

# The Northern Forest Forum

*Working for Sustainable Natural & Human Communities*

Mid-Summer 1994

Volume 2 No. 6

## Maine Woods Up for Grabs—Again!



### Scott Paper Wants to Unload 910,000 Acres & Two Mills in Maine

by Jym St. Pierre

**C**HAINSAW Al Dunlap doesn't know much about Maine. But he knows he wants to unload close to a million acres of timberland in the state, as well as a couple of paper mills.

In 1988, when Dunlap sold almost 800,000 acres of forest in Maine—along with 200,000 acres in New Hampshire, Vermont and New York—on behalf of Sir James Goldsmith, he triggered an avalanche of public interest in the future of the wildlands of the region greater than any seen in over half a century.

Today, with the impending sale by Scott Paper Company of more than 900,000 acres and two large paper mills in Maine, it is about to happen again. Yet, after seven years and millions of dollars of study the public interest is no better protected now than in 1988 against massive sales of forest lands and mills. And this time almost no one seems to be paying attention.

Much of the "Diamond" ownership that Al Dunlap sold in 1988 was quickly resold to speculators who promised to fragment and develop extensive areas.

(Continued on page 5)



# Of Wilderness Reserves, National Parks & Free-and-Open Public Debate

A good deal of the Maine Woods is up for grabs again. As paper industry dominance of Maine and the Northern Forest region continues to wane, people are growing more and more excited about visionary strategies to return to the public domain some of the exceptional lands of the region.

**The Northern Forest Forum** was established two years ago to chronicle the momentous events now re-shaping our region, to inform and empower citizens inside and outside the region, and to promote the creative, bold exchange of ideas. The free and open exchange of ideas is the most critical part of any political, social or environmental movement. Ideas do not spontaneously generate in a vacuum.

Lobbyists for the timber industry taught me long ago that the trick (from their perspective) was to prevent public discussion of clearcuts, tax breaks and other industry subsidies. We have taught the clearcutters that an informed, persistent public will prevail. Although the Northern Forest Lands Study and the Northern Forest Lands Council refused to address forest management from 1988 until October 1993, the overwhelming public outcry eventually forced the Council to deal with destructive forest practices.

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In March, Rudy Engholm and I proposed the establishment of a 5-million acre (or more) Thoreau Regional Wilderness Reserve that encompasses the headwaters of the great watersheds of the Northern Maine woods: the East and West Branches of the Penobscot, Kennebec, Allagash and St. John Rivers (*Forum*, vol. 2 #3, pages 4-5). There were many compelling reasons for offering this proposal, but two were paramount in our thinking: (1) we are

convinced it is an absolutely necessary (but, by itself, not sufficient) step to the protection and restoration of the ecological and evolutionary integrity of the Northern Forest region; and (2) we believed that it would stimulate the necessary public discussion over the best way to protect the Northern Forests.

When RESTORE: The North Woods proposed a rather modest 3.2-million acre Maine Woods National Park (MWNP) in June, Rudy and I were delighted. We welcomed the new proposal even though it differs with our Thoreau proposal in two important respects: (1) it omits important portions of the St. John River watershed; and (2) it proposes a traditional land management strategy—a national park—while we call for the creation of a new land protection approach to protect biotic integrity foremost—a Regional Wilderness Reserve System.

With two similar, yet distinct, proposals for protecting the former haunts of wolves, cougars, wolverines and Atlantic salmon, we believe that, at long last, the Northern Forest debate will soon produce action in Congress to purchase paper company lands for sale today, or lands that could soon be on the market again.

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I have been disappointed by the way Maine Audubon Society has confused, rather than stimulated the debate. On June 7, Maine Audubon (not affiliated in any way with National Audubon Society) released a three-page press release (see page 13) attacking the MWNP proposal. In the long run, I believe the MAS response will wither in the face of public scrutiny.

In the short-term, statements by MAS calculated to raise fear in towns such as Greenville and Millinocket and in the state's newspapers, have done substantial harm to efforts to protect the Northern Forest by more than 20 groups

that belong to the Northern Forest Alliance (including MAS).

The ironic thing about MAS attacks is that they begin with an important truth: residents of an affected region must play a meaningful role in determining the destiny of their home watershed. This is exactly what the *Forum* and RESTORE are trying to do. We have submitted proposals to the public market place of ideas. We are actively soliciting response from residents of Millinocket, Greenville and other communities inside and outside the Northern Forest region. We know public scrutiny will improve upon our ideas.

Those who have actually read RESTORE's proposal (see pages 10-12) will find that RESTORE is merely calling for an environmental study of the feasibility of establishing a Maine Woods National Park with full public involvement. It almost seems MAS was reacting against a proposal for eminent domain. Neither RESTORE nor the *Forum* have the funds or the power to force the acquisition of this land. Rather, we believe power resides in ideas. The right to express an idea and persuade others of its soundness (i.e. free speech) is the most time-honored bedrock of our society.

If a colleague misrepresents the content and intent of our proposals, thereby inciting hysterical responses based on misinformation, the public is denied the opportunity to participate in a meaningful debate of the actual proposal. MAS's actions risk producing the very result—disempowerment of locals—that it unfairly impugns to us.

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Far more troubling than its misstatements is MAS's rejection of new ideas. Perhaps MAS feared the backlash of local citizens. If so, this would display a remarkably patronizing attitude toward the residents of Northern Forest communities and their ability to grapple

with new, different ideas.

Worse, MAS's response is a strategy of appeasement. The attempt to censor public debate sends a clear message to anti-environmental forces: "You can intimidate us into silence. We will only discuss the things you sanction."

We knew that the Thoreau Regional Wilderness Reserve and MWNP proposals would meet opposition initially. If either one had 100 percent support today, there would already be wolves roaming around the region. The job of the environmental defender is to defend what is ecologically appropriate, not what is easy. Defeatism wins no followers.

Sadly, the MAS response may badly misread the prevailing mood of Mainers and residents of other Northern Forest states. As the 20 Northern Forest Lands Council "Listening Sessions" demonstrated this spring, there is enormous support for strong measures to: stop abusive forestry, to protect biodiversity, to acquire large tracts of public lands, and to promote healthy regional economies that are ecologically sustainable. Given this mandate for action from the public, now is the time for bold action, not appeasement and retreat.

In this issue of the *Forum* we present several charts that show how the public testified on these important issues in the NFLC listening sessions. The five Maine listening sessions were dominated by concern about unsustainable forest practices. Support for public land acquisition and protection of biological diversity was also strong, albeit not as pronounced as the public outrage over industrial forestry. Clearly, we are farther along in the process of informing the public and policymakers about the need to end unsustainable forestry; the public lands debate while not quite as far along, is moving swiftly in the right direction.

Finally, I am puzzled by MAS's claim published in several Maine newspapers recently that a national park "might not be the best wildlife protection tool..." Is there a better way? Unfortunately, MAS offers us no constructive alternative strategy.

It is important that we get beyond the unproductive trashing of legitimate conservation proposals so that we can conduct a discussion on their merits. Maine Audubon Society could far better serve the interests of the region by offering its own proposal for the rest of us to debate.

—Jamie Sayen

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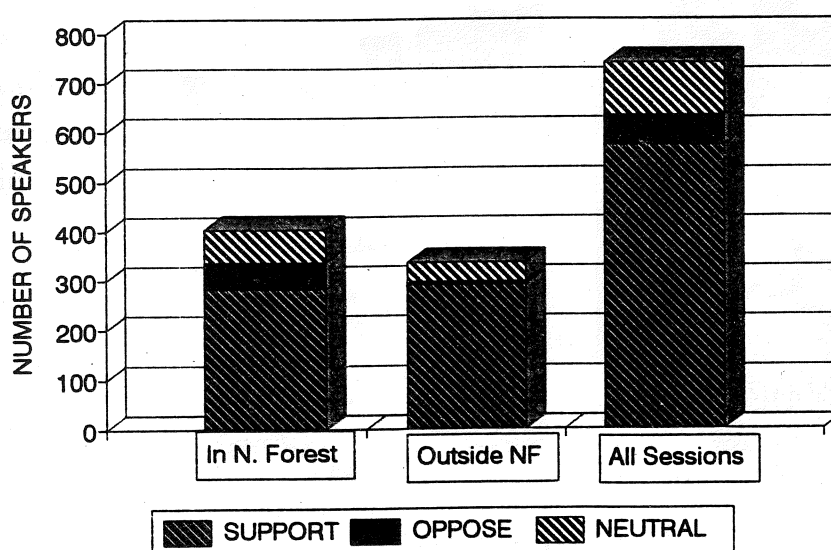
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## STRONGER CONSERVATION RECOMMENDATIONS



This bar chart shows the number of speakers who commented about strengthening the conservation provisions within the Northern Forest Lands Council's draft recommendations. Of the 741 people who spoke at the 20 listening sessions, 570 called on the Council to make its recommendations stronger (the grey diagonal stripes on all three bars), 63 opposed stronger conservation measures (solid black), and 107 were neutral on this topic (black and white diagonal stripes).

The left bar "In Northern Forest" gives results for all speakers from Listening Sessions within the Northern Forest region. The center bar ("Outside NF") gives results for speakers at sessions held outside the Northern Forest region. The right bar ("All Sessions") combines the first two bars and is the total for all listening sessions.

Compiled by members of the Northern Forest Alliance. Charts by Tom Steinbach—Appalachian Mountain Club.

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# Council Listening Sessions Demonstrate Broad Support for Strengthening Conservation Measures

These Listening Session Analysis charts, and others scattered around this issue of the Forum, are based on the testimony of 741 citizens at the Northern Forest Lands Council Listening sessions conducted this spring throughout New England and New York. They were compiled through the cooperative work of several members of the Northern Forest Alliance and produced by Tom Steinbach at the Appalachian Mountain Club.

Each of the charts on this page presents the results for speakers at a particular listening session. "Support Changes" means the speaker urged the Council to strengthen conservation recommendations in its final report to Congress. "Oppose Changes" refers to speakers who oppose strengthening the Council's conservation recommendations.

The horizontal axis on each chart lists six issues that the conservation community and many speakers at the listening sessions deemed especially important and the percentage of speakers at that session who supported or opposed strengthening recommendations for each issue.

**Regional Entity:** Refers to continued regional collaboration involving federal, state and local governments for implementation of the Council's recommendations and pursuit of other critical regional initiatives.

**Public Land:** Refers to the acquisition of more public land in the Northern Forest region.

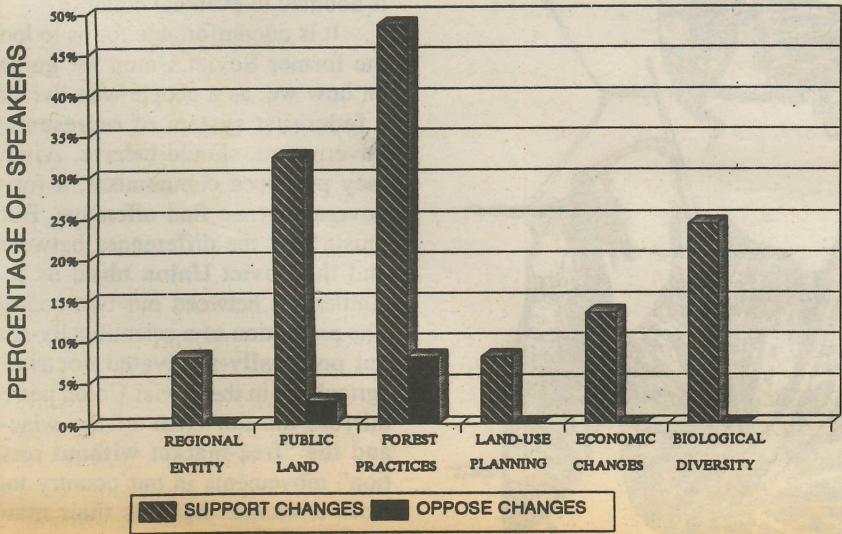
**Forest Practices:** Refers to the implementation of stricter forest practices regulations.

**Land-Use Planning:** Refers to more wide-spread use of land-use planning to help conserve the Northern Forest.

**Economic Changes:** Refers to the diversification of local economies to include a greater variety of forest-based businesses.

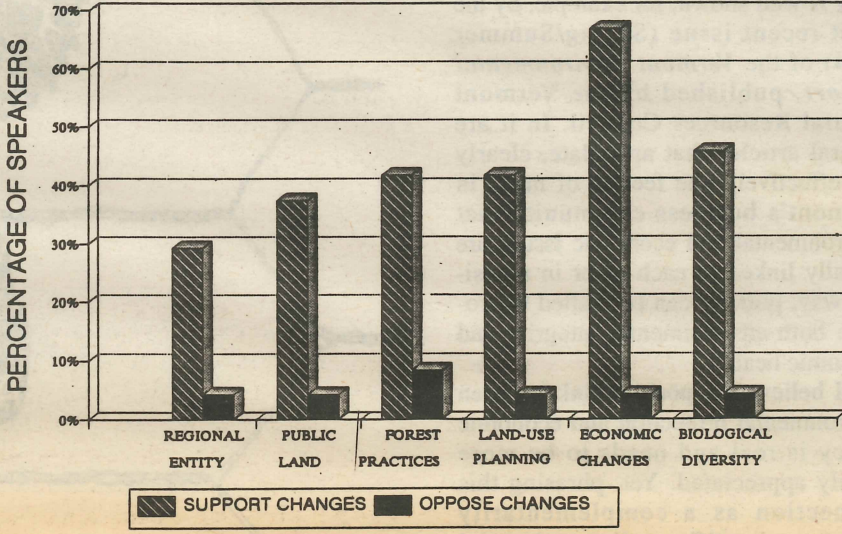
**Biological Diversity:** Refers to stronger action to protect biological diversity in the Northern Forest region.

Ellsworth, Maine



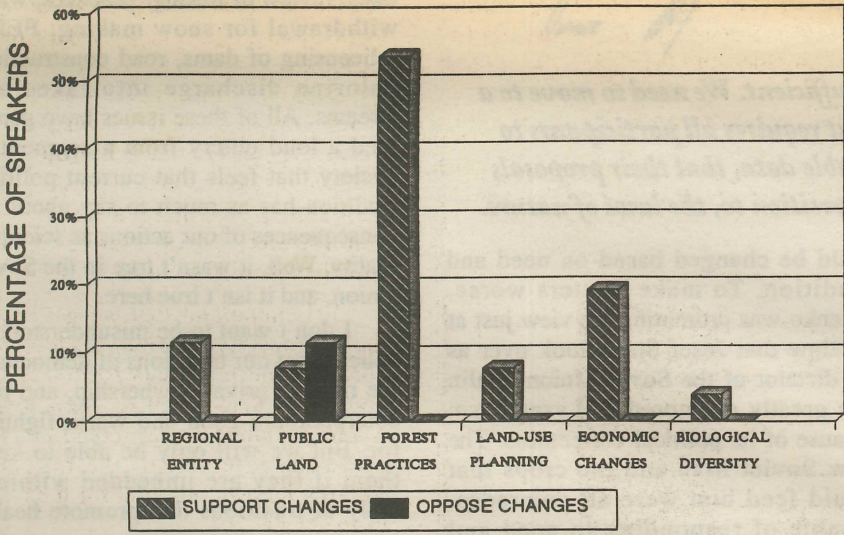
Total speakers = 37

Island Pond, Vermont



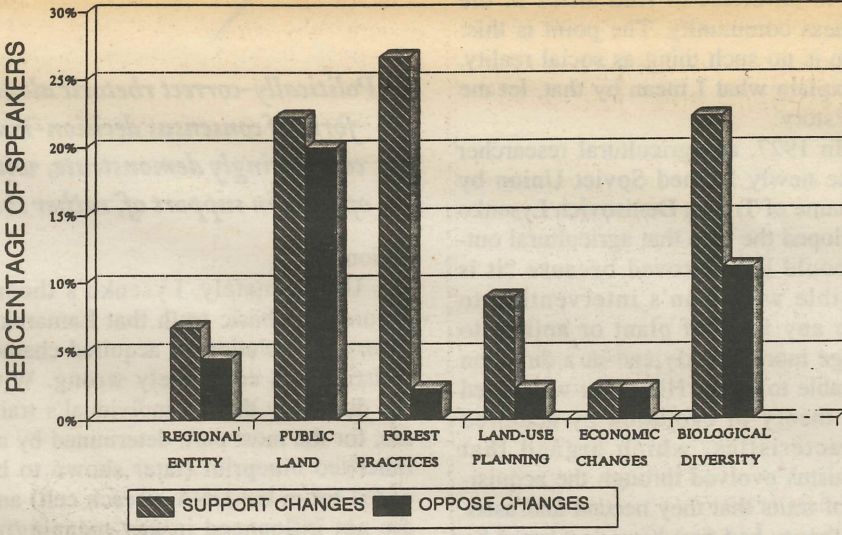
Total Speakers = 24

Abbot, Maine



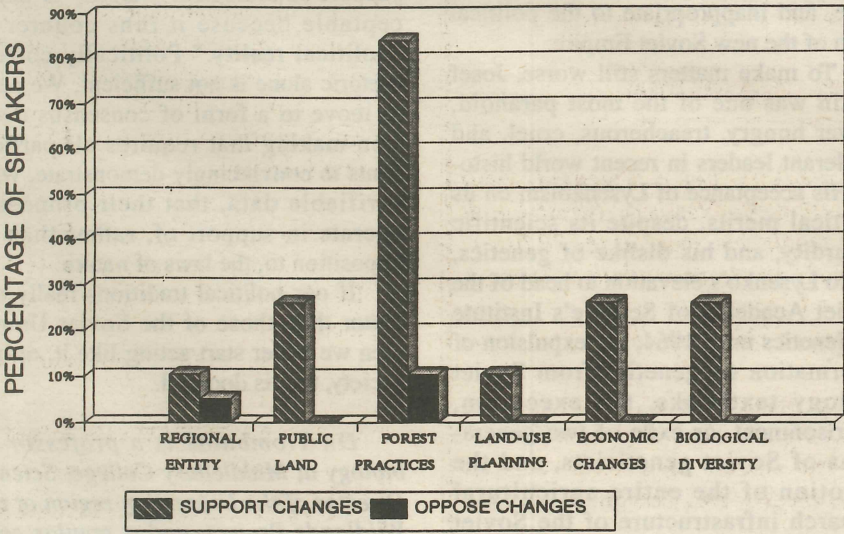
TOTAL SPEAKERS = 26

Berlin, New Hampshire



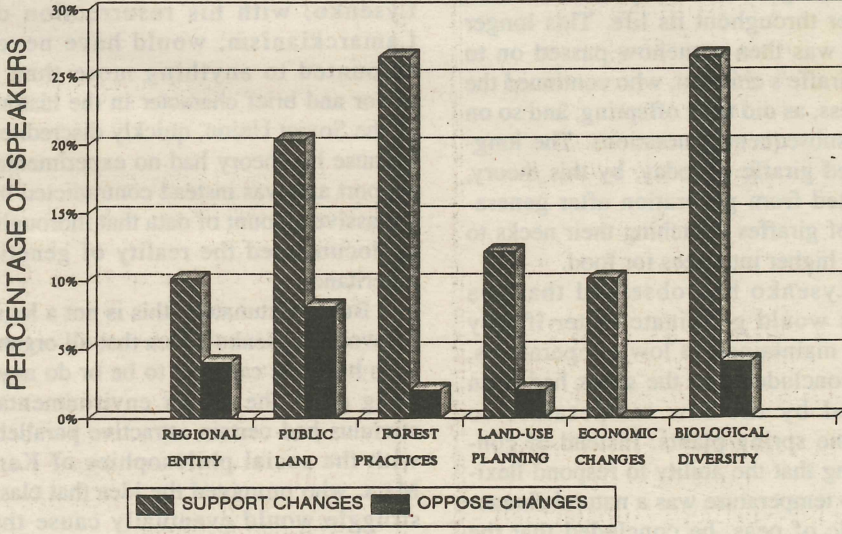
Total Speakers = 45

Presque Isle, Maine



Total Speakers = 19

Lancaster, New Hampshire



Total Speakers = 49



# Political Tradition Must Reflect Scientific Reality

by Steve Trombulak

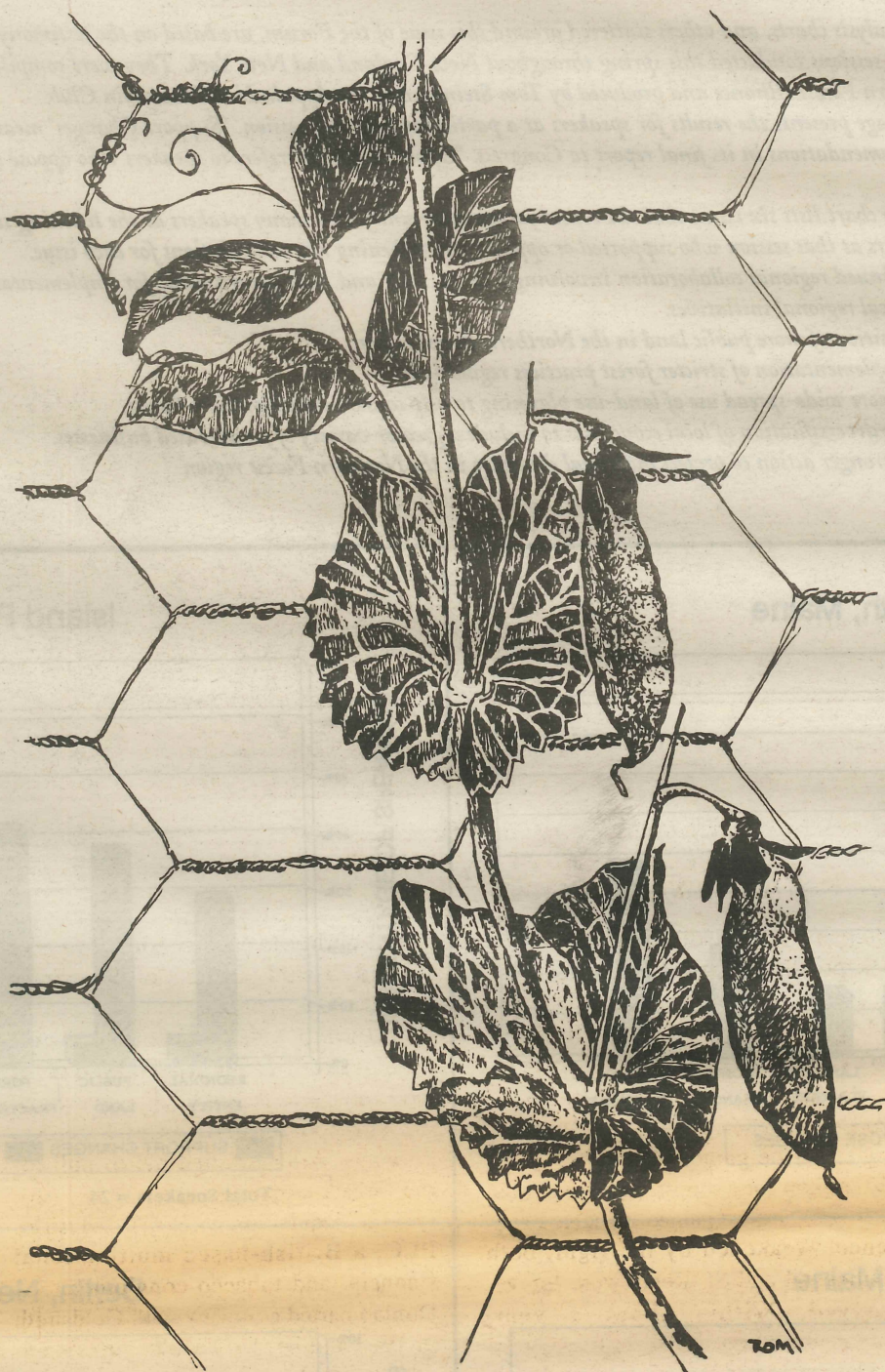
Throughout the discussions on the future of the Northern Forest, argument has frequently turned to the perceived polarities between scientific reality and political/economic reality. If scientific truth argues for one course of action, and political or economic truth argues for another, so the argument goes, then we have an unresolvable stand-off, and really shouldn't change the status quo.

This unproductive line of reasoning has led many in the environmental community to take a new approach and argue that scientific reality and economic reality are not, in fact, in opposition to one another. Behaving as if resources have limits and pollution is bad is not only good for the maintenance of biotic integrity but creates jobs, saves money, and stimulates productivity. This philosophy is well shown, for example, by the most recent issue (Spring/Summer 1994) of the *Vermont Environmental Report*, published by the Vermont Natural Resources Council. In it are several articles that articulate, clearly and effectively, the feeling of many in Vermont's business community that environmental and economic issues are actually linked to each other in a positive way; policies can be crafted to promote both environmental integrity and economic health.

I believe the positive link between environmental protection and economic policy is real and needs to be more widely appreciated. Yet, phrasing this connection as a complementarity between scientific reality and social reality masks a more fundamental point that needs to be clearly understood, lest the environmental community divert itself too far from its fundamental mission in an effort to find allies in the business community. The point is this: There is no such thing as social reality. To explain what I mean by that, let me tell a story:

In 1927, an agricultural researcher in the newly formed Soviet Union by the name of Trofim Denisovich Lysenko developed the idea that agricultural output could be improved because "it is possible with man's intervention to force any form of plant or animal to change more quickly and in a direction desirable to man." His belief was based on a theory of evolution by acquired characteristics, which argued that organisms evolved through the acquisition of traits that they needed and used. This theory had first been developed by the French anatomist Jean Baptiste Lamarck in the early 1800's to explain such things as why giraffes had long necks. By stretching its neck to get leaves, a giraffe actually made its neck longer throughout its life. This longer neck was then somehow passed on to the giraffe's children, who continued the process, as did their offspring, and so on into subsequent generations. The long-necked giraffe of today, by this theory, resulted from generation after generation of giraffes stretching their necks to reach higher into trees for food.

Lysenko had observed that pea seeds would germinate faster if they were maintained at low temperatures, and concluded that the seeds had been forced by the low temperature to become spring plants. Instead of concluding that the ability to respond flexibly to temperature was a natural characteristic of peas, he concluded that the essential nature and abilities of the peas had been changed through human



*Politically-correct rhetoric alone is not sufficient. We need to move to a form of consensus decision-making that requires all participants to convincingly demonstrate, with verifiable data, that their proposals operate in support of, rather than in opposition to, the laws of nature.*

action.

Unfortunately, Lysenko's theory ignored the basic truth that Lamarck's theory of evolution by acquired characteristics was completely wrong. With the discovery that an individual's traits are, for the most part, determined by an inherited blueprint (later shown to be coded for in the DNA of each cell) and are not influenced in any meaningful way by use or disuse, the theory of evolution by acquired characteristics was disproved and rightfully relegated to the scientific ash heap.

If the world operated logically, Lysenko, with his resurrection of Lamarckianism, would have never amounted to anything more than a minor and brief character in the history of the Soviet Union, quickly discredited because his theory had no experimental support and was instead contradicted by a massive amount of data that thoroughly documented the reality of genetic inheritance.

But unfortunately, this is not a logical world. Lysenko's idea that all organisms have the capacity to be or do anything given the proper environmental stimulus had certain attractive parallels with the social philosophies of Karl Marx, who promoted the idea that class struggle would eventually cause the workers to rise up and supplant the capitalist class, suggesting that social status

could be changed based on need and condition. To make matters worse, Lysenko was promoting his view just at the time that Josef Stalin took over as the dictator of the Soviet Union. Stalin was greatly enamored of Lysenkoism because of its political correctness. The New Soviet Man and the crops that would feed him were all comrades, capable of responding to need and goals. The science of genetics claimed that there were limits to what a person could be, limits that might not be overcome by work or thought. Genetics was therefore branded to be bourgeois science, and inappropriate to the political truth of the new Soviet Empire.

To make matters still worse, Josef Stalin was one of the most paranoid, power hungry, treacherous, cruel, and intolerant leaders in recent world history. His acceptance of Lysenkoism on its political merits, despite its scientific absurdity, and his dislike of genetics, led to Lysenko's elevation to head of the Soviet Academy of Science's Institute of Genetics until 1964, the expulsion of information on genetics from Soviet biology textbooks, the execution, imprisonment, or exile of two generations of Soviet geneticists, and the devotion of the entire agricultural research infrastructure of the Soviet Union to a principle that was not, and could not, be true.

The result, beyond the obvious human suffering faced by those who tried to speak the truth, was that Soviet agricultural research spent over 30 years heading down a blind alley and was never able to achieve the increases in food production achieved elsewhere in the world. This led to increasing food shortages, hunger, and malnutrition, a situation that remains with Russia and the other former Soviet republics as they struggle to develop new political structures. The truth of genetic inheritance remains, and the political and economic "realities" of the former Soviet Union have been forced to change.

The moral of the story is this: There is scientific truth and there is social tradition. They are not the same, and they are not equivalent. Any society that ignores scientific truth in the name of tradition does so at its own peril, and is doomed to eventual collapse.

It is uncomfortable for us to look at the former Soviet Union for guidance on how we, as a people who live under a federalist system of representative government, should behave. After all, they practiced communism, a form of government we find offensive. But we mustn't let the differences between us and the Soviet Union blind us to the similarities between our two countries. The promotion of a scientifically-absurd but politically-motivated doctrine for agriculture in the Soviet Union perfectly mirrors the doctrines of the wise-use and the "free-market without restriction" movements in our country today. Both doctrines have as their mantra: "We don't care what the science says. We just know what we want, and will fight anyone and anything that tells us we can't have it." Many little dramas in our region are played out along these lines: review of forestry practices, water withdrawal for snow making, FERC relicensing of dams, road construction, chlorine discharge into lakes and streams. All of these issues have generated a loud outcry from a segment of society that feels that current political tradition has as much to say about the consequences of our actions as scientific reality. Well, it wasn't true in the Soviet Union, and it isn't true here.

I don't want to be misunderstood. I believe that our traditions of democracy, the right to private ownership, and free enterprise are good and worth fighting for. But we will only be able to keep them if they are imbedded within a body of traditions that promote health over growth, community over consumption, and the laws of nature over the forces of greed. We must stop allowing every major discussion to be killed by anybody who claims that a solution in support of biological integrity is unacceptable because it runs counter to "political reality." Politically-correct rhetoric alone is not sufficient. We need to move to a form of consensus decision-making that requires all participants to convincingly demonstrate, with verifiable data, that their proposals operate in support of, rather than in opposition to, the laws of nature.

If our political traditions really are better than those of the Soviet Union, then we better start acting like it, or our society, too, is doomed.

*Dr. Trombulak is a professor of biology at Middlebury College, Science Director of the Laurentian region of the Wildlands Project, and a regular contributor to the Forum.*



# Scott Paper to Unload 910,000 Acres and Two Mills in Maine

Continued from front page

The governors of the four states called on Congress to conduct a Northern Forest Lands Study. Media wars were provoked between public interest groups and private property rights advocates. And the forest industry began a repetitious campaign to deny there was anything to worry about.

Well, maybe. Just in case there is, the thousands of woods and mill workers whose jobs are at stake—along with the governor, the congressional delegation, legislative members, the Northern Forest Lands Council, political candidates and a few other bystanders—might be interested in finding out about Al Dunlap, why he is in a selling mood, and who is thinking of buying what he is trying to market.

## Rambo in Pinstripes

On April 22, 1994, Earth Day, newspapers carried the story that Albert J. Dunlap had been appointed the new Chairman and chief executive officer of Scott Paper Company. This position is the latest challenge for a man who has made an international reputation in corporate salvage operations.

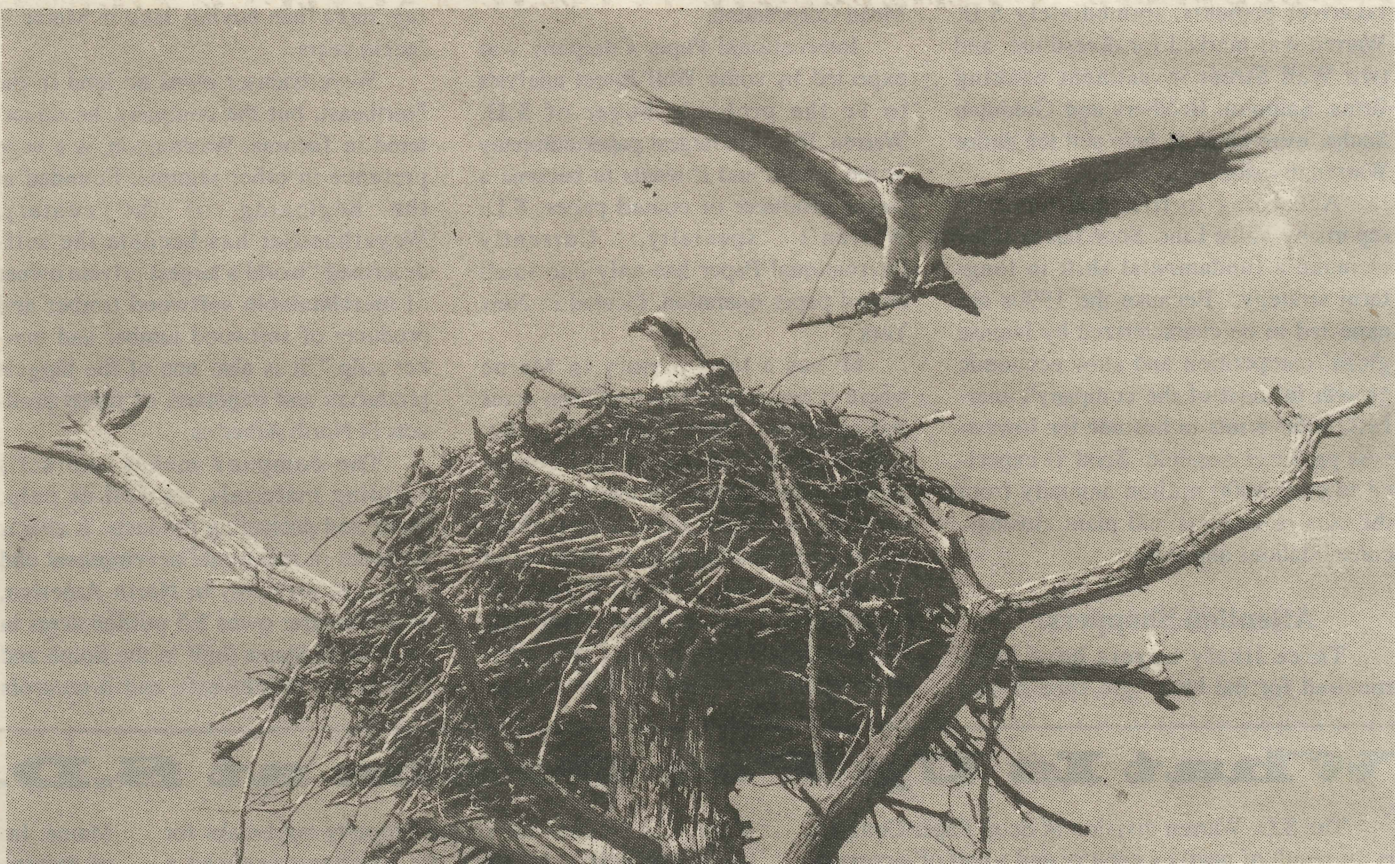
Al Dunlap was trained to call the shots, including lots of tough shots. He is a graduate of the U.S. Military Academy at West Point. Prior to going into the private sector, he was the executive officer of a nuclear missile base.

Dunlap was still young when he plunged into the forest products industry. More than twenty years ago he worked at Kimberly-Clark Corporation, the Texas-based conglomerate that manufactures Kleenex, Huggies disposable diapers, and tons, well, actually millions of tons, of other paper products. During the mid-1970s, Dunlap was president of Nitec Paper based at Niagara Falls, New York, before that company went out of business.

While he has experience running forest products companies, Dunlap is primarily an expert at restructuring them. By the time he was in his mid-forties, his reputation for brutal efficiency had attracted the attention of the team of leveraged buyout specialists which had taken over Lily-Tulip Inc., a paper cup maker in Augusta, Georgia. Dunlap was brought in to snatch Lily-Tulip from the brink of bankruptcy. And he did. Within three years he had turned the business around, earned a tidy \$5 million, and worked himself out of a job as chief executive of the small company. He was ready for bigger things.

In 1982, Sir James Goldsmith, the Anglo-French tycoon, had acquired Diamond International Corporation, including several mills and almost a million acres of forest land within the four Northern Forest states. Before he had even completed the hostile takeover of Diamond Goldsmith had negotiated the sale of many of the company's assets. By late 1983 he had "demerged" Diamond, selling off nine of the company's divisions and raising close to \$700 million, while retaining the valuable timberlands.

Jimmy Goldsmith made a run in 1984, at two other paper companies, Continental Group and St. Regis Corporation. Continental, a diversified



*Ospreys require old, dead, standing trees for nesting sites. Wilderness or national park designation for most of the S.D. Warren lands would benefit species such as the osprey, called by many "New England's favorite bird." Photo © by Bill Silliker, Jr. from New England Wildlife 1994 Calendar.*

company, was at the time the largest U.S. producer of bleached paperboard. St. Regis, like Diamond, was a large, old timber company with a mill and huge land holdings in Maine.

Goldsmith was fended off by the management of both Continental and St. Regis, but he gained financially (over \$50 million for a month's investment in St. Regis), and he gained valuable experience. Weakened by the fight, both Continental and St. Regis were forever changed. Within about a year, Continental's paperboard mill was sold to Federal Paper Board, and St. Regis was sold to Champion International Corporation. Champion divested many of the assets of St. Regis, but kept the Bucksport paper mill and three-quarter million acres of timberland in Maine.

In 1986 Goldsmith acquired his second forest products company, Crown Zellerbach. Like Diamond, Crown was an old company with extensive, undervalued timber holdings, poor management and mismatched mix of operations. Goldsmith was able to acquire a controlling interest in Crown Zellerbach and split the company. He secured nearly two million acres of timberland at less than \$100 an acre as well as \$330 million in other assets, including six sawmills, plus a computer company. James River Corporation acquired the pulp and paper side of Crown.

Goldsmith realized he needed someone with experience in the American forest products industry to manage his growing portfolio, including the Diamond and Crown properties. Albert Dunlap was just the guy. He became chairman and chief executive officer of Goldsmith's transnational holdings, including Crown Zellerbach and Diamond Occidental.

However, Dunlap did not want to merely manage. He wanted some of the action in the high stakes takeover game. Indeed, he became instrumental in some of the greatest corporate takeover struggles of the anything goes 1980s, earning the nickname "Rambo in pinstripes" from Sir James Goldsmith for his hard-

nosed ability to "asset-strip," or carve up and discard portions of companies considered unprofitable.

Dunlap was involved with Goldsmith's attempted takeover of Goodyear Tire & Rubber Company and his aborted acquisition of Pam Am Airways. After a failed bid to pull off the largest corporate takeover in history—the acquisition of B.A.T Industries PLC, a British-based multinational financial and tobacco conglomerate—Dunlap parted company with Goldsmith in 1990 and headed back to America to set up his own investment banking enterprise.

Soon, though, he surfaced in Australia. He had been tapped by Kerry Packer, the richest person in Australia and a Goldsmith partner in the St. Regis takeover bid, to restructure Packer's media empire, Consolidated Press Holdings Ltd. Dubbed by the Australian media "Chainsaw," for his knack for dismembering companies, Dunlap left as managing director of Consolidated last year.

Now Albert Dunlap has been brought in in a desperate attempt to save Scott Paper through restructuring.

## Hello, Al; Good-bye, S.D.

Scott Paper Company, founded in 1879 by Irvin and Clarence Scott, has been around for a while. Scott secured its niche in the annals of the paper industry in the twentieth century when it began selling Waldorf toilet paper in 1902. S.D. Warren, a wholly-owned subsidiary of Scott since 1967, began producing paper in Westbrook, Maine, even earlier, in 1854, the year Henry David Thoreau published *Walden* and began planning his final trip to the Maine Woods.

During the 1980s Scott Paper Company became an international powerhouse under Philip E. Lippincott, growing by about 30 percent a year to become the largest producer of sanitary tissue products in the world with \$5 billion in annual sales. Today Scott is a Fortune 200 company with operations

in more than twenty countries.

However, there is no room for big mistakes at the top. Like most paper companies, over the past few years Scott has been feeling the triple pinch of mounting international competition, global recession, and hard times resulting from the industry's cyclical habit of building overcapacity.

In 1993, Scott Paper lost over \$275 million. Scott said in January 1994 it would lay off some 8,000 employees. Phil Lippincott was burned out. A 4.3 percent slide in first quarter 1994 sales was not adequately offset by a 7.2 percent increase in earnings. By April 1994, after 12 years as chief executive, Philip E. Lippincott was out and restructuring expert Albert J. Dunlap was in as the new Chairman and chief executive officer.

Scott's chief financial officer said in a recent interview, "It's the high-cost producers that will either fold or be absorbed into someone else." Less than a month after Dunlap's appointment at Scott was publicized, news leaked out that the high-cost S.D. Warren division was on the cutting block. The asset-stripping had begun in earnest.

As part of a 1991 restructuring plan, S.D. Warren's aging and money-losing Westbrook mill had been put on the market. During 1991-92 Scott shut down specialty paper machines at its mill in Winslow, Maine, cut its work force, sold its food service container business, and unloaded its share in a Japanese joint venture. There had been some interest in an employee buyout of the Westbrook mill, but no deal was reached. With the financial picture improving somewhat and no acceptable buyers on the horizon by 1993, Lippincott had decided not to sell the Westbrook mill.

However, in the first quarter of 1994 S.D. Warren's profits plummeted 59 percent. New CEO Dunlap focused on salvaging Scott's core tissue business. He brought in a new executive restructuring team, including Russell Kersh, who had worked with Dunlap in



reorganizing Crown Zellerbach and on some of Jimmy Goldsmith's other takeover projects. Immediately S.D. Warren was marked for divestiture, and two Wall Street investment banking firms, Salomon Brothers and Goldman Sachs, were hired to help sell the entire Warren division.

According to first quarter 1994 reports by Value Line, Scott has decided to make a fundamental shift in long-term strategy. Because the 1990s are expected to be characterized by intense global competition and slow economic growth in most of the company's markets, Scott wants to become the lowest-cost producer possible. Scott is expected to save \$600 million annually from the cuts in workers and plant closings, consolidations and sales.

#### Attention Shoppers!

Three likely buyers have been rumored for the blue light special sale

of S.D. Warren: International Paper Company, Weyerhaeuser Company, and Mead Corporation.

International Paper Company was expected by some Wall Street analysts to be the probable buyer of S.D. Warren. IP is the largest paper company in the world, and it wants to become a larger producer of coated paper, S.D. Warren's specialty. Currently International Paper has only one small coated paper operation, located in New York.

IP has a long history in Maine where it controls nearly a million acres and operates a large paper mill in Jay that produces uncoated and coated papers, industrial and packaging papers, paper and specialty pulps, kraft packaging and carbonizing papers. Reports of the possible sale of S.D. Warren to International Paper upset union officials and employees because of IP's anti-labor reputation. However, there may be

anti-trust problems if IP were to bid for Warren, and the company has been selling, more than buying, land in Maine in recent years.

Weyerhaeuser owns no land in the Northeast, but the company, headquartered in Tacoma, Washington, is a huge presence in other regions. Founded at the beginning of the century, Weyerhaeuser has become the self-described "world's largest private owner of merchantable softwood timber and producer of softwood lumber and market pulp." It is also one of the biggest producers and exporters of forest products in North America.

The company makes and sells building materials, as well as pulp, paper and packaging products. It also is involved in real estate development and financial services. In North America, Weyerhaeuser owns 5.5 million acres in the United States (half in the South and half in the Northwest), and it controls

nearly 18 million acres of forestland in Canada under long-term license arrangements. The company has dozens of facilities spread across ten states and provinces, including a packaging operation in Maine.

Mead Corporation may be the likeliest buyer of Scott Paper Company's S.D. Warren division. Mead produces paper, packaging and paperboard. It is the largest maker of school and home-office products. During the 1970-80s Mead divested coal mining, iron casting and oil operations. In the 1990s the company has been shedding additional peripheral operations, such as color copying and electronic publishing businesses, to focus on coated board and paper. Mead is a big cheese in coated paper and wants to grow even bigger by emphasizing that business. Based in Ohio, Mead has mills in the South and Lakes States. It owns or controls close to 1.4 million acres of timberlands in

## What Is Up For Grabs at S.D. Warren?

The S.D. Warren division of Scott Paper Company is the result of nearly a century and a half of incorporations, acquisitions and mergers.

In 1854, Samuel Dennis Warren began operations in Westbrook, Maine, making paper for writing and newsprint from rags. S.D. Warren company's 1881 invention of clay coating for both sides of paper was the springboard for its growth in the printing and publishing papers business. S.D. Warren Company was acquired by Scott Paper Company in 1967. It has become the largest producer of quality coated papers.

In Maine, the Warren division now encompasses both the Westbrook mill, which makes coated paper and specialty products such as peel-and-stick labels, and a more modern mill in Skowhegan, which has a pulp operation that started in 1976 as well as a paper machines that came on-line in 1982 and 1990. Like many paper companies in Maine, over the past few

years, S.D. Warren has sought property tax breaks for its Maine mills. In 1991 the company secured a \$343,000 tax abatement for its Westbrook mill. This June the company announced it would drop its request for a \$2.2 million tax abatement for its Skowhegan mill for now.

Almost a third of the 1500 workforce positions at the Westbrook mill are being cut. The Skowhegan mill employs 1000. (Another mill, with 500 employees, in Winslow, Maine, is part of the Scott Worldwide operations and is not among the facilities being sold.)

S.D. Warren Company also includes a mill in Muskegon, Michigan, a new paper cutting mill in Allentown, Pennsylvania, and the coated-paper portion of Scott's Mobile, Alabama, combined paper/tissue mill complex.

Besides the mills, Scott controls 2.8 million acres around the world, including 910,000 acres of forest in

Maine. In recent years Scott has quietly unloaded tens of thousands of acres in Maine. The remaining lands here include more than 50 miles of shorefrontage on Moosehead Lake, the top-rated water body in the Maine Wildlands Lake Assessment, with "outstanding" ratings in all resource categories. During the 1960-70s Scott tried to market some of its valuable lands at Moosehead for second home development with only limited success. But the prospect of wholesale liquidation of Scott's extensive Moosehead holdings is a terrifying thought to wildland lovers.

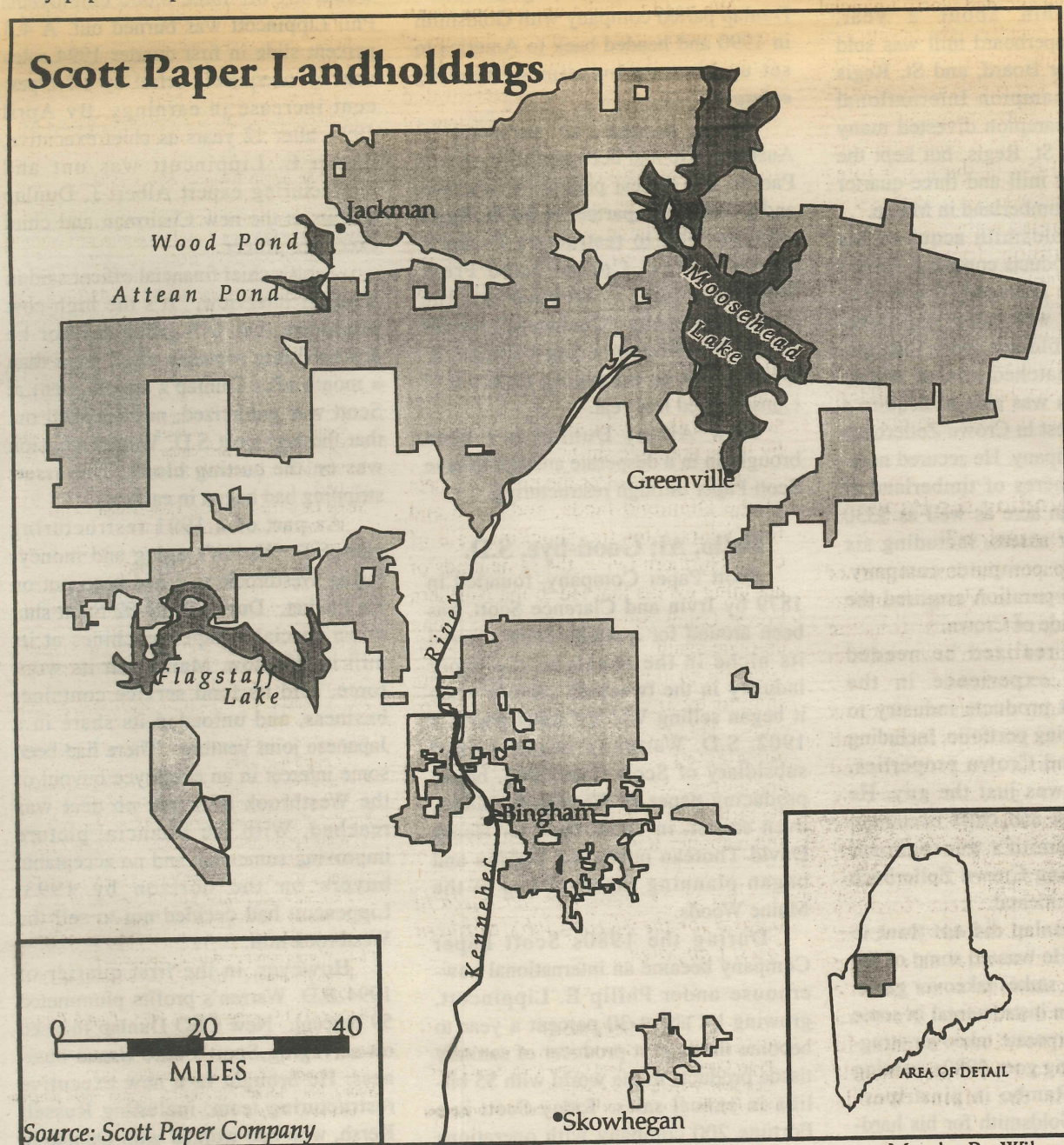
Aside from development, Scott has been involved in a number of other controversial activities involving its lands and mills in recent years. For instance, the company pioneered clearcutting on a massive scale in Maine, was an early advocate of whole tree harvesting and use of wood chips for fuel, has spread paper mill sludge containing dioxin and heavy metals on thousands of acres (before a state study of the impacts of spreading sludge was completed). Scott installed a biomass plant at its Westbrook mill in the early 1980s, in part so that it could take advantage of an energy policy loophole that allowed non-utilities to sell electricity for a profit and buy back power for their own needs at a much lower rate. Scott's Maine mills are also standouts for pollution. For instance, from 1986-1990 the company paid over \$500,000 to the state for air, water and hazardous materials violations. In 1988, the Westbrook mill reported the worst violations of air pollution standards of any mill in Maine.

The Company is not above doing whatever it takes to get its way, including playing politics or using the courts. In 1987, Robert LaBonta, former Scott timberlands manager was appointed by the governor as head of the Maine Department of Conservation. He quickly earned a reputation as "Omissioner of Conservation." In 1990, during a debate over new water quality provisions, Scott published an open letter lambasting the two legislators who chaired the Energy and Natural Resources Committee for not being "concerned whether Scott remains in the State of Maine." That same year, Scott sued a landowner who tried to block its trucks carrying pesticides from crossing his property.

Whoever buys S.D. Warren will not get the package Scott free. The company is worth an estimated \$1.5 to \$2 billion. But there are many indications Scott is desperate to raise money. One indication is the company's recent aggressive marketing efforts to export millions of board feet of raw hemlock logs to the Near and Far East and to Canada. Another indication is several pending proposals to sell development rights on forestlands, in two locations through the U.S. Forest Service's new Forest Legacy Program as well as along the Boundary Mountains for a large scale, industrial windpower development.

The situation is becoming critical. In late July 1994 Scott revealed earnings for the S. D. Warren Division fell 95.6% in the second quarter.

—Jym St. Pierre





the U.S. and, as a joint partner with Canadian-based Noranda Forest Inc., controls another 3.1 million acres managed by Northwoods Forest Industries. Mead and Scott have worked together before. In the 1980s they jointly owned shares in Brunswick Pulp & Paper Company in Georgia, but sold those to Georgia-Pacific in 1988.

### Other Shoes Waiting to Drop?

The fate of the S.D. Warren, mills, jobs and lands remains very uncertain. An analyst for the Brown Brothers Harriman investment firm in New York has pointed out that if the bids Scott receives for the Warren division are too low, Scott may spin it off into a separate company again and sell it through a public stock offering.

Nor is Scott likely to be the only paper company dumping employees, facilities and timberlands in Maine in the near future.

Anthony Gammie, Chairman/CEO of Bowater, Inc., parent company of Great Northern Paper, the state's largest forestry employer and landowner shared some revealing news in an address to the Pulp and Paper Foundation at the University of Maine this spring: "...there are major changes reverberating throughout the structure of corporate America....They include such unpleasant subjects as downsizing via job elimination and disposal of underperforming business units. As unpleasant as it may be, today's competitive global environment rightly deems such steps necessary."

Great Northern Paper President and General Manager, W.P. "Bob" Gregory emphasized the point directly to Great Northern workers in the company's May employee newspaper: "Yes, these are tough, tough times at Great Northern." Bowater lost over \$21 million in the first quarter of 1994.

Other forest products companies are doing no better.

Boise Cascade lost almost \$38 million in the first quarter of this year. The company has watched the red ink reach \$421 million over the past thirteen quarters. To staunch the bleeding, management has begun to jettison holdings. In May, Boise announced it will spin off about 50 percent of a Canadian operation to public investors.

There are other changes jolting the company too. Boise's CEO John Fery told reporters on Thursday, April 21, 1994 that "you're not going to retire when you think there's trouble ahead." Following the company's annual meeting, on Monday, April 25, Fery announced that he would step down as chief executive officer in July, a year ahead of schedule. Fery, who has run Boise for almost a quarter century, is being forced to serve out his last year only as chairman of the board of directors.

Boise's pulp and paper mill in Rumford, Maine, has had its own troubles lately. The company agreed in June to pay fines totaling more than \$316,000 for air, water and hazardous waste violations. Six hundred seventy thousand of the 6.1 million acres of timberlands Boise controls across North America are also in Maine.

There's more. In first quarter 1994, Champion International lost \$31 million, James River lost \$7 million. Wall Street forest industry analyst Evadna Lynn of Dean-Witter says that Boise,



Scott Paper pioneered the township-sized clearcut in Maine. After liquidating the forest, Scott established plantations of genetically alien stock and followed up with massive aerial spraying of herbicides. This high altitude photo shows a two-township-sized clearcut in West Middlesex Canal Grant and Big W Township on the northwest corner of Moosehead Lake (maps 48-49 in the DeLorme Atlas of Maine).

Champion, IP, Georgia-Pacific and other companies have avoided worse financial performances recently only because of surging demand and rising prices for lumber that have helped the wood products divisions of these companies.

At least someone is making money. Namely the CEO's of the major forest companies. For instance, last year Pete Correll of Georgia-Pacific was compensated \$2.74 million; John Georges of International Paper received \$2.35 million; John Creighton of Weyerhaeuser got \$1.25 million; Robert Williams of James River received \$1.08 million; Boise's John Fery hauled in \$620,000; Philip Lippincott of Scott was rewarded with \$618,000.

### Who's Minding the Paper Plantation?

Pulp and paper, the largest part of the largest industry in Maine, is undergoing a fundamental transition, the extent and depth of which few people in Maine seem to comprehend.

One symptom of that transition is the kind of sales of large forest land holdings and mills that have rocked Maine in recent years. Many people realize that during the 1980s and early 1990s Diamond International Corporation was chopped up and marketed piecemeal, and Great Northern Paper was sold and resold. However, because other substantial sales have received less publicity, some believe that the Diamond and Great Northern sales were extraordinary events. In truth, from 1976 to 1990 more than half of the lands in the Maine Woods

changed hands.

We need to wake up. No one wants to risk being like Cassandra, the cursed goddess in classical mythology whose prophecies, though true, were fated never to be believed. But the scent of change is again in the air—change for thousands of workers, and for hundreds of thousands, or possibly millions, of acres of the Maine Woods.

There are signs that neither the McKernan Administration, nor the gubernatorial candidates, nor the Legislature, nor the state's congressional delegation, nor the Northern Forest Lands Council have a clue about how to safeguard the public interest put at risk by these dramatic shifts.

Seven years after the unsettling sale of the Diamond lands, and three and four years after the shocking sale of Great Northern twice, the same kinds of alarming events that led to the Northern Forest Lands Study appear to be lining up once again. The ownership and management of the Maine Woods is being shaped by these events for years to come. Yet, this time, the silence from our elected and appointed leaders is deafening. Meanwhile, don't forget: "Chainsaw" Al Dunlap doesn't know much about Maine.

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# A Reserve System For Maine: Big Wilderness Meets Property Rights

by Mitch Lansky

## More Reserves Needed

There is broad scientific agreement over a need for reserves in Maine. Hunter and Haines (1993) outline three major reasons:

- 1) to protect biodiversity we need a network of representative ecological reserves;
- 2) for research, monitoring, and education we need controls to the managed forest;
- 3) for recreation and spiritual renewal we need areas that are less dominated by extraction and development.

The Northern Forest Lands Council offered three approaches (which are not necessarily mutually exclusive) to reserves in its "Findings and Options" (Sept. 1993):

- a) protection of sensitive and fragile areas with small-scale reserves;
- b) a representative ecological reserve system (as recommended by Janet McMahon (1993) in her paper for the State Planning Office); and
- c) large reserves protecting the full range of biota.

Although there is wide acceptance of type "a" systems among environmentalists and industry, and a grudging acceptance of a version of type "b" is developing (see sidebar: "Maine's Biodiversity Conference"), type "c" not only loses much of industry, but has even caused divisions amongst the environmental community (see sidebar: "Common Criticisms of Wilderness Proposals Reveal Hypocrisy"). This is

odd considering the facts.

While New York has several million acres of wilderness, Maine has only a few hundred thousand—just over 1% of the state. As David Publicover has pointed out (Publicover, 1993), neither the proposed system "b" nor Maine's existing reserves are sufficient to meet some basic criteria for ensuring protection of biodiversity. While a representative ecological reserve system might be inclusive of all ecosystem types, it may not be large enough to include fully functional ecosystems that maintain viable populations of all native species.

According to Publicover, reserves, to be functional must "include the full range of environmental gradients (climatic, topographic, etc.) across the landscape. It must also be dynamic rather than static and incorporate the natural disturbance regime. In order to provide for the oldest age classes of forests, it is necessary to protect not just the oldest existing stands but the full extent of landscape needed to continually re-create these stands in the face of on-going disturbance."

The need for big reserves grows as the intensity of management increases in surrounding forestlands. To the degree that rotations shorten and road densities increase, certain wide-ranging, civilization-shy species, such as lynx, cougar, wolves and bears, decline (Brocke, 1993). Reserves do not have to be completely dedicated to wilderness if the primary management goal is maintenance of biodiversity and if the needs for functional ecosystems and connec-

tivity for migration are observed. Indeed, in some reserves, active management may be necessary to maintain certain ecosystem types with controlled burns, or to restore structures and species lost due to past management practices.

## Private Property

Current public ownership in Maine does not appear sufficient to meet the goal of full representation of ecosystem types (McMahon, 1993), and is clearly not sufficient to create a big reserve. Some biodiversity management needs can be met on private land. Indeed, the managed-forest matrix, if it is cut conservatively, can play an important role in maintaining less-threatened species and genetic types. The state can use regulation and tax incentives (Flatebo, 1993) to protect some of the smaller, sensitive habitats (just as it currently zones riparian areas and deer yards). Landowners can be compensated with user fees from recreationists on more popular parcels. The government can also purchase conservation easements with management restrictions for such areas. The Stewardship Incentive Program can be designed to aid ecosystem restoration.

While smaller reserves can be purchased and managed by private conservation organizations and land trusts (such as The Nature Conservancy), and medium-sized reserves can be purchased by the state, larger reserves will need to be purchased with some federal money, and thus some federal control. Two recent proposals for multi-million acre reserves (Restore, 1994, and Sayen & Engholm, 1994) suggest that the land be purchased as it comes to market from willing sellers over a long time period until the reserve is complete.

## Problems

This strategy can lead to some problems for both the sellers and the government. The "plight of the inholder" is familiar to those who read "prop-

erty-rights" literature. The landholder may be "free" to hold or sell the land, but with the reserve boundaries already drawn, it is clear that options are limited. The landowner may, in reality, feel compelled to sell, and may not get the price desired for prime development land.

But this dilemma works more than one way. In Maine, the "inholders" will be large, absentee landowners who can use their strategically-placed land to good advantage. Recent sales in Maine of "conservation" easements (for development rights) show that both state and federal governments can be quite generous. Forest Legacy paid over \$660 per acre for land near a lake that had belonged to Boise-Cascade, and the State paid Baskehegan, in eastern Maine, over \$900 per acre for land near a flowage (an artificial lake with fluctuating water levels)—and they still have cutting rights!

Wilderness areas in the past were made from the land that no one else wanted—rocks and ice. Large biodiversity reserves, in contrast, will have representative ecosystems including prime timber types. One of the criteria (McMahon, 1993) for desirability of purchase is that the forest remain uncut for at least 40 years.

Industrial landholders facing potential shortfalls may prefer to cut before selling. Indeed, much of the area in proposed wilderness areas has already been cut quite heavily over the last 15 years. Some landowners will not only cut the timber, but even subdivide and sell the shorefrontage, making the land less desirable for the public. If such land is still purchased by the public, it will require expensive investments in restoration.

Some large landowners, though criticizing the large wilderness proposals, have not ruled out selling to the government. To some extent, if the government buys their cutover lands, it constitutes a bailout. It would be ironic if those promoting wilderness as an

## Maine's Biodiversity Conference

On May 19th-20th, around 100 representatives of industry, environmental groups, government, and academia met at a resort in western Maine for a facilitated biodiversity conference. The conference was co-sponsored by the Maine Forest Products Council, the Natural Resources Council of Maine, The Nature Conservancy, and Maine TREE. Featured speakers were Reed Noss, editor of *Conservation Biology*, and Daniel Botkin, author of *Discordant Harmonies*. The participants met in both large, general sessions, and smaller work groups to discuss concepts and to work out strategies for protecting biodiversity in Maine's forests.

The ground rules called for participants to not name names or quote quotes after the session. The idea was to give people the space to freely speak as individuals. I will, therefore, only give my general impressions of the conference.

Despite many months of intense debate over biodiversity in the context of the Northern Forest Lands Council, there were still industry representatives who claimed not to understand the concept or who still denied that the state has a problem that needs immediate action. Others from industry and from environmental groups were ready to tackle the problem—if the solution is to set up a series of small "baseline" reserves. There was limited discussion of big reserves. Indeed, from some quarters, the idea elicited muted hostility.

The biodiversity conference was part of an ongoing process. I hope that in future sessions, some items that were neglected get discussed. These topics include: What is ecological management, and how can it be encouraged? What should be the strategy to restore the huge areas that have been clearcut, simplified, fragmented, and/or converted? How can we deal with the problems (discussed in the accompanying article) involved in purchasing large blocks of land for larger reserves?

The process of dialog has many benefits. There were a number of instances where environmental and industry representatives did talk as concerned individuals rather than as debaters staking out positions. Some common ground was found between unlikely allies. My general impression is that the result will be voluntary actions towards protecting some aspects of biodiversity in an atmosphere that is less polarized than the one in the Pacific Northwest.

The process can have its problems as well. Indeed, the "Common Ground" of the Northern Forest Lands Council is an illustration. Certain (essential) issues did not get adequate discussion—because they were too contentious. If industry does not like a certain line of inquiry, this means there is no "common ground" and therefore this line will not be pursued. The process of "dialog" can give the participants enough familiarity of the language of the problem to talk the talk without having to walk the walk. We shall see.

-ML



A curious red fox pup learns about the world. Photo © by Bill Silliker, Jr. From *New England Wildlife 1994 Calendar*.



alternative to industrial mismanagement end up encouraging and rewarding such mismanagement, especially if the government pays inflated prices (see sidebar, "Determining Full Market Value: What is Industry Land Worth?").

When big blocks of land come up for sale, it is most likely that they will not fit neatly into the confines of a proposed wilderness reserve. If government wants the desired land, it may also have to purchase less desired land in a package deal. The government will thus have to set up a land bank and either try to sell cutover land to other landowners, or retain the land and manage it itself. While there are many use options for such public lands, such as community forests or experimental forests, management options for cutover lands are limited for decades.

### Conclusion

Outlining an area on a map and calling it wilderness does not suddenly imbue the land with towering trees, abundant wildlife, or spectacular landscapes. It is true that much of the Adirondacks, the White Mountains, and even Baxter State Park were previously heavily cut, but now they are recovering. Some of the heavily-cut, fir-dominated regions of Maine, however, will not recover so easily. They will be subject to intensified disturbance regimes of spruce budworm and fire.

Putting together and managing a big reserve from the industrial forest is not a simple challenge. Simply buying land and setting it aside also does not solve the problem of what to do with the managed matrix outside of the reserve. If the industrial growth paradigm continues unabated outside the reserves, the future success of the reserves will grow more doubtful. The debate on how to achieve the goals for maintaining forest biodiversity in Maine has just begun.



Rare and elusive pine marten at Daicey Pond in Baxter State Park. Photo © Bill Silliker Jr. From Baxter State Park 1994 Calendar.

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## Determining Full Market Value: What is Industry Land Worth?

Bowater bought Great Northern's holdings in Maine (two major paper mills, the largest private hydro-dam complex in the country, the Pinkham saw mill, and 2.1 million acres) for around \$381 million dollars. Bowater has argued to both Millinocket and East Millinocket that their assessments of the mills do not reflect true market value (based on its recent purchase price) and should be reduced by more than half. East Millinocket does not agree with Bowater's argument to reduce valuation because, it claims, it was a "fire sale" rather than a normal market.

But just for fun, let us assume that Bowater is correct and that the Millinocket mill is worth only \$95 million instead of \$228 million, and the East Millinocket mill is worth only \$107 million instead of \$273 million. The dams in East Millinocket (54% of Great Northern's capacity) are valued at \$165 million, so the total hydro value might be around \$305 million.

Without looking at the Pinkham mill, we have already gone \$16 million over the \$381 million purchase price. So we can safely assume that the 2.1 million acres must have a *negative* market value to the tune of millions of dollars. Thus, by Bowater's own reckoning, if the public is to buy their land at full market value, the company should *pay* the public millions of dollars to take the land.

If assessed value for taxation purposes has any relation to market value, then perhaps Maine should look to industrial land in Washington County such as Georgia-Pacific or Champion, for bargain sales. Under the Tree Growth Tax Law, an acre of softwood in Washington County in 1994 is valued at \$72.10 (down from \$84.20 in 1993), and an acre of hardwoods is valued at \$39.40 (down from \$40.90 in 1993). Despite rumors of impending mill shortfalls in the region, and despite reports of major increases in prices for both spruce-fir pulp and studwood, the valuations went down. If the land is to be taxed at these valuations, it should be sold to the public under these valuations. The easement on Baskehegan's land in Washington County should have thus been bought for \$50 per acre, rather than \$900 per acre.

-ML

## Common Criticisms of Wilderness Proposals Reveal Hypocrisy

### 1. Wilderness locks up the forest to a single use, closing off options.

*Response:* "Multiple use" on every acre locks up the forest and closes off options for roadless forests, extensive old-growth, baseline research areas, and remote recreation. A forest that has both wilderness and managed forests has more options than a forest that has no wilderness.

### 2. Creation of wilderness violates property rights.

*Response:* The wilderness proposals for Maine call for purchase from willing sellers in regions with no settled populations. Forestry abuses on private lands violate the rights of the public to the commons of wildlife and watersheds.

### 3. Government purchase of large blocks of forest violate local control.

*Response:* Almost all the land targeted for wilderness is owned by absentee landowners. There is no local control now. If the government owns the land, there might be more local input, not less.

### 4. Locking up vast areas of land in wilderness will deplete the timber supply and destroy jobs.

*Response:* The industrial status quo is already depleting the timber supply and degrading timber quality, creating the potential for shortfalls. Are industrially induced shortfalls somehow acceptable?

Over the last 10 years, one-half of the woods jobs and nearly one-fifth of paper mill jobs have disappeared without any new wilderness. Where were those now concerned over labor, when these jobs were lost? Do these critics intend to "save" jobs by overcutting every last acre so that there are no wild places left when the wood finally runs out?

There are limits to exploitation of the forest. A society living within those limits and maintaining wilderness would be richer than a society living within limits with no wilderness.

### 5. Wilderness benefits a privileged minority from away at the expense of the local working classes and the poor.

*Response:* Where is the concern for the local working classes when they get exploited by absentee corporations? Allowing large multinational corporations to dominate and exploit the forest is what really caters to elites from away.

### 6. Big reserves are impractical because they are too expensive.

*Response:* Some of the same people calling big reserves "too expensive" have supported various tax breaks for capital gains or for second home mortgages that result in hundreds of millions or billions of dollars of lost revenues each year. If, instead of allowing such tax breaks, the government purchased land in Maine, an extremely large reserve could be assembled in just a few years, especially if the public paid the negative market value of Bowater-Great Northern lands (see *Determining Full Market Value: What is Industry Land Worth?* ).

-ML



# Maine Woods National Park~A Proposal

by Michael Kellett  
Executive Director, RESTORE:  
The North Woods

The mountainous region of the State of Maine stretches from near the White Mountains, northeasterly one hundred and sixty miles, to the head of the Aroostook river, and is about sixty miles wide. The wild or unsettled portion is far more extensive. So that some hours only of travel in this direction will carry the curious to the verge of a primitive forest, more interesting, perhaps, on all accounts, than they would reach by going a thousand miles westward.

—Henry David Thoreau, *The Maine Woods* (1864)

## Last Chance for the Maine Woods

From this elevation, just on the skirts of the clouds, we could overlook the country, west and south, for a hundred miles. There it was, the State of Maine, which we had seen on the map, but not much like that. Immeasurable forest for the sun to shine on. . . . No clearing, no house. It did not look as if a solitary traveler had cut so much as a walking-stick there. Countless lakes, . . . and mountains also, whose names, for the most part, are known only to the Indians. The forest looked like a firm grass sward, and the effect of these lakes in its midst has been well compared, by one who has since visited this same spot, to that of a "mirror broken into a thousand fragments, and wildly scattered over the grass, reflecting the full blaze of the sun."

—Henry David Thoreau, *The Maine Woods*

"[P]rimeval, untamed, and forever untameable Nature" was how Henry David Thoreau described the Maine Woods after exploring it in 1846. More than a century of logging and other exploitation have damaged natural ecosystems, but the region remains untamed. Even today, the Maine Woods is the greatest wildland in the eastern United States, encompassing more than 10 million acres. It embraces vast expanses of forest, thousands of miles of rivers and streams, countless undeveloped lakes and ponds, and a rich diversity of native wildlife. It offers clean air and water, backcountry recreation, and solitude and spiritual inspiration within a day's drive of 70 million people. The Maine Woods is a national treasure.

Unless action is taken to protect the Maine Woods, it will soon be destroyed. The Maine Woods was originally owned by the public, but by 1878 the state had sold or granted 98 percent of the land to private interests. Traditionally, the private landowners logged the forest, but kept cutting levels relatively low, discouraged development, and allowed public access. Today, land ownership is increasingly concentrated in the hands of a few giant, out-of-state corporations that are driven by global markets. Ignoring the health of the forest, these industrial landowners are clearcutting vast areas, spraying chemical pesticides, and building roads and other developments. Neglecting long-term stewardship, they are splitting off developable real estate and buying and selling millions of acres of timberland. Disregarding the needs of local

people, they are exporting raw logs, eliminating mill jobs, and seeking special tax breaks. Acre by acre, the Maine Woods is being lost.

Many people have sought to protect the Maine Woods. After his 1846 visit, Henry Thoreau urged that such wild places become "national preserves." Others have proposed large parks, forest reserves, and wilderness reserves. Some important areas have been acquired by the public, but these comprise only 6 percent of the land base. Ninety percent remains under the control of 20 corporations and private trusts. Maine ranks near the bottom of all states in its percentage of public land ownership. The long-held vision of Maine Woods protection has yet to be realized.

Recently, there have been new calls for action. In 1990, the federal-state Northern Forest Lands Study found that "it is obvious that in the long run, if not protected, many resources important to the public will be lost." The March 1994 draft recommendations of the four-state Northern Forest Lands Council, *Finding Common Ground*, called for more public lands and ecological reserves. In March 1994, twenty-one state, regional, and national conservation groups issued *The Northern Forest: A Legacy for the Next Generation*, which recommended consideration of ten natural areas, including the "upper St. John Valley" and "greater Baxter State Park area" in the Maine Woods, "for the creation of a system of protected lands." The stage has been set for the next step—a specific plan for preserving the heart of the Maine Woods.

RESTORE: The North Woods envisions a "national preserve" worthy of Thoreau's vision. We propose the creation of a magnificent Maine Woods National Park.

## The Maine Woods: Forever Wild

In the middle of the night, as indeed each time that we lay on the shore of a lake, we heard the voice of the loon, loud and distinct, from far over the lake. It is a very wild sound, quite in keeping with the place and the circumstances of the traveller, and very unlike the voice of a bird. I could lie awake for hours listening to it, it is so thrilling. When camping in such a wilderness as this, you are prepared to hear sounds from some of its inhabitants which will give voice to its wildness. Some idea of bears, wolves, or panthers runs in your head naturally. . . .

—Henry David Thoreau, *The Maine Woods*

A Maine Woods National Park would benefit both the land and the people. Since 1916, federal law has required that national parks be managed "to promote and conserve the scenery and the natural and historic objects and the wild life therein and to provide for the enjoyment of the same in such manner . . . as will leave them unimpaired for the enjoyment of future generations." Under this management, Maine Woods National Park would:

- preserve and restore healthy natural ecosystems, native wildlife, clean air and water, productive soils, and significant historical sites;
- provide badly needed wilderness recreation to the crowded Northeast, relieving pressure on existing public lands like Baxter State Park, Acadia National Park, and the White Mountain and Green Mountain national forests;
- strengthen the local economy by

- attracting tourism, creating ecological restoration jobs, and encouraging environmentally sensitive businesses;
- serve as an outdoor laboratory for scientific study;
- educate the public about nature, history, and our cultural heritage; and
- redirect control of a large portion of the Maine Woods from absentee corporations and private trusts back to the public.

The area proposed for designation as Maine Woods National Park consists of approximately 3.2 million acres in north-central Maine. The boundaries would extend 80 miles north to south, from Sebec Lake to Umsaskis Lake on the Allagash River, and 90 miles east to west, from the East Branch of the Penobscot River to the Canadian border. The new park would surround Baxter State Park, which would remain under state control. The boundaries would not include existing human settlements or significant public road mileage.

The establishment of Maine Woods National Park would require careful planning. Private land would be acquired on a willing-seller basis. State lands (other than Baxter Park) could be retained, donated, or exchanged. Most recreational uses would continue, including canoeing and camping, hiking and cross-country skiing, fishing and nature study. Hunting and snowmobiling would be allowed in areas designated as "national preserve." Sporting camps, dams, and other existing developments could remain under long-term agreements where appropriate, or be acquired from willing sellers.

As with some of our greatest public reserves—Baxter State Park, White Mountain National Forest, and Great Smoky Mountains National Park—much of Maine Woods National Park would need to recover from past damage. Logging and other resource extraction would be phased out as lands came under public ownership. Most roads and other unnecessary developments would be obliterated. New commercial exploitation would be prohibited. Extirpated species could be reintroduced if biologically and socially feasible. A large portion of the Maine Woods would be passed on to the next generation in better condition than it was found.

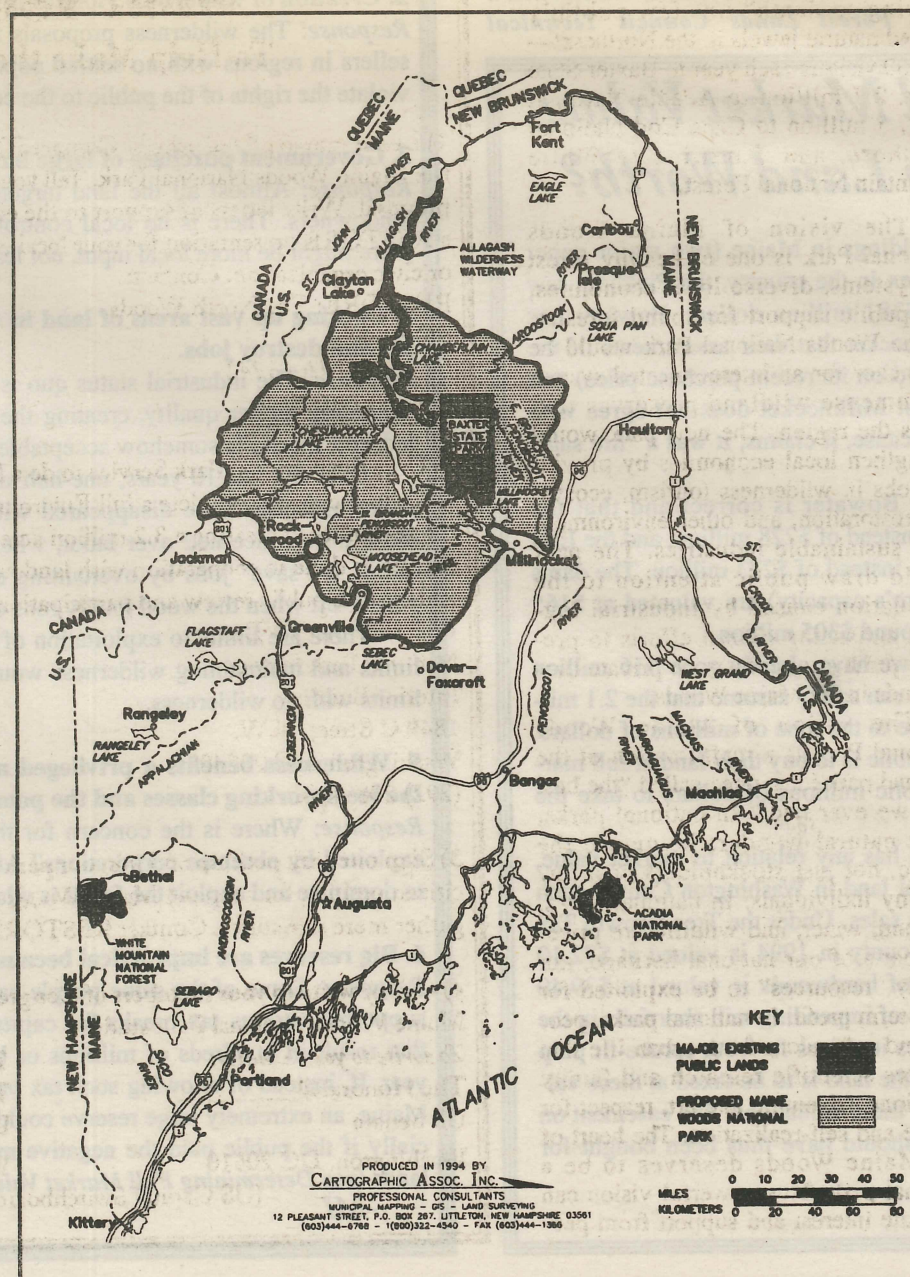
## An American 'Crown Jewel'

It is a country full of evergreen trees, of mossy silver birches and watery maples, the ground dotted with insipid, small red berries, and strewn with damp and moss-grown rocks—a country diversified with innumerable lakes and rapid streams, peopled with trout . . . , with salmon, shad and pickerel, and other fishes; the forest resounding at rare intervals with the note of the chickadee, the blue-jay, and the woodpecker, the scream of the fish-hawk and the eagle, the laugh of the loon, and the whistle of ducks along the solitary streams; and at night, with the hooting of owls and howling of wolves. . . . Such is the home of the moose, the bear, the caribou, the wolf, the beaver, and the Indian. . . .

What a place to live, what a place to die and be buried in!

—Henry David Thoreau, *The Maine Woods*

The proposed Maine Woods National Park would join other national





parks like Yellowstone, Acadia, Grand Canyon, and Great Smoky Mountains as one of America's natural "crown jewels." The new park would be a million acres larger than Yellowstone, currently the largest national park in the continental United States. It would encompass a diversity of coniferous and deciduous forests, river systems, lakes and ponds, and glacial features unmatched by any existing national park. It would embrace entire watersheds, ecosystems, and wildlife ranges, overlapping one-third of the natural regions of Maine. The proposed park would protect and complement Baxter State Park, the largest protected wilderness in New England and one of the finest state parks in America.

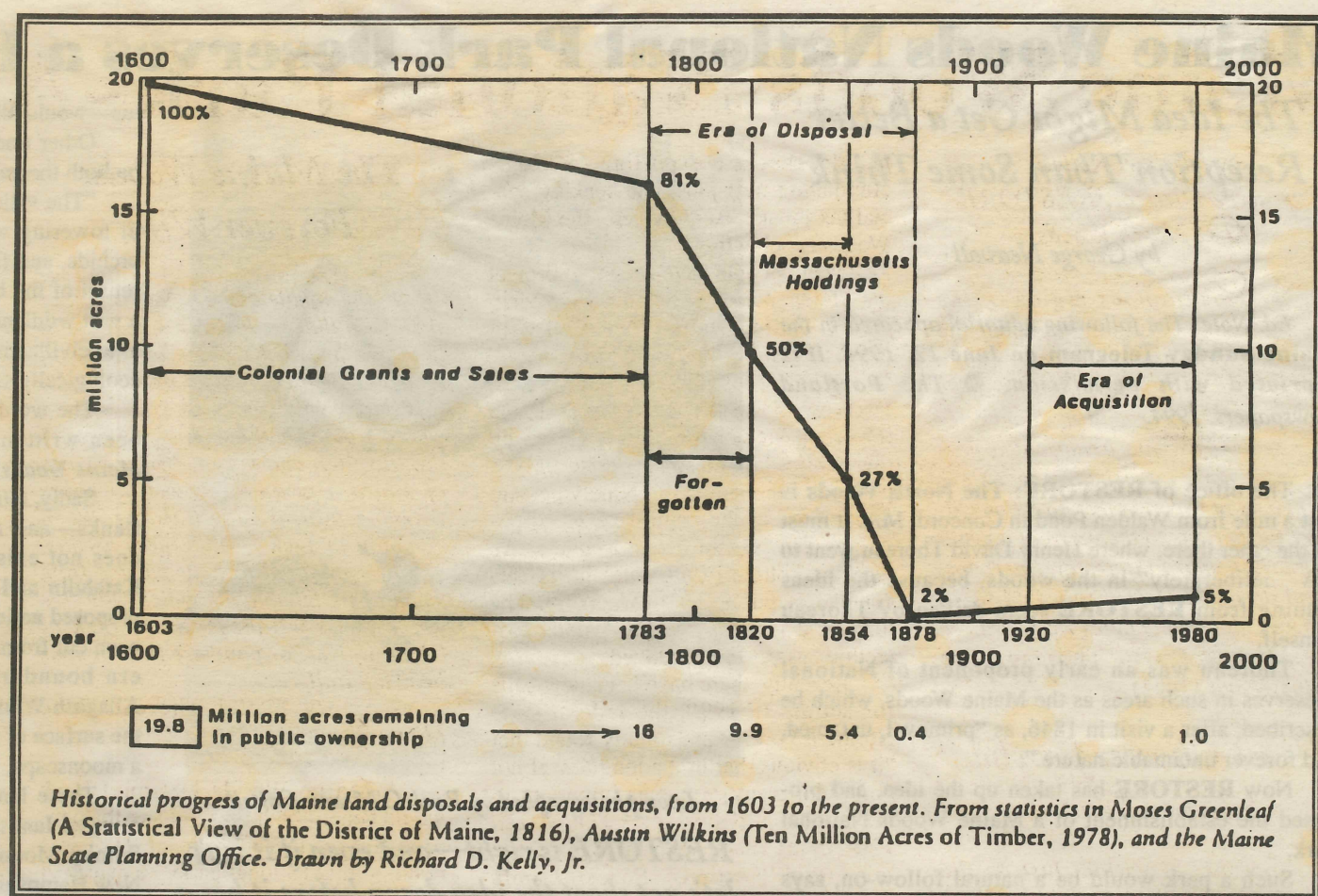
Maine Woods National Park would include such treasures as:

- the watersheds of the East Branch and West Branch of the Penobscot River, including 295 miles that have been recommended for National Wild and Scenic River designation;
- over 700 miles of rivers on the American Rivers *Outstanding Rivers List*, including the first 50 miles of the 92-mile-long Allagash Wilderness Waterway, and the headwaters of other major rivers such as the Aroostook, Kennebec, and St. John;
- 110 miles of the Appalachian Trail, including the famed "100-mile Wilderness" section;
- most of Moosehead Lake, at 74,890 acres the largest in New England, as well as over half of the high value, remote lakes and ponds identified by the State of Maine, and numerous bodies of water that are threatened with real-estate development;
- habitat for endangered and sensitive species such as the Canada lynx, bald eagle, pine marten, northern bog lemming, spruce grouse, blueback trout, pale green orchid, and small whorled pogonia;
- critical spawning habitat for the imperiled Atlantic salmon;
- potential restoration areas for extirpated species like the eastern timber wolf, cougar, wolverine, and woodland caribou;
- rare old-growth forest stands and some of the largest contiguous tracts of second-growth forest in the Northeast;
- important Revolutionary War routes, Penobscot Indian sites, logging era artifacts, and other historically significant places;
- existing and potential National Natural Landmarks including Gulf Hagas, Mount Katahdin, The Hermitage, Mount Kineo, Rainbow Lake, Ripogenus Gorge, and Trout Brook Plant Fossil Localities; and
- the area explored by Henry David Thoreau and written about in the classic, *The Maine Woods*, and advocated for by conservationists such as Governor Percival Baxter, Myron Avery, and Justice William O. Douglas.

This extraordinary region has natural, historical, and recreational features of national significance. Maine Woods National Park would give them strong and lasting protection.

## Making the Vision a Reality

*The kings of England formerly had their forests 'to hold the king's game,' for sport or food, sometimes destroying villages to create or extend them. . . . Why should not we, who have renounced the king's authority, have our national preserves . . . our forests, not to hold the king's game merely, but to hold and preserve the king himself also,*



the lord of creation, —not for idle sport or food, but for inspiration and our own true recreation?

—Henry David Thoreau, *The Maine Woods*

The vision of Maine Woods National Park is one of towering white pines, mossy spruces, and delicate orchids, and free-flowing rivers and clear lakes; of the return of the bald eagle, wolf, and Atlantic salmon; of a vast wildland that offers solitude and spiritual renewal to civilization-weary people; and of new hope for an ecologically sound local economy. This is the same vision that brings almost 60 million people from across the nation to our 50 national parks each year. It is the vision of millions of people who are "loving to death" our few publicly owned natural jewels in the Northeast—80,000 visitors each year to Baxter State Park, 2.7 million to Acadia National Park, 5 million to Cape Cod National Seashore, and 7 million to White Mountain National Forest.

The vision of Maine Woods National Park is one of healthy forest ecosystems, diverse local economies, and public support for sound forestry. Maine Woods National Park would be an anchor for an interconnected system of immense wildland preserves that spans the region. The new park would strengthen local economies by providing jobs in wilderness tourism, ecosystem restoration, and other environmentally sustainable industries. The park would draw public attention to the destruction caused by industrial logging, enhancing citizen efforts to preserve productive forests on private timberlands in the Maine Woods.

The vision of Maine Woods National Park is a reaffirmation of the national park idea, once called "the best idea we ever had." In national parks, great natural wonders belong to the public, not just stockholders or a few wealthy individuals. In national parks, the land, water, and wildlife are priceless parts of our national heritage, not simply "resources" to be exploited for short-term profit. In national parks, people find a freedom from urban life that inspires scientific research and family vacations, adventure and art, respect for nature and self-realization. The heart of the Maine Woods deserves to be a national park. This powerful vision can generate interest and support from people across America.

ple across America.

With strong public support, the vision of Maine Woods National Park can become a reality. Scott Paper Co. is reportedly trying to sell its 900,000 acres of Maine timberland—large tracts of which are within the proposed park boundaries. Almost all of the other private lands are held by a handful of large landowners that are likely to be willing sellers in the future. These include giant, out-of-state corporations such as Boise Cascade, Bowater, Champion, Diamond, Fraser, Hancock, and Kreuger-Daquam and wealthy, family-owned businesses such as Huber, Prentiss & Carlisle, and Seven Islands.

Based on prevailing prices, these lands would cost approximately \$100 to \$300 per acre to acquire. For less than the cost of one B-2 stealth bomber or a Seawolf submarine, the American people could create a great Maine Woods National Park for this and future generations.

RESTORE: The North Woods seeks an open public debate on the Maine Woods National Park proposal. We are working to build citizen support for a federal study on the possibility of establishing the park. We urge people in Maine, in the Northeast, and across the nation who love the Maine Woods to join us in this important campaign.

## What You Can Do To Help Make the Park a Reality

1) **Learn more and tell others.** Contact RESTORE for further information on the Maine Woods National Park. Tell your family and friends about the park proposal. Write letters of support to the editor of your local newspaper. Arrange a RESTORE presentation for your local conservation group, school or college, or civic organization. Contact:  
RESTORE: The North Woods  
POB 440  
Concord, MA 01742  
(508) 287-0320

2) **Urge the National Park Service to do a Maine Woods National Park study.** Ask the agency to complete a full Environmental Impact Statement that studies the feasibility of creating a 3.2 million acre park, considers a broad range of alternatives, is done in cooperation with landowners and other government agencies, and ensures public review and participation. Contact:  
Roger Kennedy—Director  
National Park Service  
Interior Building  
1849 C Street, N.W.  
Washington, DC 20240  
(202) 208-4621

3) **Sign our park petition and join our park network.** Sign a copy of RESTORE's citizen petition for a federal Maine Woods National Park feasibility study. Help gather more signatures. Contact RESTORE: The North Woods for petitions.

4) **Call or write to your members of Congress.** Ask them to support a federal Maine Woods National Park study.

To write to your Senator:  
The Honorable \_\_\_\_\_  
US Senate  
Washington, DC 20510

To write to your Representative:  
The Honorable \_\_\_\_\_  
US House of Representatives  
Washington, DC 20515  
(US Capital Switchboard: (202) 224-3121)



# Maine Woods National Park Deserves a Fair Hearing

## The Idea Might Get a Better Reception Than Some Think

by George Neavoll

*Ed. Note: The following editorial appeared in the Maine Sunday Telegram on June 12, 1994. It is reprinted with permission. © The Portland Newspapers, 1994.*

The office of **RESTORE: The North Woods** is just a mile from Walden Pond in Concord, MA. It must be the ether there, where Henry David Thoreau went to "live deliberately" in the woods, because the ideas coming from **RESTORE** seem driven by Thoreau himself.

Thoreau was an early proponent of National Preserves in such areas as the Maine Woods, which he described, after a visit in 1846, as "primeval, untamed, and forever untamable nature."

Now **RESTORE** has taken up the idea, and proposed the establishment of a Maine Woods National Park.

Such a park would be a natural follow-on, says Michael Kellett, the group's executive director, to the work of the Northern Forest Lands Council. The Council called for more public lands and preserves—though not nearly enough according to its critics.

**RESTORE** is right—and even if it isn't, let's not shoot the idea down before it has a fair hearing at least. I'm not at all sure the idea will be so badly received, even among the private landowners, the paper companies and the mill towns that the conventional wisdom says will oppose it.

The conventional wisdom, as so often is the case, may be wrong.

Here's what the idea entails. *On a willing-seller basis only*, lands would be acquired over time, across a 145-kilometer (90 mile) stretch east from the Maine-Quebec border north of Jackman to the East Branch of the Penobscot River east of Baxter State Park.

From the north, the acquired lands would extend south for 129 kilometers (80 miles) from Umsaksis Lake on the Allagash River to Sebec Lake north of Dover-Foxcroft.



Loon photographed by Ruth O'Meara-Costello

***RESTORE is right—and even if it isn't, let's not shoot the idea down before it has a fair hearing at least. I'm not at all sure the idea will be so badly received, even among the private landowners, the paper companies and the mill towns that the conventional wisdom says will oppose it. The conventional wisdom, as so often is the case, may be wrong.***

Lands within the authorized boundaries, which would take many years to acquire, would total 1.3 million hectares (3.2 million acres).

They would exclude the lands comprising Baxter State Park, which would remain under state control. "Existing human settlements" and "significant public road mileage" would also be excluded. Maine Woods National Park actually would be a national park and preserve. Portions designated as a national preserve—a lesser designation than full fledged national park sta-

tus—would allow public hunting and snowmobiling.

Other traditional recreational uses would continue on both the park and preserve.

"The vision of Maine Woods National Park is one of towering white pines, mossy spruces and delicate orchids, and free-flowing rivers and clear lakes; of the return of the bald eagle, wolf, and Atlantic salmon; of a vast wildland that offers solitude and spiritual renewal to civilization-weary people; and of new hope for an ecologically sound local economy."

The words are **RESTORE's**, but they could have been written by Thoreau himself. His book, *The Maine Woods*, is full of such descriptions.

Sadly, much of what Thoreau saw from Katahdin's flanks—and much of what **RESTORE** envisions—does not exist today. The "Maine Woods" west of Katahdin and along the Allagash, in the heart of the proposed national park, simply are no more. They have been cut from horizon to horizon, right up to the western boundary of Baxter State Park. The famed Allagash Wilderness Waterway is "wilderness" only on the surface of its waters. Walk up over the bank and it's a moonscape.

These lands can come back though, just as once-ravaged landscapes have in what today are the Great Smoky Mountains National Park and, in Maine and New Hampshire, the White Mountain National Forest.

Also, the lands are available, or at least many of them would be.

As Ted Williams, the conservation columnist, writes in the current issue of *Audubon* magazine, "The one nice thing about clearcuts is that the land underneath them sells cheaply."

**RESTORE** makes the cogent point that Scott Paper Co. reportedly is trying to sell its 364,230 hectares (900,000 acres), huge portions of which are within the proposed park boundaries. Bowater says it would not dismiss out of hand an offer to buy its lands.

At least a half-dozen other large landowners are likely to have properties on the market in the future.

The stability that a Maine Woods National Park would bring to the region would be welcomed by those who realize the forest products industry can't always bear the brunt of area employment.

**RESTORE** is seeking public support for a federal study of the Maine Woods proposal. It hardly seems too much to ask.

## What They're Saying About The Maine Woods National Park Proposal

"[**RESTORE's**] proposal makes room for wolves and other wildlife, but not for Maine people who live in that region."

—Sandra Neily, Maine Audubon Society, quoted in *Portland Press Herald*, June 8, 1994

"Parks are both for wildlife and for people, . . . and we think that's a very appropriate way to treat the Maine woods."

—Michael Kellett, **RESTORE**, in *Portland Press Herald*, June 8, 1994

"It ignores all the crucial players who must be present to decide the fate of these valuable woods and waters."

—Sandra Neily, Maine Audubon Society, in *Bangor Daily News*, June 8, 1994

"The debate is controlled now by about 20 landowners. . . . We want to bring the debate back to the people."

—Michael Kellett, **RESTORE**, in *Portland Press Herald*, June 8, 1994

"[T]his [is an] apparently clear call for easy solutions to be imposed on complex territories characterized by hundreds of years of private ownership. . . ."

—Sandy Neily, Maine Audubon Society, in news release, June 7, 1994

Gordon Manuel, a spokesman for Bowater, said the company would not dismiss out of hand an offer to buy the company's Maine timberlands.

—*Portland Press Herald*, June 8, 1994

"I'm surprised they [**RESTORE**] didn't ask for the whole state. These are ridiculous people asking for ridiculous things."

—Leon Favreau, Multiple Use Association, in *Bangor Daily News*, June 8, 1994

"I think it's an appealing but simplistic solution [for **RESTORE**] to say, 'We'll just draw a line around these 3.2 million acres. . . . There's 15 million acres in the North Woods. What

about the rest of it?'"

—Michael Cline, Maine Audubon Society, in *Maine Times*, June 17, 1994

"We all long for a simple, clear call to arms that will deliver to us what we have lost and what we are about to lose in nature. Yet this . . . is yet another simple, and unfortunately seductive, plan that is also doomed to failure."

—Maine Audubon Society, in *Morning Sentinel*, June 8, 1994

**RESTORE** is right—and even if it isn't, let's not shoot the idea down before it has a fair hearing, at least. I'm not at all sure that the idea will be so badly received, even among the private landowners, the paper companies and the mill towns that the conventional wisdom says will oppose it so.

—George Neavoll, Editorial Page Editor, *Maine Sunday Telegram*, June 12, 1994

"They [**RESTORE**] have one fanatic agenda. That agenda will completely destroy Maine's forest-based industries."

—Bob Voight, Maine Conservation Rights Institute, in *Bangor Daily News*, June 8, 1994

Maine's people want the entire forest well managed by the people who own this forest even as they harvest some of its resources. . . . [T]his plan, developed without advice and information from local residents, will cause economic hardship.

—Maine Audubon Society, news release, June 7, 1994

Park management might not be the best way to protect wildlife in this territory and park restrictions may constrain traditional uses.

—Maine Audubon Society, news release, June 7, 1994

But how much worse is the administration of a national park likely to be than the absentee mismanagement of the paper companies?

—editorial, *Maine Times*, June 17, 1994



# Maine Audubon Society Press Release Opposes National Park Proposal

*Ed. Note: On June 7 Maine Audubon Society, issued the following press release expressing its opposition to RESTORE: The North Woods' proposed Maine Woods National Park.*

Today "RESTORE: the North Woods" announced its plans for a 3.2 million acre Maine Woods National Park. RESTORE is located in Concord Massachusetts and has a membership of less than 300 people. Its proposal makes room for wolves and other wildlife, but not for Maine people who live in that region. "We all long for a simple, clear, call to arms that will deliver to us what we have lost and what we are about to lose in nature. Yet this apparently clear call for easy solutions to be imposed on complex territories characterized by hundreds of years of private ownership and local communities that depend on these territories... is yet another simple and unfortunately seductive plan that is doomed to failure. It ignores all the crucial players who must be present to decide the fate of these valuable woods and waters," said Sandy Neily of Maine Audubon.

This national park proposal may lead to excitement, drama, controversy, and polarization between all the very groups who must come to the table and design a workable solution for north woods preservation. "While heat is generated resurrecting the old, tired 'jobs versus the environment' debate... and that's what it will become... the real work of bringing landowners, residents, campowners, guides, wildlife biologists, environmentalists, and recreational business owners to the planning table... will continue here at Maine Audubon as it has since we began work on the Northern Forest Project," said Thomas Urquhart, executive director of Maine Audubon.

For four years Maine Audubon has been working toward solutions that are designed to secure the future of our entire Northern Forest, but we know that the most important planning to bring this about is a clear inventory of Maine's most valuable wildlands... everywhere in our forest. Maine Audubon continues to support the Northern Forest Lands Council's call for a state identification and planning process that will identify our most valued lands and then match appropriate conservation and or protection strategies for those lands.

"In fact, Maine Audubon has completed a thorough inventory of Maine's

resources that identifies all the ecological, recreational, timber resources and development features of our Northern Forest. The next step is to select protection strategies that will be based on this research and match valuable areas with appropriate conservation solutions. While this mapping and research does not have the appeal and controversy of a simple solution, planning for commercial uses, habitat protection, recreational tourism, watershed conservation, and a healthy and diversified local economies will result in true protection that is created by rational people working together to design local solutions that really work for everyone," said Michael Cline, director of Maine Audubon's Northern Forest Project. These hard won solutions are not headline grabbers and these solutions will be a combination of landowner conservation (Forest Legacy and/or easements for example), the purchase of Maine's most valued wildlands, especially when those are threatened with development or mismanagement, and an information and regulatory framework that requires as well as motivates landowners to use the best forest practices available in the world today. We also know that even if we increase the amount of public land and it is managed as local land trusts, state parks or becomes part of Maine's already successful system of Public Lands, there

will be no guarantee that we have preserved the forest for future generations unless we do as Maine's people have asked... manage the entire forest for all its various inhabitants, uses, and treasures.

While RESTORE's park concept accurately describes the rare attributes and resource values of this spectacular area, the park concept is flawed for a number of reasons:

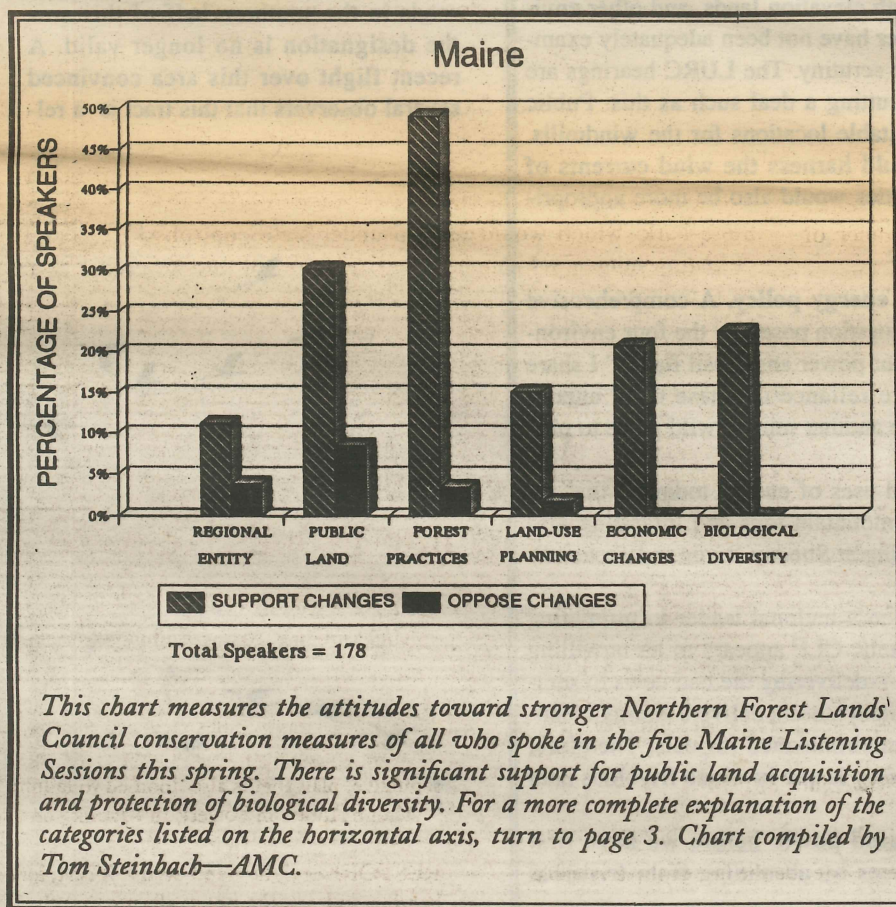
1) The park solution ignores the voices of Maine's people who have spoken very clearly during a recent set of public hearings on Northern Forest issues (Northern Forest Lands Council Hearings). Maine's people want the entire forest well managed by the people who own this forest and they clearly sent a message to all forest landowners that they expect commercial owners and operators to protect the forest even as they harvest some of its resources. A "cookie cutter" solution that imposes a park boundary on only a portion of Maine's forest and limits traditional use there ignores Maine's people's requests for a total forest solution that respects traditional uses. (The park proposal calls for "obliteration" of roads, limits on hunting and snowmobiling, and the eventual acquisition of sporting camps in the territory). Maine's people clearly want ecosystem management and by speaking up for the entire forest, they

are echoing the international community's best scientific advice to consider entire ecosystems not just park boundaries. The public record at these hearings was very clear that conservation and protection be a creative blend of federal support and state solutions that respect local values and preferences. This proposal ignores the clear and overwhelming public sentiment of Maine people.

2) While this park proposal does not include northern towns, local towns in this area depend on this "park" territory and this plan, developed without advice and information from local residents, will cause economic hardship. (For example: local people lease sugar-bush areas for syrup production and others lease for balsam fir tipping... still others use the road system to guide sports in and out of the territory. If the proposal says that "most roads and unnecessary development would be obliterated," it is unclear just how local residents will be able to continue (what the proposal calls) "environmentally sustainable industries."

3) And finally this particular park proposal has the cart before the horse. It has chosen a management solution (park) before a comprehensive inventory that can rank and value all of Maine's northern forest resources and match those resources with the best conservation and management tools. Park management might not be the best way to protect wildlife in this territory and park restrictions may constrain traditional uses that have sustained local economies and provided a quality of life that is treasured by local people who measure their riches not in bank accounts, but in how they can use the woods around them. This proposal lumps a great variety of resources into one simplistic management tool ... the park.

"It's too late to return to the environmental climate of yesterday when we developed public policy by confrontation and controversy. RESTORE is dropping a park proposal onto a territory resistant to planning that excludes local residents and fails to appreciate the complexity of landowner and habitat issues. When we deliver a Northern Forest solution that comes from research, collaboration, and creative problem solving... with all the interested parties at the table,... then we will have saved our forests for all future generations," said Sandra Neily.



## Maine Governor to Use Auto Emission Testing To Allow Louisiana-Pacific Mill to Pollute More

### NRCM Exposes Latest Pollution Scandal & Public Reacts Angrily

On July 1 Maine instituted a controversial auto emission inspection program that requires motorists in seven southern counties to test their cars every two years. If a car fails the \$24 test, motorists must pay for potentially costly repairs to come into compliance.

The program was established by the Maine Legislature to help the state meet the goals of the Clean Air Act. It is expected to cut nitrogen oxide emissions by 2,000 tons a year.

Maine's lame-duck Governor John McKernan wants to squander those gains in improved air quality to promote economic growth. He proposes to allow Louisiana-Pacific's New Limerick oriented strand-board plant to release an additional 200 tons of nitrogen oxide into the air. The plant already discharges

1,400 tons of nitrogen oxide a year.

On July 6 the Natural Resources Council of Maine (NRCM) blasted the plan: "The McKernan administration proposes to take the clean air earned by Maine people who are required to test and repair their cars and give industry the right to pollute more. That means that people owning cars in Maine's southern counties will pay to test and, if necessary repair their cars, and the state will let industry pollute more as cars pollute less," said Conrad Schneider, a staff attorney for NRCM. He characterized the trade-off as a form of unwarranted taxation.

Claiming that it is only trying to promote "growth", the McKernan administration defended its proposal with the customary "job blackmail" argument: "Those jobs are going to be lost to Maine" unless we permit industry to pollute more. McKernan aide Dan Austin treated the public to some high-quality doublespeak when he denied NRCM's accusations:

"It's just not so. There is some truth to what they say, that we are giving away credits... but (we're) not going to allow them to pollute more." Later, he said Louisiana Pacific is being allowed to discharge an additional 200 tons of nitrogen oxide into the air with its planned expansion.

But that's not all. Arguing that removing 2,000 tons of nitrogen oxide emissions per year is 1,200 more tons than the Clean Air Act mandates from southern Maine, McKernan plans to give away an additional 1,000 tons of pollution credits to other companies for new or expanded plants on a first-come, first-served basis.

In the week since NRCM blew the whistle on the McKernan's Administration's latest environmental scandal, the public and Democratic legislators have reacted angrily. The US EPA was only accepting public comment until July 25. A decision by the EPA is not expected for about three to four months.



# Maine Wind Power Project to Scar Three Remote Mountain Peaks

by Fife Hubbard

Maine has sold off yet another resource and it has done so cheaply. With the best wishes of Maine Audubon Society, Appalachian Mountain Club, Conservation Law Foundation and the Natural Resources Council of Maine (NRCM), U.S. Windpower, a subsidiary of Kenetech Windpower, whose president Christian Herter is a former director of NRCM, will construct over 630 windpower turbines on the peaks of three mountains; Kibby Range, Kibby Mt. and Caribou Mt. The proposal is to build one of the largest wind generating facilities in the world.

The four conservation groups' support has paved the way for U.S. Wind to begin construction this year pending L.U.R.C. approval. The project will convert 30 miles of remote mountain ridge to a wind generating facility that

will sell electricity to New England Power Pool, a Massachusetts based entity that shares power through a regional grid. U.S. Wind is asking L.U.R.C. to re-zone the 865 acre "footprint" of the development from "Mountain Area Protection Subdistrict" to "Plan Development Subdistrict" to, in L.U.R.C. language, "allow for large scale well planned development separated from existing developed areas, provided they can be shown to be of high quality not detrimental to other values established by the comprehensive land use plan, and provided they depend on a particular natural feature or location which is available at the proposed site."

The project is among the boldest experiments in wind power ever, and environmentalists base their support on two major assumptions: that Maine Yankee, a nuclear power generating

facility, will be going off-line soon, and that the Clean Air Act will force the closure of dirtier coal and oil generating facilities. Ideally the construction of this wind power facility would be tied to the closure of obsolete energy producing plants, but that is not the case.

As a result of the oil crisis of 1979 Congress passed the Public Utilities Regulatory Policy Act that required utilities to buy power from alternative sources. Rather than fostering a decentralized energy mix by developing incentives for small-scale, on-site power generation "PURPA" has provided a market for power generated by absentee-owned biomass plants and now a wind farm that will cover three of Maine's most remote mountain peaks.

## Environmental Costs of Wind Power

The appeal of producing energy free of greenhouse gasses that contribute to global warming is obvious, but at the scale proposed for this project, the environmental costs are enormous.

Much of the land above 2,700 feet has remained undisturbed since the turn of the century. The site is also featured in *The Big Outside* by Dave Foreman and Howie Wolke as one of the few remaining roadless areas east of the Mississippi over 100,000 acres, although some feel that due to logging roads in the southern half of this area the designation is no longer valid. A recent flight over this area convinced several observers that this tract is a rel-

atively undisturbed area eminently worthy of protection.

While this land has certainly been treated poorly in the past, U.S. Wind's proposal will end its potential for wilderness recovery. Rather than the periodic invasion of logging apparatus every 50 years or so, U.S. Wind will be creating a permanent human presence in the region, along with 75 miles of regularly maintained roadways that will not only head up the mountains, but also connect the sites along ridge lines. In addition to the fragmentation of habitat for species such as lynx, these roads will also provide year-round poachers access into a remote mountainous area.

The 630 turbines themselves will be mounted on galvanized steel towers 80 feet tall. The three blades on each will be 52 feet long, slicing a circle 108 feet in diameter. Because these turbines are located on ridge lines to take advantage of the highest wind speeds, they are particularly deadly for migrating songbirds and raptors. These birds use the same wind currents the turbines are designed to take advantage of. At a similar windpower site in California raptor mortality has been tremendous.

Under an agreement with the Department of Inland Fisheries and Wildlife, U.S. Wind must study the impact upon hawks, owls, eagles, falcons and songbirds and take appropriate steps to lessen the impact upon these birds as they travel their migratory routes.

*Continued on next page*

## Scrap Deal with US Windpower

The *Forum* strongly opposes the deal struck by four conservation groups with U.S. Windpower. The claim that negative consequences of wind power are less than those associated with nuclear power and fossil fuels is insufficient to justify this new development.

In addition to unacceptable environmental consequences, we believe this deal sets three bad precedents:

**1) There was no public debate.** Consequently, critical issues such as avian mortality, the impacts of roads on roadless, high elevation lands, and other environmental problems associated with wind power have not been adequately examined. If this is a good deal, it must pass public scrutiny. The LURC hearings are not a substitute for a genuine debate before cutting a deal such as this. Public debate could have helped to identify more suitable locations for the windmills. The median strip of the Maine Turnpike could harness the wind currents of speeding motorists. The tops of buildings in cities would also be more appropriate than an undeveloped, remote mountain top.

**2) There is no comprehensive regional energy policy.** A comprehensive energy policy requires us to move beyond the question posed by the four environmental groups here: "How do we replace nuclear power and fossil fuels?" I share the desire to reduce and eventually eliminate reliance on these dirty energy sources. I do not concede that we must sacrifice another remote wild place to pick up the slack.

What is needed is an inventory of the end-uses of energy today so that we can publicly debate whether remote, roadless mountain tops and migrating bird populations are more important than snowmaking at Sunday River and air conditioners in Boston.

The Conservation Law Foundation has been a national leader in promoting energy conservation and efficiency. Unfortunately, CLF appears to be unwilling to tackle an admittedly more difficult challenge—delivering the bad news to society that there is no free energy lunch. Only photosynthesis delivers energy cleanly. All other energy sources produce negative environmental impacts. Therefore, the only environmentally responsible energy policy is one in which frivolous uses are reduced or eliminated first.

For environmental groups to buy into wind power before we have first sought to replace nuclear and fossil fuel sources by abstaining from frivolous uses sets a dangerous precedent.

I know, no one wants to deliver the bad news. A CLF spokesperson has said we want to be "for" something. I suggest we should be for healthy ecosystems, rather than acquiescing to wasteful energy consumption patterns.

**3) Mitigation does not work.** To "mitigate" the negative effects of wind power development, the four environmental groups have gotten U.S. Wind to pledge \$300,000 (and a well-intentioned donor to match it) to acquire land which will not be developed. Think about this for a moment: in order to prevent something undesirable from occurring on a second tract, we are obliged to permit the undesirable development on the first tract?

This sets a terrible precedent for land protection.

**Recommendation: Scrap the deal with U.S. Wind.** Instead, CLF and its colleagues in this deal should launch a region-wide initiative to develop a comprehensive energy policy whose goal is to drastically reduce energy consumption. Only after we have eliminated unnecessary end-uses, successfully optimized all possible conservation and efficiency options, and conducted a thorough public debate on energy policy can we begin even to discuss new wind, hydro, biomass and other alleged "renewables" initiatives.

—Jamie Sayen





# New Study: Sears Island Port Plan Too Damaging to Marine Life

by Ron Huber

Under sunny skies, more than 60 activists from around Maine gathered for a two day rally and teach-in on Sears Island, (site of a proposed woodchip export terminal. See *Northern Forest Forum* vol. 2 #2) Attendees heard about new evidence showing that construction of the Sears Island Cargoport project would have more serious marine impacts than previously believed, and held a ceremony 'restoring' the Penobscot name, *Wassumkeag Menahanuk* (Island of the Shining Beach) to the 940-acre island. The name refers to the two miles of sand beach along the island's northern shore.

Two new studies commissioned by the Maine Department of Transportation lay out a clearer picture of both the upper Penobscot Bay's marine ecosystem and the potential impacts to it from the state's proposed woodchip port.

One study, "Marine resources in the vicinity of the proposed Sears Island Cargo Terminal" (Feb. 94) comes closer to establishing a marine biodiversity baseline of the complex estuarine/marine ecosystem in the waters of the Upper Penobscot Bay.

The second report, (still in final preparation) "Sears Island Cargo Terminal Marine Resources Impact Assessment and Mitigation Review," sheds damaging light on both the proposed cargoport's "footprint", and its indirect effects on nearby marine and estuarine habitat areas.

According to sources familiar with the draft report, the impact assessment concludes that the amount of eelgrass meadows and other important fish and shellfish nursery habitat that would be destroyed or significantly impacted is far greater than previously believed.

Eelgrass meadows are one of the keystone habitats for marine vertebrate and invertebrate species on both sides of the North Atlantic. Mussel, pollock, cod, flounder, haddock, and numerous other organisms find protection and forage during their defenseless larval and juvenile stages among the stands of this peculiar vascular plant, one of only a few flowering land plants that has successfully returned to an undersea existence.

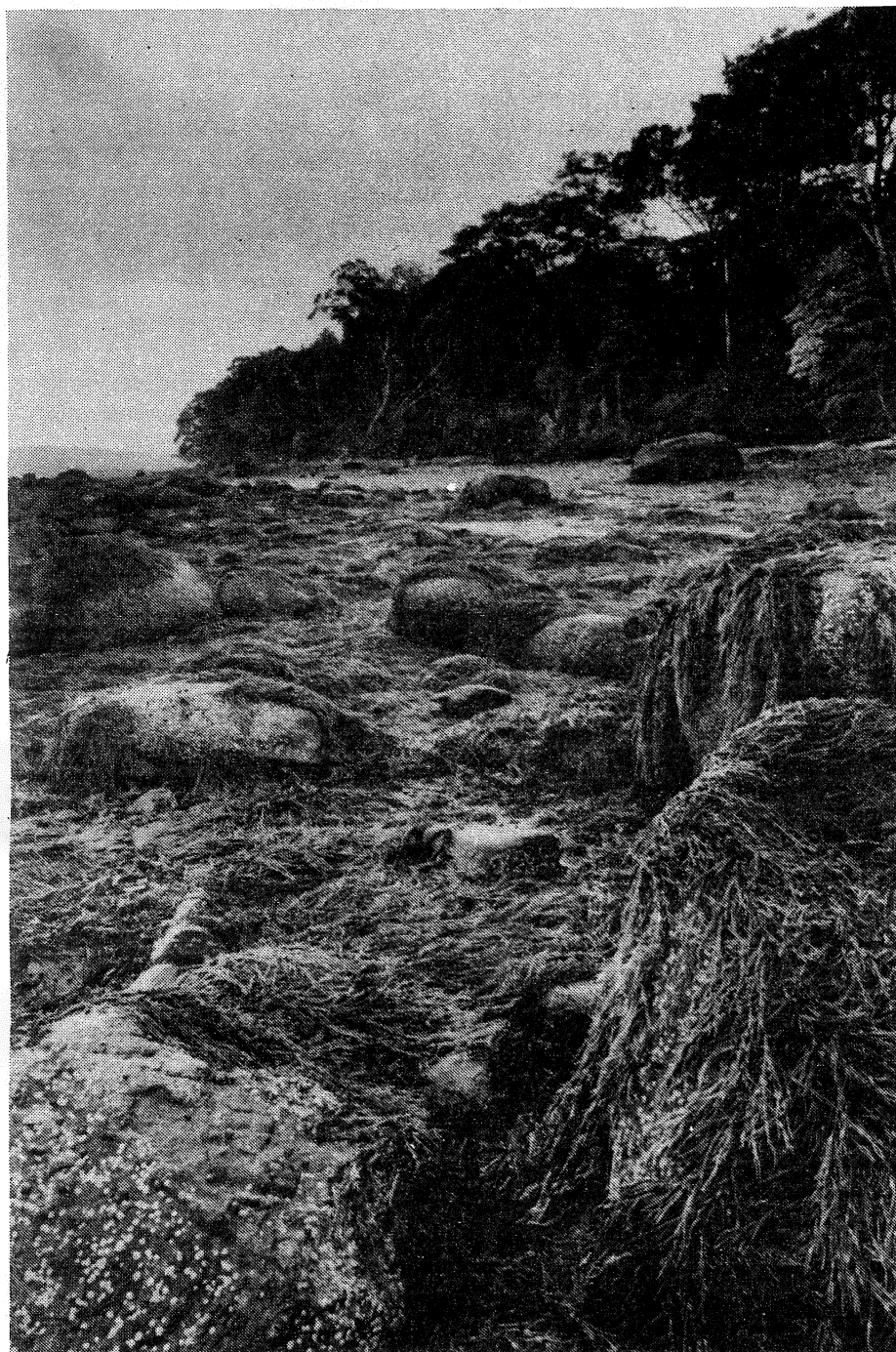
But an as-yet unknown disease

nearly wiped out thousands of square miles of eelgrass meadows earlier this century in both European and North American waters. Natural recovery has been slow, and attempts to artificially reestablish eelgrass meadows have been few and largely unsuccessful.

Consequently, preservation of existing eelgrass beds has been a high priority with the National Marine Fisheries Service, which has opposed the Sears Island Port since its inception nearly a decade ago. NMFS has reviewed the state's new impact assess-

ment and reportedly will conclude that the both of the MDOT's preferred alternatives would result in significant and permanent loss of eelgrass and reduced potential for other eelgrass beds adjacent to the site, in violation of the Clean Water Act's Section 404 guidelines prohibiting destruction of significant marine spawning and nursery habitat.

The reports were prepared by Normandeau Associates, the environmental consulting company whose earlier wetland studies for the project nearly led to its disbarment.



*Kelp covered rocks lay undisturbed on the pristine and undeveloped eastern shoreline of Sears Island. Photo © John McKeith.*

The activists said they would maintain a presence on the island throughout the summer. MDOT tried unsuccessfully to require a permit for the two day gathering.

## WHAT YOU CAN DO:

\*Write a letter opposing the Sears Island port project to John DeVillars, EPA Region 1 administrator. (address below). Like the National Marine Fisheries Service, EPA has been a consistent opponent of the project, and has the authority to veto Army Corps of Engineers dredging permits for the project. However, DeVillars is a recent appointee, who professes to not have made up his mind yet. While he's hearing from proponents of the port, he hasn't been hearing from the opposition (us!).

Urge DeVillars to VETO the project, if the Army Corps of Engineers approves dredging permits this fall/winter. Emphasize: the potential for irreversible harm to important fish and shellfish habitat; destruction of upland wetlands on the island; and the cumulative impacts of sharply boosted logging on Maine's hardwood forest ecosystems, the "sourcing area" for large-scale woodchip export. This last is something MDOT is trying to keep out of the discussion, so *it's important that you emphasize this point.*

\*Get on the mailing list for copies of the Supplemental EIS for the project. (The original EIS was so badly flawed that a Supplemental EIS had to be drawn up.) Write the federal Highway Administration (address below) to get on the mailing list for the SEIS. Then read it, and comment on it, either in writing or at the public hearing this winter.

## Addresses:

John DeVillars  
Region 1 Administrator  
US Environmental Protection Agency  
JFK Federal Bldg.  
Boston, MA 02203

Federal Highway Administration  
Ed Muskie Federal Bldg.  
RM 614  
40 Western Ave  
Augusta, ME 04330

## Wind Power

*Continued from preceding page*

A spokesperson from Maine Audubon recently said, "We recognize that any structure poses some risk of avian mortality. We are emphasizing the need for on-site study to determine the significance of the risk." Unfortunately, these studies will be done after the turbines are in place. It is unrealistic to believe that anything substantial can be done to lessen their impact on the

migrations of birds over these ridge lines once the turbines are in place.

The only way to markedly lessen the impact would be to shut down the turbines during bird migration periods. Reportedly U.S. Wind is open to shutting down during heavy migration periods. However, bird migrations take place not over just a few days in the spring and fall, but over 3 months in each season with different species peaking at different times. To lessen the impact on all species U.S. Wind would need to shut down for six months every year. This doesn't seem likely.

## Proposed Mitigation Sets Bad Precedent

If, as seems likely, L.U.R.C. complies with U.S. Wind's request to re-zone the 865 acres above 2,700 feet for development, U. S. Wind must protect a similar-sized tract of land from development. L.U.R.C. legislation mandates that the "...proposal must incorporate substantially equivalent level of environmental and resource protection as was afforded under the protection subdistrict." Originally U.S. Wind planned to meet this requirement by purchasing an easement from S.D. Warren on 835 acres for \$150,000. The four environmental groups negotiating with U.S. Wind realized this was not enough. Subsequently U.S. Wind has pledged \$300,000 to be matched by a private foundation after the erection of 100 turbines for the purpose of land protection. At current Maine wildland prices this might buy about 3,000 acres, a fraction of a percent of Maine's 19 million acres of wildlands.

Is 3,000 acres adequate compensation to the public for the development of three remote mountain massifs? In the past Maine has given away its forests and its fresh water streams at great cost to the public. This project sells off another vital feature of Maine's landscape—remote mountain tops. Have the people of

Maine been justly compensated for the destruction of land and life for the sake of power slated to run air conditioners in Boston? If not, what needs to be done to stop the wholesale commoditization of the Northern Forest? On the horizon loom fights over resources the Northern Forest has that the megalopolis wants, most notably fresh, clean water.

By all accounts, this project is a done deal. There will be more windpower proposals in Maine, in fact the same groups that supported U.S. Wind have opposed a plan by a company called Endless Energy for a windpower project in Reddington because of its proximity to the Appalachian Trail. Under the agreement reached with the four environmental groups U.S. Wind has pledged \$50,000 to survey Maine for future windpower sites. Rather than negotiate each project on an ad hoc basis, we need to develop a comprehensive regional energy policy to determine if future projects are necessary, what compensation is owed to the public in return for developing Maine's mountain tops and shoreline (two landforms in Maine that lend themselves to windpower generation), and what areas are off limits to any type of development due to the needs of natural communities.



# Deny Current Use Tax Breaks to Landowners Who Export Raw Logs

by William Butler

*Ed. Note: Log export from Portland, Maine has focused attention on an economic drain of more than twenty years standing. But little has yet been made of a greater crisis that is exacerbated by raw log exports: we are running out of wood. Also overlooked in today's discussion of raw log exports is the fact that for decades large Maine landowners have been exporting to Canadian mills just over the border 15 times the volume of the logs sitting on the Portland wharf. In this article, William Butler makes these connections and offers valuable insights into the reasons for this situation. He proposes denying the Maine Tree-Growth Tax breaks to landowners who choose to continue to export raw logs and Maine jobs.*

On the waterfront in Maine's largest city, Scott Paper Co. is shipping hemlock logs to China. Scott is also selling or closing its paper mill near Portland. The log sale has recently been canceled, but shipments from Portsmouth, NH and Eastport ME continue. Georgia-Pacific runs the Eastport operation, and has a paper and sawmill nearby.

Describing the piles of hemlock logs on the waterfront as "massive", the *Maine Sunday Telegram* also quoted Peter Lammert of the Maine Forest Service, "... we have a situation where there's a relatively massive flow of wood into Quebec. Very little has been said about that."

The *Sunday Telegram* writer calculates that the logs trucked to Quebec amount to 65 shiploads, 15 times the volume of hemlock going on ships. Thus, a few logs on the docks are enough to put a spotlight on and old and much larger economic problem. Study it a while, and you will encounter argument redolent of NAFTA, Global Economy, Free Trade, Private Property Rights, and, above all, the right of corporations and large landowners to unfet-

tered pursuit of personal profit while begging the economy to which they turn for subsidies.

*The Sunday Telegram* writer calculates that the logs trucked to Quebec amount to 65 shiploads, 15 times the volume of hemlock going on ships. Thus, a few logs on the docks are enough to put a spotlight on and old and much larger economic problem.

About 10-15 years ago, Gilbert Tardif of the Quebec sawmill industry reported to us at a University of Maine Forestry School symposium that as much as 500 million board feet of spruce, fir, and pine sawlogs was imported for the past year and that they intended to bring in more the following year. Lloyd Irland, then-State Economist, former Yale professor, and consultant, who was present, has reported on the difficulty in obtaining truthful export data from the Maine landowners, such as Boise-Cascade, International Paper, Irving, Prentiss & Carlisle, and the Pingree heirs through their agent, Seven Islands Land Co. It is ironic that the information came from Mr. Tardif, president of Maibec, the Pingree sawmill in Quebec. (MAIne-queBEC.)

Peter Lammert notes that little has been written in the recent press about logs going to Canadian sawmills—a curious oversight. Actually, over the past twenty years, the loss of mill and woods jobs entailed in cutting and sawmilling 500 million board feet annually has been questioned in print and in public discussion. In 1977, Jonathan Falk, a Yale forestry graduate student of Irland's, studied the Maine lumber industry and found that, "Most of the Maine landowners who export large volumes of logs to Quebec have the resources to construct their own sawmill, or enter into wood supply agreements with firms who wish to construct such sawmills, if they so desire."

A good bit of what is known about

exports from Maine was reported in 1981 by the Maine Forest Service, in *The Export of Maine Sawlogs to Quebec*, by Jack Aley, a freelance who demonstrated a good understanding of the economic process which decides where a Maine tree will be sawed into lumber (and the country of the woodsman who fells it).

Aley quoted Bob Hintze, International Paper's vice president at Augusta as to why his company didn't put a sawmill in the middle of its holdings in the northwest section of the Maine forest. Hintze's reasons are of interest, but didn't go as far as a statement I pried out of him at a Blaine House conference of the Forest Resource at about that time: accused of sending his logs to Quebec mills because of the government subsidies they received, he angrily replied that this was true and that when they got as good a deal in Maine, the mills would be in Maine.

The Aley report extensively shows the Pingree heirs are the dominant player in log export, "while keeping sawlogs in Maine where possible." Clifford Swenson, then their manager, said, "Maibec [their sawmill at St. Pamphile] has done a lot for Maine. It has worked well on Maine land ... and if it hadn't been for labor coming from Canada, we wouldn't have gotten (much of our

1979, admitted to shipping 134 million board feet, almost 45 percent of the total exported from Maine for that year.

I can add to this record the reply, approximately 20 years ago, by Brad Wellman, a Pingree heir, to state senator Henry Richardson's question, "Have you brought your sawmill into Maine?" Wellman responded, "No, we have been remiss in not doing so."

Swenson told Aley that his wood labor supply came from Quebec. One of this writer's first experiences in facing the Maine legislature came in 1976 when the Maine Woodsmen's Association questioned the use of commuting Canadian labor when we were underemployed. Louis Pelletier, a St. Francis, Maine contractor for the Pingrees charged their legendary manager, John Sinclair, with keeping the commuting Canadians at work while laying off Pelletier and his crews. Sinclair, not intimidated, responded that, indeed he had shut down Pelletier and his US people and kept the Canadians working, "because Irving told me to." (Irving was the landowner, with their sawmill at Estcourt, hard on the border. Pingree's management consisted in stripping every bit of softwood from Dickey-Lincoln to Estcourt.

Recently, with yet another manager and board promising better stewardship, Seven Islands has bought green certifi-

*John McNulty, speaking for Seven Islands, the Pingree firm, says, "I would say we have as much responsibility to those people (Quebecers)... as we do to the people in Ashland." McNulty is reported to have said that prohibiting log sales abroad would eliminate 600 jobs in Canada. At 200 jobs per 50 million board feet, he must export about 150 million board feet.*

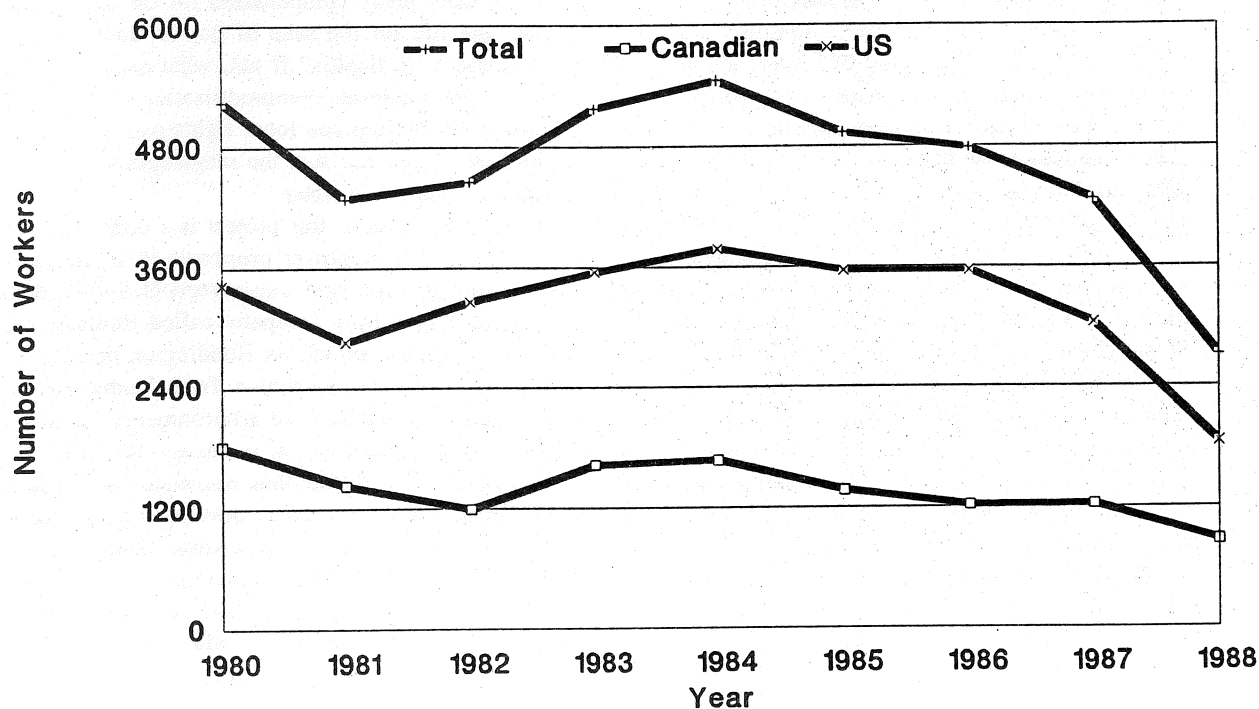
wood) cut in the first place." Swenson continues in this vein, "St. Pamphile (is the one Quebec mill town) that has the most secure source of Maine wood." According to Aley, the Pingree's firm exported far more wood to Canada than any other landowner in the state. It sent to Quebec 113 million board feet of softwood sawlogs in 1977, more than 40 percent of the state total, and, in

cation to impress naive people who are ignorant of the thousands of acres of raspberries hiding behind the seal. In Augusta I accused Morris Wing, IP's woodland manager, of using "bonded" Canadian woodsmen because they were cheap labor; Morris came back next morning with US Department of Labor figures showing he paid more per cord for Canadians than for U.S. workers. Translation: the availability of a labor source from Canada effectively destroyed the bargaining power of Maine's loggers. This is how one learns.

We have to get straight in our heads why we question log export. Is it loss of jobs both in the forest and in the sawmills? Aley quotes the Canadians that 2,000 jobs in forty border sawmills depended on Maine logs in 1977, with a total of 30,000 direct and indirect positions. The latter estimate may include the 2,000 commuting woodsmen who cut half the wood in Maine. Is it any better in 1994? Certainly, the volume of spruce has declined, but we still find Greg Cyr, who works for Stephen Schley and Seven Islands, cutting wood with Canadian woodsmen for Quebec sawmills. These two, Cyr and Schley, told the Northern Forest Lands Council how essential they were to the economy. And they deserve more tax breaks, too. But not forest practice regulation. And, never, log export restrictions.

At the Down East RC&D symposium this year, it seemed to be a matter of indifference to Steve Adams, the Maine State Economist, where Maine logs were milled, part of his *global-village, you-do-what-you-do-well-and-I'll-*

Logging Employment  
by  
Worker Residence



Source: Maine Dept. of Labor, 1989



*do-my-thing-and-we'll-both-prosper* Weltanschauung that he laid on us. Citing fishing and defense-dependent communities as being at risk, he prefers to 'plan ahead' for economic conversion rather than waiting for the bottom to drop out. Questioned on his willingness to abandon rural communities dependent on the forest base, he hedged by adding that it was crucial that we don't abandon this industry. My advice: not

*"Most of the Maine landowners who export large volumes of logs to Quebec have the resources to construct their own sawmill, or enter into wood supply agreements with firms who wish to construct such sawmills, if they so desire."*

much help here—he's looking for his next job.

Both in the Aley paper and at the 1994 Down East forum, we hear of the landowners' loyalty to the Canadian workers and to the Canadian mills. As Aley puts it, "...The major exporters in Maine have been doing business with Quebec for decades. Friendships and loyalties have been formed. In fact, most exporters of sawlogs see no boundaries when they look toward Quebec." See above, Cliff Swenson's acknowledgement of "a certain loyalty for Quebec." At the RC&D forum, John McNulty, speaking for Seven Islands, the Pingree firm, says, "I would say we have as much responsibility to those people (Quebecers)... as we do to the people in Ashland." McNulty is reported to have said that prohibiting log sales abroad would eliminate 600 jobs in Canada. At 200 jobs per 50 million board feet, he must export about 150 million board feet.

If we thought about running out of wood, say Spruce and Fir, once our principal species, we would have to entertain bad thoughts about our forest managers, past and present. (A few foresters—Stephen Manley, for one—have announced that they are ashamed of their profession's actions. It would be easier to respect them if more were to dissociate themselves from landowner policy.)

If you force yourself to recognize forest depletion, you might have to consider what can be done about it. If not all the wood is gone, we could legislate or regulate to reduce the annual cut so as to rebuild forest stocking. This would be to 'plan ahead,' as our state economist said, and to preempt some decisions that severely affect our community. These are decisions that the executive, the legislature, the state planning office, and the state forest service long ago should have addressed. I doubt this was done; for politicians and bureaucrats it is unspeakable. It would be to question divine will, as relayed by six or eight landowners.

To be at all effective, any restriction on forest cutting, or only on export of sawlogs, would have to be stringent enough to cause anguished cries from paper and sawmills, and reductions in wood consumption.

We heard the cries of those who believe they have the right to liquidate the forest at the introduction of Maria Holt's forest practice bill [LD 1764] before the Maine Legislature on February 14, 1994. Some ask why we have to subsidize landowners who are



*The log truck kicking up dust on the bridge across the wild St. John River is hauling unmilled logs to a mill in Quebec. Photo by Steve Gorman with assistance from Rudy Engholm of the Environmental Air Force.*

so self-oriented and independent. What few want to notice is that our paper mills are reducing their output, and laying off hundreds, permanently.

As Henry Magnusson of the paper industry office put it, "Maine has the largest contiguous industrial forest ownership in any state." Apart from exercising fully their opportunity to do great harm to the resource and the community, they have deployed a thoroughly integrated system of forest exploitation. The lumber sawn from exported logs constitutes about two-thirds of the log volume; the other one-third of the log is high-value chips and sawdust that Maine paper mills pay for. Thus, some of the log volumes reported as exported are also shown as imported fiber. No harm in this you might say, only a book-keeping procedure. OK, but don't be misled to assume that the imported fiber was grown as a tree in Canada. Few, if any, of the transactions known to the public are between independent corporations. Rather, most are between a landowner and a mill that is extremely dependent on that landowner. This is not a competitive market.

At the 1994 Down East RC&D

symposium on the global economy, David Field, University of Maine professor of forest economics, led off an expert panel with a simple chronology of laws and other restrictions on log export. In 1901 British Columbia banned export of round wood from crown lands. From 1928 through 1974,

*Deny the Tree-Growth tax shelter to landowners who export.... My idea would let the large landowners mill their logs in Quebec, if they must, but they would have to think about its cost, not to the community, but to them.*

federal or state laws limited log export from Alaska, Oregon, and California. Most recently, he told us that Southeast Asian nations had banned log shipments. Do these people see something that we are missing?

It takes a federal law to let a state ban log export. It is a route along which every peril of the lobbyist's craft is encountered. I have suggested a simpler way: deny the Tree-Growth tax shelter to landowners who export. In other words, no current-use taxation for exporters. In Maine, Tree-Growth valuation is, at most, one-quarter of the already low values at which industrial

land is being sold. My idea would let the large landowners mill their logs in Quebec, if they must, but they would have to think about its cost, not to the community, but to them.

To sum up: the flap over export is not irrational. It is founded on the unspoken, suppressed fear that we are

overcutting. The question is not: "Will we run out?"; it is: "When do the mills close?" The answer, in great part, is already in the 1993 Maine Forest Service report for Spruce and Fir—we have.

As the supply of one species diminishes, there is accelerated demand for another, said to be "under-utilized". This is the path into a black hole—constant demand chasing diminishing supply. To speak of this is unbearable to industry and government. In the face of obvious forest liquidation, one must ask if Maine's government is blind or dissembling?



# Property Rights & Responsibilities: A Survey of NH Timberland Owners

by Charles Niebling  
Executive Director, New Hampshire Timberland Owners Association

*Ed. Note: The New Hampshire Timberland Owners Association's 83rd Annual Meeting on April 30, 1994 featured a discussion on "Private Property Rights and Public Interests: Finding the Elusive Balance in New Hampshire." Prior to the meeting, NHTOA conducted a survey of its membership on property rights and responsibilities, the results of which are summarized below. In his introductory remarks to the discussion, Charles Niebling said:*

*"The NHTOA has tried to be a voice of moderation in the debate over the rights and interests of forest landowners. We have worked quietly and effectively to achieve some real respect for the legitimate concerns of our landowning members. I'm convinced that if we really listen to what landowners are saying, that the polarization that has characterized resource policy of late can be reduced. If we really begin to think about what land means to us, about what our rights and responsibilities as landowners are, and advocate our responsible exercise of property rights, that the public will increasingly respect and appreciate the role that private landowners play in New Hampshire and the region."*

Few land use issues have dominated the media more in recent years than the battle over regulatory taking of property rights. A mail survey of NHTOA member attitudes over property rights issues reveals that our members view both their rights as forest landowners—and their responsibilities as stewards of forestland—with equal importance.

The survey was conducted in the weeks prior to the association's 83rd Annual Meeting. The intent was to gauge member attitudes about their rights as forest landowners, and explore philosophies underlying these attitudes.

Nearly 300 members responded. The vast majority were landowners: small (less than 100 acres), medium (between 100 and 1,000 acres), and large (over 1,000 acres, including industrial ownerships). The balance were foresters, loggers and forest industry members. Complete results were presented at the meeting. What follows is a much-condensed version.

## Members Recognize Landowner Responsibility But...

We asked two questions to test basic philosophy. First we asked, "Do you believe that the U.S. Constitution clause which prohibits the taking of private property for public use without just compensation requires that any loss of property value which may result from a land use regulation should be compensated?" Over 75 percent agreed or strongly agreed with this.

It's important to note, however, that the courts have interpreted this statement differently. Based on U.S. Supreme Court opinions dating back to the 1920's, partially reducing the value of land by regula-

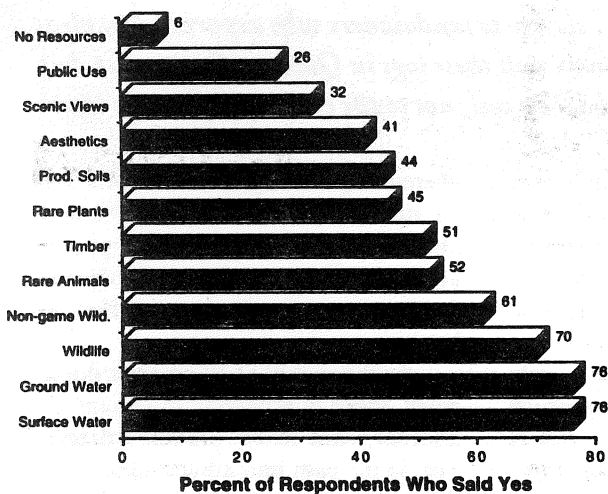


Figure 1: What resources on your land do you consider to be "public" resources which you have a responsibility to manage wisely for the benefit of other people and the environment?

tion is not unconstitutional. In the 1992 decision *Lucas v. South Carolina Coastal Commission*, the court said, "government may affect property values by regulation without incurring an obligation to compensate—a reality we nowadays acknowledge explicitly." Still, regulatory diminution of property value can be slow and insidious, which may be why many members agreed with this question.

The second question was, "Do you believe forest ownership carries with it responsibilities to society as a whole?" Over 90 percent indicated that they agreed or strongly agreed with this. Taken together, these questions suggest to me that our members recognize responsibilities in land ownership, but if regulations result in a significant reduction in property value, they believe they should be compensated.

## Surface Water as a Public Resource

We then asked, "What resources on your land do you consider to be "public" resources which you have a responsibility to manage wisely for the benefit of other people and the environment?" (Figure 1) Over 75 percent listed surface and groundwater, followed by game species of wildlife and fish, non-game wildlife, rare & endangered species, and timber. On the low end, a minority of our members listed public recreation, scenic views and aesthetically-pleasing forests, rare plants and soils. Six percent indicated that they considered no resources to be public resources.

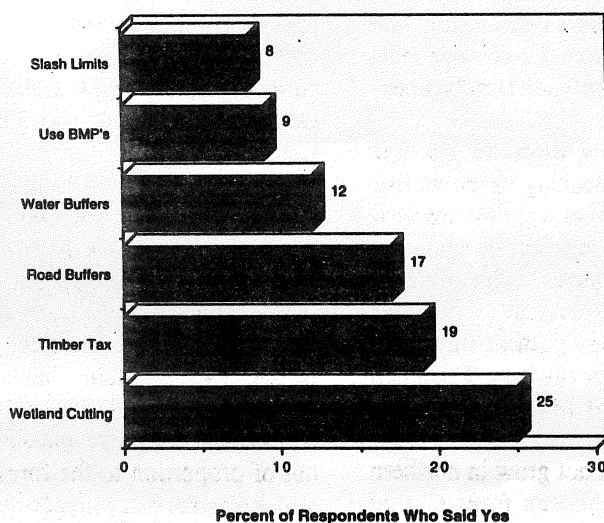


Figure 2: The State of New Hampshire currently regulates timber harvesting on private lands in a number of ways. Do you consider any of the following specific regulations to unduly restrict your rights as a forest landowner to manage your woodland?

## Wetlands Are A Concern

Our next question (Figure 2) was, "The State of New Hampshire currently regulates timber harvesting on private lands in a number of ways. Do you consider any of the following specific regulations to unduly restrict your rights as a forest landowner to manage your woodland?"

Twenty-five percent listed restrictions on harvesting trees in wetlands, followed by timber tax notification and harvest volume reporting, forested buffer requirements along roads, and forested buffer requirements along streams and water. Nine percent listed use of BMPs [Best Management Practices] when harvesting, and 8 percent listed slash limitations.

## Regulations: Good, Bad & Ugly

The next question was intended to gauge attitudes toward current forestry and local zoning regulations (Figure 3). We asked, "How do you feel about present N.H. state regulations of forest practices?" The results suggest that generally people are fairly comfortable with present regulations: 52 percent felt they are reasonable requirements to ensure proper protection of resources; 46 percent felt they are well-intentioned, but often fail to achieve their goals because of poor enforcement or administration. Only 3 percent felt they are too demanding and significantly reduce land value and the ability to earn income from it.

The results were different with respect to local zoning regulations. Our members are somewhat more concerned about their local zoning and subdivision

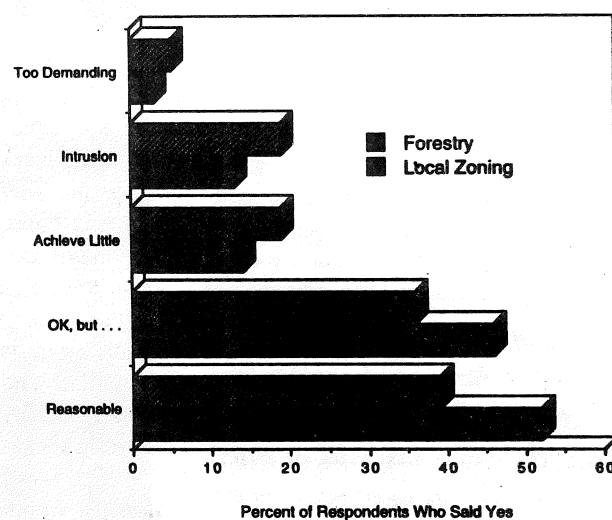


Figure 3: How do you feel about present N.H. state regulations of forest practices?

regulations than they are about state forestry regulations.

## Unfair Limitations

The survey also sought to gauge member thinking about possible future regulations that have been openly discussed in NH and the region for several years now (Figure 4). We asked, "Some have advocated increased restrictions on timber harvesting. Would you consider any of the following possible regulations to be unfair limitations on your rights as a forest landowner?" Nearly 50 percent of the respondents indicated that a requirement to hire a licensed forester to conduct timber harvesting under certain circumstances would be an unfair limitation. Members also considered the following to be unfair limitations; 43 percent indicated limitations on cutting where rare or endangered animal or plant species are known to exist; 39 percent said restrictions on harvesting in recognized white-tail deer wintering areas or other sensitive wildlife habitat would be unfair; about one-third of respondents felt that limitations on clearcut size represented unfair limitations on rights, and 30 percent indicated cutting on sensitive soils, such as those that are shallow, erosion prone, or low in nutrients.

## A Wish List for Change

We also wanted to test attitudes on what specific regulations our members felt most strongly about changing. We asked, "If you could significantly revise or eliminate three regulations imposed on private landowners by federal, state or local government, what would they be?" Our members placed highest priority on wetlands regulations, with 19 percent indicating a desire to see these changed. Others mentioned (in order) included: timber tax regulations, the Endangered Species Act, local zoning and subdivision regulations, federal taxes, and buffer zones along waterways and roads (most simply felt the law was not being well enforced).

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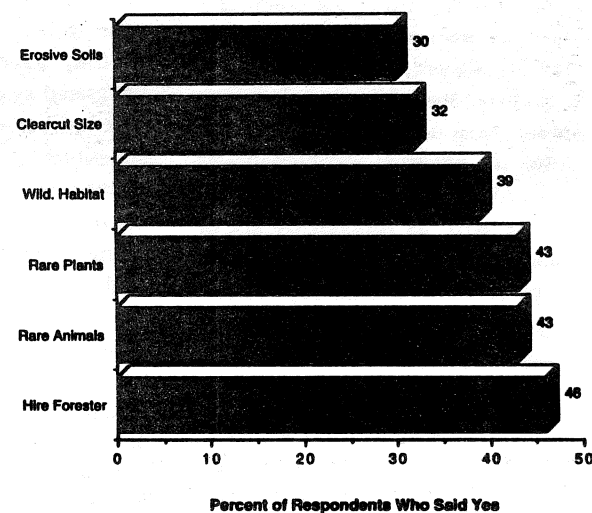


Figure 4: Some have advocated increased restrictions on timber harvesting. Would you consider any of the following possible regulations to be unfair limitations on your rights as a forest landowner?



# Maine Woodsman: 'There Are Few Old Hemlock Left Today'

by Martin Leighton

*Ed. Note: For six decades, Martin Leighton of Guilford, Maine has made his living in Maine Woods. Since the age of five, he has picked spruce gum, and fiddleheads; he has trapped and guided; and he has worked as a horse logger, a scaler, and a mill worker. He has seen the Maine Woods converted from a forest of large old trees to a tangle of clearcuts. And, he has observed the impact of industrial clearcuts on the streams, rivers, lakes and ponds of the region. In this article, he offers a brief history of hemlock logging and utilization in Maine. He is author of "Maine Woodsman Laments Destruction of North Woods," in the Forum, vol. 2 #5.*

Human beings are habitually short-sighted. We are aware of what is going on in the front yard and, sometimes, the back. We tend to go no farther with our observations until we are overrun by what is happening.

I gave an account of how the use of spruce by the paper company land changed from paper making to sawlogs quickly (*Forum*, vol. 2 #5). This demand for sawlogs expanded so fast people did not realize what far-reaching problems would result until quite a portion of the existing spruce forest had been consumed.

The machine age dramatically changed the whole concept of lumbering. It decimated forests, and drastically reduced the number of people employed in lumbering before most realized what was happening.

In 1948, back before this disaster struck, I was part of a crew that cruised the timber on the townships north of Harvey Pond on the Allagash River,

supplying the company with an inventory of standing timber on this region. There were no roads then, except for the river. We worked down the river almost to the old Taylor Farm, above the falls, reaching quite a distance back from the river, both east and west. Not one stump from the last cut could be seen in this region—only wall-to-wall old growth wood, predominately spruce and balsam. One section of T12 R12 had a growth of virgin spruce. Such a forest leaves a vivid memory forever!

This was just a small portion of the heavily wooded land owned by Great Northern Paper Company; at this point in time, standing timber was considered inexhaustible. However, fly over it today, and you will see how the demand for spruce sawlogs in the machine age of lumbering has changed this land of "surplus wood". It was, after all, far from inexhaustible!

Poor forestry—of taking small trees for papermaking, or destroying them in the cutting process—is still being done. This allows for no tomorrow in lumbering. It is unbelievable to me, but there are still people who think cutting like this can go on forever. I feel these individuals have a back yard largely unexplored.

Today, a new demand on our forests has been sneaking up on us like the spruce log market did. We are now shipping hemlock logs out of Maine to many foreign countries. It has quickly become full-blown demand, with more and more countries putting out more and more money for sawlogs. The much depleted forests of Maine are getting their full attention.

Hemlock does not grow in northern Maine's "vast unbroken forests" that have supplied so many of the spruce sawlogs. I have read two Maine news-

paper articles in the past year that stated that hemlock has been under-utilized. One writer even said hemlock was not used in papermaking! I shall give you the true history of the use of the hemlock tree.

Hemlock has been used over the years for sawlogs because its wood is outstanding for sills on buildings and flooring for horse and cow barns. In the last century and early in this one, hemlock was cut and the bark peeled off to use for tanning leather for the shoe industry. The trees were left to rot where they fell. The bark harvest first went to the hemlock of Pennsylvania. When the supply was exhausted, the tanning industry turned its attention to the Northeast. One man from Massachusetts had extensive operations covering several townships in Washington County, Maine. This covered quite a span of years, ending in bankruptcy, as so many woods operations have. Part of this time, he had a processing plant, delivering only the finished product for tanning.

I read an account quite a few years ago of an operation at Sebec Lake in 1925. Its horse teams had landed 200 cords of hemlock bark at the railroad in Dover-Foxcroft. This was, I believe, the last of the bark era.

The first trees to be used in papermaking were spruce and balsam fir. But poplar and hemlock followed before 1880. Demands on trees for papermaking were never huge until the start of World War II. This was huge, of course, by the 1940s standards, but small by the standards of the 1970s and 1980s when the demand for paper and sawlogs grew out of proportion to the forests we had, and poor forestry practices became commonplace.

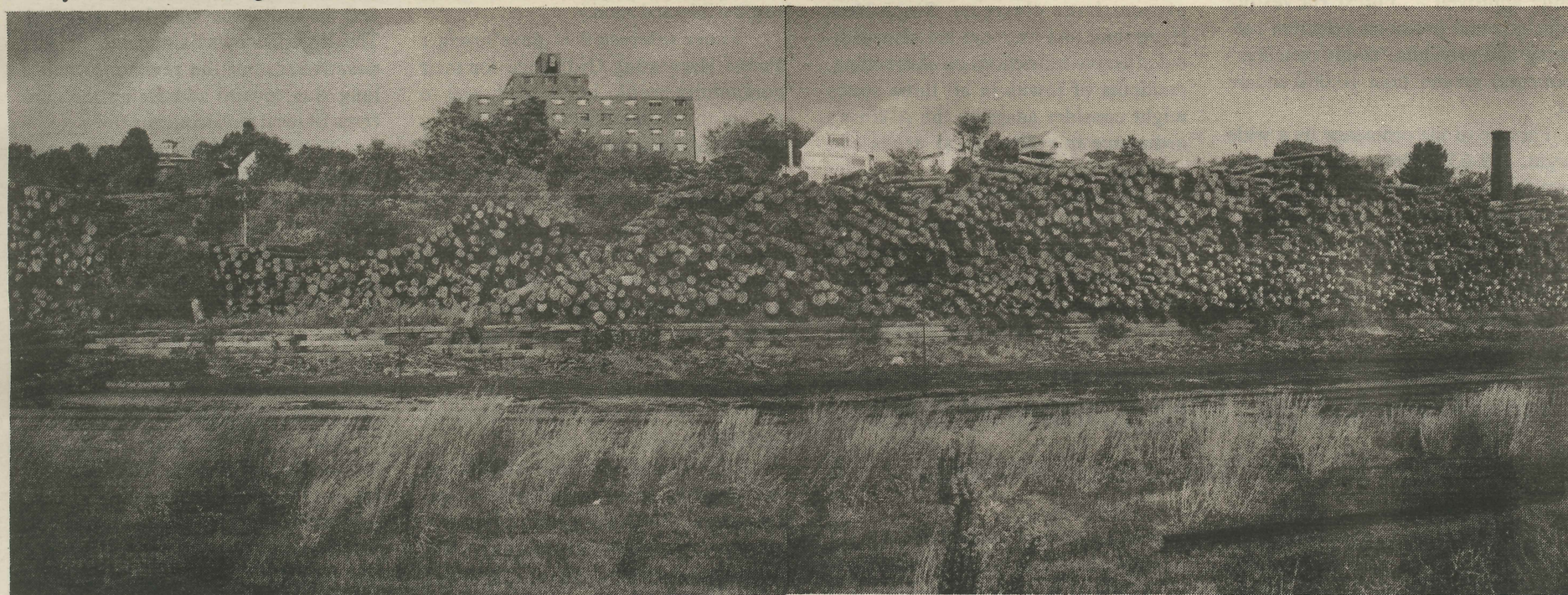
Since 1941, virtually all species of

trees have been used in papermaking, and hemlock has been one of the foremost. In the 1940s and 1950s, huge volumes of hemlock were going to mills in four-foot lengths. Some of these mills put the four-foot sticks through a grinder. These grinders took only sticks 18 inches in diameter. Although some woodsmen split the larger sticks so they would be accepted; most of these larger sticks were left to rot in the woods.

The recent newspaper articles on today's hemlock use I mentioned earlier might lead one to believe that out of sight of the highway, there are stately old hemlock just waiting to be harvested. However, a large part of these are, like most old growth, gone. There are very few huge old hemlock left today.

We are seeing a few forestry practices that are an improvement over those of the past 25 years of over-harvesting and cutting practices so bad they could be called ransacking. But with this new monster log market jumping full force on the Maine woods for its remaining logs, can forestry practices improve fast enough? I would like to think so, but I'm afraid I believe the greed to obtain green dollars, right-damn-now will be the deciding factor. With prices going up and the way the market is escalating, with far less forest to draw from, it will take very little time to cut all log size woods. We cannot afford to destroy young trees if we want to have a tomorrow in lumbering.

The great conservationist, Bill Dauphinee of Willimantic, once told me something I shall remember as long as I live: "When I cut a tree that took 100 years to grow, I can take the time to measure it carefully, making sure I get the most out of it. " If everyone who cuts a tree could think in that direction!



Some of the half mile of hemlock logs on Commercial Street in Portland. Photo by Fish Hawk

## Survey

Continued from preceding page

### What the Future Looks Like

And finally, we posed a rather open-ended question, again to try and gauge our members' philosophy. We asked, "What is the long-term outlook for balancing public interests and private rights? Is it getting better or worse? The results reveal our members' less-than-optimistic outlook. Forty-five percent indicated worse, 8 percent better, and 46 percent did not indicate. In this question, we also asked why people answered the way they did, and we got volumes of written com-

ments. We've attempted to summarize these comments for those who answered "worse", in order of frequency:

- Increasing value differences between urban and rural populations will lead to further lack of understanding.
- A desire by the majority non-landowners to have (or take) what the minority landowners have will lead to more regulation.
- Increasing population pressure coupled with a shrinking resource base will inevitably lead to more conflicts over resource use and regulation.
- Environmentalists want too much, have too much influence.

•Property rights, environmental extremists are polarizing view points and discouraging objective discussion.

•Too much government and a feeling of powerlessness against all levels of government.

Overall, the results of the survey provide valuable insight into our members' concerns and attitudes about property rights issues. The results will be valuable to the board of directors in developing policy over these issues in the future.

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# Maine Town Passes Strict Forest Harvesting Ordinance



This is one of the clearcuts that has ravaged 1500 acres of Atkinson, Maine in the past year. Sights such as this helped persuade Atkinson voters it is time to pass a strict forest harvesting ordinance. Photo by David Carle.

by Jamie Sayen

On June 14 voters of Atkinson, Maine approved a "Forest Harvesting Ordinance that promotes selection harvesting and prohibits "single openings" (clearcuts) greater than 10,000 square feet.

Passage of the ordinance by a wide margin, 129-63, reflects the sentiments of residents of Atkinson who are fed up with the large clearcuts that are destroying the forests of the town and the hard work of a small cadre of dedicated citizens who worked for a year to develop the ordinance and win public support. (Key sections of the ordinance are

reprinted on this page.)

This ordinance was made necessary because the state of Maine has no meaningful forest practices regulations that prevent large clearcuts. Since New Hampshire and Vermont are also without effective restrictions on clearcutting, residents of towns in all three states might consider adapting the Atkinson ordinance to reflect local needs and existing state statutes.

The timber industry dreads local forest harvesting ordinances, and the threat of many local ordinances will likely make the reluctant dragons of the timber industry more willing to cooperate on effective state-wide regulations.

(Note: the more progressive elements of the timber industry and community of professional foresters already recognize that we must address forest practices responsibly and soon.)

Those interested in developing a Forest Harvesting Ordinance for their community would be well-advised to follow the 3-step process used by the citizens of Atkinson:

1) **A core group of citizens developed a draft ordinance.** Represented in this small group was an experienced forester and long time champion of selection harvesting (Mel Ames), a soil scientist (George Bokaja), a local woodcutter (Sam Andrews), and concerned citizens (Janet Tapley and Charles Fitzgerald, who is the Green Party candidate for the House of Representatives for Maine's Second District).

2) **Involve foresters and large landowners.** After a few drafts of the ordinance, the core group invited a number of foresters representing large landowners, other foresters known for

their expertise, and representatives of the Maine Forest Service. These larger meetings addressed criticisms and concerns of the landowners and foresters, and the ordinance was duly modified. The large landowners remained largely unsatisfied, but the revisions went a long way toward addressing the concerns of local woodcutters.

3) **Public Meetings.** Next, the revised draft ordinance was presented at two public meetings that were well-publicized. At these meetings, proponents of the ordinance were able to illustrate the danger to the landscape of the town from "cut and run" operations that had resulted in the loss of 1500 acres in the last year in Atkinson. Public anger over the destructiveness of these clearcutting operations helped pass the ordinance.

The clear message from the Atkinson experience is: the length of the process helped create support for an ordinance which, without public input, education, and modifications, would not have passed.

## Excerpts from Atkinson's Forest Harvesting Ordinance Section VI: Performance Standards

1) Except in the third cutting of a shelterwood harvest, forest harvesting operations shall not remove in any 10-year period more than one-third the volume (basal area basis) of trees in any area. After the harvesting operation is completed, a healthy, well distributed stand of trees, with minimal damage to individual trees shall remain. The remaining stand of trees, one inch or larger in diameter, shall have a minimum basal area of 50 square feet per acre.

2) Forest harvesting operations shall not create single openings in the forest canopy of more than 10,000 square feet. Such openings shall be at least one hundred (100) feet apart. These openings shall be included in basal area calculations.

3) All trees cut must be delimbed at or near the cutting site. Roadside delimbing is not permitted.

For a copy of the entire ordinance, send a stamped, self-addressed envelope to the Forum.

## Fungi & Lichens Excluded From National Biological Survey

It appears that fungi and lichens are not important enough to be included in the National Biological Survey. Dr. Amy Y. Rossman notes in the December 1993 issue of the Mycological Society of America newsletter *Inoculum*, that it is unlikely that the U.S. Department of Interior will include fungi and lichens in the Survey.

Readers may wish to write and give their views on the importance of fungi and lichens. Please write: Dr. Eugene Hester, Director, NBS, Department of the Interior, Washington, DC 20240, or Thomas Lovejoy, Assistant Secretary for External Affairs, Building 317, MCR 020, Smithsonian Institution, Washington, DC. 20560.



# 1800-Acre Clearcut Angers Residents of Whitefield, NH



*It's Legal in New Hampshire! Ted Ingerson of Lecheval ("Horse") Logging of Whitefield, NH is liquidating about five acres a day with a hydro axe and a rubber tired shear that keep seven skidders busy on this 1800-acre tract in Whitefield and Twin Mountain. This tract abuts the Whitefield Bog (photo above) and is very close to another huge clearcut done earlier this year. Ingerson is well-known in Coos County for his scorched earth approach to logging; when asked about his plans by state wetlands investigators, he replied: "We're cutting wood." His intent to cut permit claims he will chip 1,000 truckloads of woodchips for local biomass plants ("renewable energy"?). Loggers, foresters, and neighbors are furious about this latest silvicultural catastrophe. Photo by Peter Riviere with assistance from Field Rider of the Environmental Air Force.*



## New Hampshire Must Outlaw Timber Speculation & Liquidation Now

Could this be the final straw for opponents of unregulated whole-tree clearcuts? Unless the state acts soon, towns such as Whitefield will have no choice but to enact stringent anti-clearcutting ordinances.

Ted Ingerson, with the help of a Boston-area financial backer purchased 1800 acres earlier this year from Jim Wemyss, Jr., who sold Groveton Paper to Diamond. Later, Sir James Goldsmith purchased Diamond in a hostile takeover in the early 1980s. The sale of Diamond lands in 1988 triggered the Northern Forest Lands Study and Council. The Diamond sale led to fears of subdivision and development.

But Ingerson's liquidation of 1800 acres exposes

the greatest threat to the Northern Forest region: liquidation-style "forestry."

The Speaker of the House of the NH Legislature, Harold Burns, lives in Whitefield. His silence on this issue has been deafening.

To prevent this sort of ecological catastrophe from occurring again, NH must immediately pass two pieces of legislation:

1) A Forest Practices Act that prevents large clearcuts (and there are many who believe that a clearcut of five acres is large); and

2) An Anti-Speculation tax similar to the Vermont "Land Gains Tax" that penalizes land speculators who

sell a parcel of land they have owned for less than six years. An extra tax is added on for selling after owning a tract for less than a year. New Hampshire must apply this tax to forest liquidators who harvest more than one-third of any parcel in the first ten years of ownership.

It is often said that in 1900 Whitefield—then a farming community—had no trees. Anyone flying over Whitefield today can see that the same may be true again in 2000 unless the NH Legislature acts responsibly and soon.

—Jamie Sayen



# New Brunswick~The Northern Forest Continued

by Mitch Lansky

Many Americans probably never noticed that anything was wrong with the map. The map, of the Northern Forest, appeared in a magazine article of one of the national environmental groups. The locations of large landownerships and public landownerships in the four state region were reasonably accurate. What jumped out at me was that to the east of Maine was the "Atlantic Ocean." Aroostook County residents would be surprised to learn that environmentalists think that farmers up here can go ocean surfing a few minutes after tilling their potatoes. Having crossed that border, I can safely say that on the other side is land, not ocean. The Northern Forest continues into the province of New Brunswick, Canada.

There are many similarities between New Brunswick and northeastern Maine. We share the spruce-fir/northern hardwood Acadian Forest. We also share the spruce budworm, which is a resident of the forest. In both regions, large paper companies have built mills and manage millions of acres of forestland. Indeed, some of the companies, such as Georgia-Pacific, Fraser, and Irving, are the same. In both regions, jobs are being lost to mechanization, and wilderness is being lost to the "working forest."

In our global free-trade economy, wood and labor cross the borders regularly. Indeed, trying to understand the Northern Forest without learning about the connections in Quebec and New Brunswick is like trying to understand an isolated ecosystem without learning about the influence of abutting ecosystems at the edges.

Americans, even when they know that the land does not end at the northern border, generally have a poor understanding of Canadian government and Canadian culture. A typical Canadian joke asks, "What's the difference between Canadians and Americans?" The answer is that Americans think there is no difference. There are differences, however, some of which are instructive.

## Crown Lands

Nearly half of New Brunswick's forestland is owned by the "Crown" under the control of the province's Department of Natural Resources and Energy (DNRE). There is little pretense that this public land is being managed for multiple uses or primarily for public benefit. Instead, the province is an exponent of the "happy coincidence," that whatever is good for the forest industry just happens to be good for the forest, wildlife, and the public.

The DNRE has leased the Crown lands out to seven large industrial corporations. The level of cut is based not on the biological needs of the forest, but the industrial needs of the companies. In the past, the companies got revenues from clearcutting (the common "management" technique), and paid the province a very modest stumpage fee. In return, the province paid for planting, thinning, herbicide spraying, budworm spraying, and fire control at a cost well over the returns for stumpage. In 1992,

the net loss, according to the Conservation Council of New Brunswick (CCNB), was \$29 million. Industrial-style, even-aged management is economically viable for the practitioner as long as it is heavily subsidized.

One might think that leasing half of the province's forest and owning 20% more would give the forest industry tremendous leverage over timber prices. It does. Up until 1992, first priority of purchase was supposed to go to private woodlot owners. The government is not supposed to compete (downwards) with its own people. But as the global paper industry recession deepened, Prime Minister McKenna changed the rules to make the companies "more globally competitive" (i.e., less locally competitive). As a result, the bargaining power of woodlot owners declined and timber prices went down 10%.

The Conservation Council has begun a campaign to get the province to manage Crown lands for public benefit. David Coon, policy director, has proposed dividing the Crown lands into community forests and distant forests. Community forests would be managed with local community planning and involvement. They would not be leased

they are not organized.

The New Brunswick Federation of Woodlot Owners has established a Woodlot Owners Trust which has invested in mills that will exclusively use wood from coop members. They have already purchased a hardwood flooring mill in Woodstock, N.B., and plan to build a sawmill nearby. If the woodlot owners can collectively get green certification, their products will have a market advantage.

The Federation has begun working out a Private Woodlot Management Code of Practice that will promote "environmentally and financially sustainable operations" on member woodlots. The Code is fairly comprehensive and covers economic, social, and ecological aspects of woodlot management. Going from the abstract of the Code to the concrete of practice in the real world will be a major challenge.

## Mechanization

As in Maine, New Brunswick woodcutters have been losing jobs to mechanical harvesters. In Canada, which has universal health care, workers' compensation is not the major excuse, as it is in Maine. Instead, indus-



*Clearcut in the Christmas Mountains. The mountain in the background is scheduled for clearcutting unless government policy changes soon. Photo courtesy of Conservation Council of New Brunswick.*

try claims they need these machines to be more competitive in the global marketplace. Companies argue that the machines are safe for workers and the environment.

## Woodlots

Private woodlots comprise nearly one-third of New Brunswick's forests. Unlike Maine, the woodlot owners are organized into seven regional cooperative marketing boards that can collectively bargain for better prices. The 1992 marketing legislation, of course, hurt the coops' bargaining power in the province, but the groups have found other ways to survive. They have discovered both exports and local value-added markets.

Some of the exports, as in Maine, are overseas. Ironically, due to Maine's growing shortage of softwoods, some of the best markets are just across the border at Champions mills in Maine for both studwood and pulpwood. Maine woodlot owners, for some reason, do not get the same prices that the Canadians do. Perhaps this is because

try claims they need these machines to be more competitive in the global marketplace. Companies argue that the machines are safe for workers and the environment.

Woodcutters in northeastern New Brunswick are not convinced. "I think they better find another way to compete," says Denis Landry, a woodcutter who is president of the Communication, Energy and Paper union Local 123. He and hundreds of other woodcutters have been protesting the use of mechanical harvesters. In the spring of 1993, Landry was arrested and charged with public mischief. He has pleaded innocent.

Norman Richardson, a woodsman of the Miramichi area, helped lead 175 protesters to force the New Brunswick Community College to remove three mechanical harvesters, used for student training, from a block of Crown land. Norman sees the mechanical harvester as not only replacing jobs and sending money out of the region, but destroying a way of life as well.

Not all the protests have been peaceful. In one incident last summer, a

timber harvester was firebombed in Madawaska County. Protesters pelted several police cars and private vehicles with rocks.

In Maine, we are not accustomed to larger environmental groups working in harmony with labor over forestry issues. Environmental groups in Maine, for example, did not support the Maine Woodsmen Association, which went on strike in 1975. Ben Baldwin of the Miramichi Environmental Society and David Coon of the Conservation Council, in contrast, have expressed sympathy with the woodcutters' struggles in their province. The machines, they claim are not only destroying jobs, but increasing the speed and efficiency of forest liquidation. The machines leave big ruts and do not disperse the tops and branches to rot and return nutrients to the soil. David Suzuki, a well-known Canadian scientist and environmental advocate, came to the Miramichi region last February to give his support to the plight of the woodcutters.

## Pesticides

New Brunswick has the dubious distinction of having run the largest, longest-lived forest pesticide spray program in the world. Starting in 1953, with DDT, New Brunswick has been spraying a variety of toxins over millions of acres to combat the spruce budworm. When Maine sprayed 3.5 million acres in 1976, New Brunswick sprayed 9 million acres. When Maine stopped spraying, after an all Bt program in 1985, New Brunswick continued with its chemical of choice, fenitrothion.

Canadian scientists have learned that fenitrothion kills birds (millions of which have been murdered over the years), fish, pollinators, aquatic invertebrates, and even amphibians. Officials, however, have repeatedly argued that the economic benefits justify the ecological costs (but the ecological costs have never been calculated).

In 1994, for the first time in 40 years, the government did not run a budworm spray program. For old-time sake, however, Irving found a 35,000 acre area that had some budworms and ran its own spray program.

## Model Forest

Canadian provinces have initiated "Model Forests" to demonstrate exemplary forestry. In Quebec, the province is leasing out 2,500 acre blocks in long-term stewardship contracts to local woodworkers, rather than to big industry. These leaseholders should be able to earn a decent living from the land. They must, however, cut under strict guidelines.

The Fundy Model Forest, in New Brunswick, is the result of collaboration amongst environmental and other organizations, woodlot owners, forest industries, and government. The object is to create an integrated management plan on around one million acres of woodlots, Crown land, Fundy National Park, and industrial land.

Although the planning and cooperation are admirable, the actual practice, to date, still resembles what went before. I have flown over this area and

*Continued on next page*



# New Brunswick's Last Wilderness Threatened by Roads & Clearcuts

by David Coon

The Appalachian Mountains rise up in north-central New Brunswick's highlands to elevations approaching 2,700 feet, the highest in all of the Maritime provinces. From there the small headwater streams flow north, east, and west into the Nepisiguit, Miramichi, and Tobique watersheds which drain into the Bay Chaleur, the Northumberland Strait, and the St. John River respectively.

In this remote part of the province, in what are known as the Christmas Mountains, one can still find small patches of forest that have never been logged. While the area has not escaped the fires and budworm infestations that are part of the natural disturbance regime in the Maritime forests, neither the 19th century timber barons nor the 20th century pulp and paper corporations had extended their reach into the heart of the Christmas Mountains—until now.

Commercial use of New Brunswick's forest began on a large scale in 1806, so almost all of it has been cut two or three times over the ensuing generations. But the difficulty of driving logs in the smaller headwater streams of the Christmas Mountains region, the cost of building roads in that country, and its distance from the mills left more than 50,000 acres of forest untouched by logging until recently.

Despite repeated public recommendations to establish a wilderness area in the vicinity, dating from as far back as 1990 (Department of Tourism and Heritage's Provincial Parks Master Plan), a logging road was pushed into the southeastern corner of the Christmas Mountains in 1986 by Repap, the Montreal-based pulp and paper company which holds the license to cut wood from this Crown land for its two pulp mills and sawmill.

Initially, this logging was contained to the eastern half of the Christmas Mountains, but in 1992 the entire region was opened up to logging with the completion of the Birch Lake Road through the heart of this virgin wilderness.

The nature of the forest in the Christmas Mountains varies considerably with altitude, soils, slope and micro-climate. Most of New Brunswick is covered by mixed Acadian forest, an ecological transition zone between the deciduous forests of the United States and the Boreal forest of Quebec. The Christmas Mountains, however, contain considerable Boreal-like forest above 1,500 feet with either balsam fir or spruce dominating. At lower elevations white pine and long-lived hardwoods such as yellow birch and sugar maple can be found mixed with spruce and fir or in small pure stands.

This is wild country that may have been one of the last refuges of the woodland caribou which disap-



Clearcutting on Christmas Mountain in New Brunswick. Photo by David Coon, Conservation Council of New Brunswick.

peared from New Brunswick in the 1930's. It still supports good populations of marten which have disappeared from many parts of the province as the areas of unfragmented older coniferous forest have shrunk to small pockets. In fact, it is the source of marten for restoration efforts under way in other parts of New Brunswick.

The endangered Canada Lynx is found in the Christmas Mountains, as are rare and endangered plants, and birds that depend on old coniferous forests. It's remoteness may even provide refuge for the mysterious Eastern Cougar. And of course some of those wild Atlantic Salmon that still find their way back to New Brunswick's rivers, spawn in the pristine headwater streams of the Christmas Mountains.

The largest patch of forest still unbroken by roads or clearcuts in the Christmas Mountains amounts to little more than 12,000 acres. It lies in the Tobique watershed in the northwest quarter of the region. Logging roads were under construction in the Fall of 1993 to open this one last large block of unbroken forest to logging. By the end of this year, the forest in this area too will be fragmented into small blocks, like the rest of the province's forests.

Nalaisk Mountain reaching a height of 2,675 feet

(only 15 feet lower than Mount Carleton, the highest point in the Maritimes), Serpentine Mountain and Mount Dasher dominate the landscape in this area. On either side are deep valleys through which Wright's and Vandine Brooks flow into the Serpentine River which in turn feeds the Tobique River. From there the waters which had their source in the highlands flow south in the St. John River for hundreds of kilometers until they finally reach the sea at the Bay of Fundy.

The Christmas Mountains straddle the traditional territories of both the Maliseet and the Micmac Nations. Negotiations are now under way with the federal government over Aboriginal title to the province as part of a comprehensive land claim, since the land was never ceded to the Crown.

For the last year, a coalition of more than 20 environmental, wildlife, conservation, aboriginal, salmon, and naturalist organizations representing close to 100,000 people have been working to convince the provincial government to establish a moratorium on logging and road building in the Christmas Mountains area.

During the moratorium an assessment of the potential for establishing a wilderness area within the

*Continued on page 31*

## New Brunswick

*Continued from preceding page*  
have been impressed with the size and distribution of clearcuts, some of which go to the edge of spectacular gorges in Fundy Park. Still, the process promises, eventually, to be more sensitive to aesthetic, cultural, and biological needs over the landscape.

### Christmas Mountains

New Brunswick has less than 1% of its land in parks or ecological reserves. It is dominated by "working" forests that work, primarily, for the forest industry. One area that has had very little, if any, cutting (until recently) is the Christmas Mountains—a remote area of hills from 1,750 to 2,500 feet high in north-central New Brunswick. The area contains the headwaters of a number of important rivers, and was, up until lately, considered too remote for logging. On a colored satellite photo, the region stands out as a green oasis in a desert of brown clearcuts.

Writers as far back as the late 19th century recognized the region as special. In 1902, the provincial legislature

recommended that a 900 square mile block, which included the Christmas Mountain area, be set aside as wilderness. Wilderness recommendation was made as recently as 1990 by the Provincial Parks Master Plan.

The Miramichi Pulp and Paper Company, which has the lease for the region, claims that the fir, which dominates the hills, is overmature, decadent and dying. They have already clearcut thousands of acres over the last seven years. They plan to clearcut much more to "save" the forest from natural disturbances. The "cure" (radical surgery), however, is far worse than the "problem."

The region is unique both geologically, and botanically. There are some areas almost bare of vegetation because of the numerous big boulders and gorges. Other areas have unique vegetation. Canadian botanist, Hal Hinds, has discovered a new variety of sedge there, and Alison Dibble, a Maine botanist, feels that the Christmas Mountains may have international significance. Some environmentalists in Canada and the U.S. would like to see the Christmas

Mountains connected by the Appalachian Trail corridor to Baxter Park. A coalition of environmental and Native American groups is calling for a moratorium on cutting.

### Conclusion

New Brunswick is a province where industrial forestry has run amok at the expense of biodiversity and human communities. The domination of industry and compliance of government is even worse in New Brunswick than it is in Maine. Compared to New Brunswick, where clearcutting, chemicals, and even-aged management dominate the landscape, Maine forestry almost seems ecologically benign.

New Brunswick, like Maine, is heading for shortfalls. How else can one explain why companies would be allowed to cut the last remaining wilderness for a few years' supply of pulpwood? If the forest were being managed on a sustainable basis, managers would never even consider cutting in such a special place. In the 1993 report of the DNRE, it is wildlife biologists, not foresters, who tell the truth

about the condition of the forest: "Analysis of present and projected forest structures has led to the identification of a depleted future supply of mature and overmature coniferous forest habitat."

Environmentalists, woodlot owners, and forest workers in the Northern Forest (especially Maine) would benefit from contact with their counterparts in New Brunswick on both a formal and informal basis. The problems we face are not just state problems; they are regional. The region is international.

### New Brunswick Contacts:

Conservation Council of New Brunswick  
David Coon, CCNB, 180 St. John St.,  
Fredericton, N.B. E3B 4A9

New Brunswick Federation of Woodlot Owners  
Peter DeMarsh, NBFOW, 88 Prospect St.,  
Fredericton, N.B. E3B 2T8

Either of the above addresses can give you contacts with the mechanical harvester protesters.



# Eastern Cougar Conference: Big Cats Need More Research & Protection

by Fife Hubbard

The Eastern Cougar Conference was held on June 3-5 at Gannon University in Erie, Pennsylvania. Organized by the American Ecological Research Institute, Department of Biology at Gannon University, Friends of the Eastern Cougar, Eastern Puma Research Network and the International Society of Cryptozoology, the conference brought cougar experts together for the first time to discuss the status of the puma east of the Mississippi.

Opinions differ concerning the existence of viable breeding populations of the two recognized eastern subspecies; 1) The Southern Puma, *Puma Concolor coryi*, with a historic range from Georgia and Florida west to Arkansas and Louisiana (now thought to be reduced to a few dozen individuals in Florida), and 2) The Eastern Puma, *Puma Concolor Cougar*, that once inhabited eastern North America from New Brunswick south to the Carolinas and west to Illinois. Though the cougar is officially thought to have been extirpated from the east early this century, the number of sightings recorded in the last decade by John Lutz of the Eastern Puma Research Network exceeds 2,000 in the U.S. alone.

Ted Reed, President of Friends of the Eastern Panther in Exeter, NH, is confident that by the end of this decade panthers (known also as mountain lions) will have recovered to the point that their presence is no longer debatable. He cited the abundance of prey, and the reforestation of New England as contributing factors to the cat's reemergence. John Harrigan, a newspaper owner and outdoor columnist from Colebrook (who did not participate in the conference), NH agrees. Paraphrasing a recently deceased ex-president he says, "They're tanned, rested, ready, and they're back." Harrigan cites the officially acknowledged cougar presence in New Brunswick as a source for cats ranging into the Northern Forest. He also points out that while the forest is receiving a sound pounding through forestry, there are fewer people living there now than in the last couple of hundred years.

Rainer Brocke, a professor at SUNY-Syracuse ESF, spoke at the conference with less optimism. In a feasibility study for the restoration of cougars in Adirondack Park, he concluded that miles of roads, and humans per square miles in the Park (0.67 miles and 3.35 humans per square mile) are far higher than in known cougar habitat in southern Florida and southern Utah. These regions have road densities of 0.06 and 0.36 miles per square mile respectively, and human densities of 0.5 (Florida) and 1.6 (Utah) per square mile. Not only must the land be sparsely developed, according to Brocke, it must also be big. He concludes that a mature resident male requires up to 250 square miles of territory. Brocke further maintains that due to the cougar's low reproductive rate, the number of animals a breeding population can lose per year and still thrive is extremely low (1.5 animals per year for a population of 20, and 4.2 for a population of 60). These factors led Brocke to state that in his opinion cougar recovery in the northeast

is virtually impossible.

Harold B. Hitchcock, a retired biology professor of 25 years at Middlebury College (who did not attend the conference), calls the idea that panthers need such roadless areas "bunk". "We've got cougars right here in Middlebury township... between houses!" Hitchcock continues, "I've been interviewing people who have had contact with cougars for 20 or 30 years. There is no doubt in my mind at all that cougars exist here in Vermont. There was one killed on Route 7 last fall. The fellow that hit it didn't want to get his car bloody so he draped the animal over the guardrail. He said when he picked it up by the tail felt like a baseball bat, that's a big fleshy cougar tail." John Lutz, director of the Eastern Puma Research Network questions Brocke's calculations of individual cougar ranges. "He makes his assumptions on the western cat and its specific habitat," Lutz said. "In the east, according to data collected early this century, female cats maintain a territory of 15 to 35 square miles. Male cats occupy up to

the remainder must be accounted for. 2,265 people can't all be mistaken (Lutz maintains that only 1 in 10 sightings are reported). Explanations for the sightings of cougars thought to be extirpated from the east nearly a century ago range from Lutz's assertion that a breeding population exists, to skeptics' claim that these animals were once held in captivity and have subsequently escaped or been released. A third alternative is that cats seen are solitary animals ranging from known populations in search of new territory.

Legislatively, the Eastern cougar exists in limbo. While it is thought by most state and federal agencies to be extirpated in the east, it remains on the endangered species list. To further complicate the issue, many believe the Eastern cougar is indistinguishable from western cats, a species that does not carry endangered status. This effectively nullifies the protection of cougars in the east outside of Florida and Vermont because anyone killing a cougar east of the Mississippi can claim the cat was an

age and gender. "We're just chasing our tails," Tischendorf says, "are they native? Who knows? Who cares? This is a highly adaptive animal that once ranged from the Yukon to the southern tip of South America. It is most likely that what we have in the east is a mongrel mix of remnant eastern cats, ranging western cats and some exotics that have been released or have escaped captivity." Tischendorf is currently focusing his efforts on changing the law so that all cougars are protected in the east.

Establishing the existence of a breeding population of Eastern cougars could be an effective tool with which to protect wilderness under the Endangered Species Act. Susan Morse, a predator habitat specialist from Vermont cautions against such a strategy. "I don't want to limit this to cougars. We have wildlife we know exists that we are not taking care of." Morse cites the black bear as an example, "We have 2,300 to 2,500 black bear in Vermont. We know where they are and how they move throughout the season." She contends that if our society is interested in the preservation of habitat for large-ranging carnivores (and recent Northern Forest Lands Council listening sessions has shown that it is), we must demand that "our sleepy politicians wake up and smell the coffee and increase the appallingly low budgets allocated to the state's natural resource management agencies."

Given the funds, state agencies could do some fundamental yet truly necessary work. For example; since bears often range westward out of the Green Mountain National Forest, Morse feels that the Vermont Bear Team should be funded to inventory these road crossings along Rt. 116 (often stream beds passing beneath the highway) that are so vital to the bears' (and bobcats') ability to range into suitable habitat to the west, and then help the affected landowners to insure these avenues remain open. Such plans are crucial to combat habitat fragmentation of carnivores and prevent the recolonization of extirpated species. Morse currently works with the conservation commissions of several Vermont towns setting up citizen track and sign survey teams to gather this sort of information. "I am deeply skeptical about the emphasis on computer modeling and genetic conjecturing in the biological sciences. We are relying upon university and government institutions for answers to problems that are not necessarily being investigated in a comprehensive way; nor are local citizens consulted or empowered by this system. Field based monitoring skills, practiced by the people who live in each region, have much greater potential for long range conservation planning."

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Western Cougar. Photo by Susan C. Morse

100 square miles overlapping the territories of several females."

Lutz eschews the computer-generated studies Brocke relied on to calculate the feasibility of cougar recovery, in favor of reported sightings. He began collecting data from sightings in 1965 while working for a radio station in Baltimore. Since starting the Eastern Puma Research Network in 1983, he has chronicled 2,265 sightings in all 25 states east of the Mississippi. In the Northern Forest, Lutz has recorded a total of 314 sightings (176 in NY, 31 in VT, 32 in NH and 75 in ME). Of the sightings in the Northern Forest, 219 were of tawny cats, 69 were of black cats and 26 were of cubs. Lutz's data is consistent with the records Hitchcock has kept of cats in Vermont since 1944. Roughly one-quarter of the cats both researchers have tallied have been reported as black. Also there has been a similar percentage of sightings that included cubs in both men's work.

While many of these sightings are regarded as cases of mistaken identity,

exotic animal released from captivity. In Florida any large cat is protected by the Endangered Species Act under the "similarity of appearance" law which protects anything that looks like a Florida panther. Thanks to the efforts of Hal Hitchcock, similar protection for the cougar exists in Vermont where state authority protects any *Felis Concolor*, regardless of subspecies designation.

Jay Tischendorf, mountain lion expert from the American Ecological Research Institute in Fort Collins, Colorado, sees the focus on the genetic origin of the cats in the east as irrelevant. "In the last ten years officials have begun to acknowledge the validity of mountain lion sightings in the east." Trying to determine the origin of these animals before offering them protection is absurd. In the first place the cat must be killed to perform tests that may or may not reveal its heritage. Furthermore designation of the subspecies *Puma Concolor Cougar* is based upon data collected from eight skins of varying



# Letter Writer Objects to Dead Coyote Caption

To the Editors of *The Forum*,

Today I was pleased to receive the "Letter Writers' Guide 1994" edition of your paper. Up to this issue I have enjoyed reading most of the information about the Northern forestlands that your forum has provided. However, on page 6 of this latest edition I was deeply disappointed and outright shocked to find such a blatant presentation of pure misinformation. Accompanying the article by Dr. Stephen C. Trombulak about Recommendation 13 of the NFLC's Draft Report is a photograph of a pile of dead coyotes taken by photographer Stephen Gorman. The information in the caption below the photo is so utterly false and damaging to the credibility of your publication that I am amazed you would publish such a thing.

First of all, the caption states that the 14 dead coyotes in the picture were taken by a trapper for the bounty that the State of Maine pays on their destruction. This is utter nonsense. Maine has no such bounty on coyotes and rarely uses this tool in wildlife management. Secondly, the caption states that, "Aside from the cruelty involved, state sanctioned murder of species such as coyotes..." Words like "cruelty" and "murder" are used specifically to target the emotions of people who have no experience with the realities of nature. One day a few winters ago I came upon a doe deer that had just been killed by two coyotes. From evidence in the snow it was clear that the doe had first been separated from her fawn, then when the coyotes had her down on the ice they started ripping chunks of flesh from her living body. Natural forces operate with clear objectivity and I fail to see how a leg hold trap is much different than the fangs of a coyote; it's simply humankind's way of making up for the physical prowess it no longer possesses.

Trapping and hunting are both very natural way in which humans can directly participate in nature. Both activities are highly regulated by state and federal agencies that invest large sums of money (most of it from the fees of hunting and trapping licenses) in programs that seek to understand the habitats and populations of fur bearing and game species. Most hunters and trappers know more about and have a greater appreciation for the animals they pursue than any self-proclaimed animal "lover" or rights activist. These same hunters and trappers have nothing to gain and everything to lose from depleting their wildlife species to levels below that which is sustainable.

I would be willing to bet that the caption and photo on page 6 alienated some of your most knowledgeable supporters, the real people who live and work in the forests you would claim to protect. However, you undoubtedly appealed to the ignorant emotions of an untold number of urban dwellers whose very standard of living depends upon the destruction of these forests.

Signed,  
Eric C. Stirling

## Forum Editor Responds

Dear Eric,

You are correct that Maine does not have a "bounty" on coyotes. However, Henry Hilton of the Department of Fish and Wildlife informs me that the state of Maine sometimes pays some individ-



*This photo of 14 coyotes trapped in northern Maine with neck snares appeared in the last issue of the Forum. The caption incorrectly stated that the State of Maine pays a bounty on coyotes. It does, however, pay some trappers to kill coyotes in a futile and discredited effort at Animal Damage Control, a barbaric practice that must cease immediately. Photo by Stephen Gorman.*

uals who are registered with the Agency to handle certain "nuisance" animals—mostly beavers and skunks. In some areas of the state, there are registered trappers who are paid to trap coyotes. The photo which offended you was of coyotes killed by one of these registered trappers. He does receive money from the state. So, technically, you are correct, and we apologize for implying that the state has a bounty on coyotes. Nevertheless, I believe we are correct in our claim that the state pays money for dead coyotes, and I further believe that such a practice is cruel and utterly unwarranted. Mr. Hilton informed me that after more than 20 years of coyotes in Maine, there are more deer than ever.

Furthermore, persecution of coyotes doesn't work. After more than a century of persecution of coyotes in the west, in which millions of innocent creatures have been shot, trapped, and poisoned, there are more coyotes than ever.

Why do governments sanction the willful destruction of these magnificent creatures? Quite simply they are pandering to the ignorance and bigotry of humans who falsely claim that coyotes are a threat to deer (or other game animal) populations (or sheep and cattle ranching in the west). Since this is a false claim and since animal damage control doesn't reduce coyote populations, I can only conclude that we humans are a pretty mean-spirited lot. We murder what we hate and don't understand. Why? I think a lot of it has to do with our unwillingness or inability to share this beautiful land with other creatures. You defend human hunting and trapping of deer, yet are appalled when a predator engages in a perfectly natural act of killing its prey. This is a double standard that ought to be reexamined. We humans are far and away the worst killers and wasters of life on this planet (killers of human and non-human victims).

Now, you should not extrapolate my criticism of coyote persecution into

a condemnation of all hunting and trapping. I was only attacking the evils of animal damage control. Your defensive assumption that I was calling all hunters and trappers immoral led you into a thoroughly unjustified attack on people who do not share your love of hunting and trapping. I live in a very rural community. Many of my neighbors hunt and trap. Many of my neighbors hate hunting season because they are afraid to go into the woods during a particularly lovely time of the year for fear of getting shot by someone like the dimwit who shot Karen Wood a few years back. (You may recall that she was shot within a few yards of her house by an "experienced" hunter who had a buck only license. How a jury acquitted him of manslaughter when he shot both the wrong species and the wrong sex is a mystery to me.)

I would urge responsible hunters to respect the views of those of us (whether urban or rural dwellers) who dislike irresponsible hunters, who dislike clearcuts that are touted as promoting "wildlife habitat", and who are appalled by state sanctioned murder through ADC programs. If you and other hunters insist on making it an "us vs. them" issue, you'll lose, because there are more non-hunters than there are hunters. If you want to work with us to police the drunks who shoot at anything that moves, and think they have the right to terrorize the rest of us, and if you want to work with us to debunk the myth that coyotes (or wolves and cougars) should be persecuted to "protect" deer so that humans can shoot them, there might be a future for hunters like yourself. Name calling and stereotyping us all as ignorant urban-dwellers will only reinforce another unfair stereotype: that all hunters are ignorant, bloodthirsty slob.

Incidentally, you wrongly assume that the 14 dead coyotes were trapped in a leg hold trap. They were taken by neck snares. The color print clearly shows the snares, but, unfortunately,

that detail is not clear in the *Forum's* picture.

Sincerely,  
Jamie Sayen—Editor

## Stirling II: Coyotes Are Very Beautiful Animals

Dear Jamie,

Thank you very much for your thoughtful and well-written response to my letter concerning the bounty on coyotes. I appreciate that you were willing to commit the time to defend your beliefs and acknowledge that there is no bounty on coyotes save what Mr. Hilton indicated is paid to ADC officials. It is only through exchanges like this that progress can be made between people holding different viewpoints.

I would like to say that my primary reason for writing to the *Forum* was to check what I saw as another case of slanted reporting. It seems that more and more done in all branches of the media is done from a purely emotional or half-truth basis. There is often little concern for showing the other side of the story and giving people the tools to make their own educated decisions. Up until I saw that photograph and caption I had been pleased with the informative nature of the *Forum*.

As for coyotes. I agree with your statement about coyotes being very beautiful animals that should not be hunted out of hatred or jealousy for the deer they feed upon. Though it did not come out in my letter, I do not support most ADC programs; they are generally political in origin and not scientifically based. They don't work except in cases of specific individual trouble animals. As for the coyote-killing-deer scene I described. I was not "appalled" by this as you assumed but was trying to illustrate how objective nature is. In my northern Maine culture it is just as "natural" for a human being to kill a deer as it is for a coyote. When I wear my beaver fur hat I'm doing it because it's warmer than any manmade plastic material, it reminds me of my heritage, and it is also reminds me of the animals and their habitat that I share a home with.

Thank you once again for your response. From it I learned how open my writing was to false assumptions (you made about five from it). You also revealed several weak points of my argument that could use some patching up.

Sincerely,  
Eric Stirling

## Sayen II: Free & Open Discussion is Essential

Dear Eric,

Many thanks for your gracious letter. I apologize for faulty assumptions I made in your first letter. Your letter makes a valuable contribution to the effort to achieve greater understanding of difficult issues facing those of us who love the Northern Forest region. Resolution of these issues is far more likely through a free (sometimes free-wheeling) and open discussion of contentious ideas than via mushy "compromises" and "consensus" that only avoid the difficult issues.

All the best,  
Jamie Sayen



# Group Works to Restore Wolves to Adirondack Park Region

by Scott Thiele

Will the Wolf roam Adirondack Park once again? That's the goal of the Adirondack Wolf Project based in Lake Placid, NY.

Our ancestors drove the Wolf out 100 years ago, and AWP believes it's time to bring the Wolf home. The last Wolves in New York were likely killed before 1900. Records show six Wolf pelts were brought in for bounty money each year in 1895, '96 and '97, followed by a single pelt in 1899. Bounties paid after that are thought to be coyotes.

The Adirondack Wolf project is calling for the return of the Wolf to the 10,000 square-mile Adirondack Park and other areas of New York and New England. AWP is urging the New York State Department of Environmental Conservation and the U.S. Fish & Wildlife Service to take actions needed to bring about Wolf recovery.

AWP has arranged 11 public forums on Wolf recovery across the Adirondack region in June and July. The programs are designed to educate the public about Wolves and give people a chance to voice their opinions and hear what their neighbors think about Wolf recovery. Each program features a slide show, video program and an educational exhibit.

An overflow crowd of 110 people showed up for AWP's first public forum at Lake George, hosted by the Adirondack Mountain club at its headquarters building.

AWP's presentation described the Wolf's pack structure, its remarkable communication skills, dietary needs and territory requirements. It delved into the history of the Wolf-human relation-



This photo of a timber wolf was taken in Montana by Susan C. Morse.

ships, drawing on legends from native people as well as Roman mythology which tells us Romulus and Remus—the founders of ancient Rome—were cared for by a benevolent, She-Wolf, who was probably the goddess Lupa.

Our culture's fear of the Wolf can be traced to the widespread medieval belief in werewolves and subsequent fairy tales such as *Little Red Riding Hood* which casts the Wolf in the role of the villain. The Adirondack Wolf Project reminded people that wolves do not eat grandmothers; in fact, more people get hit by lightening and pizza delivery trucks than will ever be bothered by a Wolf.

When AWP's hour-long talk ended, the crowd had its turn to voice its concerns. Someone asked, "Will Wolf recovery mean people can't use their land when Wolves are on it?" Another wondered, "How would the Wolf affect

deer numbers?" Someone else felt Wolves would have a hard time surviving because unscrupulous hunters would shoot them. One by one, for an hour, people raised questions, talked things over, and listened to each other.

Most people favored restoring the Wolf to the region. "I came here with an open mind", a man said, "but I would say at this time I would like to see the Wolf brought back." As people filed out, several came forward to volunteer in AWP's campaign.

More forums are scheduled at Tupper Lake, Lake Placid and Old Forge among other places. AWP is looking to hold 30 public forums across the region from October through December, and is seeking host sites.

AWP is also establishing a network of local coordinators who can rally support in their community for the Wolf's return. John Nemjo, AWP's Local Coordinator at Inlet, NY, sees good things ahead. "The more wilderness in Adirondack Park, the better off we'll be. That goes for our economy too. Tourism supports most of the park's economy, and the Wolf's presence will draw more visitors searching for the essence of wild America."

Nemjo knows his economics; he's the owner of Mountainman Outdoor Supply Company at Inlet. He has a small troop of volunteers who are now promoting the campaign.

Experience elsewhere bears out Nemjo's assertion. The Wolf's presence helps draw millions of people to northern Minnesota because the Wolf adds a mystique of wilderness that no other animal can generate. A federal study indicates Wolf recovery in Yellowstone Park will add \$43 million annually to the region's economy. At Algonquin Park up to 1,000 people show up each night to take part in "Howl Night" events.

AWP was founded in 1993 to provide leadership in advocating Wolf recovery and to resolve problems associated in Wolf restoration. It works closely with people at the local level while mobilizing support at state, regional and national levels to educate the public and policy-makers about Wolves and address their concerns about Wolf recovery.

Wolf recovery in northern New York can have a strong significance for wildlife recovery around the world. The world looks to the USA for leadership. If we fail to restore and protect our most

prominent missing animal, how can we expect India to save its Tigers, Africa its Elephants, Java its Rhinos or Mexico its Jaguars?

Michael Wilson, a Wolf enthusiast and AWP supporter at Raquette Lake, shares that idea, "By restoring the Wolf, we can announce to the world that we've made a commitment to restoring our natural community. Wolf recovery makes a powerful symbolic statement, more than restoring any other animal."

Public support for Wolf recovery is growing, according to surveys in other parts of the nation. Even among hunters, a group not always favorable to predators, there is strong support. One survey found 71% percent of Michigan hunters agreeing with the statement, "I would be proud to live in a state that restored Wolves." AWP is arranging public attitude surveys in New York.

AWP believes northern New York could support 100-150 wolves in the Adirondack and Tug Hill region. Each pack would likely need a territory of some 200 square miles.

Nearly 2,000 Wolves live in the lower 48 states, with some 1,750 in Minnesota, 50 in Wisconsin and Montana and a dozen or so in Michigan and Idaho. A few have appeared in Washington from Canada, and the Oregon Canid Survey has found evidence of their survival in remote areas. The Red Wolf has been reintroduced in the southeast, and later this year Wolves are due to be restored to Yellowstone National Park in Wyoming. Recovery of the Mexican Wolf in the southwest will begin soon.

Wolves are occasionally sighted in Adirondack Park, but they are likely released pet hybrids. There are some 250,000 Wolf hybrids pets in America, and each year some owners decide they won't keep them anymore and turn them loose.

Wolf recovery is important to society. Restoring the Wolf is an important step in bringing an end to our war on nature. By restoring the Wolf, society is admitting mistakes of the past and attempting to restore a measure of balance, completeness and wholeness. To many people the Wolf is a symbol of the American wild, a powerful symbol of freedom and the natural heritage that belongs to all of us and to future generations.

## Contribute to the Adirondack Wolf Project

AWP's campaign is a grassroots effort. You can play a vital role in the effort to restore the Wolf to the Adirondacks as a volunteer or financial supporter. AWP tries to get more done with fewer dollars than any other group.

Please make checks payable to: Adirondack Wolf Project, POB 1300, Lake Placid, NY 12946.

## Arrange a Public Presentation from AWP

AWP will be presenting slideshows and forums across the state, and has a toll-free phone number (1-800-310-WILD) for anyone seeking information or wanting to arrange a program in her area. Contact AWP at: Adirondack Wolf Project, POB 1300, Lake Placid, NY 12946.

## Cougar

Continued from page 24

prehensive way; nor are local citizens consulted or empowered by this system. Field-based monitoring skills, practiced by the people who live in each region, have much greater potential for long range conservation planning."

Morse would like to create a network of citizen volunteer track-and-sign survey teams trained to carry out a systematic investigation of their region. These teams would provide data critical to understanding the needs of elusive carnivores. The focus is on carnivores or "umbrella species" because their presence is indicative of a healthy system.

John Harrigan believes that as evidence of the presence of cougars in the east mounts the resistance of state and federal officials to acknowledge their presence will erode. He compares it to the grudging acceptance of the presence of the coyote in eastern states. The difference is that the Eastern cougar is an endangered species which makes the matter a costly one for already strapped Fish and Wildlife agencies. Given the choice, such agencies would prefer to avoid the controversy of managing for a wide-ranging endangered species. Jay Tischendorf points to a situation where the scientists studying the Black-footed ferret were forced to raise \$70,000 above the federal fund-

ing to keep the baseline study going. He simultaneously points out that money for the protection of cougars would be well spent because the protection for the cougar would extend down the food chain to all other species.

Regardless of the stance taken by attendees of the first Eastern Cougar Conference regarding the existence of the *Puma Concolor Couguar*, the refrain was unanimous. We don't know as much as we should about the cougar and its wilderness habitat, and we can't rely on government agencies to provide the answers. In Susan Morse's words, "...solutions to the impending biodiversity crisis will depend on the combined effects of millions of people effecting change through personal action. Current political and economic priorities and ways of doing business must change, yet must reflect profound changes in the minds and souls of individual people. Each of us has the biological and moral responsibility to participate in this vital process. Working together through local, broad-based citizen conservation initiatives, we have the opportunity to insist that research ask the right questions; that managers manage for species and ecosystem health, not just resource extraction and manipulation; and that planners and politicians do their job and plan appropriately for the future as well as the present."



# Beyond The Jewels ~ Land For Sale in Adirondacks

by Michael G. DiNunzio

Have We Focused Too Narrowly On Protecting The Special Places In The Northern Forest?

Much progress has been made in recent years toward the goal of protecting the high-priority conservation areas in the Great Northern Forest, and we should celebrate these successes. But I think the time has come for us to take stock of progress toward the larger goal of integrated landscape conservation. Reaching this goal requires a strategy for sustaining the public and private values of what some have called the "plain vanilla" working farms and forests that dominate the region and largely define its open space character. It also requires that we plan for the long-term protection of several other landscape components which to date have received scant attention.

Much of the Northern Forest continues to be fragmented and "cherry picked" of its choice development sites on shorelines, along road corridors, and in scenic vistas. In many areas, questionable forest practices and unsustainable harvesting of wood and fiber are crippling the ecological health of the land. We need to act quickly to reverse this insidious trend. And we need to break our fixation on the dazzling splendor of our environmental jewels. Otherwise, we could end up protecting scattered vestiges of our wildland heritage without sustaining either the human or natural communities of the Northern Forest. The Adirondacks provide an instructive example of how our collective lack of focus or resolve has been masked by some high-profile accomplishments.

In 1992, New York State adopted an Open Space Conservation Plan which listed eight priority conservation projects in the Adirondack Park. Two of those projects have already been protected and three more—totaling 17,000 acres—are slated for protection this

***A total of about 300,000 acres of Adirondack working forests, owned by various corporations, are presently at risk of conversion.***

year. Four of the five successful projects have long been considered "endangered jewels of the Northern Forest" by over 20 environmental groups who carefully track the fate of important lands in the region. Using the criteria of the "jewels", it would seem as though protection of our natural legacy is virtually assured. But it takes much more to sustain the forest than simply protecting its most glamorous tracts.

Over the past two years, Champion International Corporation and Domtar Industries, Inc. have each been working with separate teams of advisors to assess the private and public values of their Adirondack holdings and to find ways to sustain those values indefinitely. Together, these industrial giants own one-quarter million Adirondack acres. They underpin a major sector of the regional economy and have been responsible stewards of the land. Neither of these holdings are listed in New York's Open Space Conservation

Plan, although they may be added to this year's biennial revision. More importantly, state officials are reported to have responded with unenthusiastic coolness when Domtar representatives formally offered to sell conservation easements on the entire 105,000 acres they own in the Park. Following this rebuff, Domtar reluctantly placed all their lands on the open market, where they remain today.

Many knowledgeable observers feel that Champion will soon offer about 95,000 "non-strategic" acres for sale, perhaps after selling easements on these lands if the state or a conservation group can find enough money to do so. The most likely scenario, however, is one in which New York will scrape together the funds to buy fee title to some of the lands along the major river corridors which both Domtar and Champion own. This will protect the incomparable ecological and recreational values of these corridors, but will leave the bulk of the properties at risk. State fee ownership of large portions of the upland working forest lands may not be an appropriate option, since New York's "forever wild" constitutional provision would preclude managing them for timber production and could jeopardize the jobs related to such use.

The Domtar and Champion dilemmas are taking place against a background of forest ownership instability epitomized by the rise and fall of Henry Lassiter's Adirondack empire. Lassiter, who purchased 96,000 acres of Diamond International land in the Park in 1988, cut a handsome deal when New York later bought 15,000 of those acres and purchased conservation easements on another 40,000 acres. Subsequently, Lassiter added to his holdings and was then forced to place all 87,000 acres on the market in con-

nection with bankruptcy proceedings. Just as he was restructuring his debt, Lassiter was killed while vacationing in Singapore and the fate of his forest lands hangs in the balance once more. A total of about 300,000 acres of Adirondack working forests, owned by various corporations, are presently at risk of conversion.

Productive backcountry forests are only one example of the many types of landscape features which lie outside the spotlight afforded the jewels. If our goal is to sustain both the natural and human communities of the region, we need to provide long-term protection for all the various pieces of the puzzle that collectively form an integrated system of land use and conservation. In addition to working farms and forests, these "pieces" should include wildland reserves, greenways, recreation areas, protected shorelines, and human communities.

Some members of the plant and animal communities that comprise the Northern Forest can thrive within farms and forests which are managed sustainably. But other natural communities suffer from human intervention, and these must be protected as part of a system of reserves designed to sustain and enhance regional biodiversity. None of the Northern Forest states have planned for the implementation of a bio-reserve protection program.

Public travel corridors, including roads, trails and waterways need permanent protection within a system of greenways. Design of these greenway systems must consider the importance and vulnerability of scenic vistas. And greenways should incorporate public information and interpretive plans. Greenway programs are virtually nonexistent in the region.

Recreation and tourism are critical-

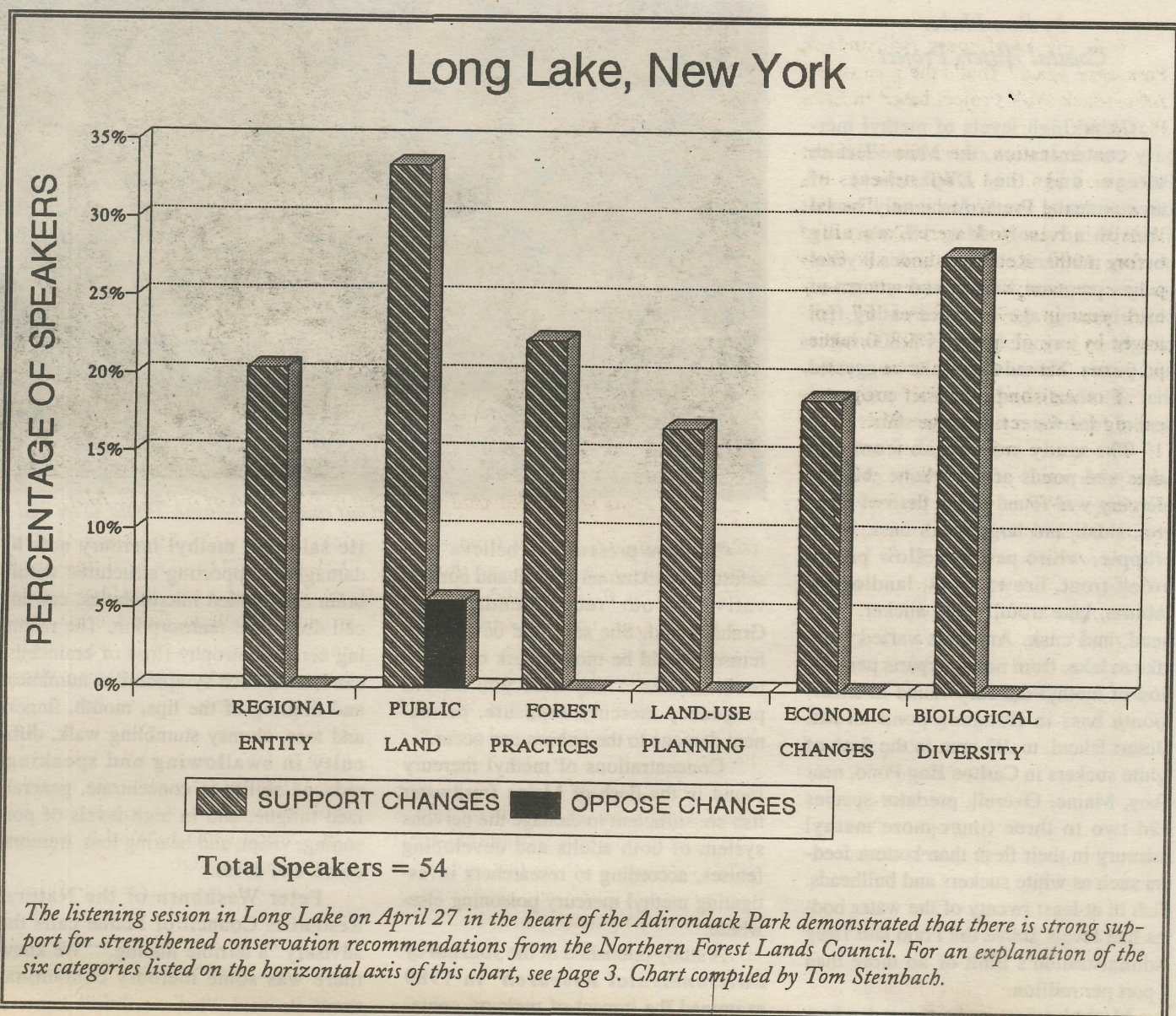
ly important components of the economic engine in the Northern Forest. We must protect and enhance the opportunities for public use of these lands for hunting, fishing, hiking, skiing, and other traditional pursuits.

Special consideration needs to be given to the protection of the lakes and ponds which are magnets for both recreation and the development of vacation homes.

Finally, we must ensure that the needs of human communities are addressed within our larger landscape plan. Some of these needs, such as farm and forest-related jobs, clean air and water, abundant and varied recreational opportunities, and aesthetically pleasing surroundings would flow from efforts to protect the landscape components outlined above. But communities also need affordable housing, opportunities for employment, convenient places in which to shop and do business, and they need the social and cultural amenities which help to bind residents to the land and to each other. Most communities also need room for growth, and this implies the need to zone and regulate human activities to prevent the eventual degradation of other environments and values.

We need to continue our efforts to secure permanent protection for the special places we hope to include as part of our wildland legacy. But we also need to avoid being blinded by the glaring reflection of our mounting hoard of environmental jewels. Otherwise, we may look up from our tasks of the moment and find that we are decorating a cadaver.

*Mike DiNunzio is Director of Education and Research for the Adirondack Council.*





# State Warns Dangerous Levels of Mercury Found in Maine's Fish

by Ron Huber  
Coastal Waters Project

Citing high levels of methyl mercury contamination, the Maine Health Bureau and the Department of Environmental Protection jointly issued a health advisory May 18, warning nursing mothers, children under 8 years of age, pregnant women and women of child bearing age to avoid eating fish caught in any of Maine's 5,800 lakes and ponds. The advisory also suggested that all others sharply restrict consumption of freshwater fish in the state.

The study tested fish from 150 lakes and ponds across Maine. Methyl mercury was found in the flesh of pickerel, small and largemouth bass, black crappie, white perch, yellow perch, brook trout, brown trout, landlocked salmon, lake trout, white sucker, bullhead, and cusk. Amounts varied from lake to lake, from nearly 2 parts per million of methyl mercury found in smallmouth bass in Hodgdon pond on Mt. Desert Island, to .02 ppm in the flesh of white suckers in Carlton Bog Pond, near Troy, Maine. Overall, predator species had two to three times more methyl mercury in their flesh than bottom feeders such as white suckers and bullheads. Fish in at least twenty of the water bodies had levels above the Food and Drug Administration's limit of no more than 1 part per million.

Methyl mercury is created when inorganic mercury discharged from industrial or other sources is absorbed by bacteria present in lake and pond sediments. Bacteria convert inorganic mercury to organic methyl mercury molecules (essentially a mercury atom with one carbon atom and 4 hydrogen atoms attached to it.) Predator fish can bioaccumulate methyl mercury to one million times the ambient level.

Dr. Lani Graham, director of the Maine Health Bureau, said that, as with her decision earlier this year warning consumers to avoid eating dioxin-contaminated lobster tomalley, the new advisory was based on conservative risk assessment.



Brook trout caught in Maine. Photo © by Ted Williams.

"For the present, we believe it is safest to be extremely broad and conservative in our recommendations," Graham said. She said that developing fetuses would be most at risk of neurotoxic effects. "Any time you have a pregnancy mercury exposure, permanent damage to the unborn can occur."

Concentrations of methyl mercury found in the flesh of Maine freshwater fish are sufficient to damage the nervous system of both adults and developing fetuses, according to researchers investigating methyl mercury poisoning elsewhere.

A study published in the *Journal of Environmental Research* in 1989 examined the impact of mercury contamination on infants in Iraq, New Zealand and Canada. The study, "Dose response of infants prenatally exposed to mercury", by researcher Christopher Cox found that prenatal exposure results in "derangement of the organization and layering of brain cells during fetal brain development." Behavioral effects stemming from prenatal exposure include lengthy delays in learning to walk and talk, susceptibility to seizures, and in cases of higher levels of exposure, mental and physical symptoms similar to cerebral palsy. The effects are considered irreversible.

Consumption of contaminated fish by children and adults can also result in a variety of problems, according to Cox.

He said that methyl mercury acts by damaging supporting structures within brain cells called microtubules, causing cell death and reabsorption. The resulting cerebral atrophy (loss of brain cells) can lead to such symptoms as numbness and tingling of the lips, mouth, fingers and toes, clumsy stumbling walk, difficulty in swallowing and speaking, reduced ability to concentrate, generalized fatigue, and in high levels of poisoning, vision and hearing loss, tremors, coma, and death.

Peter Washburn of the Natural Resources Council of Maine calls the advisory "a terrible finding." "We knew there was some mercury contamination," he said, "but we didn't know it was so extensive."

But surprisingly, the state has no plans to post warnings at marinas, boat ramps or other places visiting sport fishermen and other tourists might reasonably be expected to learn about the danger of consuming methyl mercury-laden fish. "We want to be responsible without frightening people," Graham said, adding that health officials will distribute brochures explaining the advisory.

The source of methyl mercury contamination remains unclear. Graham said industry outside the state as well as "limited local sources" contribute to the contamination. Pesticides and fossil fuels also contribute to mercury contamination, she said.

One of the "limited local sources", according to the Federal Toxics Release Inventory, is LCP Corporation of Orrington, Maine.

LCP produces chlorine for Maine's paper industry, and releases 7 pounds

per year into the Penobscot River and more than 1,000 pounds into the atmosphere.

How much contamination could LCP's air discharge potentially cause? To determine this, a bit of calculation is necessary.

\* 1,000 lbs= roughly 454 million milligrams.

\* 1 part per million=1 milligram per kilogram.

\* Posit an average fish at 1/2 kilo with an average methyl mercury level of 0.5 ppm.

\* LCP could be contaminating nearly 230 million fish each year.

This analysis is purely theoretical, leaving out as it does variation in fish size, potential for permanent deposition in sediments and mercury transported by river and air out of the region.

Still, it does show that "limited" may not be the proper term for in-state methyl mercury sources. Other in-state mercury sources may include municipal and toxic waste incinerators and pesticides.

Representatives of the recreational fishing industry were cautious about the advisory. A member of the Sportsman's Alliance of Maine said that the advisory will "promote catch and release fishing, which will be good for conservation." Non-resident anglers pump millions of dollars into Maine's economy every year. A drop in sport fishing in "Vacationland" could be disastrous for local economies.

Maine's advisory joins similar mercury advisories in place in New Hampshire, Massachusetts and Connecticut.

## Maine Lobsters Contaminated With Dioxin

Ed. Note: Abridged from article by Ron Huber first printed in Spring Equinox 1994 (vol. 2 #3) of the Forum

Citing high levels of dioxin contamination, the Maine Health Bureau issued a health advisory on February 2nd, warning nursing mothers, pregnant women, and women of child bearing age to avoid eating lobster tomalley. The tomalley (a large green mass inside the lobster's thorax) acts as the lobsters liver, removing and concentrating toxic contaminants from the lobster's blood, and is a traditional delicacy among New England lobster consumers.

The Maine study tested lobsters captured near the mouths of the Kennebec, Presumpscot, and Penobscot rivers, and from Saco Bay. The three rivers have dioxin-discharging paper mills upstream, while Saco Bay was used as a control site. Researchers discovered dioxin levels of up to 30.7 parts per trillion in lobsters tomalley from the three river sites, while dioxin levels in lobsters from Saco Bay were at 13.4 parts per trillion.

Floyd Rutherford, president of the Maine Paper Industry Information Office told *The Bangor Daily News*, "Dioxin is a societal thing. It comes from many sources, including incinerators, automobiles, and house fires." When asked by a reporter about the state's findings, Rutherford called the higher levels found in lobsters from estuaries contaminated with paper mill effluent, "statistically insignificant".

Natural Resources Council of Maine scientist Peter Washburn called Rutherford's statement predictable. He told reporters, "Dioxin in lobsters should be the nail in the coffin of industry's claim that dioxin is not a problem in Maine."

## Warning ~ Mercury Contamination

The Maine Health Bureau has determined that fish from ALL Maine Lakes & Ponds contain unsafe levels of methyl mercury

If you are pregnant, or childbearing age or under 8 years of age  
**DO NOT EAT FISH FROM MAINE LAKES OR PONDS**



For more information contact: Maine Health Bureau (207) 287-3201



# Spring Floods Breach Controversial Clyde River Dam

by Kevin & Karen Meitzler Coffey

During the early morning hours of May 1, 1994, in Norton, Vermont the rain-swollen Clyde River cut into the steep clay banks that abut the #11 dam, operated by Citizen's Utility Company (CU), collapsing it and causing the river to flow freely once again. 2500 cubic feet per second, or 500 times the minimum that CU's license allowed it to pass was now roaring down the old riverbed, blowing out 37 years' accumulation of silt and vegetation which had taken over the riverbed due to the lack of flows.

The day before, Northeast Kingdom Trout Unlimited members and Len Gerardi, VT Fish and Wildlife had been stocking salmon smolts when they observed the beginning of the bank collapse. When they returned the following morning, the river had escaped, the reservoir had drained, and the Clyde River had been resurrected. Calls went out and TU members from all over the Northeast Kingdom came to celebrate the miracle. The dirt road up to the dam took on the aura of a pilgrimage, with Newport locals making the hike, some to see once again the river of their youth, others to finally see the river of their dreams.

## Clyde River & Landlocked Salmon

The Clyde River rises in Island Pond and flows 34 miles northwest to Lake Memphremagog, draining 162 square miles and dropping 1600 feet in elevation, or 47 feet per mile. The river's average flow is 257 cubic feet per second (CFS). The Clyde River reached a peak flow of 3900 CFS on April 20, 1935. Spring high flows typically reach 1000 to 1200 CFS in an



*Spring flooding blew out #11 dam on the Clyde River. Rubble from the dam can be seen in the righthand foreground. The flood also washed away much of the bank to the left of the dam. Photo by Fife Hubbard.*

average year. Flows in the dewatered riverbed (called the "lower bypass" by Citizen's Utility Company) are less than 5 CFS.

Long and narrow, Lake Memphremagog is the second largest lake in Vermont, 33 miles in length and 6,317 acres in size. Lake Memphremagog's depth creates the oligotrophic, oxygen-rich habitat that salmon and smelt thrive in. Lake Memphremagog was famous for its landlocked salmon in early the 1900's.

Landlocked Salmon are found in oligotrophic waters, lakes which are characterized by low fertility, cold temperatures, abundant dissolved oxygen levels and incoming rivers with adequate spawning gravels and streamflow. These lakes are common in the recently glaciated regions of the Northeast and contain the conditions that landlocked salmon had to adapt to.

Salmon are very sensitive to fluctuations of currents once they enter rivers and can be driven back into the lakes by the lack of current. Dewatering during the winter months exposed eggs and fry to below zero temperatures, killing them. It also caused the production of frazil ice, glasslike shards of ice moving downstream in the flow, and anchor ice, ice that attaches to the substrate destroying deep pools useful for overwintering.

Significant dewatering of the eggs and fry in redds downstream of the #11 powerhouse has occurred yearly since the dam was completed in 1957. Below the dam is a 2800 foot dewatered section of the Clyde. Additionally, a quarter mile section of the river directly upstream of the #11 diversion dam was submerged as the storage as the storage area for the dam. This half mile was significant spawning and holding water for returning adult salmon. The existing FERC license allows for a minimum flow through the "lower bypass" of only 5 CFS, or about 1/50th of the average 250 CFS flow. Despite this low legal flow, Citizen's repeatedly violated its license releasing less than 5 CFS more than 150 times in a few years. The river below the dam which had been bedrock and clean gravel grew up in trees, shrubs and clumps of grass. Silt filled in

spawning beds preventing eggs and fry from getting oxygen, killing them.

## Dam Relicensing

In 1989, the Federal Energy Regulatory Commission (FERC) required the state of Vermont to begin to take public input on the relicensing of the Clyde River Hydroelectric Project, owned and operated by the utility of Stamford, CT. This series of public meetings acquainted, educated and mobilized a small group of private citizens to put forth a vision of what it wanted for the Clyde River. This vision will be considered by FERC, a semi-independent agency, which defines the terms under which hydroelectric generating facilities, on hydro-dams, may operate on our nation's rivers. FERC has the authority to issue licenses for periods not exceeding 50 years. FERC can also issue preliminary permits to applicants for a three-year period so that required studies can be completed.

Previously FERC was most concerned with generating the maximum power possible from a given watershed, but the Electric Consumers Act of 1986 forced FERC to consider the recommendations of state and federal fish and wildlife agencies as equally important to power generation in rewriting licenses. Along with this act, the Clean Water Act's section 401 required that a hydroelectric generating facility seeking relicensing obtain a state water quality permit. The authority of this permit has been increased in Vermont to include recreational and fisheries aspects.

Citizen's Utilities was required by FERC to submit a license application by December 31, 1991 for the Clyde River Project since the current license expired on December 31, 1993. As part of the relicensing process, FERC also allows non-governmental organizations and individuals to intervene.

The Northeast Kingdom Chapter of Trout Unlimited (NEKTU) intervened March 1, 1992, as did the Trout Unlimited national organization, the VT Council of TU, and Vermont Natural Resources Council.

TU intervened because it had followed the relicensing process for 2 years and was deeply concerned that

CU's proposal to pass only 63 cubic feet per second below the dam would only continue the devastation to the landlocked salmon run. TU requested the decommissioning of the dam, since the building of the dam immediately preceded, and in our minds, caused the destruction of the salmon run. TU also called for the operation of all of the remaining dams as a run-of-the-river (whatever water comes into the reservoir goes out—no storage), up and down stream passage for fish, installation of state of the art generating equipment, and restoration of the section of the river affected by the #11 dam to repair erosion damage and the effects of the siltation behind the dam.

TU believes that inclusion of these conditions by the Federal Energy Regulatory Commission will lead to the restoration of landlocked salmon runs in the Clyde River. TU has repeatedly offered to help CU with labor to achieve these goals. TU also believes that the financial cost of the restoration should be borne by the utility and that any rate hikes proposed as a result of the restoration should be denied. In a not unrelated matter, the *Wall Street Journal* reported a substantial raise for Leonard Tow, CEO of Citizen's Utility, this past year to a total package of \$21 million.

NEKTU was the first to take the position for dam removal, but was subsequently joined by the Vermont Department of Fish and Wildlife, The Vermont Agency of Natural Resources, and the U.S. Fish and Wildlife Service. Long discussions between VT F&W biologists and NEKTU members led to this unified position.

A few days after Dam # 11 broke, FERC sent a team of three engineers to assess the structural damage and danger associated with the breaching of the dam. Although they told TU members that they had no input into whether FERC would recommend that the dam be repaired, almost immediately upon their return FERC told CU to repair the dam. TU members were outraged at this and swung into action. Senators Jeffords and Leahy sent a joint letter to FERC asking it to hold off any rebuilding of the dam for the time being. Then the Army Corps of Engineers notified the utility that it would need to obtain a 404 stream alteration permit before any repairs. Then, Barbara Ripley, Secretary of the Vermont Agency of Natural Resources, sent a letter to FERC notifying it that the state would sue FERC if it permitted the utility to proceed with the rebuilding of the dam.

Where do things stand now? The Vermont Agency of Natural Resources held a meeting in Newport on June 8 to get input from the utility and local residents on the state's draft 401 permit. The vast majority of those who spoke favored removing the dam. The state's position in its draft 401 is to deny the utility a 401 water quality permit leading to the removal of the dam. After a final permit decision is delivered (September) the utility will probably appeal the decision to the VT Water Resources Board. If the dam is removed, this will be a landmark for the river conservation movement in the U.S., since to date, FERC has never called for the removal of an operational dam.

## Vermont to Study Mercury in Fish

As a result of Maine's findings, Vermont has decided to carry out its own survey of the state's lakes and ponds, the first since the early seventies. There is no reason to assume that the water quality is any better in Vermont than it is in Maine. Much of the mercury finding its way into the water stems from airborne pollution. Paper mills contribute as well. Before the logs are processed they are soaked to soften the bark to facilitate its removal. During this process mercury is added to the water to retard the growth of slime on the wood. Acid precipitation also plays a role. As ponds and lakes become more acidic the mercury sequestered in the bottom sediments is released into the water.

A Vermont fish and wildlife official supposed a safe amount of fish to eat from the lakes and ponds to be on the order of one fish each month. Fish higher on the food chain are likely to have higher levels of mercury. Also the older the fish, the more contaminated it is likely to be. For example, a species such as the lake trout that is a long-lived top predator is likely to be particularly affected.

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# Wilderness in the Matrix of Human Geography

by Andrew Whittaker

A recent article in *Wild Earth* magazine identifies the salient irony of the push for legally designated wilderness: the need for such wilderness is symptomatic of our civilization's underlying dysfunction.

Chris McGrory Klyza, in *Lessons from the Vermont Wilderness* (*Wild Earth*, Spring 1994), suggests the ideal of a landscape in which lines between humans and nature would blur. He develops the thesis that opportunities for such a blurring are perhaps greatest in places in the East, like Vermont, where the forest wilderness has proved its resilience and there is an acknowledged history of humans in the environment.

The absence of this ideal, and its declining tenability in the face of population pressures, creates the need for legally designated wilderness. It is equally important that we develop public areas where we can practice the blurring of lines between human economy and surrounding ecology—or preserve those that already exist.

The alternative, under current social and economic forces, is that development will continue to eat up Nature, to the very edges of any wilderness that may be wrung from the political process. (Why is this so? Simply put, our culture doesn't really *see* Nature anymore; we even lack the sense that we as humans have sprung from a *hostile* environment. Human entertainments reflect our essential *decadence*—the increasing need for *stimulus*.) Wilderness cannot stand alone; development on its edges erodes what is within.

## The Northern Forest Lands Council

Recognizing this, many participants have viewed the ongoing Northern Forest Lands Council dialogue as an opportunity to regulate forest practices on private lands and, more pro-actively, lay the groundwork for transition from commodity-oriented economics to stronger local economies. Two features of such economies are a high multiplier effect—dollars re-circulated many times through the hands of local businesses, and production of high quality goods for the wider market.

With emerging hindsight, it is more and more apparent that maintaining the integrity of the large industrial lands of northern New England means two essentially divergent things—for some, it is ecologic integrity, for others, economic. For the latter group, the goal is to keep lands intact and available for transfer among paper and timber companies. For others, the only goal true to their beliefs is a complete wilderness designation. For wider culture, a myopic sense of what Human and Nature really are confuses the political question, What's to be done?

The same tension between Industrial and Wilderness goals spills over into discussion of the non-industrial private forest lands (NIPF). The common concern that these remain forested does not amount to common vision of whether they retain first and foremost ecologic or economic currency.

The frustration in this debate is that even its all-pleasing resolution would do little to alter the destructive dynamics to which the region's landscape is subject.

## The Decline and Fall of Vermont Geography

Vermont's geography, for instance, has after years of incremental change perhaps reached that trigger point where many quantitative changes amount to a major qualitative one. The classic New England configuration of developed town center separated by farmland and farmland ringed by forest, is melting in Vermont—as it has essentially melted away in other parts of the region.

The decline of dairying has contributed, as have highway construction and the trickling immigration of people willing to commute to work in exchange for an "amenity" lifestyle—no neighbors, sound plumbing and a good view. Vermont has also suffered by the decay of the Republican party, which once reflected and sought to protect the state's agrarian heritage—of which the Democratic party has little sense. The result is the absence of a clear planning goal: what do we wish to save, and, for whom?

Nonetheless, an amorphous political will, transcending parties, desires planning policies equal to development pressures abroad in wider society. Such planning may not *create* the desired local economy, but, in going beyond mere reaction to development, is its predicate. And local economy is the key to the creation of a culture that can in fact blur the lines between human and natural world.

What Vermont—and the Northern Forest region—must do is recognize the economic and cultural possibilities that will emerge from active preservation of its cultural geography. For instance, one arm of Vermont government now plans the mitigation of ongoing loss of wetlands in the state (4500 acres a year) while another proceeds with the Chittenden County Circumferential Highway.

My voice may be late and may not correlate with the permit paper reality, but my gut tells me this is bad. I used to live near what will be a clover leaf near the mouth of the Winooski, where highway embankments already slice through swamp. With common impulse, frogs used to migrate from one side of the road to the other on rainy nights, banging against my cellar window, the roads slick with their car-squashed bodies. That will change. So too will those delightful little hills



just beyond Tafts Corners that spell out to me what Vermont once was. Meanwhile, respondents to a man-in-the-street poll enthuse that the highway will get them to the dentist in 10 minutes now instead of 15. What sort of cultural process are we in?

If Vermont were to give Chittenden County a greenbelt instead of a highway, we might be able to keep Chittenden County in Chittenden County. With the highway, towns such as Richmond and Hinesburg will experience increased sprawl; rising real estate prices and property taxes will drive poorer folk into surrounding counties (and trailer parks)—and so goes Vermont.

Chittenden County is like a hive of swarming bees. The solution, as with bees, is to *make more room*. A greenbelt will not magically contain growth but, instead, create or extend opportunities for agriculture, gardening, trail-based recreation and outdoor education.

Further, a greenbelt in conjunction with existing use zoning would force efficiencies of development. The geography of car- and highway-based retailing is incredibly wasteful. Development is forced outward from city centers like Burlington not by saturation of possibility, but by its destruction: like any strip in the USA, Williston Road has reached its economic potential and thus forced development beyond it. Further, it stands in the way of access to the city, the traditional seat of cultural exchange. Meanwhile, the clouds of

teenagers in town from the suburbs and milling outside the malls indicate our culture's big problem: *we don't know what to do*.

The cultural and ecologic impairments are parallel: we demand more land because we don't know how to use what we have already developed and removed from nature. We don't know how to increase quality of life so we increase its quantity. And, of course, nature matters less than that quick trip to the dentist.

Sadly, the same forces around Burlington are operative in the rest of the state, even those that preen themselves on farm and forest traditions. But, looking to the remnants of our old geography, there is a basis for hope. Not only could all large Vermont towns plan and implement green belts (in the same way that highway planners offer towns highway by-passes) they already have them; they need only be preserved, their economic possibilities extended.

Here again, government may not be the enemy, but it obviates the need for friends: it is illegal (or unregulatory) for me to get my milk the way I do. Sales of milk from bulk tanks are traditional in neighborhoods around dairying New England—but neither co-ops nor government encourage them. (Last year Vermont reacted to a single episode of salmonella poisoning from a goat cheese by cracking down on all sales of home processed goat cheese at farmers market—instead of doing what it would do for big industry, i.e., develop workable rules.)

Nonetheless, as I consider the suburban-rural matrix in which I live outside St. Johnsbury, it occurs to me that the farms and farmland here are an incredible resource being abandoned to the vagaries of "development." These farms could become the cornerstone of increased multiplier—everyone needs food—if the capital and marketing were available. Further, a host of small businesses that already cluster around these farms—bed and breakfasts, riding stables—could benefit by a trade-off of property tax and injury-liability that rewarded these farms for making their lands available for recreation.

The possibilities of green belts exceed those created by newer highways, offering an entire environment for innovation in areas from education, local energy production, to food supply and recreation. In promoting densification of human environments, green belts could also contribute to the heightened culture of town and city as seen by urban thinkers of the Jane Jacobs school—who see the cultural value of built environments in the quality and degree of human interaction they promote.

Yet we view highway spending as a given; all else is luxury. This is regrettable, for where highways facilitate the myopia that makes us see dentists instead of frogs, green belts in their broadest conception are the perfect ground for the "blurring of lines" described by Chris Klyza. Green belts could figure in the design of wilderness or ecologic reserves, serving as connective corridors and buffer lands. Throughout the Northern Forest, whether in the Mahoosucs, Aroostook County or the Champlain, Connecticut and St. Lawrence Valleys, private farm and forest lands surrounding core paper company lands could play a key role in preserving the ecology of the entire landscape. Given that public acquisition will be driven by a coalition of interests, the future geography of such areas is of especial interest in the development of economic and ecologic links. The question is not *whether* these lands should be managed or reserved but *how* both can function together.

## New Strategies for Public Lands

Again, for Vermont geography in particular, it is necessary we decide on the goal, instead of mitigating the worst aspects of a destructive process. I would suggest, judging from the center of gravity of remarks made both by participants in NFLC listening sessions and other venues, that a common goal is the sort of landscape once assumed to be ours in perpetuity: one that mixed human and natural presence. Given present imbalances toward the destructive side of human nature, legal wilderness must indeed be a large component of such a landscape: we need areas where our technology simply does not go (so that the spirit can).

A first step is educating ourselves about what



Nature is and has been. Students, conservation commissions and interested citizens should be involved in an inventorying of public (and willing-owner private) lands. Quite often, the "full verb" of forest dynamic has survived the simplifying impact of silviculture and agriculture in small scraps spread across forest holdings. Waterway buffer strips often afford similar complexity. Initial restoration efforts require that these areas be identified and protected as "libraries" to consult when studying the wider context.

Such study (and mapping) of public acquisitions is a step toward an organically-derived landscape. Another might simply be the removal of bridges from existing logging road networks. In my backyard, the impact of bridge removal on human-forest geography would create remoteness in interesting ways: roadless areas would slice into and abut surrounding private lands while a back-country core would be created around the mountain massif that defines local drainage.

At the same time, forest "economic zones" could be designated where private and public lands abut—the buffer zone. Rather than a simple tussle over Reserved versus Managed designation, public policy should be directed toward the overall goal of a model forestry. Components of this should be ties to local rather than commodity markets, seasonal logging to minimize rutting of roads and damage to regenerating growth, and exploration of appropriate scale technology—including the engineering of minimal impact or temporary roads. In the 1970s, my backyard was characterized by the grown-over horse logging road, whereas today the broad and eroding bulldozed road, with concomitant sandpit, is the norm. Although both are visible as scratches on aerial photos, I rather guess the horse road is more svelte in the workings of Nature. Interestingly, a recent story on Canadian radio told of a Saguenay logger who could only afford to get into logging again, in a logged-out area, with the low-capital horse. In a similar vein, low capital forestry would logically emerge from farm operations that can make use of equipment in both field and forest—in other words, in the buffer zone, where private and public lands meet.

Other social decisions must be made if we are to integrate humanity and Nature. Currently environmental education is viewed as an appendage to human-oriented curricula; it should be at the center. The aspiring logger is taught that he or she will be better off in this human world as a computer programmer, but the number of people skilled in directional felling—key to intelligent logging—is far fewer than programmers. The artist or writer is still taught from the "revolt from the village" aesthetic of the 1870s-1920s, rather than awakened to the possibilities of the village. The average student is instructed that "reality" consists of a very hum-drum world centered around work that involves acquiring enough skills to be a clerk, teller or



*A Vermont Bobcat stalking. Photo © Susan C. Morse*

typist. In other words, we are raising our young to function in a culture without center. Is this because we have no conception of what possibilities in fact inhere in culture?

And beyond: much bad forestry is driven by debt. Debt may in fact be the primary motivator in all our economic activity. How can society begin to instruct itself about what is so accepted it isn't noticed?

### Conclusion

The most effective approach to planning and public lands policy is to place the preservation of open land at the center of cultural thinking. The strategic advantage of this is that it will appeal to as many visionaries of the producer wing of society as the ecologic. To some it may appear to go too far toward the cultural, away from biology, and to just as many, too far in the direction of make-believe environmentalism.

What is necessary is an organic emergence from the conditions of today—which are often depressingly devoid of anything organic, native to place or time. We can create wilderness as a series of lines on maps, or we can attempt to re-orient the role of human in the environment toward actually seeing Nature. For now, we probably have to do both.

Here in the North Country, it was once felt by the agrarian romantics of the old Republican school that wilderness advocates were off-base, since the distinction between wild and managed land was so blurred, and changing only incrementally. The past fifteen years have done much to erode that confidence. Wilderness and its many cultural values are felt to be lost; human culture is felt (particularly by teachers) to be veering toward some final breakdown. The opportunity lies in seeing the regeneration of human culture in the protection, preservation and extension of the wild.

## Christmas Mountains

*Continued from page 23*

Christmas Mountains would be carried out, along with a biological survey of the area.

The 1990 Provincial Parks Master Plan for New Brunswick proposed that a Central Wilderness Area be created by linking the Christmas Mountains with Mount Carleton to form a new northern terminus for the Appalachian Trail. A Canadian section of the trail would then be built to link with the current terminus at Mount Katahdin in Maine. The government never pursued this proposal.

New Brunswick's last wilderness is likely to disappear this year as logging roads and clearcuts fragment it into small islands of forest. With it disappears the possibility of maintaining a small portion of New Brunswick's virgin forest in wilderness.

Almost all of New Brunswick's forest land is used for wood production. This provides New Brunswickers with an economic base; it helps define local culture; and connects people directly to the land. Few would disagree that we must become

much better stewards of the land we use, and most organizations concerned with the future of the Christmas Mountains would rather be focusing all their attention on this critical challenge. However, it is society's responsibility to leave the rapidly shrinking virgin forest still found in the Christmas Mountains for future generations.

This same point was made in 1883 over the remaining 1,800 square miles of virgin forest in north-central New Brunswick. Over 110 years later this has shrunk to less than 20 square miles in the Christmas Mountains. Unless the government imposes a moratorium this summer, New Brunswick's last wilderness will be gone forever.

**What You Can Do:** Help protect New Brunswick's last great wilderness. Save the Christmas Mountains. Write Premier Frank McKenna, P.O.B. 6000, Fredericton, N.B. E3B 5H1. Ask him to ensure that the remaining blocks of virgin forest in the Christmas Mountains stay that way.

David Coon is the policy director for the Conservation Council, a province-wide environmental organization based in New Brunswick.

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The Northern Forest Forum, POB 6, Lancaster, NH 03584



# Why Don't the Candidates Ever Discuss the Condition of the Maine Woods?



*The forests of Maine are critical to the environmental and economic well-being of the state. Yet, virtually none of the candidates for governor, Congress and the state legislature this year are talking about the problems facing the Maine woods and their solutions.*

**Speak up for the forest.**

**Here are 10 questions you should ask the candidates who want to represent you:**

(1) From 1980 to 1994, Maine landowners reported clearcutting more than 2,000 square miles of forests in Maine (an area the size of Delaware).

**Do you support a ban on clearcutting to preserve productive forests in Maine?**

(2) Millions of acres of forests in Maine have been sold in the last decade. Liquidation clearcutting and "development" threaten prime recreational and wildlife lands, especially near lakes and rivers.

**Do you support expanding public conservation ownership of large areas to protect the world class scenery, wildlife habitat and recreational values of the Maine Woods?**

(3) Between 1984 and 1992, 40% of all full-time woods jobs and 16% of paper mill jobs in Maine disappeared, mostly due to mechanization.

**Do you support a plan that increases, rather than decreases, local employment without further degrading the health of our forests?**

(4) Dioxin, one of the most toxic substances known, is a by-product of bleaching paper with chlorine. Maine paper mills discharge dioxin and other organochlorines into Maine rivers. Levels of dioxin now found in fish and lobsters are threatening public health and our commercial and recreational fisheries.

**Do you support phasing out chlorine bleaching by Maine paper mills as soon as possible, and do you support a requirement that all paper purchased by state and federal governments must be 100% chlorine-free?**

(5) In recent years millions of acres of the Maine Woods have been sprayed with toxic chemicals.

**Do you support eliminating the use of pesticides and insecticides in forest management in Maine?**

(6) According to the Maine Forest Service, during the 1980s the volume of spruce-

fir trees (pulpwood quality or better) declined by 31% and key hardwood species declined by 15% in Maine.

**Do you support changes in public policy to stem the decline in essential species needed for quality saw logs for lumber and wood fiber for papermaking?**

(7) The large landowners, who are responsible for the biggest clearcuts, pay only about 60 cents per acre in property taxes. Other landowners must pay higher property taxes to compensate.

**Do you support tying financial benefits landowners receive under Maine's Tree Growth Tax Law to improved minimum standards for forest management?**

(8) Through the 1980s, the Maine Forest Service estimated that more than 25% of all softwood sawlogs were exported to Quebec (actually, import figures from Quebec show *twice* that amount being shipped from Maine). Researchers have estimated that this results in thousands of direct and indirect jobs lost.

**Do you support a major reduction in the export of raw logs and wood chips?**

(9) The University of Southern Maine estimates that Maine's paper industry accounts for more than 5% of all economic activity in the state. Yet, the Maine Bureau of Taxation reports that the paper industry's corporate-income-tax contribution to the state's General Fund is less than one-half of 1%.

**Do you support tax changes to make the paper industry pay its fair share of taxes?**

(10) In the 1980s tens of thousands of acres of shoreline and other high amenity-value lands were subdivided and developed in the Maine Woods.

**Do you support channeling future development on private lands in the Maine Woods to existing communities and away from critical forest areas?**

This message is provided by the Northern Forest Campaign of the Sierra Club.

For more than a century the Sierra Club has been devoted to conservation of our forests, mountains, rivers, coasts, and other priceless natural areas. In Maine we are working on many critical issues, including restoration and long-term protection of the natural features and communities of the Maine Woods portion of the Northern Forest. Call or write for information.

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