Protection of New Hampshire Forests, 54 Portsmouth St., Concord, NH 03301.

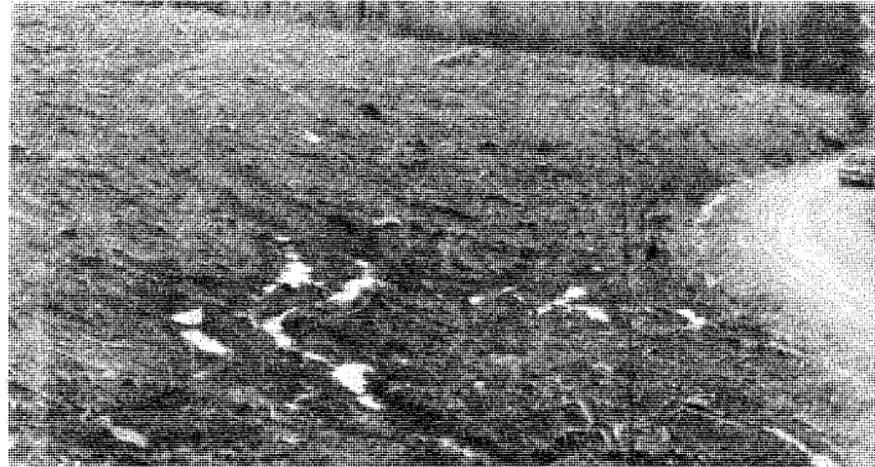
Model Forest

Continued from Page 11

posed alternatives, stating that wood products and early successional habitat will be provided without fully disclosing the reasonably foreseeable negative effects to black bear, songbirds, and the forest ecosystem as a whole, the Forest Service does the public a great disservice. The Forest Service is, in essence, promoting a "Have Your Forest and Eat It Too Land Ethic". Instead of educating the public on difficult decisions, they present an unrealistic win-win situation. Justifying cutting in some of Vermont's last remaining interior forest habitat by stating that it will be beneficial to edge species is the equivalent of stating that putting a landfill there will improve wildlife habitat for raccoons.

It is the belief of PAW that if the American public were better informed and educated on these difficult decisions it would choose healthy, vibrant ecosystems, clean air, clean water, and habitat for the myriads of non-human inhabitants of our public lands over a plethora of disposable wood products. Perhaps it wouldn't. If that is the case there is little PAW, or anyone else can do to save this precious planet Earth. But that decision must be up to the public, and it must be based on real information, presenting the real and difficult choices and trade-offs, instead of documents that attempt to convince them that everything is fine on the Forest.

Buck Young coordinates public lands initiatives for Preserve Appalachian Wilderness. He can be reached at: PAW, 117 Main St., Brattleboro, VT 05301. Tel. (802) 257-4878.



Though NH State law prohibits removal of more than 50% of the basal area within 50 feet of roads or waterways, variances are easily obtained where wind-throw is likely. Photo by Peter Riviere.

Existing Restrictions on Clearcuts

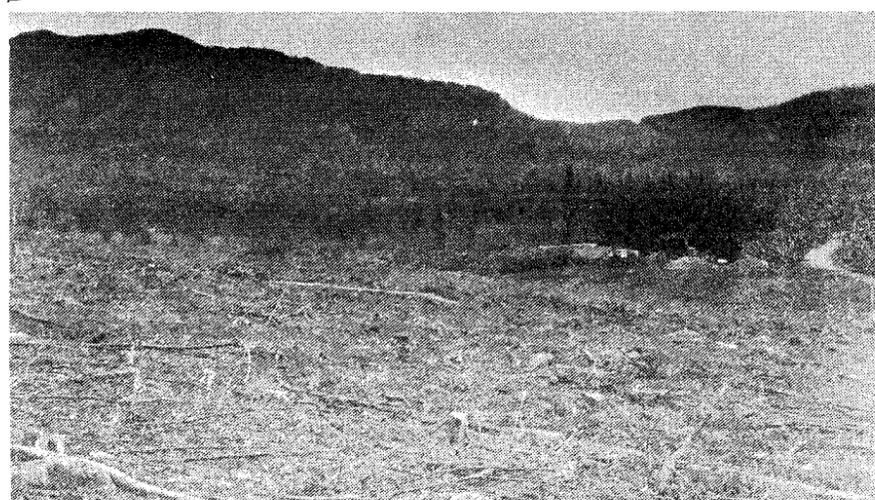
White Mountain National Forest. Clearcutting on the national forest is limited by the National Forest Management Act to a maximum of 40 acres, and by the Forest Plan to 30—in practice, the cuts are rarely over 20 acres. Extensive planning is done for each harvest, and no new cuts are made in adjacent areas until the average height of the regenerated stand is at least 15 feet. (Note: The Society has long worked to reduce the amount of timber treated under even-aged management—which includes clearcutting—on the national forest. The Forest Plan formally incorporated this recommendation, dramatically increasing the use of selection system harvesting to favor larger trees, higher quality timber, and lighter aesthetic impact.)

Massachusetts: Clearcutting regulations are tied to the Forest Practices Act. Size is restricted to 10 acres unless a cutting plan shows that environmental damage would be diminished with a larger cut. All harvesting operations over 25,000 board feet or 50 cords must have a cutting plan that provides for regeneration.

Maine: A clearcutting law was passed in 1989, with rules that establish various size classifications for clearcuts with separation distances that vary by size. For clearcuts of 50 acres or more, a harvest plan is required. Clearcuts up to 250 acres are allowed in some circumstances.

New York: Regulation is restricted to the private land within the Adirondack Park, where clearcutting falls under the jurisdiction of the Adirondack Park Agency. Clearcuts over 25 acres in size require a permit. (Over three acres in size if in a wetland.) Rules require separation between clearcuts, and have detailed requirements for harvest plans.

Western States: California, Oregon, and Washington each regulate clearcutting on private land as part of its Forest Practices Act.



More and more whole tree harvesting jobs are converting timber stands to biomass fuel. Chipping equipment is conveniently located near a town-maintained road. The owner intends to plant 5,000 spruce next year. Herbicides usually follow. Photo by Peter Riviere.

Industry Leader Calls for NH Clearcut Regulations

[Ed. Note: Henry Swan, of Wagner Woodlands, Inc. from Lyme, NH submitted this letter to Jack Sargent, Director, NH Division of Forests and Lands, and Chairman of the Clearcutting Study Committee of the New Hampshire Legislature on October 15, 1992. Mr. Swan was one of the original Governors' Task Force members of the Northern Forest Lands Study. Recently, he has served as an advisor on forestry issues to several former Soviet Union Republics. He is one of the most respected and well-informed leaders of the forest products industry in the Northern Forest Region.]

Dear Jack:

I am aware that your Clearcutting Study Committee is planning to conclude their work by November 1st. I have had the opportunity, as I am sure you have also, to review a substantial amount of recent information and technical research on the use of clearcutting as a silvicultural tool. We both know the pluses and minuses. Therefore, I won't debate the technical side herein. However, this issue is politically "charged" in the social climate that exists in our State today.

I think responsible regulation on clearcutting is a MUST in New Hampshire.

I think responsible regulation on clearcutting is a MUST in New Hampshire. I know most of my forest industry friends will disagree. Unfortunately, I feel much of the resistance is not based on the technical aspects of practice, but is another manifestation of the *personal property rights* cry we are hearing more and more frequently today.

The simple fact of the matter is that unless the State takes some positive action on regulation of clearcuts, we will have many towns enacting their own

In actual practice in our own land management activities, we have found large clearcuts do not improve long-term investment returns.

forest practice ordinances; some I know will be quite restrictive. This will present a serious management problem to

the Wagner organizations, as we own and/or manage timberlands in approximately 40 New Hampshire towns. Monitoring and controlling compliance with a number of different regulations is a useless waste of time and money.

In actual practice in our own land management activities, we have found large clearcuts do not improve long-term investment returns. In fact, other than a short-term quick financial infusion, these practices defeat the objectives of long-term sustained yield forest management and true land stewardship as you and I have known it. Good investment returns are generated in the Northern Forest by the production of quality solid wood and the improvement of the stocking of each forest acre. We depend on fast regeneration to build our future forests. Large clearcuts move the

Large clearcuts move the plant succession chain back to its primitive or pioneer stages.

plant succession chain back to its primitive or pioneer stages. We do not need this nor can we condone this if we hope to achieve a sustainable forest industry in New Hampshire.

Therefore, I would hope your Study Committee can work toward some reasonable and responsible clearcutting regulations. We cannot tolerate a hands-off approach anymore based on the theory of local autonomy. We both can cite examples of recent trends toward less clearcutting, the U.S. Forest Service policy change and Maine's new timber harvesting regulation, to name two. However, the issue here is social and political which can fuel more extreme environmentalism and aid in the establishment of a "Green Movement." Frankly, I would tend to be more restrictive on clearcut regulation (size of area, forest type, terrain, viewshed, ecosystem) than less because I think your Committee in our State has the opportunity to seize the leadership on forest stewardship issues in our Nation.

As you know, I am available to discuss these matters with you personally as you wish. I am sure your Committee is overloaded with technical suggestions; therefore I will stay out of the technical debate for now.

Sincerely,
Henry Swan



Wet season whole-tree harvests leave wetlands trammelled and create mudholes in low spots. These areas will be slow to heal from heavy equipment scars. Photo by Peter Riviere.

Do Clearcuts Imitate Natural Disturbances?

Proponents of clearcutting maintain that it is a "valid silvicultural tool" that imitates natural disturbance regimes. I have yet to see any scientific evidence to validate this unexamined assumption. In Beyond the Beauty Strip, Mitch Lansky compares the impact of natural disturbances with the impact of clearcuts on page 97. --J.S.

Disturbances: Natural vs. Clearcut

Variable	Natural	Clearcut
Intensity	Residual trees and dead wood remain	All trees removed
Edge	Highly irregular	Straight lines
Landscape pattern	Integrated	Fragmented/roaded
Soil	Undisturbed	Denuded, compacted dried
Regeneration	Natural Succession	Artificial/herbicides
Rotation	Centuries	40-60 years

When I walk in the woods and jump across a stream, my bare feet skim the cold waters. I sit down on the bare rocks trying to be closer to nature. Its a little spot beneath a tree beyond a rushing river. This is the place I come to free my mind of worries

I feel like a Cherokee sitting in the middle of a forest not yet destroyed. I wish people could live like the Cherokee; after all, nature gives us everything we need for survival.

I watch as the sun sets over the mountains. The light hits the trees and they begin to rustle in the wind. I think of the paper factory that will soon transform this land into sheets of paper. I wish I could save the land, take it away from the people who don't understand what it means to me.

I get up and walk over to the big rock that looks over the land. I call it Sunset Point. I climb up and watch the colors in the sky. I look down and see the shimmering trees. I hear a chainsaw in the distance. I feel like running deep into the woods, far away from civilization, far away from the sound of the chainsaw. I hear a crash. A tree falls.

Jolie Ruelle, age 11



A far too typical northern New Hampshire logging operation levelled this 130 acre parcel on the Lancaster-Groveton town line in November. In background is The Horn, a portion of which was purchased by The Nature Conservancy to protect rare plants and natural communities. Photo by Peter Riviere.

New Forestry in Eastern Spruce-fir: A Critique of the Seymour/Hunter Proposal

by Mitch Lansky

In the late 1980s, government scientists, most notably Jerry Franklin, came up with a new concept that, they hoped, would help end the bitter controversy of "owls versus jobs" in the Pacific Northwest. This concept, which Franklin called "New Forestry" would, they claimed, protect the ecological values associated with old growth, but still allow timber harvesting. With New Forestry, the researchers are hoping that the region can have owls and jobs. The U.S. Forest Service (which controls much of the remaining old growth in the region) has taken New Forestry seriously and is currently testing its interpretation of New Forestry principles on some national forests.

Until recently, the concepts of New Forestry have received relatively little attention in the Northeast where forest ecosystems are very different, ownership is mostly private, and there is almost no old growth. University of Maine professors, Robert Seymour (silviculture), and Malcolm Hunter, Jr. (conservation biology), broke the ice on the subject, however, when they published a pamphlet, "New Forestry in Eastern Spruce-fir Forests: Principles and Applications to Maine," in April of 1992. In doing so, they also broke the ice as academics by critiquing current industrial practices in the region. One does not propose a new forestry system unless there is something wrong with the old one.

"Professional curricula," write Seymour and Hunter, "have inculcated certain values in foresters that can, at times, be counterproductive when responding to society's demands. Examples include: equating high timber yields and 'clean' clearcuts with 'good' forestry; opposition to forest preservation in principle because it ostensibly conflicts with the hallowed doctrine of multiple use; and the emphasis on economic expediency over ecological integrity. Although such narrow views may represent certain private interests, they seem increasingly inappropriate, even arrogant, in an era when society is demanding more than cheap commodities from its forests."

The traditional "arrogant" attitude has, they claimed, led to a situation where:

- *there is now almost no old-growth in the region;
- *longer-lived species, such as red spruce, yellow birch, or white pine, have been replaced in some stands by shorter-lived species such as balsam fir, red maple, and poplar;
- *the majority of forest practices have simplified stand structures, eliminating habitats for species requir-

ing vertical diversity, large trees, and dead-standing or dead-downed trees;

- *where management has benefited or maintained wildlife habitat, it has often been due more to accident than design, and there is no assurance that these accidents will continue as market pressures shift;

- *huge, rolling clearcuts have dominated some townships and have fragmented the landscape;

- *the state has few formal reserves, or forests where values other than timber extraction predominate, and these reserves do not have full representation of regional ecosystem types;

- *in general, current practices are not even leading to high yields--they are more like mining than management and have been done with little concern for the stocking and quality of the resulting stands. The region is facing the prospect of mill shortfalls due to overcutting of some species.

In contrast, the authors propose that foresters start to view the forest as an ecosystem rather than just a commodity. This implies the use of silvicultural systems patterned after local natural disturbance regimes. A major goal of forest management should be to ensure the passing of the "biological legacy" of habitats and species that maintain biological diversity, rather than just to remove large quantities of wood as cheaply as possible. And where ecosystems have been altered from past practices, foresters should help them recover their integrity.

The Acadian Forest

The key, therefore, to developing "New Forestry" techniques, is to understand local ecosystem dynamics. Where ecosystems differ, one would expect that New Forestry methods would differ as well. The spruce-fir forest in Maine, for example, is quite different in its disturbance dynamics from the Douglas-fir forests of the Pacific Northwest, or even of the boreal forests of northern Canada, where the dominant species are adapted to establishment following severe disturbances, such as fires. Maine's spruce-fir forest is not truly boreal, even though boreal forests are also called "spruce-fir." The dominant species in Maine's forest--red spruce, sugar maple, beech, yellow birch, white pine, hemlock, white ash, and white cedar--are actually at their northern limits and are only found on the southern fringes of the true boreal forest, which is almost entirely in Canada. Seymour and Hunter refer to Maine's spruce-fir forest as "sub-boreal," or "Acadian."

Reconstructions of the natural disturbance cycles of Maine's presettlement Acadian forest by ecologist

Craig Lorimer have indicated that large, severe fires at a given site were not frequent--occurring from 900 to 2000 years apart. Indeed, Maine's virgin stands, because of their resistance to fire, got the reputation of being an "asbestos forest." Many of the severe fires in the eighteenth and nineteenth centuries were directly or indirectly connected with logging.

Lorimer concluded that the most important disturbance factors were small-scale wind and insect events that left the forest generally in an uneven- or all-aged condition. The dominant species were shade tolerant. Shade-intolerant pioneer species, such as poplar and white birch (species that would normally occupy a site after a severe disturbance such as fire or wind), made up a very small percentage of the forest.

If Seymour and Hunter were to follow their own admirable guidelines, therefore, the favored management method for New Forestry in the Acadian forest would not resemble the "sloppy clearcuts" (that leave behind some residual living and dead trees) that Franklin advocates for the Pacific Northwest so much as an altered version of selection or group selection.

The "Triad"

Seymour and Hunter's program, however, is what they call the "triad" approach--dividing the landscape into forest reserves, intensively-managed plantations, and forests managed by "New Forestry" principles. They assert that the intensively-managed forests will have high enough yields to offset the losses incurred by removing land for reserves.

The prime determinant of the landscape configuration of the "triad" is not the nature of the ecosystems, but the current and expected future fiber needs of paper mills. The triad is thus a political compromise between industrial landowners wanting to sustain their mills and environmentalists demanding more preserves. Seymour and Hunter contend their "triad" leads to a "win-win" solution.

Unfortunately, the implementation of their triad system would contradict some of their stated goals and their analyses on the nature of the Acadian forest. Rather than lead to a win-win situation, their New Forestry might lead to a win-lose or even a lose-lose situation.

Plantations

Plantations, according to Seymour and Hunter, should be located on productive sites near mills. Near mills means near people, many of whom do not like the clearcuts and chemicals associated with plantations. Such local inhabitants, seeing an increase in these practices would not feel they were in a "win-win" situation.

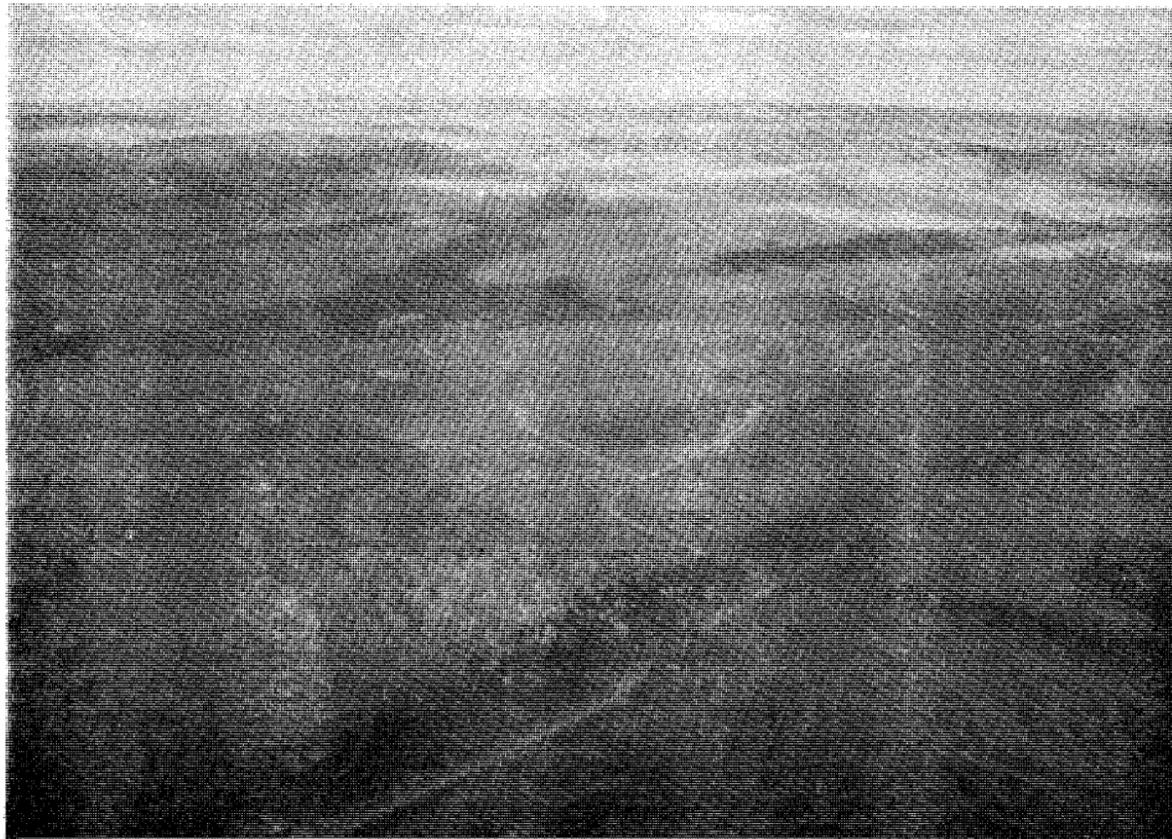
Seymour and Hunter assert that clearcuts are acceptable as long as they are part of a continuum of different sized cuts ranging from selection to large clearcuts. They believe that such a diversity of opening sizes will maintain or enhance biological diversity.

This assumption does not stand up to logic, however. If diverse openings lead to diverse wildlife in Maine, it should also apply everywhere, including tropical rain forests. Clearcutting tropical rainforests, however, does not improve biological diversity; it reduces it, even though it creates a new type of habitat.

The best way to enhance wildlife diversity is to protect habitats of species that are less common, rather than to create habitats for species that are already common. There are already far more clearings and openings than existed in the presettlement forest. Why do we need to create more?

At times, Seymour and Hunter seem to consider large clearcuts to be an acceptable mimic of "natural" large crown fires. But in one paragraph, they admit that "important differences between clearcuts and crown fires such as the frequency of disturbance and the fate of residual trees, seedlings, seeds, snags, logs, and slash, undermine the argument that clearcuts are similar to fires."

"Productive sites" usually means hardwood or mixedwood sites, which generally have the richest soils. Planting such stands to pure softwoods implies site simplification or even conversion, neither of which are considered beneficial for biodiversity. Industrial landowners are not planting red spruce or northern hardwoods, which were dominant Acadian species, because these shade-tolerant species do not thrive as well in the harsh conditions (desiccated, rutted, compacted soils) found in clearcuts. The species



This is what the Allagash region looks like to a bird. Significant portions of Maine's "Industrial Forest" resemble this scene. Although not visible in this picture, the "Allagash Wilderness Waterway" is allegedly protected by both the State of Maine and the U.S. Government. However, the "protection" extends only 400 feet from the river. Beyond the beauty strip, this is what you see. Photo Courtesy of Jym St. Pierre--The Wilderness Society.

currently planted to meet the needs of paper mills--white and black spruce or exotic tamaracks (from Europe or Asia)--are boreal species that are better adapted to more extreme site conditions.

Unfortunately, evidence from Europe indicates that repeated spruce plantations on former hardwood or mixedwood sites can lead to site degradation--yields decline in subsequent rotations. The elimination of both natural succession and of large, rotting, woody debris means the elimination of major sources of soil nutrients and organic matter, which furthers the process of site degradation.

Because plantations simplify stand structure as well as species diversity, predator/prey complexes that normally prevent catastrophic losses to insects, disease, or other disturbances, are less complete. Without such internal controls to maintain stand stability, landowners must use external controls, such as pesticides, if they wish to prevent catastrophic losses in the event of an outbreak. Seymour and Hunter, unfortunately, do not address the sustainability of the plantation part of their triad.

When Seymour and Hunter talk about the high yields obtainable from intensive plantation management, they are comparing these yields to "unmanaged" (i.e., traditionally managed) spruce-fir. This comparison is misleading because it compares intensive management on good sites to cut-and-run on poor sites. It does not compare the long-term yields obtainable with plantations on good sites to the long-term yields obtainable with other management systems, such as selection, on the same sites. It also only compares the yields of spruce-fir--ignoring yields of hardwoods, even though hardwoods might normally grow on the better sites.

Because the plantations are geared to the needs of the mills, rather than any biological imperatives, landowners will tend to cut them before they even reach peak average growth, thus actually lowering potential productivity. Indeed, because of the expenses incurred in planting, thinning, and spraying, landowners will have an economic incentive to cut the trees as soon as possible to reduce the losses that would occur as the interest on their expenses grows faster than the fiber on their trees. Thus, even without considering declines due to site degradation or losses to insects or disease, the high predicted yields might not materialize.

Short-rotation softwood plantations are notorious for the low quality of their wood for either lumber or paper. With wider spacing, managers can reach wider diameters sooner. But this does not increase height. Such trees, therefore, have excessive taper, fat growth rings, and abundant knots, all of which are poor for lumber. They are dominated by juvenile wood with shorter fibers all of which is inferior for paper. The best quality wood for fiber or lumber grows on slower growing, older trees--more likely to be grown in selection stands.

Seymour and Hunter's argument grows weaker when they tackle plantation economics. "Our qualified support for these practices in the high-yield component of the triad," they write, "is contingent...on the presumption that plantations will continue to be the most economic means of achieving high timber yields."

Unfortunately they do not show that plantation forestry is cost-beneficial now, or will be in the future. In fact they hint that it may not be very cost-beneficial, because very little of it is being done--"lack of funds, not ignorance, apparently," they claim, "is the main obstacle to expanding these practices." The reason Maine's forest has not been turned into a fiber farm is that landowners can not afford to do so. Plantation forestry is only viable if it is highly subsidized.

New Forestry

Although the "New Forestry" component of their triad is supposed to mimic the natural disturbance patterns of the presettlement Acadian forest, what they emphasize most is not some form of selection, which would lead to uneven-aged stands, but irregular shelterwood, which would lead to stands with two age-classes.

Irregular shelterwood, for Seymour and Hunter, is a good compromise of the needs of industrial managers (for simplified techniques) with the needs of the forest. Like the New Forestry of the Pacific Northwest, irregular shelterwood can leave behind the few large trees, dead-standing, and dead-downed trees that could help assure some vertical diversity and pass along some of the biological legacy of habitats and species from the previous forest.

Seymour and Hunter conclude that, because of problems of windfirmness and value, white pine is the



Another scene from beyond the beauty strip in Maine's industrial forest. This clearcut was brought to you by Scott Paper Company near Pierce Pond Road. Photo Courtesy of Jym St. Pierre--The Wilderness Society.

best tree for retention. Many landowners, however, are already doing "sloppy clearcuts" that leave pine to go for another rotation (indeed, my industrial neighbor did this right up to my property line), but this is not necessarily good silviculture for promoting biodiversity. And it is not good for local industries that require high quality timber of a variety of species.

In Maine, unlike the Pacific Northwest, the most valuable species are shade tolerant or intermediate in shade tolerance. Heavy cutting encourages stand domination by pioneer species that are shorter lived and, with the exception of white birch, less valuable. Selection or group selection, however, allows managers to favor literally any long-lived, Acadian species for retention--even less common ones such as hop hornbeam. Seymour and Hunter suggest that the major shortcoming of selection management is "the difficulty of preventing cuttings from degenerating into high-grading operations that pay inadequate attention to structure or future development of residual stands." But irresponsible managers can do even more damage with irregular shelterwood and clearcutting. Indeed, irregular shelterwood, in the form of commercial clearcuts and heavy diameter-limit cuts (resulting in two-story stands) is the main management method that got the forest into its current mess.

Transition

One of the most serious flaws in the Seymour-Hunter argument is their lack of discussion of the problems of transition to their triad. They promote the intensive management segment of their triad to maintain current mill capacity. Unfortunately, the higher yields expected from intensive management will not begin for at least 40 years. This leads to a dilemma:

*If reserves are taken out now, the mill capacity will not be maintainable;

*If you sustain mill capacity until the high-yield stands kick in, you will wind up with reserves made up of cut-over lands. Thus either industry or environmentalists will lose.

There is also a cost to transition. Investing in intensive management means that landowner costs will dramatically increase, but yields will not increase for at least 40 years. Who will pay? Will the public be forced to subsidize clearcut and spray regimes, which many detest, in the name of improving biodiversity?

Seymour and Hunter assume that current mill capacity is sustainable, but Seymour's own studies claim that heavy investment in intensive management would be needed to prevent expected shortfalls in softwoods and hardwoods. It is not clear, from a mill perspective, therefore, that there will be a surplus of land with intensive management in either the short or long term. Even if there were, many companies would rather use any productive acres to supply increased mill capacity, rather than let it be grazing land for non-marketable wildlife species.

Conclusion

These projections of future demand, of course, assume continuation of past trends. But if past trends of ecological, social, and economic capital depletion continue unabated, our society, as we currently know it, will probably not be maintainable for another 40 years. A more responsible approach would be to start from what is biologically sustainable for centuries to come, and have society live within these limits. This means a commitment to conservation, efficiency and recycling.

In the plantation segment of their triad, Seymour and Hunter are asking environmentalists to accept potentially non-sustainable, intensively-managed sacrifice zones that require management inputs that industry can not afford. To the extent that the plantations simplify, convert, and fragment the landscape, thus threatening biodiversity, environmentalists could justify asking for more lands to be put into reserves. This could lead to increased conflict, rather than increased harmony. The buffer zones between the two extremes, would, in many cases, still be heavily cut, and could be subject to considerable abuse unless there is significant change in forestry economics and forester attitudes.

Such changes in attitude and the economy are needed, however, if we are to truly save our forests. Given such changes, it would be far more sensible to emphasize some form of selection as first choice in the commodity forests. By emphasizing the least disturbing forest practice appropriate to a given site, foresters would keep the most options open, both silviculturally and biologically. Keeping options open requires humility. Closing off options for future generations demonstrates arrogance.

Selection makes sense as first choice because:

- *it keeps the forest shaded, favoring the more important Acadian species;
- *it can sustain the retention of old trees of all species with less danger of windfall;
- *it encourages vertical diversity rather than just a one or two story forest;
- *it can accommodate dead-standing trees without fear of blow down, and dead-downed trees without fear that they will dry out;
- *it preserves more habitat for species requiring interior, mature forests (although some species may have trouble with the roads)
- *frequent, light cuts can cover greater forest area in less time to prepare the forest for the next spruce budworm outbreak; and
- *properly-conducted selection can lead to high long-term yields, especially on the better sites.

The compromise of Seymour and Hunter is mostly between industry and some environmental groups. They did not adequately consider the needs of local communities for sustainable employment, recreation, and aesthetic beauty. Selection in local communities would best fulfill these needs--mechanized

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Two New Books Reveal Truth About Maine Woods

Thoreau's Maine Woods-Yesterday and Today

by Cheryl Seal, Photos by Robert Bukaty
Yankee Books \$24.95

Beyond the Beauty Strip-Saving What's Left of Our Forests

by Mitch Lansky
Tilbury House Publishers \$19.95 (pap) \$35 (hard)

"If a man walk in the woods for love of them half of each day, he is in danger of being regarded as a loafer: but if he spends his whole day as a speculator, shearing off those woods and making earth bald before her time, he is esteemed an industrious and enterprising citizen."

Henry Thoreau, from "Life Without Principle"

These two books, published in the same month, go a long way towards ending the myth of the great Maine woods, painting a truer picture of the "working forest" and giving activists a great step forward in their arguments for changes in both perception and policy regarding the Maine woods.

Cheryl Seal's book, at first look, appears to be some kind of feel-good coffee table book, with its large format, large type, beautiful color photographs, and brief text, but this is a beauty strip, an illusion that is immediately cut away. This is a beautiful book with an edge. Listen to the opening paragraph:

"The Maine woods. The phrase evokes an image of unbroken forest, isolated waterways, and solitude. But in reality, it is getting harder each year to find any true wilderness in Maine- or anywhere. Since 1970, paper companies and other landowners have sliced nearly twenty thousand miles of roads through the Maine woods, rendering nearly every niche of forest land accessible to the automobile or truck. The Allagash River, once synonymous with wilderness, is now rafted by nearly twenty thousand tourists annually, while hundreds of people each day of the summer climb Mount Katahdin. The shores of the remote St. John River are now dotted by commercial campsites, and Mount Kineo, an ancient wilderness landmark, has been subdivided for development. No place in the Maine Woods is more than two miles from a road (as one paper company spokesperson has asserted); no location is beyond the sound of chainsaws. Yet against all odds, a forest, however besieged by "progress", still exists in this corner of the world. Within it still are the threads of life that form the fabric of any forest on earth."

Setting this tone, Cheryl Seal begins her book. The first section is a brief history of the forest, bringing the reader quickly up to the time when Thoreau first set foot here. She chronicles the uses and abuses, and shows us that the wilderness was quickly disappearing by the time that Thoreau arrived.

"The forest that had stood for generations of Abenaki was crashing to the ground. Without its tree cover, the climate of cleared areas in Maine grew drier and hotter... Many forest streams shriveled to trickles, then disappeared... As early as 1750, erosion had become a chronic problem in many settled areas."

In the second section of the book, Thoreau arrives in Maine to travel into the Maine Woods. Henry is dismayed by the living conditions of the Penobscots:

"I even thought that a row of wigwams with a dance of powwows and a prisoner tortured at the stake would be more respectable than this."

And though Mainers are used to dealing with travellers from Massachusetts and elsewhere who arrive with romantic notions of the way life should be, few of them can express the local beauty and wonder, and a sense of present and future loss, in the way that Thoreau does. What follows in the second section is a brief account of Thoreau's travels through the Maine Woods.

The third section of the book is on the Maine Woods today, and covers briefly the issues of wood harvesting, road building, the life of the logger, and the role of the consumer.

"...for too many Americans the forest is a remote entity, the wilderness a myth. It is little wonder that the connection between material goods and the natural resources that are used to produce them is being lost- and with it our last wildlands."

This section is followed by the largest part of the book, which features Robert Bukaty's photographs of the Maine Woods along with quotations from

Thoreau's journals. We start out looking at forest scenes, spectacular shots, but after a view of the Maine Woods from Mount Katahdin, we begin to encounter stumps, clearcuts, feller-bunchers, logging roads, paper mills, and tourists in RVs and rafts. These are very attractive photographs, and even the clearcuts are beautifully shot, as some kind of soft core eco-porn. This could be a very different book with the same photos and a different text, but Thoreau keeps us on track:

"The woods were as fresh and full of vegetable life as a lichen in wet weather and contained many interesting plants, but unless they are of white pine, they are treated with as little respect here as mildew, and in the other case, they are only the more quickly cut down."

"But the pine is no more lumber than man is, and to be made into boards and houses is no more its true and highest use than the truest use of man is to be cut down and made into manure."

"The Indians said that the caribou was a 'very great runner', that there were none about this lake now, though there used to be many, and pointing to the belt of dead trees caused by the dams, he added 'He no likum stump-when he see that, he scared.'"

"The mission of men there seems to be, like so many busy demons, to drive the forest out of all the country, from every solitary beaver swamp and mountainside, as soon as possible."

"Every creature is better alive than dead, men and moose and pine trees, and he who understands it aright will rather preserve its life than destroy it."

The final, brief section of Thoreau's Maine Woods is an afterword discussing solutions to the problems of the Maine Woods and the forests and wild places of the world. The author advocates changes in consciousness, lifestyle and consumption patterns, and supports the Wilderness Society's plan to preserve 2.7 million acres of the Maine Woods as a public preserve. Cheryl Seal ends by saying that Thoreau's greatest revelation "is that the deepest truths can be found not in scientific and religious doctrine, but in nature, whose purest form is wilderness." Her book is a stirring introduction to the problems facing the Maine Woods, and the wilds everywhere. I hope that this book will bring people not only back to Thoreau's writing, but into a state of concern for the Maine Woods.

Those concerned with the future of the Maine Woods, and the forests of the world, should continue their reading with Mitch Lansky's **Beyond the Beauty Strip**. This is a deep, rich, very important book. Rather than trying to critique it here, I want to bring it to peoples' attention, and then listen to the discussions. I hope that much further discussion of this book will follow on the pages of the Forum.

Not since **The Paper Plantation** by William Osborne (published in 1974 and long out of print) has there been a deep look into the realities of what is taking place in the Maine Woods. Osborne succeeded in beginning to challenge the myth of the Maine Woods, suggesting that the paper industry's model of

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Beyond the Beauty Strip

Saving What's Left of Our Forests

Mitch Lansky



A Sustainable Resource-Based Northern Forest Economy for the Future

by Andrew Whittaker

Traditional prescriptions for economic growth in the northern forest region may be described as a matching of native resource to outside markets. This is indeed the way the area developed, from the early marketing of pearlsh and white pine, through the river drives that fed down-country mills, to today's economy which relies on outside dollars to perpetuate the resource-based industries.

Current planning views development as a necessary disease, and seeks to mitigate the worst aspects of more manufacturing, more tourism, more human activity. The trick to prosperity, it seems, is viewed as an economic trade-off of resource for dollars; asset and liability are linked in an equation that necessarily implies ecologic degradation.

Planning that does not aim for the optimal cannot obtain it. An optimal economy would start with what people living in the northern forest region value most, the natural resource, and provide work that extends and perpetuates this economic base. Outside dollars would not be sought by selling in commodity markets, but in non-extractive, high-value markets. A network of local businesses would vigorously recycle dollars as it met a high fraction of basic needs: food, housing, clothing, useful work, and entertainment.

This process could start with businesses that already perform in the artisan/self-sufficiency markets and extend outward through demonstration and education to today's commodity-oriented industries. The three key ingredients are a re-orientation of economic thinking away from dollar-wise, value-blind goals; wider literacy in and husbanding of native resources; and successful marketing of high-value, specialty products. Most importantly, this strategy relies on and strengthens traditional ties to natural resources. Today's unfortunate alternative only invites a further alienation from nature, and its continued degradation.

The economy is no longer so healthy that simple tax breaks or other tinkering can stimulate recovery. Economists point to many factors that are involved, but often overlook simple biology. Environmental accounting of economic resources would show a bare cupboard, in comparison to earlier centuries. We no longer enjoy the fruits of a robust fishery on the Atlantic Coast, and the Alaskan plum is now being plucked as well. Housing is constructed of ever cheaper materials, and future products from a fiber forest promise no better. Farmers, the canary birds of culture, are locked in self-defeating economics which dictate higher production to turn a profit but also

ensure lower prices. The net result: low-margin returns on profit that do not bode well for conservation practices.

Local resources and what we do with them would form a better foundation for the future than solutions proffered by Washington or the nebulous global market that economists endow with deterministic authority. Blind acceptance of current trends afoot right here in northern New England does not bode well for a future built around quality. The problem boils down, on many fronts, to the punishment markets inflict on commodities. A commodity forest will be priced cheap, as will be fluid milk, tourist attractions aimed at the entire urban population of the Northeast, or manufactures meant to sell everywhere, at everywhere's price. Since the 1800s, our mentality has been geared to such production, and our depleted resources are a direct reflection of the land's inability to sustain a throwaway society that depends on the ever cheaper commodity.

Rural areas are depressed because the market has argued them into the role of providing cheap raw material for centralized production. However, the same past which was part of this process also offers lessons for the future. If we were to reclaim the labor-intensity of earlier industry, we would be able to produce the higher quality goods that are in increasing demand, at the higher rate of return once enjoyed by the rural artisan. Many people in rural New England enjoy a closer relationship with physical resources than people of the Northeast's exurbs. This has created a tradition, albeit declining, of proficiency with tools, machinery, and living things. How many people in the urbanized landscape between Boston and Washington may lay claim to that basic element of our life here? Why should we emulate their increasing distance from basic resources when that is just as likely to lead to poverty as wealth?

Another facet of traditional ties to the natural environment is a notion of the existence of a commonwealth. In northern New England, private property has seldom been regarded as an exclusive domain, and the public has enjoyed the privilege of ready access to the forest. Jobs, recreation, and a conservation ethic have flowed from this mutual recognition, and given life here its distinct flavor.

In regions where this is absent from the landscape, money must be lavished on artificial forms of entertainment. Natural resources are likewise seldom viewed as productive of anything other than views, with a resulting depreciation of the environment: shellfish flats are closed as shorelines are crowded,

woodlands become more the scene of crime, whether actual or merely feared, as people lose touch with the meaning of solitude. Unfortunately, there is nothing that guarantees a continuation of the land-based ethic, not even the threat of destruction, and the willingness to trade resource for dollar is its worst enemy.

The first step in devising an economic strategy that will perpetuate traditional values is to decide that they are indeed worth keeping and cultivating. Subsequent steps will necessarily be modest and build on previous, existing efforts. The key will be to step away from the temptation of turning our labor or its product into commodity. Markets discipline commodities with low prices, and the culture of commodity turns on quantity, not quality. There is no single saving industry, only the principle of using what we have to provide for ourselves and selling to those markets which value quality. So let's look ahead and see where 60 or 75 years of small efforts may land us.

The centerpiece of our new economy is the forest. Its ownership and organization we shall leave to the imagination, assuming that society has hammered out its differences and reached the optimal situation of private rights and the common good reinforcing one another. Design by foresters, ecologists and land owners has biended the borders between recreational, logging and wilderness land. Small, vertically integrated logging operations have access to a good supply of large sawtimber which they take from stump to board. Local artisans are a more visible element of the economy than previously, and are able to make a living from the production of custom-built furniture, musical instruments and buildings. A down-sized paper industry can now supply a smaller market for higher profit. Rather than detracting value from soil, air, and water by relying on wholesale logging, the paper industry now adds value to sawmill wastes, and is, in fact, flexible enough to produce paper from multiple sources of pulp, including certain fibers farmed locally for specialty products.

Where can we look today for the germ of such a future scenario? A recent study in the Worcester Mountains of Vermont found that while big sawmills were confronting limits to growth, small, portable sawmill operations were growing in number. Years ago, such sawmills were quite common. While big mills have to expand markets just to keep up with such costs as health-care, small mills can be profitable at small capitalization and also return more money to the landowner than mere stumpage. So vertical-integration and small-scale operations are already part of our landscape and deserve to be treated as important elements of our future.

As for a future paper industry which does not rely on poisons, or add them to rivers and air, it does not seem that today's corporations are interested in recasting themselves in a more responsible mould. Other agencies will have to introduce new technologies. However, there is some indication that a viable industry does not have to emulate the scale of current industry. This first occurred to me when a neighbor showed me paper she had made in a bucket, out of milkweed fiber. The paper was of a unique texture, and would surely have interested an artist who uses paper or a cottage-industry bookbinder. Paper can be made of many fibers, and the products would have not a large, but a definite market. The small-scale efforts of individuals would maintain the art and craft of paper-making and perhaps serve as an incubator for a paper industry which could supply more than an artisan's needs yet survive at lower capitalization and with greater environmental/societal responsiveness than today's practitioners. Furthermore, the publishing industry is itself de-centralizing, and the many small firms of northern New England would be a logical market for a similarly-sized paper industry.

In this same vein, towns once relying on single, large pay-rolls could now sustain themselves on numerous manufacturers operating with lower overhead and capital requirements, resulting in some measure of employment stability. In addition to woods products, an intensive local agriculture will have created a need for heat retaining row covers and bagging material once supplied by plastic. Research has focussed on substitutes manufactured from plant fibers supplied by local agriculture; local manufacture returns a finished product and also supplies adjacent urban markets.

Clean water also has maintained the basis for the brewing of beer, which undoubtedly enjoys a strong

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New Forest Economy

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market locally, and is yet another element of agriculture, as the breweries use local hops and barley and return mash to the farm as a livestock feed.

High-end manufactures are also part of the local landscape. Products are geared to supplying local needs but in the process create valuable products for niche markets worldwide. Emulating today's cranberry grower who must custom build much equipment because large manufacturers cannot supply this small industry, tomorrow's builder of equipment is not tied to any one product line. Basic machinery can be adapted to local logging or farming conditions, and help avoid the problems that accompany overlarge equipment: heavy expense requiring heavy debt load—which does the natural resource no good—or over-weight and cumbersome machines which compact or erode soil and damage trees left standing. In short, local manufacturers are able to respond to local needs and in the process reduce damage to resources and provide high wage work.

Perhaps most importantly, the effort to match economy to landscape has created jobs of a high order that previously could not be met widely enough to prevent the export of talented young people. The new economy creates more generalized attitudes as people participate in an entire cycle built around local resources, and reduces some of the specialized jobs of the old commodity economy—which, because it was complete nowhere, invited specialized attitudes as well. However, high skill work is required by a system of production which relies on particular knowledge of world markets, for instance, use of information technologies, and the creation of low impact industry.

Higher attainment is also an element of traditional occupations: the logger is dealing with a more valuable resource, and is taught accordingly; the farmer supplies a wider market and attempts to respond to wider needs than those of a commodity market.

In our ideal tomorrow, today's farm stands have diversified, expanded, and increased in number. Supplying the forest region with over half its food supply, each has a specialty, but in the aggregate they produce bread, cheese, meat and various canned goods, such as sauerkraut, jam and pickles, in addition to fruit and vegetables. Dairy farms have been encouraged in the direction of increased, co-operative processing, and these co-operatives are able to allocate production so that a fluid-milk surplus does not depress price. To a certain extent, farms still rely on family labor, but are

Rural areas are depressed because the market has argued them into the role of providing cheap raw material for centralized production.

able to add some employment in value-added activities. Of more importance to the local economy, farm stands cut the export of cash to distant places, and recycle local dollars in capital improvement projects. New England has returned to the day when it drank more cider than orange juice and could also rely on agriculture as an economic cornerstone.

Another dimension of the new agriculture alters the relation of hinterland to urban market. Rather than supplying one commodity, such as paper, to cities, rural areas now market an array of finished goods and agricultural produce directly to urban consumers. In the process, cities themselves have re-discovered an old purpose as centers of trade. The rural marketeer is able

to head home with quohogs or cranberries as his or her trading partner heads south with maple syrup or cider.

Finally, the forest economy's education system, which emphasizes the conservation of landscape, has been able to provide an important export to other areas which seek to reclaim their natural heritage. Rural businesses support a Youth Conservation Corps through which young people learn both ecology and practical application of conservation measures. Some serve apprenticeships with loggers, biologists, or surveyors; others go to work in concert on erosion control, silvicultural or ecological restoration projects. Historical and cultural projects are likewise considered resources worthy of conservation and perpetuation.

Altogether, our new forest economy provides other regions a model for increasing cultural wealth through education. City children who come here to learn and bring home the same approach, also carry away a "wilderness" ethic to such places as East Boston or Dorchester. Such communities may then begin to value and restore previously disparaged shoreline, and also help create attitudes more wholesome than some of those presently evinced on the Saco or the Plymouth beaches.

In conclusion, a recent essay on the north woods points out that the white man, or European culture, has consistently made only economic use of the forest. But, in truth, so did the native people. The crucial difference is that their definition of economy was expansive, and embraced values which we attempt to isolate from economic strategies. The native economy was their way of life and helped sustain their relationship to the land. Our opportunity is to similarly fashion an economy around all the values we place in or derive from the forest and so ensure that they will be around for all of future humanity.

Maine Books Reviewed

Continued from Page 16

export-based development "has not unequivocally benefitted the state, but has also contributed to the relative poverty and stagnation of Maine's economy while fattening the pockets of the out-of-state owners and managers of the large paper companies."

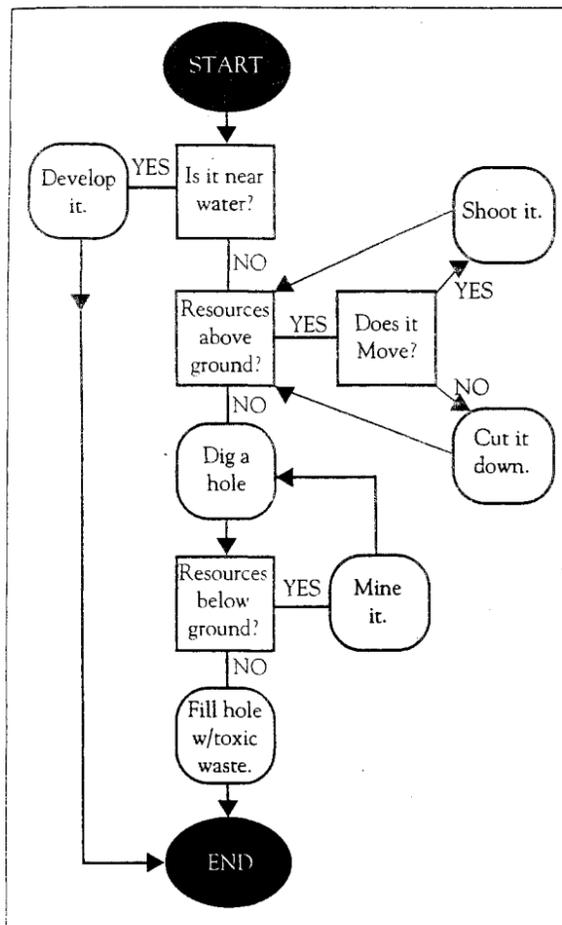
Forest activists everywhere on the grassroots level need to have information at hand to counter the statements made by the paper industry. We do not have the spare time to do all the research and keep up with all of the latest information. Mitch Lansky has done the work for us, providing us with an incredible array of information. He states, "Grassroots groups are essential to the forestry debate because the members live where the action is. They directly experience the problems and directly benefit from any solutions. They have the most at stake and usually have the motivation to succeed," and then, "The foundation for corrective action is informed awareness of the problems. Much of the information that reaches the public, however, is a variation on the theme of the happy coincidence—that managing industrial forests for short-term profit is benefitting the forest and local communities. While this book is a starting point for countering that myth, I encourage readers to go beyond *Beyond the Beauty Strip*."

This book does not limit itself to the Maine Woods. Struggles to save the forests are taking place all over the world, and the same companies pop up all over the map. In a section called Regional Development, Mitch lists such holdings, including Scott Paper in Malaysia, Thailand, the Phillipines, Brazil, Argentina, Mexico, Costa Rica...International Paper in Brazil, Colombia, South Africa, and Georgia-Pacific and Champion all over the map as well. This is not a regional book about regional problems. This is a wide ranging book with global implications.

The book quotes Pete Correll, a Georgia-Pacific vice president, at a business breakfast in 1990, saying "As business leaders our challenge is to work to create an environment where industry can prosper in today's world marketplace. A survey by the Commission on Maine's Future showed that the majority of Maine people are willing to forego economic growth to enhance the natural environment. If we are to succeed as manufacturers in Maine, we must work to alter that opinion."

As hard as they are working to alter that opinion, and maintain the myth of the Maine Woods, Mitch Lansky has given us a book to counter those myths, and to help undo their work. Mitch says, "I wrote this book in response to years of frustration, not only

Multiple Use Working Forest Algorithm, by Mitch Lansky.



with industrial management of the Maine woods in which I live but also with industrial management of public opinion. This book . . . argues against both the premises and conclusions that guide forestry policy elsewhere . . . questions reveal the premises which guide my critique: that forestry policy should be ecologically sound, socially responsible, economically viable and sustainable."

The myth of the Maine Woods conjures up a dense, rich, wild place, roadless and untouched, with plentiful wildlife, biotic diversity and clean water. Mitch counters that the term "wildlands" "does not conjure up images of mechanical harvesters chewing tens of thousands of acres of forests down to stumps, of helicopters spraying defoliant over vast clearcuts, of aircraft spreading chemical insecticides over millions of acres, or of huge logging trucks negotiating the thousands of miles of private roads that landowners have built to get their timber to the mills. It does not conjure up images of rivers that

dammed and polluted, of air (downwind from pulp mills) that smells like a combination of dead fish and rotten eggs, or of communities that are subject to the blackmail threats of a single dominating company."

Mitch wants to take us beyond the myths, beyond the beauty strip. "Industrial forest myths are intended to establish that, by some extraordinary happy coincidence, whatever industry does in pursuit of growth and profit just happens to be good for the forest and society. For example, to achieve the goal of a cheap supply of wood for the mills, paper companies dominate the markets, exploit workers, fend off regulations, and extract tax breaks. Myths are employed to help convince the public and legislators that such strategies are to their benefit, and should be embraced rather than fought."

The format of *Beyond the Beauty Strip* takes on these myths one by one, in sections such as Industrial Society, Industrial Forest, Industrial Wild Life, and Industrial Government. Within these sections are categories such as whole-tree harvesting, clearcuts, herbicides, endangered species, the market, community welfare, policy, research, taxation and many more. In each section we are given a series of relevant myths, each followed by a response (such as Clearcuts are good for wildlife because they create edge, or, The industrial forest is managed for multiple use, taking care of the needs for wildlife and recreation, or, State data on the forest and forest practices are accurate and reliable.) This is not a light read, as there is a lot of information to take in. The reader may want to skip around in the book, and the editors have provided very useful indexes for this purpose.

The author also provides us with a section called "Changing Directions" rather than solutions. He points out that "Solutions that assume forestry problems to be isolated from this larger political/economic framework will not change our direction, and so we will wind up where we are headed. As long as we assume we must accommodate perpetual global industrial growth, local forests will not be saved." Mitch then goes on to propose metashifts and strategies, providing the reader with many resources, to help us get involved.

And I hope that that is what will come of the publishing of both of these books, that they will be used as inspiration, as resources, as tools. That we will get involved, better armed with the facts, and a clear perception of the Maine Woods, and of forests everywhere. As Mitch Lansky says, "When reality is such that it becomes practical to commit cultural and ecological suicide, it is time for people to create a new reality."

Reviewed by poet Gary Lawless who is co-proprietor of Gulf of Maine Books in Brunswick, Maine.

Community Supported Agriculture The Path to Health and Independence

by Michael Phillips

"Human continuity is virtually synonymous with good farming, and good farming obviously must outlast the life of any good farmer. For it to do this . . . we must have community. Without community, the good work of a single farmer or single family will not mean much or last long. For good farming to last, it must occur in a good farming community-- that is, a neighborhood of people who know each other, who understand their mutual dependences. Essential wisdom accumulates in the community much as fertility builds in the soil."

--Wendell Berry in "People, Land and Community"



All of us who live in this North Country eat, but we mostly eat food grown out of this region.

Yes, it is a short growing season north of the forty-second parallel--and there is no such fruit as the Adirondack Avocado-- but much more of our food can and should be grown locally. It's a question of economics and available markets.

Our human community needs to understand the principle of sustainability for ourselves as well as for the forests we all love. The importation of northern New England's food means two things: a lot of unnecessary energy is expended to bring it here, and an integral part of the local economy is lost.

Community Supported Agriculture (CSA) re-establishes our link to the land. The concept takes the production of food out of the hands of the centralized market by making sustainable agriculture possible locally. Neighborhoods essentially hire a custom grower to raise an ecological harvest of fruits and vegetables. All costs are budgeted up front--including a valid wage for the folks who produce the food-- and shared equally by members of the community. Weekly harvest shares are distributed either at the farm or at neighborhood drop-off sites.

The focus shifts from thirty-odd cents for a cucumber to a shared understanding of the good farming practice required to produce that harvest bounty. A CSA community shares both the bounty and the vagaries of nature in feeding itself. Some crops can come in overwhelming amounts--can or freeze your winter food supply!-- while at the same time crops lost to bad weather are no longer just the grower's tough luck.

Local vegetables, harvested the day of delivery, far surpass their limp, chemically-dependent cousins in the supermarket. CSA shareholders benefit as eaters in a way the radioactive-zapping pouch crowd will never know. Picture a salad of buttercrunch lettuce, vine-ripened tomatoes, and farm feta cheese (every CSA needs at least one good milking goat !) The gourmet feast continues with baby red potatoes smothered in butter and fresh parsley, lightly-steamed green beans and summer savory, and broccoli quiche made with farm-fresh eggs.

All of that can be produced locally, in an ecologically sustainable way, through the direct connection that community supported agriculture provides

a grower to his or her market. And the benefits don't stop there.

A viable farm in the midst of any local economy recirculates food dollars where they're needed most--our small towns. A local farmer spends that hard-earned wage for clothes and shelter locally. Perhaps that dollar circulates as often as four times. To the forest-dependent community, local economy means local jobs beyond the clearcut variety. Keeping those dollars within the neighborhood is vital to a sustainable community.

A vision for the woods must include us. Our energies don't need to go into "biggering" in order to up the bottom line. Local economy has nothing to do with corporate America. It's you and me, the food we eat, the clothes we wear, the shelter we build. A sustainable economy is a big, big part of the environmental vision.

CSAs may be the way we rediscover ourselves as a community. Shared workdays are an opportunity to get your hands directly in the dirt that feeds you. In the field we're no longer teachers, bankers and bulldozer operators--but Jim, Mary and Sue. E.F. Schumacher's view that "small is beautiful" thrives in the carrot patch. More connections might be made picking beans in the environmental movement than we've been able to achieve through countless meetings and newsletters.

The Lost Nation CSA began this past summer here in New Hampshire's Coos County. Local agriculture is supplemented here as well through our organic apple orchards at the Lost Nation Cider Mill. Other CSAs have fledgling roots out across the North Woods region. I'd be happy to help anyone make connections or to serve as a resource for establishing a new CSA. We can't save the world without feeding ourselves in an earth-loving way.

New Forestry

Continued from Page 15

clearcuts followed by planting and thinning by Mexican laborers, and spraying with herbicides would not. Selection would allow the greatest options for local markets for high-quality trees. Plantations and heavy irregular shelterwood cuts on shorter rotations--leading to lower quality lumber and fiber--would not.

Seymour and Hunter accept the current ownership and control of the spruce-fir forest by industrial landowners as a fixed, rather than a variable reality. Although social concerns may be out of the realms of their areas of expertise, social responsibility--that attempts to prevent inequities between groups in this generation and between this generation and the next--should still be an item of concern. Indeed, unless these concerns are addressed, it is hard to imagine how the forest can be responsibly managed, because it is workers, not accountants, biologists, or computers, who cut the wood. In the long run, if these social concerns are neglected, any plan to "save" the forest will prove unworkable.

Seymour and Hunter, by advocating ecologically-based silviculture, and by critiquing current practices from this perspective have started a debate in the academic community in Maine and the Maritimes that has long been needed. But their solutions for the concerns they raised may create as many problems as they correct. But then, this is just the beginning of the debate, not the end. We still have a long way to go in resolving social/ecological/and industrial concerns in our region.

Mitch Lansky is author of *Beyond the Beauty Strip: Saving What's Left of our Forests* (see review in this issue). He is also Second Selectman of Wypitlock, Maine, a small community that depends heavily on logging.

Hard Realities of CSA Economics

1992 was my year for taking the agricultural plunge, not only growing for the Lost Nation CSA, but going into partnership at the cider mill.

Six months of farm effort later and I find myself not even having turned up a dime in the plow furrow. My wife's income as a teacher is what has kept the farm in our hands. Needless to say, it's discouraging to have worked so many hours, to have produced a bounty of vegetables, to have pressed a quality cider, and not even be able to pretend to have made a living.

This brings all of us right to the heart of the enormous difficulty facing small-scale agriculture--pocketbook economics. The going price of food today is incredibly cheap. Food grown organically and harvested directly from the field has value far surpassing typical supermarket fare. Community Supported Agriculture is meant to integrate the idealism of the land within the context of true human community, making local agriculture viable.

This year the Lost Nation CSA was not viable. Our first-year share price didn't begin to reflect the costs of production. Where the average CSA share price might be \$350, we charged \$150. The recessed North Country economy and the need to establish new ground figured into this bargain. Nine shares tallied out at \$1350 of income.

This past season \$1603 was spent to plant and enlarge the gardens at Heartsong Farm. Payments on the tiller and property tax on the cultivated acres--another \$800--was figured as the farmer's contribution towards the harvest (for our own use and some \$300 in cider mill produce sales).

This year's budget meeting of Shareholders will look at expanding to thirty shares, incorporating an additional farm effort, and providing a wage of six dollars an hour for the growers. Capitalization costs

will include \$800 for a greenhouse tunnel and should (but won't) address tractor equipment needs.

Heartsong Farm	\$1600
Roots 'N Fruits Farm	\$1600
Tunnel	\$ 800
Labor 1000 hrs. @ \$6	\$6000
Total	\$10,000

A share-price for this approximate budget would have to be \$300-350, provided there are thirty shares.

Shareholders will need to help with picking and packing the increased number of shares to keep "paid" hours on budget.

Shares can include more produce. We delivered for seventeen straight weeks this year. Building a community root cellar would allow for winter storage and distribution of produce for a much longer time. That, of course, requires a capitalization expense to be added to the budget. One of the benefits yet to be tapped in the CSA approach by our group is community efforts to can/freeze the summer bounty.

I still very much believe in community supported agriculture. All our lives are richer for eating fresh vegetables and knowing how and where they're grown. My desire to make a living at farming ties into my gift for growing. A sharing community fills in the pieces that modern society lacks. Locally sustainable economies balance environmental needs in a way that centralized capitalism never will.

Life doesn't need to be rushed nor borne alone. We're here together--and it's together that we can do so much more. As Wendell Berry indicates, let's enrich both our farm fields and community with compost and laughter!

Michael Phillips
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An Overview of Vermont's Property Tax

by Deb Brighton

Presented to the Governor's Blue Ribbon Committee
June 4, 1992

Although taxation is often considered as inevitable as death, it is an entirely people-created structure designed to meet the goals of society according to principles endorsed by the public.

There are basic principles of taxation which are as valid today as they were when taxation began. However, after changes in both the operation of the tax structure itself and in the needs, wants and abilities of society, the match between the tax structure and principles has changed. The purpose of this paper is to look at Vermont's property tax in light of basic principles.

I. Vertical Equity: Taxing According to the Ability to Pay

Montesquieu studied the tax system in ancient Greece and explained the underlying theory this way: "It was judged that each had equal physical necessities, and that those necessities ought not to be taxed; that the useful came next, and that it ought to be taxed, but less than what was superfluous; and lastly, that the greatness of the tax on the superfluity should repress the superfluity."

This has been a guiding principle in many of our tax decisions such as exempting food from the sales tax and establishing income tax brackets so people with higher incomes pay a higher percentage of that income in taxes.

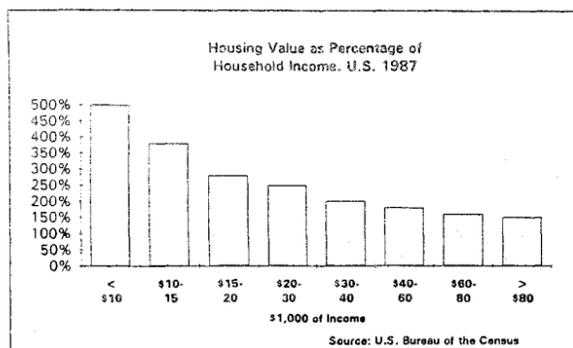
Vermont's original property tax reflected this principle by exempting necessities and by placing a heavier tax on luxury items than on utilitarian items.

Our early property tax was administered by Listers, so called because they made a list of every manifestation of a citizen's wealth or ability to pay. They did not tax essentials such as a basic dwelling or enough wood to heat a house for winter. Other listed items were assigned a value by the state which represented its place on the scale of usefulness to wealth or superfluity. Regular watches were listed at \$5 but extravagant gold watches were listed at \$10--twice as much. Regular wagons with bench seats were not listed but pleasurable carriages, those with spring seats, were. Household clocks were not listed if made of wood, but if they were fancier, they were listed at \$10. Possessions were meticulously catalogued and listed in order to get a complete picture of someone's ability to pay.

However, to make the list an even more accurate basis for extracting taxes, it included less tangible items such as money in the bank, money in the mattress, money loaned, and perhaps most controversially, brains. There were some people, most notable lawyers, who relied on their wits rather than their property for an income. To make the property tax just, listers were directed to put lawyers brains in the Grand List, using their discretion. They were allowed a range between \$10 and \$300. To put this in context, at the low end a lawyer was worth about one fourth the value of a jackass. At the high end, a lawyer was worth 7.5 jackasses. A lawyer could, of course, appeal the listers assessment by demonstrating incompetence at a grievance hearing.

Vermont's current property tax is not anything like the original. In fact, it has turned the basic ability-to-pay principle on its head. We now exempt most luxury items such as jewelry and boats, and place the burden on the most basic necessity--a roof over one's head.

The argument has been made that the property tax is still progressive because wealthier people tend to have more expensive houses. Although it's true that wealthier people own more expensive houses, as a percent of income, housing value is much higher for lower income people than higher income people.

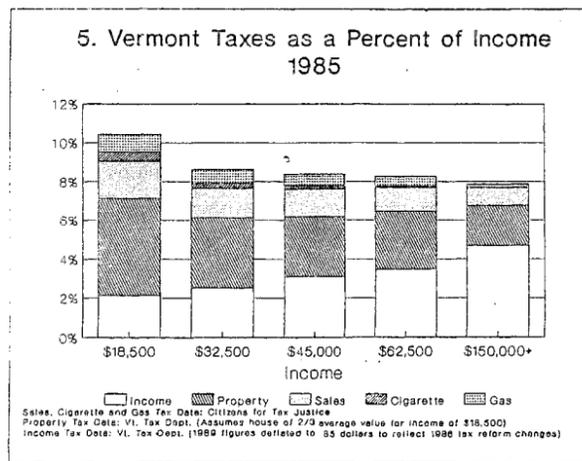


Because the property tax is a percent of the value of the property, a graph showing residential income tax as a percent of income would show exactly the same pattern. When we raise the property tax, we are asking lower income people to pay a higher share of their income than higher income people. And there is certainly less give--less disposable income which can be given up--at the lower end of the income scale.

There is another theory, called the new view, that the property tax may not be regressive if you consider that the tax simply reduces the rate of return on capital. This theory makes sense for those who have income from capital. However, the tax is levied whether or not income will or can ever be realized in the taxpayer's lifetime. Telling people about the rate of return they will realize if they sell their houses or farms is only helpful if they will no longer need a roof over their heads or a way to make a living.

As one farmer put it: "It's like telling an elephant there's a good market for ivory."

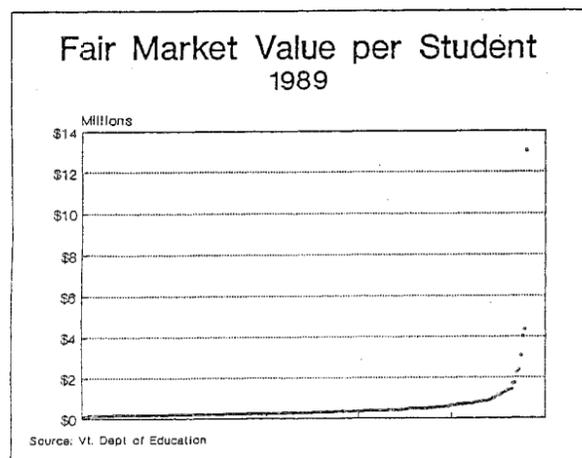
It is also important to look at the entire tax structure when determining progressivity. Vermont has one of the most progressive income taxes in the United States. However, because the property tax is so heavily relied on in Vermont, its regressivity outweighs the progressivity of the income tax.



II. Horizontal Equity: Equal Treatment for Equal Situations

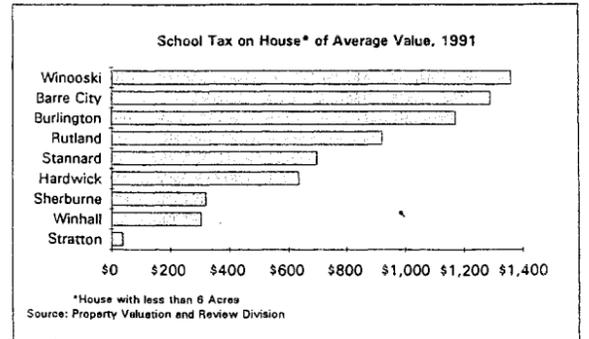
The second principle of taxation is that it should be fair; people in equal situations should be treated equally. This can be looked at in two ways: people in different taxing jurisdictions should be treated equally, and people in the same taxing jurisdiction treated equally. Neither property wealth nor school children are evenly distributed in Vermont. In fact, some towns have 100 times more taxable property per student than others. Without some leveling system, residents in one town would have a school tax rate 100 times higher than those in another town to raise the same amount of money per pupil.

The following graph shows the distribution of taxable property per pupil. Each dot represents a town, and the height of the dot represents the amount of taxable property per pupil in that town. The dots are arranged in rank order; towns with the least taxable property per student (the towns in which the property tax would be the highest) are at the left, and the towns with the most are at the right.



There is a bulldozer operator's theory of how to make a level playing field out of this type of uneven terrain: you bulldoze off the top of the mountain and push the dirt into the valley. But we aren't doing this when it comes to reducing the property tax disparity between towns with great property tax wealth (the mountain) and those with little (the valley).

We have some programs such as the foundation formula and the homeowner's rebate program to help



fill in the valley by providing state aid to the poorest, but we don't compensate by shaving off the mountain. There are two problems with this approach:

1. We still don't have a level playing field. Even though the valley may be filled in to a respectable level, the mountain is still significantly higher. The owner of an average-value home in Barre, for example, pays 33 times more in school taxes than the owner of an average-value home in Stratton, even though the average-value home in Stratton is worth more than twice as much.

2. Where will we get the dirt? Instead of using property wealth to level itself, we are bringing in fill from the general fund. Because the cost of the fill is rising at a faster rate than the general fund we either let municipalities deal with the increases so the level of the playing field gets lower and lower, or we find ourselves with an unsustainable system.

III. Neutrality: Also Known as Economic Efficiency and Consistency with Public Goals

The tax structure should not cause undesirable reactions by taxpayers or businesses. It was the economic efficiency or neutrality principle that lawyers used to dump the brain tax: they said all smart people would move out of the state. In general, the primary purpose of a tax structure should be to raise revenues necessary for government. It should not be to influence behavior. However, it is recognized that most taxes cannot be perfectly neutral. It's important then, that the way behavior is influenced is not contrary to societal goals.

At both the individual level and the town level, the property tax encourages development of property while preservation of farmland, open space, and a working landscape are state and often local goals. Noel Perrin, part-time Vermont farmer and author, wrote a story to jolt people into understanding what the property tax does to farmers. He wrote of a social worker making \$18,000 per year who received an annual income tax bill from the IRS for \$50,000. She immediately called the feds to point out that no one making \$18,000 could possibly pay an annual tax of \$50,000. The bureaucrat responded that the bill was correct; they had determined the social worker could make \$100,000 per year as a prostitute and they had calculated her tax bill accordingly.

His point was this: just as we don't want our income tax to drive this woman into prostitution by basing her tax on that endeavor, we don't want our property tax to drive our farmland into development by basing its tax on fair market value. Although we instituted a Current Use program to lower taxes, it is still looked at as a subsidy and it can't be counted on when money is scarce--as it was in FY92 and FY93.

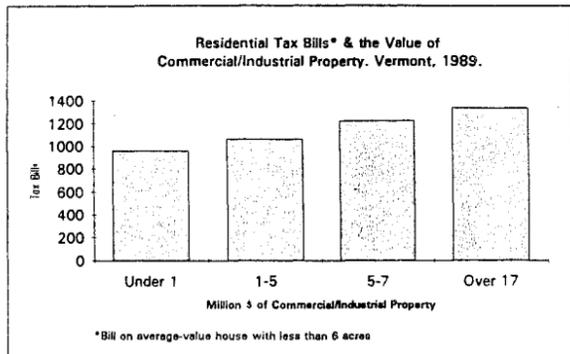
The property tax acts as a disincentive to non-farming townspeople to preserve farm and forest land. Because residences don't pay their way,¹ town officials look for land uses which will help offset the costs of residential growth. Basically the only option is to convert farm and forest land to commercial/industrial property.

Unfortunately, the type of commercial/industrial growth which will help the town's property tax situation is that which makes the biggest mark on the landscape and therefore pays the most in property taxes rather than that which pays the best wages or pumps the most money into the state's economy. The city manager of South Burlington pointed out that the property tax is completely out of sync with economic development; its burden does not fall where the money is.

The ironic and unfortunate twist is that the strategy of using commercial/industrial growth to keep

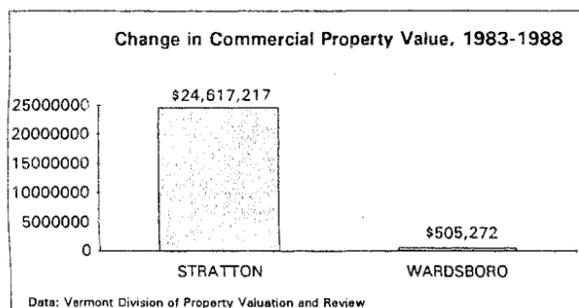
¹ On average in 1991, it cost about \$5,200 to educate a student. The average house had about 0.5 school-aged students, meaning an education cost of \$2,600. The average school tax was only \$1000. The difference--\$1,600--must be made up by state aid and/or property tax increases.

taxes down often fails. In general, towns which have the most success in swelling their Grand Lists have not lower but higher tax bills. This is mainly because commercial development creates jobs; people move in

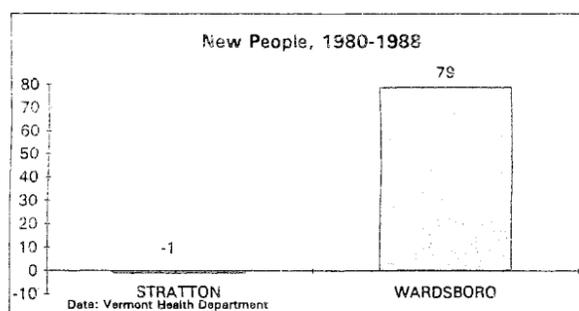


to take those jobs; and school enrollments swell. The quest for tax base has another undesirable result: it is an incentive to competition for tax base rather than regional cooperation for economic development, and it allows one town to pass costs on to another. Here is an extreme example:

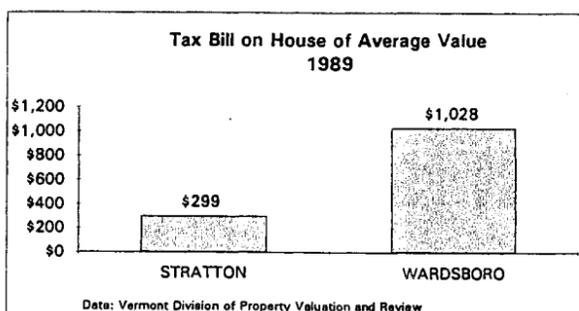
Stratton is famous for its low taxes, due mainly to the presence of the ski area and the associated commercial enterprises. As shown below, recent expansions have added commercial property to Stratton's tax base and created 339 (net) new jobs (full time equivalents) between 1980 and 1988. In neighboring Wardsboro, on the other hand, there has been little addition of commercial tax base, and only 30 new jobs were created during the same period.



However, housing is expensive in Stratton. Between 1987 and 1989, the average sales price of a house in Stratton was more than twice that of a house in Wardsboro (\$190,000 in Stratton and \$83,000 in Wardsboro). As a result, the population growth occurred in Wardsboro, not Stratton.



While Stratton gained tax revenues from the commercial tax base, Wardsboro gained residences and the attendant net costs. Even though houses are more expensive in Stratton, the tax bill on the house of average value in Stratton is much lower than in Wardsboro.



It seems the best way to win at the game is to take in the commercial tax base and push as many of the secondary impacts--that means people--into another taxing jurisdiction. The property tax is working against the goals of regional cooperation, comprehensive economic development, preservation of the working landscape, and the provision of affordable housing.

IV. "His Proportion"

Article 9 of our constitution says: That every member of society hath a right to be protected in the enjoyment of life, liberty, and property, and therefore

is bound to contribute his proportion towards the expense of that protection... Just how "his proportion" should be determined has been the source of philosophical and administrative debate for centuries, both in the U.S. and in England. The currently prevailing view seems to be that governmental services which are public goods benefiting all society should be paid for by society in general in proportion to one's ability to pay; governmental services which are discretionary and benefit citizens in proportion to their use may be paid for in proportion to use or benefit.

Adam Smith argued that the (former) property tax was a fair way to determine citizens' proportional shares because government and schools benefited all society. It was society and its security which allowed everyone to make an income and which gave value to their property. Each person benefited from society in proportion to how much he or she had invested in society. In those days, how much anyone had invested in society was measured by taxable property.

According to Smith, "the expense of government to the individuals of a great nation is like the expense of management to the joint tenants of a great estate who are all obliged to contribute in proportion to their respective interests in the estate."

Now that the property tax is mainly a tax on real property and not on a realistic measure of investment in society such as ability to pay and total wealth, the general benefit principle is difficult to apply--at least to education which is considered a public good which benefits all society.

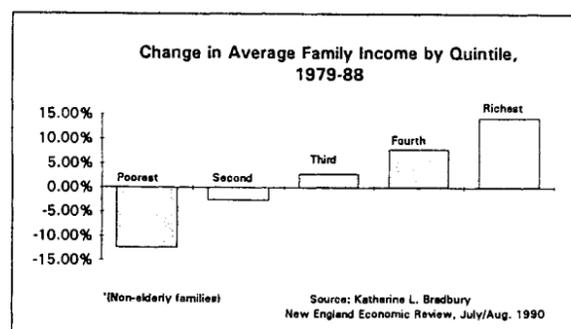
There are some services paid for through the property tax, however, which have been argued to be discretionary consumer purchases and as such can logically be paid for in proportion to benefit to the consumer: roads, recreation, waste disposal, fire protection. Whether or not the property tax or a user fee is the correct way to determine this proportion is not clear.

V. Reflecting the Economy

For a tax to successfully raise money year after year, it should get money where there is money. We cannot service a growing population and changing economy by taking more and more money from the declining segments of the economy while ignoring the income growth in other segments of the economy.

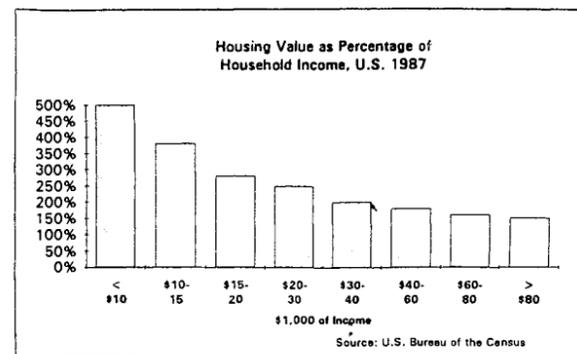
The property tax relies heavily on two sectors of our economy which are losing, rather than gaining, relative to the economy as a whole: land, and low-income households. Our property tax structure was established when land, cows, pigs and horses represented income in our economy. Although our economy has shifted from one which is land-based to one which is service-based, our property tax structure remains.

Although the average household income in the U.S. has swelled during the last decade, the prosperity has not been evenly distributed. The rich have gotten richer and the poor have gotten poorer. The graph below shows the change in average family income in each quintile in constant dollars. The horizontal line in the middle (labeled 0.00%) represents the inflation rate. As shown in the graph, the average income for the poorest 2/5 of families in the U.S. has been going down relative to inflation. The average income for the richest 2/5 of families in the U.S., on the other hand, has been going up.²



Compare this pattern with the pattern of the house value (and therefore household property tax) as a percent of household income. The patterns are opposite. While the income growth is in the upper income households, increasing the property tax hits the lowest income households--those losing money--the hardest. The property tax is not reflecting eco-

² Katherine L. Bradbury, "The Changing Fortunes of American Families in the 1980s," in *New England Economic Review*, July/August 1990. Published by the Federal Reserve Bank of Boston.



nomie growth. It is not getting money where the money is.

Ed. Note: Deb Brighton works for Ad Hoc Associates, RD 1 Box 319, Salisbury, VT 05769. This paper marks the beginning of a long overdue re-assessment of our property taxation system. Many residents of the industrial forest region of the Northern Forests feel that small, resident woodlot owners should be taxed differently from large, industrial owners, many of whom are multinational corporations with assets of billions of dollars. The Forum invites comments on this issue.



Vermont's Ecological Integrity

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pays for the subsidized timber sales offered by the Forest Service. Furthermore, reducing exports of Vermont logs by 2.5% may easily compensate for this "forgone opportunity".

Solutions

Overall, even if all of the existing Public Lands in New England were reserved for the protection of biodiversity, many habitat-types would remain unprotected or underprotected. This list includes: wetlands, bogs, freeflowing streams, shallow ponds, sedge meadows, ephemeral streams, and pine barrens. In addition, there is strong evidence that air pollution is a major factor in the declining health of the protected forest habitat, including alpine plants and subalpine forests.

The Forest Service can serve the public by using a portion of its lands as demonstration areas for non-industrial private foresters. They could conduct small scale, sustainable logging operations that have protection of biodiversity as a focal point. They could demonstrate less environmentally offensive forms of logging, such as horse logging, and teach loggers when it is most appropriate, and economical, to use such techniques.

If we greatly expand our public land base to protect currently unrepresented or underrepresented habitat types; if our public lands serve as the core areas for aiding in the restoration of a full complement of native flora and fauna; and if our private lands are managed with an ecosystems perspective, promoting sustainable forestry based on sustainable ecosystems (in the true sense of the word), we may see an improvement in the overall health of our forest ecosystems.

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The Abenaki and Vermont: Relations From 1775-1992

by Thomas Obomsawin

Diplomatic Ambassador

Sovereign Republic of the Abenaki Nation of
Missisquoi

In June of 1992, the Vermont Supreme Court ruled in the Elliot decision that the "weight of history", derived from events leading up to Vermont's formal entrance into the Union from 1760 to 1791, "extinguished" Abenaki aboriginal rights by 1791. This was done to protect land titles in Vermont against the just land claims of our nation. In fact, the "founding fathers" of Vermont had no intention of "extinguishing" our rights or title, even by the oblique "weight of history" method. Most of the settlers were active in their acceptance of the continuous Abenaki Nation presence and life in the newly founded state of Vermont. That acceptance has continued in various forms to the 20th century, although poorly documented and covered-up histories have been recently used to argue the contrary.

The Abenakis were not only present, and self-governing, from ancient times to the 17th, 18th, and 19th centuries, we have remained so into this century. It can be argued that the middle to late 20th century has been the worst of times for the Abenakis; comparable certainly to the war years of the 17th and 18th centuries. These difficult times have made it necessary for the Abenaki to speak clearly about our continuous presence and right to self-government in the last quarter of the 20th century. This writing is an outline of historical facts which show that the Abenaki Nation was not even implicitly extinguished in this century, much less in the 18th or 19th centuries.

From 1775 to 1783, during the American Revolution, the Abenaki Nation played a major role comparable to the Passamaquoddy and Penobscot of Maine, in defense of the American frontier and our homeland. This role was a direct outgrowth of Abenaki national interests and the requests and need for assistance by Vermont, New Hampshire and Massachusetts colonialists like Ethan Allen, Remember Baker, Peleg Sunderland, Jacob Bailey, Timothy Bedell, Moses Hazen, and Mesarch Weare; and American leaders like George Washington, the Marquis de Lafayette, Horatio Gates, and many others. The primary objective of these colonial policies was to ensure that the British, who held Canada, could not infiltrate or conquer what is now the northern part of the United States. That effort from Vermont and New Hampshire to northern Maine was successful and accounts for these regions being part of the United States today.

In 1775, Ethan Allen sent an appeal to our relatives living at Odanak asking for their neutrality or help in the American struggle. Even Ira Allen used the purchase of "Indian title" in the Vermont area in the 1760s to justify Vermonters' claims to the very southern section of the present state of Vermont. Appeals to the Abenakis for neutrality and assistance culminated with the Continental Congress passing a resolution that the military and other agents of the government could "treat" with the northern tribes including the "St. Francis Indians". In August of 1775, Chief Swasson of the "St. Francis Indians" met with George Washington at Boston, and agreements were made for mutual support. For most of the war, Swasson, Francis and many other Abenakis fought in an Abenaki ranger unit centered out of Koes/Abenakis in northeastern Vermont. They and other Abenakis also brought in game and intelligence to northern outposts, and otherwise worked closely with the Vermont/New Hampshire and American governments.

During the war, Vermont was only partially settled from Castleton, Pittsford and Rutland in the west to Royalton and Newbury in the east. In many of those settlements, Abenakis were living nearby the local settlers as knowledgeable traders, protectors and guides. Up north, the land was still all Abenaki country from Missisquoi to Upper Koes, the Connecticut Lakes and Lake Memphremagog and Lake Umbagog in western Maine. At Missisquoi, Abenakis worked in alliance with local Dutch settlers, and American-allied Abenakis kept an eye on the Missisquoi core village grounds, living close by in remoter areas. The first settlers of both Swanton and St. Albans in the 1779-1780 period both reported close, positive ties to the local Abenakis. The same was true of settlers in the northern Connecticut River Valley at Koes from Hanover, Newbury and

Lunenburg, as well as in northwestern Maine around Pigwacket/Fryeburg and other small fledgling non-Indian towns. Positive, and mutually beneficial relations were the rule during the war, into the 1790s and the 19th century.

Chief Swasson, Molly Orcutt, Old Campo, Captain Francis St. Francis, Captain John Susap, Philip, Joseph and many others are well-documented leaders of linked family groups ranging from Missisquoi and Lake Memphremagog to Lake Umbagog in western Maine during and after the revolutionary war. Their numbers are reliably estimated at 700, but there were thousands of Abenakis involved. Remember that Missisquoi, Koes and Pigwacket are village names, place-names. Our people were, to the non-Indians, "St. Francis Indians". And all were Abenakis or adopted Abenakis who followed *Alnobaiwi*: one shared language and culture. All were part of the great Abenaki Nation.

According to the documents and oral tradition, the Abenaki plan was to have the right to live in all our home territory, as Ethan Allen offered in 1775, George Washington affirmed in 1775, and many others reaffirmed, with the assent of the Continental Congress, throughout the war. We also planned to maintain our Missisquoi core village as our town, comparable to others of the day at Old Town in Maine and Odanak and Caughnawaga in Quebec.



In truth, if things had been a little different, Missisquoi and/or Koes would have been made into State-sanctioned Abenaki reservations. Marquis de Lafayette suggested the same in the late 1770s at Koes. Moses Hazen said the same about the Abenakis being affirmed in owning a town on Lake Champlain in 1796. The same process happened in Maine where the Penobscots and Passamaquoddies received State reservations from Massachusetts in the late 1790s. In Maine, Col. John Allan and the Boston Diocese of the Catholic Church were largely responsible for the necessary advocacy to create two of the first post-war reservations in the new United States. Allan labored twenty years to the end of his life to assist in the formation of those reservations for the Maine peoples. Of course, the Penobscots and Passamaquoddies also still owned their entire homeland at the time--a fact which was acknowledged only long enough for Massachusetts to buy them out in the late 1700s and 1800s, and finally acknowledged in the landmark *Passamaquoddy v Morton* case in the 1970s.

Colonel Lewis Cook and other adopted Mohawk leaders at Akwesasne also persisted in similar fashion to establish the St. Regis/Akwesasne Mohawk state reservation in New York by a Federal treaty in 1796. Moses Hazen, Ethan Allen, Jacob Bailey and other Vermonters who *could* have done the job in Vermont either died, or lost their ability to wield the necessary political power just after the war. One, Ira Allen, hid the truth about Abenaki occupation and wrote his own

history indicating that Abenakis were not present, in order to clear land titles for the colonialists. If not for that fact, Vermont would have had at least one Indian Town/Reservation/Concentration Camp by 1800.

Despite the lack of effective national and statewide political support, the Abenaki Nation lived in largely untouched familial networks at Missisquoi and elsewhere in our homeland. Even when Ira Allen, in the 1780s, was trying to sell off part of Missisquoi as his own land, he said at the peak of the struggles that he had no problem with the Abenakis living on, "hunting or fishing" on the land (how thoughtful). Effectively, we remained on our central village lands well into the 1790s. In reality, practical, peaceful, cooperative solutions to Abenaki continuity were worked out. That is the genesis of the storied Madam Campo, Captain St. Francis, Indian Joe, Molly Orcutt, Mettalac, Chief Swasson, and Old Phillip, figures found in Vermont, New Hampshire and Maine histories, often in isolation as the "last of the real Indians" in the area. Don't forget though that there were people like General Sheldon, for whom the town of Sheldon, Vermont is named, who took on the job of eradicating (wiping out) Abenakis from our homeland. Many Abenakis perished during this period and many of the survivors were forced to go underground and hide our identities.

Our traditional subsistence life continued, however, uninhibited in spite of this. There are many accounts of annual Abenaki sugaring, fishing and berrying gatherings with local, non-Indian people coming in to trade. This has been true down to the 1940s and 1950s in much of Missisquoi as well as in many other areas of Vermont and beyond.

The Abenakis managed and cared for huge tracts of lake shore, swamp, woodlands and upland areas out of subsistence need, love of the land, ancient tradition and custom combined with the acceptance of non-Indian local land occupiers and squatters in many areas. In fact, many Vermont and Federal game wardens and caretakers themselves were related to or actually Abenakis themselves. We were often the best-qualified intermediaries between the natural world, and the rest of the non-Indian population. On the ground, we Abenakis cared for many large sections of our homeland as we always have long after 1775, 1791 or 1900.

Our customs of family relations and subsistence living, including our rights to travel, to enjoy the entire circle of life, from birth to death and burial, to visit and pray at sacred places, to administer our own ways within our families and interlocking communities within the Nation, was and largely is still COMPLETELY INTACT. At Koes (in Vermont this area is referred to as the Northeast Kingdom) in the 1770s, there was a much-publicized capital murder case resolved in traditional fashion, in our own way. To this day, many conflicts regarding our people are resolved within our Nation or cooperatively between the Nation leadership and outside agencies. There are countless examples of this self-governance and the Vermont "live and let live" policy being the basic, *de facto* standard of Abenaki/Vermont relations since those early days. In other words, many of our ways and customs were adopted by the settlers/colonists mostly for their own survival. Extinguishment of Abenaki land rights was never explicitly or implicitly contemplated by Vermonters or the Federal Government. Thus, we, the Abenakis continue to survive and live in our homeland and insist on all of the basic rights and freedoms we enjoyed before Vermont was founded, well into the 20th century and the present.¹

Given the facts, it is clear that Missisquoi belongs to the Abenakis in every respect regardless of the illegal actions of Ira Allen and more recently the Vermont Supreme Court. The "weight of history" actually validates Abenaki Nation continuity and presence in Vermont. From the Pigwacket/Lake Umbagog region in the east, south to the Skitchewaug/Bellows Falls region, north to Koes and west to Missisquoi this area is all unceded Abenaki land; that is the way it has been, and continues to be. There was not, nor has there been to date, an effective, chosen "extinguishment" of Abenaki aboriginal or federally recognized rights, in Vermont or United States history, until the June 12th 1992 Vermont Supreme Court decision. The decision must be

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Abenaki & Vermont

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overturned. The Vermont Supreme Court has illegally given itself jurisdiction which it does not have to "extinguish" our Aboriginal title. We will be appealing this decision to the U.S. Supreme Court in November 1992. The truth and "weight" of our evidence will be clear and concise. If the U. S. Supreme Court refuses to hear our case or rules against us we will take our case to the World Court. International observers will be monitoring the so-called justice of the United States of America as it applies to the Sovereign Republic of the Abenaki Nation. We will never give up our struggle or our land and rights. It is time for all Abenakis and non-Abenakis to unite and protect our mother earth from seizure and corruption of corporations and governments who will destroy her for profit and greed. We are all part of the circle of life on this planet and must take effective action to protect it or we will all perish. We must all heal ourselves from the decadence of this modern corrupt society so that we may once again live in peace with our mother the Earth and all her creations. *Nialet* (so be it).

¹ Probably the worst time for the Nation, after the last French and Indian War with the Odanak and

Missisquoi massacres of 1759-1760, the Penacook and Turner's Falls massacres of 1675-6, and the Pigwacket and Norridgewock massacres of 1724-6, was the conservation/eugenics period from the 1880s to 1950. In this recent period, increasing control of birth, death, schooling, border travel, fish and game practices, land use, and a growing intolerance of differences in any non-WASP peoples combined with the growth of the conservation and welfare state, to create a multi-pronged assault on the traditional life of the Abenaki Nation.

In the 1920s, 1930s and 1940s, America and Vermont began an assault on the Abenakis which had devastating impacts on several interconnected Abenaki families. In the process, the old network of Abenaki land, river, island and lake caretakers was replaced with a new a "science-based" network of literal law enforcement which combined with historically ignorant bureaucrats to "manage" the human and natural "resources" of Vermont. They have certainly done no better at this than the Abenakis had for thousands of years, but they have, aside from almost totally destroying the natural environment with pollution and greedy mismanagement of natural resources, partially succeeded in isolating Abenaki people and have greatly hindered us from living on our homeland and practicing our old ways.

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Buy Back The Dacks

Wild Earth magazine announces the creation of a people's fund for the Adirondacks. Only 42% of the six million acre Adirondack State Park is protected by public ownership—and of this amount, less than half is designated Wilderness. Recent legislative initiatives have failed and much of the privately owned land for sale within the park is threatened by development. Here's your opportunity to help keep the Northeast's crown jewel Forever Wild.

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Maine Dioxin Trials Update

For too long the status quo has presented the citizens of the region with the choice of "jobs vs. the environment." Whenever the dominant paper industry has been faced with regulations or paying its fair share of taxes, it has resorted to the threats that the regulations or taxes will force it to

close down operations. This happened again on November 5-6 & 24 in Augusta at the emotional, often tumultuous, "Dioxin Trials" before the Maine Board of Environmental Protection. The issue boiled down to: Should short-term profits for take precedence over long-term environmental and human health issues? The paper industry in Maine has a chance to take the lead in converting to chlorine-free paper production and thereby secure a competitive advantage in this new market niche, or it can drag its feet as it seems intent to do.

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