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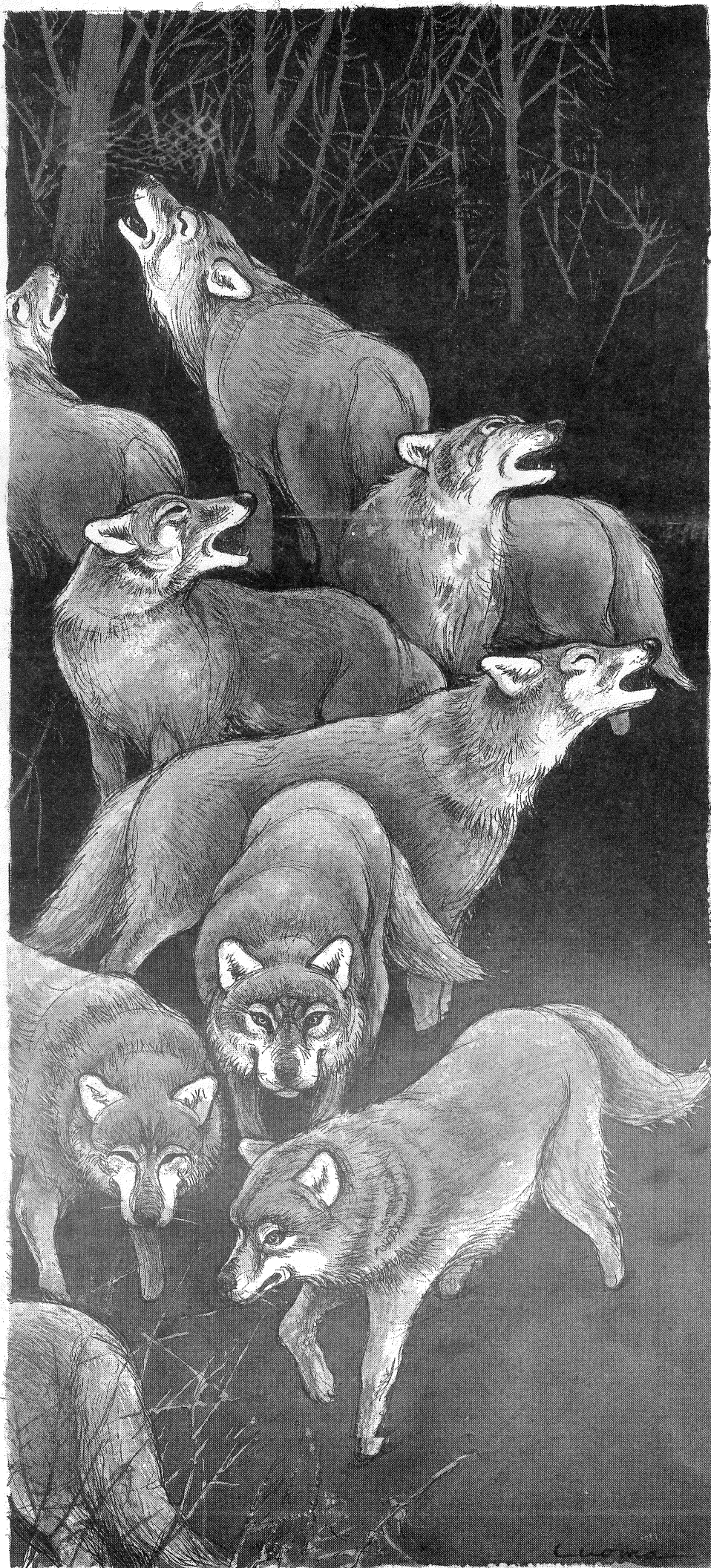
THE NORTHERN FOREST FORUM

WORKING FOR SUSTAINABLE NATURAL & HUMAN COMMUNITIES

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ENDANGERED SPECIES, THREATENED HABITATS

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THE NORTHERN FOREST FORUM

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NARP is a non-profit organization and network of grassroots activists dedicated to restoring sustainable natural and human communities across the Northern Forest Region of northern New England, New York, and adjoining regions.

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Editorial Policy

Views expressed herein are those of the writer and not necessarily those of other contributors or other NARP projects. We welcome diverse submissions on the Northern forest and related topics. Please send all material to the address above. Please address letters for publication specifically to the editor.

e-mail: nf@sover.net
We Like Letters!

Disaster Hits Home

by Mitch Lansky

WHEN I HEAR about disasters such as hurricanes, floods, earthquakes, wars, and famines and the like, I think of something that happens to someone else, somewhere else. I see images of victims in the news. I feel bad. There are so many disasters in the world going on at once, that a person cannot respond to all of them. Americans are, I have heard, suffering from something called "compassion fatigue."

On the 13th of February, Sue, Jake, and I were away from home skiing, when we heard an announcement on the loudspeaker calling me to go to the office. I had no idea why they would call us. We did not tell anyone we would be there — we had only decided to go in the morning. I underestimated the ability of people in our community to track us down. When I got to the ticket desk, someone told me the bad news: our house had burned down. It was a total loss.

When we got back to our land, all that was left of the house was the stone chimney. The rest was smoldering ashes. Disaster had struck. We were the victims.

TAKING STOCK

As we watched the remaining flames consume what was left of our winter's firewood in the woodshed, I tried to console myself that what we lost was just "things." We were all safe and healthy. We did not experience a total loss. We still had our land, our vehicles, the clothes we brought that day, and whatever survived in various out-buildings (including food in our root-celler and freezer, our Gravely walking tractor, and a couple of chainsaws). Some of what we lost, including clothes, gadgets, bedding utensils — stuff you can buy — could be replaced over time.

Some of what we lost, however, was irreplaceable. This was a house we built. Our children were born in and grew up in the house. The house had many items that we (or friends or family) created, rather than bought: art, writing, photos, letters, heirlooms. Also lost were old instruments (we had a surprising house full), books, tools, and various antiques. The fire wiped out part of our history. We also lost a beloved cat.

I soon discovered that what we lost was more than "things." The losses were painful. We used these things intimately. We were connected to these things. It hurt to sever the connections. It also hurt to sever the connections with our everyday life — the usual routines that went on for a quarter of a century and that had so much meaning. These included: heating the house with wood, fetching water, getting food from the rootceller, and monitoring the solar electric system. The house was an extension of us.

COMMUNITY SPIRIT

With no evidence of "compassion fatigue," friends, family, and community have been offering us help. The friends we were with at the ski area shared their house with us for a week until we could find our own place. People have been giving

us clothing, food, bedding, utensils, books, money, and offers of help and materials to rebuild. We have received around one hundred letters and dozens of phone calls from concerned people — some of whom we hardly know. People have been responding so strongly, in part, because they have compassion — they imagine what it would be like if such a thing happened to them.

We are also a part of other people's webs, networks, or communities. Our loss was a loss for them as well. Helping us to recover rapidly was like a forest expressing its resilience after a catastrophic disturbance...such as a fire. The Wytopitlock Fish and Game Club held a fundraising supper for us. Members of Jake's high-school ski team had a raffle. Environmental activists sent out e-mails to their associates to collect aid. I have also received letters from people from the forest industry in Maine who also had a genuine concern over our welfare. I was a part of their community as well.

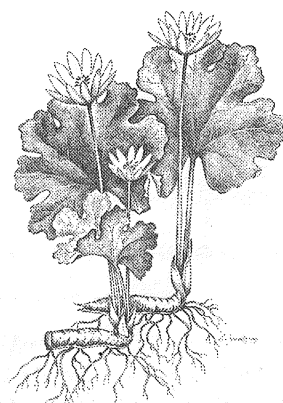
It is not easy for us to accept aid. We live simply (by American standards), but we have always had an abundance of the necessities of life. We have a certain pride in being able to take care of ourselves and to help out others when we can. People told us that in these circumstances, we should accept what is given with gratitude. People do not want their gifts denied. If there is something we do not want or need or cannot use — we should pass it on to others who do want or need it.

Our house and its contents were not insured. Since the fire, we have realized that we are part of an incredible alternative (or supplement) to commercial insurance — community insurance. You pay for the insurance by contributing to your community, by being decent to people (whether you agree with them or not) and by helping others in need. In our case, the pay-back has been far more valuable than a check from a large company. We do not recommend total reliance on the community to deal with catastrophic losses. Indeed, the next time we build a house, we will purchase commercial insurance. The community response, however, helps our spirits in ways that a company cannot.

ADVICE

Others who have lost their homes to fire or who have suffered serious catastrophes have given us advice. Yes, these things hurt in the beginning. Some of the losses are irreplaceable. But you can survive. Indeed, what follows can change your life for the better if you are open. Psychologist, and concentration camp survivor, Victor Frankl wrote that you can't always control what happens to you, but you can control how you respond to what happens.

In our case, we really are fortunate. We are not suffering from deprivation, as refugees in war-torn Eastern Europe or parts of Africa. We are surrounded by caring friends, family, and community who want to see us rebuild and recover. To all of you who have reached out to us — thank you.



CONSERVATIONISTS PLAN LYNX LAWSUIT

FWS fails to abide by court order

NASHUA, NH — The Conservation Action Project (CAP) has notified the Department of Interior and U.S. Fish and Wildlife Service (FWS) of its intention to sue the agency in federal court for failing to protect Canada lynx under the Endangered Species Act (ESA). The 60-day notice also identifies the failure of the FWS to abide by a number of court decisions that ordered the agency to protect the species.

The letter — a requirement prior to filing a lawsuit — was sent to Bruce Babbitt, Secretary of the Department of the Interior; and Jamie Rappaport Clark, Director of the FWS. The notice documents how the federal agency violated federal law by failing to give ESA protection to the rare and imperiled Canada lynx. Lynx were once found throughout the northern United States including the forests of Maine, New Hampshire, Vermont, and New York. Last year a female lynx with two kittens was discovered in northern Maine. Two dead adult lynx were also recently found in the Maine woods.

"Fish and Wildlife Service biologists have concluded that the lynx is threatened with possible extinction. Yet, Secretary Babbitt and Director Clark are refusing to abide by the law and give protection to this rare and imperiled animal," said David Carle, executive director of the Conservation Action Project. "It is as if they want the lynx to disappear from our forests."

CAP joined with Defenders of Wildlife, the Biodiversity Legal Foundation, and seven other conservation organizations in filing the 60-day notice of intent to sue. According to the notice, the FWS is violating both federal laws and a court order to give ESA protection to the lynx.

In April, 1994, a number of conservation organizations petitioned the

FWS to give protection to the lynx. Logging and road building were cited as two of the possible causes of the population decline. FWS biologists concluded that the species was indeed threatened with possible extinction. But the political officials within the FWS ignored the science and declined to give the required protection to the species.

This decision resulted in a number of legal actions, concluding with a federal court order requiring the FWS to rule on giving protection to the lynx no later than January 8, 2000. The deadline passed without the agency taking any action.

"There is no justification for the FWS to take the course of action it is taking," said Carle. "It is as if Secretary Babbitt and Director Clark are thumbing their noses at federal law and the lynx. This is hardly the way to nurture the public trust, help a species facing extinction, or protect our natural heritage for future generations."

According to the notice, the FWS has "committed repeated violations of the ESA in delaying listing of the lynx for more than 8 years. . . . On two occasions the FWS was sued and found to have [violated] the ESA in failing to list the lynx. It appears now that conservationists will have to litigate for a third time to secure long overdue legal protection for the lynx."

"What is very disturbing is this pattern of law-breaking by the Department of Interior," said Carle. "Secretary Babbitt has illegally failed to protect a number of other species here in New England including the last 39 wild Atlantic salmon and now the lynx. It is as if he has a vendetta against nature."

The lawyer representing the conservation organizations is Eric Glitzenstein of the Washington, DC-based law firm, Meyer & Glitzenstein.

The Conservation Action Project is a non-profit membership organization dedicated to restoring, preserving, and protecting the natural heritage of New England through education, advocacy, and grassroots empowerment.

James Bay Crees Win Suspension of Quebec's Logging Operations in Boreal North

Court says logging without environmental review is vio- lation of treaty rights — Judge subsequently removed from case

THE SUPERIOR COURT of the Province of Quebec suspended forestry operations in Cree tribal lands of James Bay in a ruling of December 21, 1999. The suspension takes effect July 1st, 2000, unless forestry operations conducted by companies operating under Provincial authority are brought into conformity with the James Bay and Northern Quebec Agreement.

This treaty, dating from 1975, recognizes the authority of the Cree over forestry activity in Eeyou Istchee. The Agreement provided for "the reconciliation of forestry operations with the meaningful exercise of and respect for Crees rights and interests respecting the land and natural resources." The lawsuit alleged numerous abuses to the forest of Eeyou Istchee, and therefore to the interests of the Cree. The crux of the lawsuit, found in provisions of Quebec's Forest Act, the Act Respecting Lands in the Public Domain, and an amendment to the Environmental Quality Act, was that the Province and federal government have effectively exempted forestry operations from environmental and social impact assessment. Quebec has largely ceded authority and planning to the companies which are licensed to operate in the James Bay region under agreements known as CAAFs ("Contrats d'approvisionnement et d'aménagement forestier.")

Companies involved include Domtar Inc., Produits Forestiers Donohue Inc., Kruger Inc., Abitibi-Consolidated Inc., Forex Inc., Bisson et Bisson Inc., Howard-Bienvenue

Inc. and Compagnie Internationale de Papier du Canada. They were co-defendants in the case, along with Quebec and the federal government of Canada (for its failure to enforce the Environmental Assessment Act.) Quebec itself has been a major shareholder in Domtar. The Grand Council of the Cree have long criticized the conflicts of interest inherent in government ownership of industry assets. The Cree alleged that Quebec's system of delegating management authority in forestry operations to companies through CAAFs was negligent and sought the suspension of such arrangements. It is not clear at this time how the Superior Court decision will impact the CAAF system itself.

The lawsuit broadly indicted forestry practices in Eeyou Istchee. It alleged that logging exceeds rates of growth, leaves inadequate stocking in clearcut areas, and in general violates the principle of Sustained Yield as sought by Quebec's own Forest Act. It also cited extensive road building and associated detrimental impacts, soil disturbance, impacts on water quality and fish, and disruption of furbearer and moose habitats. The connection of all these to the protected, traditional rights of Cree to hunt, fish and trap and otherwise use its native environment was a major point of the case and its reliance on the James Bay Agreement. The lawsuit sought \$200 million in damages.

In a late development, the Superior Court of Quebec removed Judge Jean-Jacques Croteau from the case on March 10, stating that his December ruling may have pre-judged outstanding issues yet to be decided. In angry protest, Grand Chief Ted Moses threatened to renounce the James Bay Treaty and initiate forestry regulation unilaterally.

These events come at a time when Quebec is paying more attention to its forests, owing to a critical documentary, *L'Erreur Boreale*, filmed by Richard Desjardins and televised last spring. Since then, there have been calls to ban clearcutting in the province and further investigate forest practices.

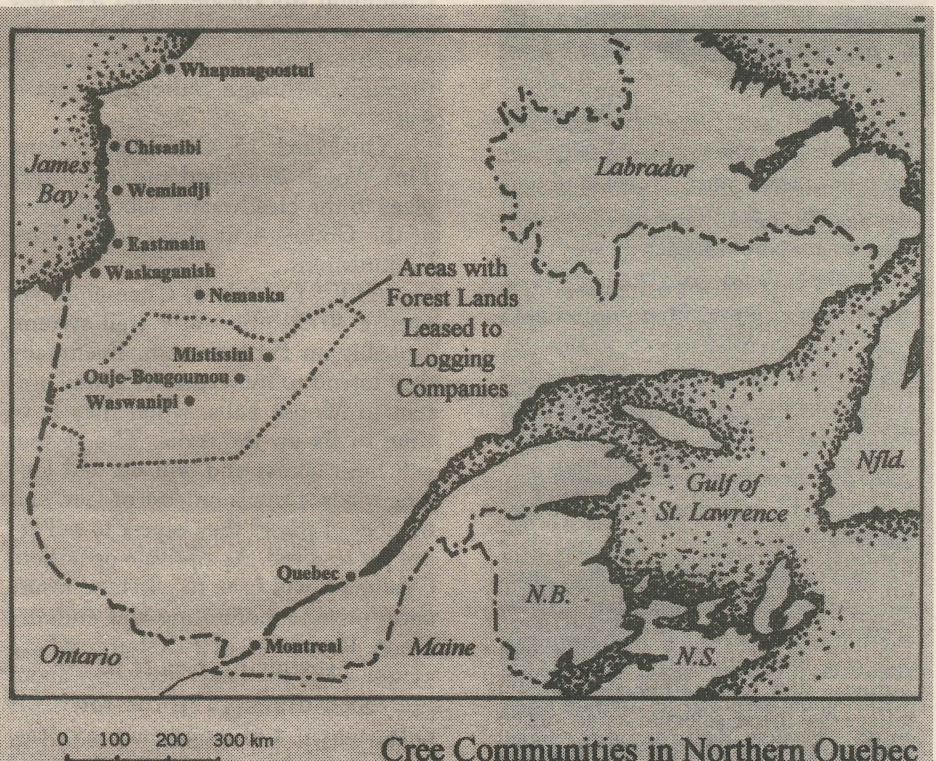
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J.D. IRVING THWARTS FSC CERTIFICATION
PROCESS — DENOUNCES MARITIME
STANDARDS FOR SUSTAINABLE FORESTRY
STORY ON PAGE 22



On December 20, a Quebec Superior Court judge ruled that logging in the region covered by the James Bay Agreement has been proceeding without proper environmental review. Judge Croteau was later removed from the case, but Cree tribal leaders have vowed to halt business-as-usual in their territory.

Maine's Ecological Reserves: Velveeta™, Swiss or Just Plain Cheese?

by Andrew Whittaker

A MAINE TIMES account of the progress of ecological reserves legislation in Maine paints a dubious portrait of token protection for biodiversity and Wilderness. ("Historic Deal" would create state ecological reserves," by Phyllis Austin in January 20-26, 2000). The story reports the January 14 approval by the House Agriculture, Conservation and Forestry Committee of a bill granting the Bureau of Parks and Lands authority to designate reserves.

By story's end, it is clear that the political process has left the concept of scientifically-informed reserve design in shambles. On the other hand, the article is one for the history books — a real snapshot of paper colony politics in action at the close of the 20th century. Or is it (groan) the start of the 21st?

Perhaps the first paragraph tells it all: "even the paper industry has signed on" to the proposal, which, to reiterate, is all about ecological reserves on PUBLIC land. Citizens of Maine, rejoice! You have the blessings of the paper industry to proceed with some modest goals on your own land. But wait, there's more to celebrate:

- The Maine Forest Biodiversity Project recommended reserves amounting to 179,000 acres — itself a pittance for a state with millions of forested acres. The Committee's bill allows for 85,000 acres — 15% of state lands. But listen up:

- These 85,000 acre reserves are not permanent. No, after 10 years their status will be re-visited. Bureau chief Tom Morrison, quoted in the Maine Times story, says: "It's fair and reasonable to look at them periodically [although] it's getting on thin ice with scientists." But how about this:

- Annual cut must be elevated — to placate the paper industry — on other public lands to make up for the 21,000 acres that will be lost to fiber production. Get this now:

- BPL is so confident it can "sustainably" elevate the annual cut from 68,000 cords to 106,000 cords that it wants its forest practices to be CERTIFIED GREEN. After all, with all those reserves, the certifiers know that Maine has taken a landscape approach to preserving its forested ecosystems.

- You bet there's more. The Sportsman's Alliance of Maine likes the bill a lot because of its presumption favoring recreational uses: if no other alternative can be found, new trails and roads can proceed through these Swiss Cheese reserves.

Champion International Now Finnish, Pittsburg Lands Cheapened, in Separate Moves

by Jamie Sayen

IN LATE FEBRUARY, northern New Hampshire was shocked by two separate announcements by Champion International. The timber products company owns 171,000 acres in the northernmost townships, mostly in Pittsburg, lands that are the headwaters of the Connecticut River and a small section of the headwaters of the Androscoggin River.

On February 22, the district office of Champion in West Stewartstown announced that Champion would be charging access fees for ATV, snow machines and other vehicular use of their lands, and that it was investigating the possibility of selling conservation easements on these lands.

This proposal, which created major ripples locally, was preceded by the February 17 announcement from Champion corporate headquarters in Stamford, Connecticut, that the corporation would merge with UPM Kymmene, a monstrous forest products corporation based in Finland. If the merger goes through, the new company would be headquartered in Helsinki, but North American operations would continue to be directed from Stamford. The new company would be the third largest paper company in the world and possibly the largest forest products corporation on the planet. It would control almost 16 million acres of forest land and employ 49,000 workers.

According to Bernd Heinrich, (*The Trees of My Forest*, p. 229) "Finland now has virtually no forest; 98 percent of its tree growth is now in even-aged monocultures of exotic Scots pine and Norway spruce. As a result, half of the native plant and animal species in Finland are endangered, and the remaining two percent of natural forests are falling fast."

ECONOMICS OF CUTOVER LAND
Local managers for Champion speculate that the merger would have no impact on their plans to charge access fees and sell easements. There are some rumblings on Wall Street and among Champion stockholders who feel they could have gotten a better deal, so it's possible that the deal will not go through, although indications are it will.

On March 15, Champion forester Tim Woods described the company's plans to the Headwaters' subcommittee of the Connecticut River Joint River Commissions.

ATVs: On July 1, Champion will open a 40-50 mile ATV trail system, probably on Perry Stream. Eventually they intend to move the ATV trail system to Moose Falls, when they have time to fix up the trails. The system will limit access and will use old logging roads. Details on cost of fees, and number of passes they expect to sell are not yet resolved. As a private operation, Champion will have to purchase insurance, provide monitoring and enforcement. Residents of Pittsburg, where almost all of the lands lie, worry about increased expenses to the town for enforcement and emergency services, but Champion assures them their expenses will not rise.

ACCESS: Either this fall or next summer, Champion will begin to charge for motorized access to all their

lands. Hikers will still enjoy free access. Residents of Pittsburg and Clarksville will receive 'substantial discounts' when purchasing access permits.

SNOWMOBILES: Champion also intends to run its own snow machine business, although at this time it has not worked out the details. Pittsburg has enjoyed (some say 'suffered') an explosion of snow machine use in the past decade. Champion has decided it wants to get some of the revenue generated by this sport.

At the March 15 meeting, residents of the Pittsburg area expressed disgust with the plague of snow machines, even though all who complained indicated that they owned machines themselves. Tim Woods described the current situation as a "snowmobiler fiasco." Machines are currently "running rampant over the land" and Champion hopes to control this situation, while turning a profit. One Pittsburger said it's "not safe some of the time." Another said, "the value of the experience has eroded."

EASEMENTS: Recently Champion approached the Society for the Protection of New Hampshire Forests to explore the possibility of selling conservation easements on their New Hampshire lands. This is something new to the company, and its foresters are very unhappy about the prospect of selling easements in perpetuity. Right now, Champion is only looking to sell development rights, and to retain timbering and recreational rights. The company would like to sell the rights to develop all 171,000 acres, but, when asked if it would settle for selling easements only on the acreage with development potential (perhaps 10,000 acres), Woods indicated Champion is looking for the deal that brings them the most money. It would love to sell a 25-year easement rather than a permanent one. Woods anticipates that there will be a lot of federal money available in the near future from Forest Legacy and the Land and Water Conservation Fund.

WHY THE NEW POLICY?

In the past, paper companies have not always viewed their timberlands as a 'profit center.' They were of value supplying the company's mills, and as a means of controlling stumpage paid to non-industrial landowners. Today, Champion requires that the northern New Hampshire lands be run as a 'stand alone business' that turns a profit.

The New Hampshire lands are hundreds of miles from Champion's mills in Deferiet, New York, and Bucksport, Maine, and, as such, are of borderline value. Champion just unloaded its Vermont holdings, in part because of their remoteness from those mills, as well as Adirondack acreage deemed 'non-strategic.' This increases the pressure on local managers to find other ways to generate revenue.

Although people at the March 15 meeting politely did not ask about the profitability of the company's local timber operations, Woods did admit, "We've made mistakes in the past." He was quick to add that today, "I think we're doing things as good as anyone in the country." He cited Champion's commitment to the paper industry PR gimmick SFI (Sustainable Forestry

Initiative). "It's a tough business making money consistently over the timber business," Woods said. The access fees and easements are designed to get Champion 'over the hump' of this cyclical business.

Does this mean Champion doesn't have many trees to cut in the near term? People familiar with the lands they have sold in Vermont's Northeast Kingdom and New Hampshire (Stratford and Columbia) know that Champion had essentially liquidated the timber value of those lands. Champion continues to conduct large clearcuts in Pittsburg that it follows up with herbicide spraying, averaging about 1,000 acres of clearcuts sprayed in most years of the 1990s. This is the model, 'sustainable forestry' Woods referred to.

The 1998 Forest Service inventory of New Hampshire timberlands found that statewide, cut is 80 percent of growth. In Coös County, cut has exceeded growth by 50 percent. I think it is safe to conclude that the rate of overcutting on Champion lands (and other large absentee owners such as Mead and Hancock) exceeds growth by at least 50 percent, probably more.

Champion has long been regarded on Wall Street as a company in trouble. The merger with UPM-Kymmene tends to confirm this. Knowledgeable observers in northern New Hampshire see the access and easements as a last gasp effort by the local foresters to hang onto lands that have been severely degraded through over-cutting and herbicide spraying and that have scant strategic value to corporate headquarters.

The issue of easements raises some important questions for the Forest Society. Will the Society promote easements on lands with no development value? Will it try to use public funds for such lands (or will it try to buy the development rights on undevelopable lands from private sources)? Will it be suckered by efforts to sell temporary easements, or will it insist on permanent protection from development? Will the easements require ecologically sustainable forestry management, or will they merely require a continued commitment to the SFI fraud? Will Champion's easement permit it to conduct large clearcuts followed by herbicide spraying? Since the Policy Director of the Forest Society has in the past been a paid lobbyist for the SFI and Champion's herbicide spraying program and the Forest Society has strenuously opposed efforts to impose a moratorium on forestry herbicide spraying, this is more than an academic concern.

Should the state and region's conservation community support efforts by one of the region's most notorious forest degraders to siphon off limited federal conservation funds so they can run an ATV park and continue their unsustainable forestry practices? Wouldn't we all be better off allowing Champion to sell their unprofitable and degraded lands to the public so we can begin to restore their ecological integrity?

And, finally, will anyone stand up and say a respectful word for these special lands? They are the headwaters to two of the region's great rivers. It is some of the wildest, most remote wildlife habitat in the region. It is probably the most promising wolf habitat in the state. This is sacred land that deserves something better than a continuation of recent and proposed industrial management.



Northeast Activists Protest Al Gore's Ties to Occidental Petroleum

U'Wa Children Killed as Military Evicts Indigenous People From Oxy Drilling Site

YOUR TAX DOLLARS AT WORK

by Anne Petermann, Native Forest Network Eastern North America Resource Center Coordinator

MANCHESTER, NH — Eight activists from the Native Forest Network, ACERCA (Action for Community and Ecology in the Rainforests of Central America), Rainforest Action Network, and other anti-corporate globalization activists were arrested around 1pm on January 26 at the NH campaign headquarters of Vice President Al Gore. They demanded to speak to the presidential candidate about his deep family and financial ties to Occidental Petroleum (Oxy) and to use those ties to pressure Oxy into stopping their plans to drill for oil on the traditional lands of the U'Wa people in Colombia.

Activists have been pressuring Gore since learning of his ties to Occidental. These tactics increased with the spotlight on Gore as a result of the upcoming elections. Other actions and arrests have occurred at Gore rallies and at his National Headquarters in Tennessee. Al Gore's influence over Oxy includes his father's former seat on Oxy's Board of Directors. It also includes the \$500,000 in Occidental stock he inherited from his father in 1997. In addition, Occidental is a major contributor to the Clinton and Gore campaigns. Most recently the US pledged \$1.6 billion in aid to Colombia's military, leading many to see Colombia as the next potential Vietnam war.

This Occidental drilling project, which will reportedly supply only enough oil to fuel the US for three months, will displace 5,000 U'Wa people and forever destroy their traditional homeland, the Colombian cloudforest.

U'wa leaders have vowed to non-violently protest Oxy's efforts to drill on their land. In early February, 5,000 Colombian troops moved in to defend the drilling site against the U'Wa people who had been occupying the site since last November.

In a sudden escalation of events at the drilling site, three children died February 11, when police evicted hundreds of protesters from the site.

About 500 police used tear gas, riot sticks and even bulldozers to force about 450 U'wa protesters off the Gibraltar-1 drill site. "Without any warning, the security forces proceeded to push us back toward our communities with heavy machinery and tear gas, forcing us to jump into the Cubojon River," it added.

"Due to this persecution and use of force and abuse, three babies died, women and children were hurt and battered and some Indians disap-

peared." Fabio Tegria, an U'wa chief-tain speaking from the scene of the police crackdown, said 15 Indians were missing after the melee including up to nine children.

Five years ago the U'Wa people stated that if Oxy drills on their land, they may follow in the footsteps of their ancestors who committed mass suicide, rather than become the slaves of the Conquistadores. "We prefer genocide at the hands of the Colombian government over relinquishing our Mother Earth to the oil companies," stated a U'wa communiqué.

On March 4, 1999, three US activists, including two Native American women, working with the U'Wa people to stop the oil drilling project, were murdered by a subgroup of FARC, the leftist guerrilla group in Colombia. The murders were the result of US and oil company backed militarization in the region.

GENERAL STRIKE

Responding to the recent use of force by the Colombian National Police against the peaceful U'wa, rural workers throughout the region began a general strike on February 15. Scheduled to last three days, the strike was observed in the districts of Araucanos de Fortul, Saravena y Arauquita, as well as Cubará where businesses remained closed and public transportation was suspended.

The children allegedly drowned after the soldiers and anti-riot police used tear gas, bulldozers and riot sticks to charge the blockade, forcing the U'wa to jump into the fast flowing Cubujón River. The National Police had previously denied reports of deaths as a result of the confrontation.

Meanwhile in Washington, Larry Meriage, Occidental Petroleum's Vice President of Public Affairs admitted that Oxy regularly pays off the Colombian Guerrillas.

Testifying before the Criminal Justice, Drug Policy and Human Resources Subcommittee of the House of Representatives Meriage stated that: "[our employees] are regularly shaken down by both the FARC and the ELN. They are required to pay a 'war tax' to both of the guerrilla groups or they are not able to work."

"Meriage's admission that Oxy pays the guerrillas underscores the absurdity of looking for oil in the middle of a war zone," said Steve Kretzmann of Amazon Watch. "It also reinforces what the U'wa have always said about this project - that it will only bring more violence to their region. The only responsible course of action for Oxy and the Colombian Government is an immediate suspension of the Samoré project pending a negotiated settlement that all sides are party to."

URGENT! SOLIDARITY ACTIONS FOR U'WA PEOPLE NEEDED NOW!

The U'wa people are being killed. They are threatened because a small cartel of corporate and government elites are willing to profit off the destruction of indigenous lands and culture. As the Colombian military occupies U'wa

land Occidental Petroleum is transporting equipment into the Gibraltar 1 drill site. The situation is urgent. The U'wa resistance continues but to be successful the efforts of the U'wa in Colombia must be matched by global action! We must show the world that we will not silently sit back and allow the violation of the rights of the U'wa people.

TAKE ACTION! If you are in the US call upon your elected representatives and urge them to vote against Clinton's proposed \$1.3 billion military aid package to Colombia. Explain to them that US military aid will lead to an escalation in violence against indigenous communities. The U'wa people want peace not oil!

Also contact Vice President Al Gore. As a major shareholder in Oxy he has a responsibility to speak out against these crimes!

Contact his national campaign office in Nashville TN at : p) 615-340-2000 or fax) 615-340-3295 vicepresident@whitehouse.gov

Demand he take action for the U'wa! Gore has been targeted from Vermont to New York to Olympia Washington. Let's keep up the pressure! Organize against Fidelity Investments one of Oxy's largest shareholders who are willing to profit from the destruction of U'wa lands and culture. Find your nearest Fidelity Investor center at : <http://personal400.fidelity.com/gen/centers/invtctr.html> Get free phone numbers to call Fidelity from around the world at : <http://www100.fidelity.com/about/contact/inter.html> Send a letter of protest to Fidelity's CEO Mr. Edward Johnson III, Chairman Fidelity Investments 82 Devonshire Street, Boston, MA 02109 fax # = 617-476-4164 Organize a demonstration, letter writing party, educational event or non-violent direct action. U'wa children are dying. Does Fidelity care?

To Get involved or for more info, contact ACERCA at (802) 863-0571 or Amazon Watch at (310) 456-1340.

EDITOR'S NOTE: Readers might be interested in a letter to the editor of the *New York Times* dated February 14, 2000 from Joseph D. McNamara of the Hoover Institution and former police chief of Kansas City (?) and San José, CA. Mr. McNamara criticizes the almost-billion dollars the Clinton Administration plans for Colombian military assistance, stating that "past aid to Latin American military organizations has often been used to commit atrocities against their own citizens."



"Verifying Sustainable Forestry in Maine: Current Programs and Future Directions"

A REPORT RELEASED by the Maine Forest Service last year showed that statewide, landowners are overcutting, leading to declines in inventory. The overcutting is most pronounced with large ownerships in Maine — those with more than 100,000 acres. These ownerships make up more than half the timberlands in the state. The MFS projected declines to continue for at least 40 years unless there are significant changes in management.

Within these large landownerships some of these landowners are attempting to demonstrate public accountability for their actions through audit programs, such as those accredited by the Forest Stewardship Council (FSC) or through industry's own Sustainable Forestry Initiative (SFI). Public confidence is currently low. Will these programs help?

A Maine Audubon Society report, written by Rob Bryan, forest and wetlands ecologist, attempts to answer that question. The report reviews the state of Maine's forest, identifies strengths and weaknesses in current sustainable forestry programs, and provides recommendations to strengthen them. The document concludes with a section proposing minimum standards for any forest management audit. These standards look at timber quality and quantity, soil productivity, aquatic ecosystems, and terrestrial biological diversity.

Bryan believes that with good standards and consistent analysis and reporting, audit programs are a more useful tool than prescriptive regulations. While he supports much of the work of FSC, he has not been impressed by certifiers' public summary documents. He sees, however, severe flaws with SFI. "SFI," he wrote in an introductory letter to his study, "essentially has no standards to evaluate on-the-ground performance. This significant weakness in SFI must be overcome before it can be used as a credible system of public accountability." Bryan would like to see open, objective auditing rather than PR campaigns, rhetoric, and divisive politics.

The report is available from Maine Audubon Society, P.P. Box 6009, Falmouth ME 04105 (207-781-2330).



Spotted Salamander on Snow Photo © Gustav Verdeber

ADIRONDACK PARK REPORT

by Peter Bauer



THE ADIRONDACK PARK is a model for people living amidst wild areas in a way that's usually mutually beneficial to both. At six-million acres in size—bigger than the State of Vermont—the Adirondack Park contains a checkerboard of publicly owned Forest Preserve lands (2.5 million acres), which is managed as wilderness, and 3.5 million acres of private lands, 2.5 million of which is commercially managed forests. The Forest Preserve is protected as lands “to be forever kept as wild forest” in the state constitution.

This is the tightest wilderness protection in the U.S.; no timber harvesting, strictly limited use of motor vehicles. Created in 1885, lands in the Forest Preserve represent 85 percent of the total wilderness lands in the eleven Northeast states. 130,000 people make their homes and livelihoods in the Adirondacks spread throughout better than 100 communities.

All land uses in the Adirondack Park are managed jointly by the State of New York through various agencies and departments and local governments. While there are many complaints all around, the Adirondack Park works extremely well and is not only a place where people and wilderness systems coexist, but represents a successful model for large-scale landscape protection. Each issue the “Adirondack Park Report” details the most pressing recent issues facing the Adirondack Park.

A FOREST PRESERVE LAWSUIT

On February 18, Federal District Court Judge Lawrence Kahn in Albany threw out a lawsuit brought by four Adirondack environmental groups against the State of New York, specifically the NYS Department of Environmental Conservation (DEC). This suit alleged violations of the NYS Constitution and Adirondack Park State Land Master Plan by the DEC in its management of the Forest Preserve. The actions by the groups (Adirondack Council, Association for the Protection of the Adirondacks, Environmental Advocates, Residents' Committee to Protect the Adirondacks) raised concerns about rampant abuses by the DEC for expanded administrative and public use of motor vehicles on the Forest Preserve. The NYS Constitution protects the Forest Preserve as “lands to be forever managed as wild forest lands.”

Judge Kahn's decision refused to deal with the merits of the case; rather he spoke only of the “sovereign immunity” clause in the 11th Amendment,

which protects state's rights. In short the judge said this case must be heard in state court. The DEC and Attorney General Eliot Spitzer vigorously argued that this case be dismissed and not heard in federal court. Hiding behind the 11th Amendment and legal technicalities they were successful in temporarily shielding state abuses of the Forest Preserve. The NYS Constitution guarantees the public the right to sue the state over its management of the Forest Preserve; this is the only section of the constitution that provides for “citizen suits” against state agencies. Unfortunately, it turns out that our constitutional framers here in New York back in 1894 should have had the foresight to specify that the public should be allowed to bring such suits in both state and federal courts. Hiding behind a technicality begs the bigger questions: Will Attorney General Eliot Spitzer defend the Forest Preserve or a state agency?

The road to federal court was a twisted one. The four groups that brought this suit all intervened in 1998 in a lawsuit brought in federal court by three disabled rights advocates against the State

of New York. These three advocates alleged in their suit (*Galusha v. NYS*) that the State was violating their civil rights as guaranteed under the 1996 Americans with Disabilities Act (ADA) by limiting motor vehicle use in the Forest Preserve. They claim that disabled individuals need the use of all terrain vehicles (ATVs) in particular to access remote and wild areas in the Forest Preserve. They refer to ATVs as “wheelchairs in the woods.”

During the discovery phase of this lawsuit, the DEC provided boxes of Temporary Revocable Permits (TRPs), which authorize various special uses of the Forest Preserve. These uses range from the creation of scientific study plots to special uses of motor vehicles. After review of these TRPs it became apparent that both the sheer number of TRPs issued and number issued for motor vehicle use had risen dramatically since 1995, the year in which Governor Pataki reshaped the DEC.

One of the first actions of the Pataki DEC was to change the procedures for which disabled individuals applied for and attained special permits to use

motor vehicles on the Forest Preserve. After a public outcry, a broad-based citizens working group was convened to assist the DEC in developing a new program for motor vehicle use by the disabled in the Forest Preserve. This group included local government officials, numerous disabled activists, environmental activists, and representatives from various state agencies. Throughout the working group discussions were tense. Individuals representing the DEC at that time were clearly pushing for allowing the use of ATVs on trails and for weak criteria of what constituted a disability. During these discussions a former Adirondack Park Agency (APA) Chairman publicly disavowed an interpretation by APA staff of the Adirondack Park State Land Master Plan (APSLMP), the document that sets management policy over the Forest Preserve. Moreover, property rights groups were using the shields of wheelchairs to make moves against the Wilderness classification of Forest Preserve lands, where use of motor vehicles is prohibited.

While the DEC pushed to radically change the management of the Forest Preserve, environmentalists argued that any new policy should conform to existing state laws, such as the State Constitution and the APSLMP. This put DEC staff administering the working group in an awkward position. They clearly desired to open up “trails” in Wild Forest areas to ATVs, though the APSLMP clearly differentiated between “roads” and “trails.” More importantly, while certain motor vehicles are allowed on roads in Wild Forest areas, no motor vehicles are allowed on trails.

In June of 1997, DEC Commissioner John Cahill published a new policy for special use for disabled individuals of motor vehicles on the Forest Preserve. The Commissioner overrode the actions of renegade staff and fixed many of the flaws of this policy so that it at least conformed to state law. Under this policy new procedures were enumerated for how certified disabled individuals could obtain temporary permits to use motor vehicles in the Forest Preserve. While these permits are not extensively used, they are nevertheless controversial. Whereas this policy kept ATVs off trails it also opened up a number of roads heretofore closed to ATVs, but open to all other motor vehicles, to ATVs. Property rights advocates and motor vehicle advocates (who shared the same goal of using “disabled access” to weaken environmental protections for the Forest Preserve, especially against the Wilderness classification) felt acutely betrayed by the new policy. They spent much of the summer of 1997 protesting the policy.

After several attempts at civil disobedience by disabled/motor vehicle advocates failed to garner a court challenge where the rights of the disabled could be linked with motor vehicles and challenge the NYS Constitution's Forest Preserve amendment, disabled advocates brought suit in federal court after becoming a project of Albany Law School's law clinic. Judge Kahn



View of the Great Range from the summit of Giant Mountain. Photo © Bob Koch

issued a 10-day Temporary Restraining Order (TRO) which opened a list of roads and trails disabled advocates presented to the judge and requested be opened. At the time the DEC protested and environmental groups petitioned to intervene.

Two weeks later, Judge Kahn allowed the environmental groups to intervene as codefendants and modified his TRO to just eight roads that had been closed to public motor vehicle use. Though Judge Kahn was sympathetic to environmental concerns about the negative impacts motor vehicles have on wild areas, he also cited the incomprehensible policy of the DEC in governing motor vehicle use by the DEC. The Americans with Disabilities Act (ADA) states that full access should be provided for disabled individuals unless accommodations to provide that access change the "fundamental program." Many argue that an ATV in a wild area where no other vehicles are allowed would fundamentally change that area, but when Judge Kahn reviewed documents provided by the plaintiffs and the DEC he saw nearly unregulated "administrative" motor vehicle use and argued that given such high use by the State, the fundamental program would not be changed.

The Judge focused specifically on the Newcomb Lake Road that leads to the historic Great Camp Santanoni. This is a 5-mile road that leads to the camp and to Newcomb Lake, a beautiful area that has several lean-tos and numerous campsites. This road is located in a Wild Forest area, though it is ostensibly closed to motor vehicles. DEC documents ordered produced by Judge Kahn showed that the DEC had approved motor vehicle permits for prisoner work crews, educational groups hosting public interpretive programs at the Great Camp, for local government officials touring the camp, for various contractors doing work on the camp, for researchers and historians, and for DEC staff. Clearly, given this level of use, the Judge ruled a few disabled individuals on ATVs would not fundamentally change the program. Judge Kahn used to Newcomb Lake Road as his model for all roads in the Forest Preserve and opened it for ATV use by individuals with special permits along with eight other often similarly abused and mismanaged roads.

The intervening environmental groups had attempted to negotiate a settlement with the DEC and plaintiffs, but were unsuccessful to date. DEC took Judge Kahn's criticism to heart but reacted not by tightening up both superfluous public and administrative use, but by continuing to issue numerous permits without proper supervision. Problems arose with DEC's management in areas beyond those dealing with disabled access. Recently the DEC has taken to partnering with local governments and snowmobile clubs to help maintain a sprawling complex of some 1,000 miles of snowmobile trails. Snowmobiling has become big business in a couple of



Algonquin Peak from the summit of Mount Colden Photo © Bob Koch

towns in the Adirondacks; Old Forge and Tupper Lake, and many other towns are attempting to replicate this perceived success.

State economic development agencies have latched onto this cause and are doing whatever possible to promote and support the Park's snowmobile infrastructure. Apparently snowmobiling has changed a great deal in the last 20 years. Today's machines can't handle deep snow and can only travel on groomed trails. While riders are desirous of wooded trails, they also want smooth, groomed and wide trails that accommodate high speeds. State law requires that snowmobile trails in the Forest Preserve be just 8 feet wide and "of the character of a foot trail."

The DEC has recently entered into a number of "Adopt-A-Natural-Resource-Program" agreements with snowmobile clubs and local governments whereby DEC authorizes these entities to maintain these trails. On one trail in the Vanderwhacker Wild Forest area, the Town of Newcomb bulldozed a trail and expanded it from 8 to 20 feet in width. After a public outcry the trail was closed and the Adirondack Park Agency brought and enforcement action against the DEC and ordered the DEC to remediate the trail. Similar abuses occurred in other parts of the Forest Preserve.

Further, the DEC has taken to permitting the use of ATVs in summer months by snowmobile clubs for "reconnaissance" purposes. Ride an ATV and look for downed trees. That state law specifies that only tracked vehicles driving on frozen, snow-covered ground can use snowmobile trails seems to be of little concern to the DEC. Last summer DEC set off to codify this cozy arrangement by issu-

ing a new Administrative Use for Motor Vehicles and Airplanes in the Forest Preserve policy. This policy has many good features but is troublesome because it includes as its cornerstone a broad definition of "administrative personnel" that includes any local governments or organization the DEC contracts with to maintain a "resource."

While there will be new systems set in place for record keeping of administrative motor vehicle use in the Forest Preserve, many new players will be covered as such personnel. The DEC saw creation of such a policy as evidence for Judge Kahn that it was getting its house in order with regards to Forest Preserve management. Unfortunately, this policy entangled snowmobile trail management with the Galusha suit. Politically, the DEC and Pataki Administration now have to wrestle with and expanded motor vehicle lobby, snowmobilers as well as off road vehicle activists.

DEC has always maintained that the Galusha case is a civil rights case, "an ADA case", and not a constitutional or Forest Preserve case. The environmental community has argued it's a Forest Preserve case. To resolve this issue the next step is state court or back to the settlement table.

GREEN CERTIFICATION FOR STATE FORESTS

On Friday 21 January 2000, Governor George Pataki announced that over 700,000 acres of New York State forests had received Forest Stewardship Council (FSC) certification for sustainable forestry management. New York becomes the first state in the U.S. to receive FSC certification. SmartWood, the regional certifying organization for the FSC,

subjected New York's forests and the DEC to rigorous review and examination.

New York state forests are not Forest Preserve lands, which by law cannot be harvested. Rather these are lands are largely reforestation areas acquired by the state in the 1920s-1930s (many were reforested by the New Deal Civilian Conservation Corps program). The DEC manages these lands and leases the harvesting rights. All management decisions and planning are the responsibility of the DEC.

FSC certification (not to be confused with the forests products industry's Sustainable Forestry Initiative [SFI], which includes no independent, third party performance evaluation or audit) in New York received a big boost by Governor Pataki's action. Two years ago, Paul Smith's College received FSC certification for its 8,000 acre managed forestlands. Also, Domtar is currently in the process of becoming FSC certified on its 105,000 acres in the Adirondacks. One local sawmill owner, Hal Moore of Saranac, also received Chain of Custody certification to mill and sell FSC certified wood. Lyons Falls Pulp and Paper Company in Lyonsdale now produces a chlorine free FSC-certified paper and the new access to State Forests lands for certified wood will hopefully expand their production.

Peter Bauer is the executive director of the Residents' Committee to Protect the Adirondacks and can be reached at P.O. Box 27, North Creek, NY 12853, (518) 251-4257.

A North Woods Riddle: **HOW DOES WEAKENING PROTECTION FOR WOLVES HELP THEM RECOVER?**

by Kristin DeBoer, *RESTORE: The North Woods*
March 1, 2000

Over a year ago, the U.S. Fish and Wildlife Service (USFWS) announced that it plans to design an eastern timber wolf recovery plan for Maine, New Hampshire, Vermont, and New York. They said this process would begin once the USFWS released its proposal to reclassify the Endangered Species Act (ESA) protection status for wolves nation-wide. That was expected to happen in the winter of 1999. One year later, we are still waiting.

Despite delays, the USFWS commitment to create a Northeast wolf recovery plan is a positive step forward. A recovery plan is exactly what wolf advocates have been asking for since 1993. What we did not bargain for is that the USFWS also wants to downgrade the protection status of wolves in the Northeast from "endangered" to "threatened," a less urgent status under the ESA. Certainly, there is no scientific or legal basis for weakening protection. There are no self-sustaining wolf populations left in the Northeast for which to downgrade protection status.

Instead, this proposed downgrading is a political move designed to lessen opposition to a wolf recovery program. Although "threatened" status theoretically brings nearly the same level of protection for wolves, it also allows for more flexibility within the ESA. Flexibility in this case, would give the state wildlife agencies and corporate landowners more control over if and how wolf recovery proceeds.

When it comes to wolf reintroduction "flexible management" is becoming the predominant paradigm. Whether designated as "threatened" with "special rules" or "experimental, non-essential" recovering wolves are often managed through manipulation and control. The reintroduced wolves in Yellowstone National Park and Central Idaho, for example, can be killed if caught depredating livestock. In North Carolina, red wolves can be retrieved and relocated if a private landowner refuses to allow a wolf to exist on their land. Whether it is the livestock industry, private property rights

advocates, or hunters, these compromises are aimed at appeasing those special interests who are likely to be opposed to wolf reintroduction. Sometimes this strategy works, other times it does not.

In the Northeast, the USFWS argues that flexibility under threatened status is needed for two reasons. First, most wolf habitat here consists of privately owned timberlands, and federal agencies are not willing to implement any endangered species programs without the consent of landowners. The other reason is that some conservative hunting groups are opposed to wolf recovery based on a concern that wolves will impact their white-tail deer hunting season. Since hunting lobbies heavily influence state wildlife agencies, the USFWS is also interested in developing a recovery program that encourages state wildlife agencies to participate as well.

The USFWS expectation is that a "threatened" status might bring just enough flexibility to induce the states and private landowners to become positively involved. For some time, even most wolf advocacy groups agreed to go along with the downlisting compromise, BUT ONLY IF it meant that the state wildlife agencies, hunting groups, and landowners demonstrated support for the effort. The problem is that, so far, no one is taking the bait. In fact, the opposite is happening.

In response to growing support for wolves among the general public and the conservation community, anti-wolf interests are lashing back. Last year, the State of New Hampshire passed a law prohibiting wolf reintroduction into that state. This year, Vermont tried to do the same. Maine will surely try to outlaw wolves soon as well. And New York may come next. Meanwhile, none of the state wildlife agencies have come out in support of wolf reintroduction. The Maine Department of Inland Fisheries and Wildlife, for example, has an official policy opposing wolf reintroduction until there is a broad public mandate for the effort. So far the Maine Forest Products industry has not opposed the effort, but they haven't exactly supported wolf reintroduction either. On the other hand, NH Timberland Owners Association is on record opposed to wolf reintroduction in NH. Meanwhile, the

most vocal opponents of Northeast wolf recovery, such as the Sportsman's Alliance of Maine and the Farm Bureau continue to disseminate misinformation and blatant myths to obstruct progress.

If state wildlife agencies, hunting groups, and landowners are still not convinced that they should support wolf reintroduction, even with "flexible" ESA rules—we might have more to lose than we have to gain by lessening protections for the wolf.

The Northeast wolf recovery movement has been growing exponentially in the last seven years, all while wolves have been fully protected as an endangered species. Therefore, it is not likely that downlisting will encourage more of the general public to become supportive. Indeed, the public may be more likely to support an animal that is "endangered" because the associated legal protections convey the urgent need to restore wolves to their rightful place in their former habitats. Indeed, the downlisting proposal has already given some wildlife managers an indication that wolf recovery is not a priority. MDIFW's own deer biologist, Gerry Lavigne, wrote a memo to his department, dated June 28, 1999, arguing that wolves are not endangered at all, and if the USFWS itself is willing to downlist, perhaps ESA protections should be removed entirely. He even went so far as to suggest that wolves should be treated like coyotes — hunted and trapped 365 days per year. Clearly, downlisting may be a very slippery slope.

WHAT ESA "FLEXIBILITY" REALLY MEANS

The proposed reclassification proposal by the USFWS has been postponed for over a year. Each month, USFWS representatives assure us that it will be released soon. Yet the delays persist. Recently, in an apparent attempt to catalyze the process, a draft of the USFWS national wolf reclassification proposal was leaked to the public.

The USFWS claims this draft is outdated because it was written in July, 1999, yet other sources say it was done as recently as October. Despite when this document was drafted, it likely reflects some portion of the truth. The USFWS still has a chance to change this proposal, and hopefully they will, but the draft gives a good indication of what "flexibility" may really mean if the USFWS succeeds in their attempt to reduce protections for wolves by downlisting them to be "threatened" species:

"The intent of this special rule is to provide those States and Tribes that have an active interest in participating in gray wolf conservation the authority to maintain the lead role in protection, management, and recovery of the

species. Importantly, this special rule will increase the options for wolf restoration to portions of historical gray wolf range in the northeastern U.S. by providing greater regulatory flexibility to State and Tribal governments. Greater regulatory flexibility will enable participating States and Tribes to manage wolves that may be released as part of a reintroduction effort and to address problem wolves, such as those that depredate domestic animals.

On the surface, it may seem reasonable to allow states to take the "lead role" in a recovery plan, and certainly state wildlife agencies should have an equal partnership with the USFWS. The problem is that states rarely demonstrate leadership for endangered species recovery programs and are usually quite reluctant to get involved. If the State of Maine's weak Atlantic salmon conservation plan is any indication of what is to come for the wolf, the species may have little chance of receiving a quality recovery plan. Furthermore, the USFWS is ultimately responsible for federally protected species. By allowing states to assume authority, the federal government could try to avoid its responsibility for wolf recovery in this region.

Secondly, the USFWS draft reclassification plan sets up a wolf control program before they have even developed recovery planning goals:

"In addition to accommodating concerns for domestic animals, the Service realizes that the effects of introduced wolves on moose and deer populations are significant concerns among State and Tribal wildlife agencies and hunters. For this reason, the Service is proposing a special provision to allow limited lethal take of wolves by Service, U.S. Department of Agriculture, and State and Tribal agency personnel to take effect five years after reintroductions are completed in the Northeastern Gray Wolf DPS (distinct population segment). Such take can occur only after the agency has informed the Service of the need for lethal control and established the extent to which individual packs will be reduced. No pack will be reduced by more than 30 percent, and no packs will be reduced more frequently than every three years."

This proposed wolf control program is unfounded. Impacts to deer and moose populations are perceived problems, not real problems. It is a fact of life that wolves kill deer and moose. They are a top predator. However, there is no scientific evidence which shows that wolves decimate their prey base. Experiences in other parts of the country show that wolves help maintain a dynamic balance with prey populations, increase the health of prey species, and

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MISSING LINKS ON THE ROAD TO WOLF RESTORATION IN MAINE

By Jamie Sayen

"You cannot love game and hate predators."

"Is a wolfless north woods any north woods at all?"

— Aldo Leopold, "Conservation," in Round River

On January 22, 2000 the National Wildlife Federation sponsored a one-day "scientific and educational" conference on the prospects of wolf recovery in the Northeast. Maine Audubon Society and the Natural Resources Council of Maine were co-sponsors. The conference, called "The Missing Link", offered much important and useful information about wolf ecology and the experience of wolf recovery in the upper Great Lakes States and wolf reintroduction in the northern Rockies. The conference also offered revealing insights into why the political climate for wolf reintroduction in Maine is so currently negative.

OBJECTIVE SCIENCE SUPPORTS WOLF REINTRODUCTION

The first panel, "Wolf Basics: the science behind wolf recovery," provided useful information about wolves, deer, and even coyotes. Walter Jakubas, a wildlife biologist for the Maine Department of Inland Fisheries and Wildlife, (DIFW), discussed coyote biology. Do coyotes fill the niche of wolves? He didn't answer, but implied they might.

In pre-settlement times, coyotes inhabited the Plains from Mexico to Canada. After European settlement, coyotes spread westward. Wolves were extirpated in the northern Appalachians in the mid-nineteenth century. Coyotes wandered east, probably through southern Canada, in the early twentieth century. They arrived in Maine in the mid-1930s. Eastern coyotes are larger than western coyotes,

weighing 30-35 pounds, and occasionally reaching 50 pounds, which is twice the weight of the average western coyote.

Coyotes are predators who favor hare and deer in Maine. But they also enjoy blueberries, beechnuts, and a variety of other foods. In late winter they increase their reliance on deer, when other food is more difficult to obtain. Jakubas said they take both healthy and weak deer, and noted that wolves would also. There is an overlap between wolf and coyote diets, but they affect their prey bases differently. Coyotes are habitat generalists, preferring grasslands and early successional habitat. No wonder they thrive in Maine's industrial forest.

Coyotes reproduce very quickly, especially when



Lyco, a beta male at Wolf Hollow, Photo © Joni Saffron.

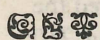
enhance the experience of hunting in the wild. Furthermore, wolf control programs are rarely successful in reaching their goal of increasing prey populations. In Maine, state wildlife biologists have admitted that coyote control programs do not really work. Instead, they are initiated only to appease a perceived concern over predation impacts on deer. As a result, wildlife managers can end up killing wolves, coyotes, and other predators without scientifically justifiable cause. It is untenable to allow arbitrary and politically motivated killing of an endangered species, especially without scientific support and only after allowing the species five years to recover from the brink of extinction.

Unfortunately, the USFWS seems willing to water down the ESA at the expense of compromising the ecological integrity of the wolf just to satisfy special interests. Yet, these compromises may just be the beginning. Threatened status also gives the USFWS the ability to permit a variety of activities that may result in the "killing or taking" of a wolf or the "permanent alteration of wolf habitat", such as "hunting and trapping programs that target other species; forest management; road construction, maintenance, and use; and recreational activities and development."

A certain level of pragmatism and compromise is necessary to achieve wolf recovery over the long run. However, if "wolf control"

and "state control" are the foundations upon which the wolf reclassification will be proposed, there may be serious obstacles to implementing an ecologically-based wolf recovery program in the Northeast. If "threatened" status brings too much "flexibility," we may end up with little more than open-air zoos where wolves are managed, manipulated, and controlled. Until all of the states in the Northeast demonstrate a long-term commitment to implementing a recovery plan in which the species is allowed to roam wild and free, the only hope the wolf has is protection as an "endangered" species under the ESA.

Wolf recovery is not just about reintroducing one species, it is about restoring the health and biodiversity of the ecosystem. Ultimately, wolf recovery will be more successful if we take the time to build the public support wolves need for an ecologically sound recovery program. To do that we not only need to learn to live peacefully with wolves and other wildlife, we need to learn how to respect the land. The recovery of an "endangered species" like the wolf may be just what the public needs to understand the incredible opportunity and responsibility before us — to restore the full range of biodiversity to the North Woods.



under pressure from predators or humans attempting to eradicate the pesky critters via such programs as Animal Damage Control. Under stress, female coyotes can increase their fertility by as much as 60 percent. During the question period, a member of the audience asked why DIFW continues to kill coyotes if this is true. Jakubas unwittingly demonstrated the degree to which politics overrides objective science at the DIFW. He acknowledged that the biologists on the DIFW staff know ASDC doesn't work, but for political reasons they continue to spend about \$38,000 a year because they feel they have to respond to public complaints about coyotes. How about spending it on wolf reintroduction?

Todd Fuller, a professor of environmental biology at the University of Massachusetts at Amherst described wolf ecology and the likely consequences of restoring wolves. Wolves eat a variety of prey, including blueberries and raspberries, but they depend on big ungulates. Ninety percent of their diet is big animals, not mice, as Farley Mowat suggests in *Never Cry Wolf*.

If wolves are restored to Maine, Dr. Fuller said, they will concentrate on deer and moose. Like any predator, they will go for the easiest kill, preferring deer or caribou over moose. But they will adapt to moose if necessary, and a single wolf is capable of killing a bull moose. Wolves lead a hard life. It is dangerous work to get large prey. The easier kills are fawns, and the old, the arthritic, and the dumb. A single wolf will kill about 15-20 deer or three to five moose per year.

How will the prey populations change after wolf restoration? Wolves eat deer that would have died anyway, due to disease and winter stress. Wolves will also kill some coyotes, thereby reducing the coyote pressure on deer. The impact of wolves on prey populations would not be as substantial as might be supposed. Dr. Fuller said that the chance of disaster to prey populations if wolves were reintroduced was pretty low. He bluntly added that wolves would not eliminate the deer herd in Maine. He concluded, We know there will be changes, but as a biologist, I don't worry about that.

Two recent scientific studies conclude that Maine currently provides adequate habitat to support viable, sustainable wolf populations. University of Maine wildlife ecologist Dan Harrison and Ted Chapin, a GIS analyst conducted a study of habitat in northern Maine and New Hampshire in 1998 and concluded that the 12 million acres in the study area could support between 488 and 1,953 wolves. A study led by University of Wisconsin forest ecologist David Mladenoff and published in 1998 in the *Journal of Wildlife Management* concluded that the Northern Forest region from the Adirondacks to Maine could support about 1,300 wolves. "If you have areas where human activity is low, and you have adequate prey," Mladenoff told Northern Woodlands writer John Dillon, "those turn out to be good areas. Maine turns out to be a very good area."

The question period elicited some interesting information. We learned that as a result of forest liquidation only about 2.5 percent of northern Maine is acceptable deer wintering habitat. I later asked an Idaho wolf biologist what percentage he thought was optimal, and he "guessed" in the range of 20 percent.

When wolves were reintroduced to Yellowstone, they killed a lot of coyotes, and the surviving coyotes figured out how to "live around wolves." Elk learned the same lesson.

The Department of Inland Fisheries and

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...MISSING LINKS...

Wildlife estimates that there are between 10,000 and 12,000 coyotes in Maine today. They don't know how many deer coyotes kill in Maine. DIFW records 2,000 coyote kills a year, which they believe is an understatement. In 1999, 600 snares killed coyotes.

In 1990 cars killed 200 moose in Maine. By 1999 moose fatalities had risen to about 700. In 1980 about 1,500 deer were killed by cars. DIFW estimates that number is around 5,000 in 1999 and admits that this is probably a very low estimate.

Todd Fuller said "chances are really low" for natural wolf recolonization from Quebec. One reason, he said, is that small populations would be vulnerable to breeding with coyotes, thereby losing the genetic integrity of the wolf. This is one reason the US Fish and Wildlife Service supports wolf reintroduction. It can relocate entire packs, which would be far less likely to interbreed with coyotes.

When asked what would be the value of wolf recovery for biodiversity in the region, Fuller replied, "It will have repercussions, but its impact will be much more sociological than bio-

Minnesota.

Michigan became a state in 1837 and set its first bounty on wolves in 1839. Wolves were extirpated in Michigan by 1960. After the passage of the Endangered Species Act in 1973, wolves began to expand their in Minnesota and eventually moved into the other two states.

Michigan citizens were hostile to wolves until the mid-1970s. An effort to restore wolves in Michigan in the 1980s failed, when people shot them. Then attitudes began to change. Educators who came of age in the first Earth Day in 1970 began to dispel the myths of wolves and to teach about the importance of wolves to a healthy functioning ecosystem. Public radio and television provided solid information about wolves. In 1990 Stephen Kellert conducted a public opinion study that revealed strong support in Michigan for wolf recovery. This stimulated the Michigan DNR to address the issue in a responsible manner. At a series of public forums around the state, DNR found that 93 percent of those who testified supported wolf recovery. "Good deer management is good wolf management," he said.

had increased to 174, and the DNR expects more than 200 wolves on the UP in 2000. Hammill believes the carrying capacity for wolves on the UP is about 800 wolves, although he admitted that the "social carrying capacity" is probably somewhat less. When that social carrying capacity is exceeded, the DNR proposes a hunting season, an idea that is vehemently opposed by wolf advocates in the Great Lakes. (For a better way to rid the Great Lakes region of wolves that exceed the social carrying capacity, see "Great Lakes: A Source of Wolves for Maine?" on this page.)

In Wisconsin, 55 percent of the wolf diet is deer, and one assumes this to be true on the UP as well. In Michigan there are 800,000 deer hunters, 130,000 hunt in the UP. In 1995 there were 700,000 deer in the UP, and hunters shot 94,000. There were an additional 15,000 reported roadkills of deer in the UP, probably about half of the actual number. Overall in Michigan there are 80,000 reported deer road kills. About 200,000 deer died of malnutrition, and wolves consumed 1600 deer: some had been hit by cars first, others would have died of malnutrition anyway. Hammill observed that wolves are "rather minor" as predators.

The presence of wolves in the Upper Peninsula has profoundly changed the hunting experience for many hunters who formerly were dead-set against wolves. While hunters still complain about wolves eating too many deer, these complaints are declining. Instead, many hunters are celebrating the wolf's return. The woods have an entirely new and wilder aspect now that they know wolves are somewhere out there.

Curt Mack coordinates wolf recovery in northern Idaho. Because the Idaho government refused to cooperate with the US Fish and Wildlife Service, the Service contracted with the Nez Percés Tribe in northern Idaho to sponsor the reintroduction program.

Wolf recovery, he stated at the outset, "is about people, not wolves." The Idaho wolves, like the Yellowstone wolves, were relocated. The first fifteen wolves were released in January 1995. A year later, another twenty were released. All wore radio collars.

Predation on livestock has been a very emotional political issue, and the wolf recovery project has carefully monitored the effects of wolves on livestock and ungulates. Livestock killers have been destroyed, but wolves have only taken one-tenth of one percent of Idaho's livestock.

At the beginning of the recovery program, people complained that government had shoved wolves down their throats. Mack said a "more constructive" dialogue has developed since the release of the first wolves. As wolf populations increase, Mack does expect more management problems and encounters with livestock, but he does not see this as a serious threat to

recovery. Livestock losses to wolves are "statistically insignificant" even as the wolf population grows. He stated that in large undisturbed landscapes with an adequate prey base, wolves can recover fairly rapidly. Idaho's successful wolf recovery is due to the large public land base in the northern Rockies.

Mack said a successful wolf reintroduction program includes monitoring of wolf numbers, breeding pairs, distribution, and ecological impacts; control of problem wolves; outreach and education; and continuing research.

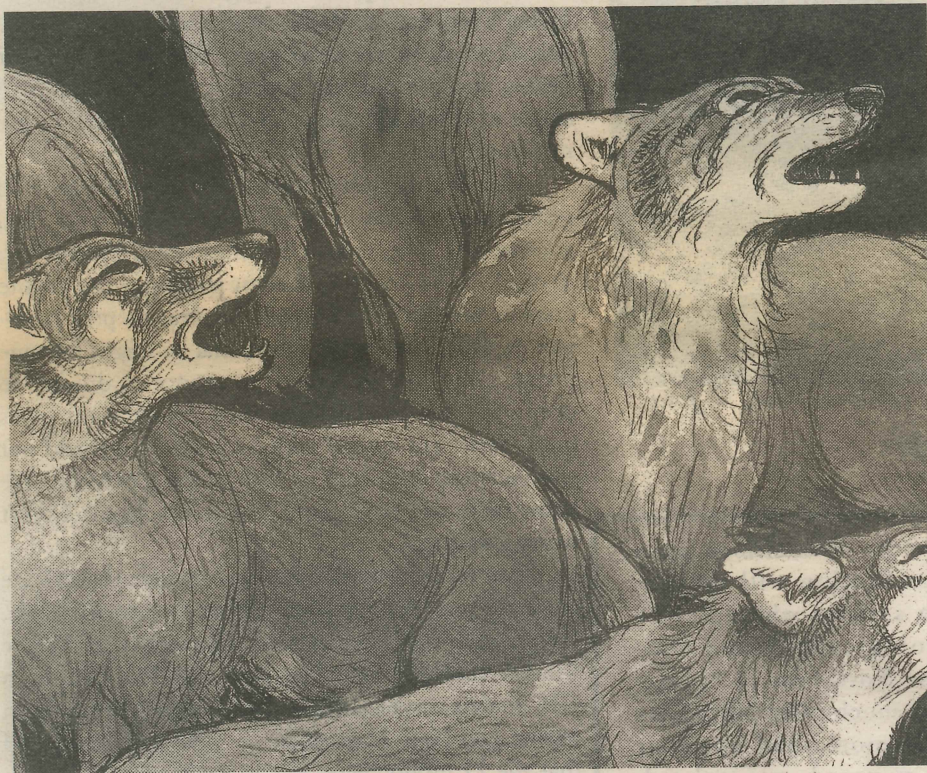
The possibility of working with a Native American tribe adds a tantalizing 'wild card' to the situation in Maine, Austin noted in her Maine Times piece. John Banks, a biologist with the Penobscot Nation told her that the Tribe is developing a wolf reintroduction policy for its 123,000 acres and is in contact with the Nez Percés. I hope the Penobscot release some wolves on their lands that wander out into the rest of the State so that DIFW will have to protect this endangered species.

During lunch break I asked representatives from the two regions if regional environmental groups had all supported wolf restoration, or, had they been divided. At first, the panelists looked a trifle confused; of course, they responded, the environmental community unanimously supported wolf recovery, even though there were often bitter disputes over the details of such a recovery program. In the northeastern United States 30 groups have now joined the Coalition to Restore the Eastern Wolf (CREW), but there is a need for mainstream groups of Maine and the rest of the region to become actively involved in making wolf reintroduction a priority in the conservation agenda.

MISSING LINKS

The first panel of the afternoon session of the conference promised "divergent views on wolf recovery." First to speak was Sophie Czetwertynski, supervisor of a wolf ecology study for Quebec's Ministry of Environment and Fauna. She has studied wolf populations in the Laurentide Provincial Park, which is the most likely source of wolves that might naturally recolonize Maine. The news from Quebec isn't good. Wolf populations in the Laurentide Park are crashing due to overtrapping and idiotic Quebec trapping policies. The government claims that wolves can sustain 70 percent trapping rates. Ms. Czetwertynski reported that wolves are not migrating out of the park because their populations are barely surviving. In a three-year study, not a single wolf moved south from the park. If wolves do move south, they must run the gauntlet of miles and miles of farms, towns, and roads as well as the St. Lawrence River. Recolonization does not appear to be a realistic hope in the near term.

The only panelist who advocated for wolf recovery was Ann MacMichael, president of the Maine Wolf Coalition (MWC). Over the years MWC has gamely defended the



logical." Wolf recovery is more of a human issue than an ecological issue. The frustrated questioner later suggested that the scientific panel would have been more balanced and informative if it had contained a conservation biologist who could have addressed how the restoration of wolves and their habitat can enhance biodiversity and ecosystem health.

SUCCESSFUL WOLF RECOVERY IN THE GREAT LAKES AND NORTHERN ROCKIES

The second panel, "Lessons learned from other regions," demystified wolf recovery. First up was Jim Hammill, a wildlife management supervisor with the Michigan Department of Natural Resources (DNR). In the Upper Peninsula of Michigan, northern Wisconsin, and northern Minnesota, wolves have naturally recolonized from the remnant population in northern

Writing in the *Maine Times* (February 3, 2000), Phyllis Austin noted that Hammill's comment had shaken up DIFW biologists who have argued for decades against wolves in Maine because of potential conflicts with deer. Could wolf supporters lend support DIFW deer management policies, some in the Department now wonder?

With the public behind wolf recovery, the Michigan DNR developed a pragmatic recovery and management plan that addressed public concerns raised at their forums and outreach efforts. DNR also realized that a successful wolf recovery program required a successful prey-base management program.

In 1993 there were 30 wolves in the Upper Peninsula. They entered the state from Wisconsin, traveling 250 miles. In 1995 there were 80 wolves on the UP. In 1999 the wolf population

proposition of wolf recovery and challenged the absurd charges of George Smith, Executive Director of the Sportsman's Alliance of Maine, the leading anti-wolf-man in the state. Unfortunately, the MWC has always taken an overly-cautious stance of supporting natural recolonization, but not reintroduction. Ms. MacMichael indicated that the MWC is reevaluating its position on reintroduction in light of the depressing news on the likelihood of recolonization.

Abby Holman, Executive Director of the Maine Forest Products Council, said her organization is "not against" wolf recovery, but . . . The timber industry is not concerned about the ecological implications of wolves in Maine. They acknowledge that timber harvesting coexists with wolves in other states. However, the Maine timber industry fears the legal implications of recovery. They fear that some unscrupulous preservationists might be using wolves to further a hidden agenda against timber harvesting.

Ken Elowe, chief of wildlife with the DIFW was next. The Maine DIFW has opposed wolf reintroduction for decades. Although the DIFW is supposed to represent the interests of all Maine residents, it has behaved as if the views of the Sportsmen's Alliance of Maine (SAM) are the only ones that matter. Although it is supposed to provide objective scientific information on wildlife issues, a point Elowe reiterated in the Maine Times article: "I would like DIFW to be an objective source", DIFW has not challenged patently untrue claims by anti-wolfers. DIFW has also demonstrated hostility to the Endangered Species Act in its opposition to protection for the expiring Atlantic salmon, preferring to quibble about genetics instead of pitching in to save salmon while there is still time.

Elowe began his presentation with a personal story. In the 1970s, as a young, idealistic student he was an enthusiastic supporter of wolf restoration. Now, he suggested, as an older, wiser man, he had shed that naive idealism. He told us that DIFW is "committed to all wildlife." ADC on coyotes that doesn't work? Decades of hostility to wolf recovery in Maine?

Austin characterized Elowe's comments at the conference as "vague." DIFW, he said, is a "cross-representation of the public," and "we work for the people of Maine." "We [DIFW] haven't ignored wolves." DIFW has had tracking surveys throughout the state since 1993. Today, he said, there are a lot of issues "social issues" that DIFW have to take into account. Most people take the position based on how it affects them. We need a "level playing field" for wolves he said, but failed to explain exactly what that means.

According to Elowe, DIFW's responsibility is to disseminate the objective facts. This would be a welcome change, especially if DIFW would begin to challenge the malarkey put out by its own deer biologist, George Lavigne whose anti-wolf rhetoric sounds like SAM's George Smith. Lavigne claims wolves would decimate the northern Maine deer

herd and lead to land use restrictions. Recent public opinion polls reveal the general public rejects such claims by a substantial margin. Because DIFW prefers a "collaborative" relationship with the large landowners, it probably doesn't have the stomach to suggest that industrial liquidation logging, that has left only about 2.5 percent of northern Maine fit as deer wintering areas, poses the real threat to deer. In one of the more amusing moments of the conference, Elowe pointed to the DIFW's cooperative agreements with the large landowners over deer wintering yards on watersheds "that may have no trees on them," but have in the past and have the potential for trees in the future.

Elowe asked, "Does Maine need wolves?" and offered a political answer: "Depends on who you ask." He did not address the ecological question: would Maine ecosystems benefit from the presence of native large predators?

In the Maine Times article, Elowe defended the DIFW's policy against wolf reintroduction along fiscal lines. Its budget is already too tight for its existing management programs. However, Jim Hammill had earlier told the conference that Michigan spends about \$30,000-40,000 a year on wolf recovery, with the US Fish and Wildlife Service supplying matching funds. That is how much Maine spends on its political program to appease coyote-haters. The money is available, but science must override the politics of pandering at DIFW for change to occur.

Elowe's presentation reinforced the message that Walter Jakubas had delivered earlier that politics drives science at the DIFW. DIFW has shown none of the imagination shown by the Michigan DNR on the wolf issue. It could counter nonsensical statements about wolves. It could sponsor regular scientific information sessions about wolf ecology. It could sponsor hearings to learn of public concerns and opinions about wolves. Insofar as public concerns are based on lies or misunderstandings, DIFW could demonstrate a commitment to scientific integrity and attempt to dispel those misperceptions. Instead, DIFW has pandered to the anti-wolf factions of the hunting community and the anti-wilderness sentiments of large landowners.

Maine's leading anti-wolf demagogue, George Smith, declined an invitation to explain his hostility to wolves at the conference. He did get on Maine Public Radio the night before to slam the idea once again. Despite his virulent attacks over the years, he has consistently refused to debate wolf supporters. For years he has claimed that wolves would wipe out deer and moose, that millions of acres of Maine would be off-limits to hunting and logging, and that even the moose hunt would be shut down. George is a smart enough fellow to realize that the scientists at the conference and informed members of the audience would have exposed his humbug. He wisely stayed away. He doesn't want democracy and debate any more than he wants wolves; he prefers to preempt democratic discussion by fear-

mongering and pressure on DIFW and the legislature to keep the discussion on wolves from developing. George's tactics are giving all hunters a bad name. The arguments advanced by George and other hysterical anti-wolfers are fundamentally selfish, even childish. Hopefully, a new organization of more generous hunters — Maine Hunters for Wolves — will soon come into existence.

Unfortunately, a hunter who enthusiastically supports wolf recovery, John Harrigan, was unable to attend because of illness. Harrigan, publisher of the Coos County Democrat and former member of the Northern Forest Lands Council, has written a popular hunting column for the New Hampshire Sunday News for over two decades. He loves wolves as much as he loves hunting, and it is a shame that his enlightened attitude toward wolves did not get a hearing at this conference. I spoke with John a couple of days after the conference, and he told me he could not understand the attitudes of the Maine sportsmen's organizations. They simply are outmoded, he said. John's wife, Nancee raises sheep, and she is also a wolf enthusiast. Every year they lose a few ewes to coyotes, but not too many because they have a large sheep dog that is very effective at deterring coyote predation.



They believe the dog would protect against wolves also. John told me he opposed Animal Damage Control because he and Nancee and their dog have trained the neighborhood coyotes, and they don't want the state coming in and killing the neighborhood coyotes so that the Harrigans have to train a new batch of coyotes.

The final panel, dealing with the proposed downlisting of the eastern wolf, was even more disappointing. Both panelists, Michael Amaral of the US Fish and Wildlife Service, which is proposing the downlisting, and Tom France of NWF's Missoula office, support the downlisting. Amaral explained the justification for downlisting and how the USFWS plans to develop a wolf recovery process in the northeastern states. (See accompanying article.)

France stressed the 'flexibility' of

the Endangered Species Act, and argued that environmentalists must be flexible in applying the ESA to wolves. He supported the 'experimental' status of the reintroduced wolves in the Northern Rockies, and the USFWS plans for the east. France made a surprisingly nasty attack against the Sierra Club and others for opposing the experimental status in the Rockies, and he made the bizarre proposal that we should establish a fund to reimburse hunters for any wolf predation of Maine deer.

Unfortunately, this idea has been picked up by anti-wolf forces. A case can be made for reimbursing private owners of livestock that are killed by wolves, provided they have done everything humanly possible to protect against wolf predation, but wildlife, such as deer and moose, belong to all citizens of Maine, not just to hunters. Hunters and cars kill many more deer and moose than wolves would. Shouldn't they reimburse the public for the lost deer? And, on the subject of reimbursement, shouldn't DIFW, SAM, and hunters reimburse small organic apple growers whose trees are damaged by the state's deer herd?

Unfortunately, the panel on downlisting the eastern wolf to threatened represented only one point of view. The NWF and US Fish and

Wildlife Service presented this as a done deal. In fact, this is not the case. The USFWS itself, admits that there is no biological justification for this downlisting. It is a purely political move designed to lessen opposition for wolves, rather than maintain the full Endangered Species Act protection they deserve. Several conservation groups in the region have already raised objections to this downlisting since it may needlessly water down protections for the wolf without building authentic support for living responsibly with the species. By excluding this information from the panel, the conference lost a valuable perspective about what kind of recovery plan and protections would be best for the wolf and their habitat.

The January 22 conference sent mixed signals. On the positive side, it demonstrated that objective science supports wolf reintroduction, and it

showcased successful recovery efforts in other regions where opposition to wolves once appeared to be insurmountable. Anti-wolf mythology was effectively debunked, and reasonable concerns of the public concerning wolf reintroduction were addressed in a manner that should reassure all but the most zealous ideologues.

Wolf recovery has already made significant progress, but more advocacy, education, and research will be needed to succeed. Reintroduction will require public support, and would benefit greatly from proactive leadership from state wildlife agencies and the entire conservation community. The wolf recovery movement was started by a few grassroots groups and courageous individuals who had the foresight and courage to start a public dialogue about this controversial topic. Over the past seven years, controversy has persisted, but the majority of the public still believes the wolf has a right to exist in the North Woods. At the beginning of a new millennium, wolf recovery has practically become mainstream.

Most recently, NWF, one of the largest and most conservative organizations in the country, has taken a leadership role on wolf recovery and made their mark by sponsoring this conference in Maine. Hopefully, other large mainstream conservation groups in Maine and across the region will soon follow their lead. What is worrisome is that as wolves become mainstream, the issues could become oversimplified in an effort to gain more marginal supporters. This conference was a case in point. The organizers purported to create a purely informational conference with a variety of points of view. But in an effort to create an objective atmosphere, they excluded several wolf advocacy groups who believe: wolves deserve the full protection of the ESA, not flexible protection that compromises their wild integrity through management, manipulation, and control; wolves deserve quality habitat, not industrial clearcuts that are ill-suited to sustain the full range of native wildlife.

Avoiding controversy may be the path of least resistance, but it is not the path that will lead to an ecologically-based and socially-supported wolf recovery program. If wolf restoration is to succeed, all the voices for the wolf must be heard. A principled defense about the truth about wolves, an unyielding insistence on open, honest, and inclusive public discussion about the real issues, and a united campaign for wolf reintroduction and protection of the wildlands — vital habitat for wolves and a myriad of other native creatures — cannot fail. Silencing any voices — whether those of hunters, loggers or wilderness advocates — can only perpetuate the legacy of our ancestors who silenced the voice of the wolf in the Northern Appalachians.

Serious obstacles to wolf recovery in Maine remain, however. Recolonization is highly unlikely in the foreseeable future. Reintroduction will require public support, and would benefit from responsible behavior from DIFW. However, if the Penobscot

A Northern Forest Governor Not Afraid of Wilderness — Or Wolves

THE ADIRONDACK EXPLORER in its January 2000 special issue on land acquisitions in the Adirondacks interviewed Republican Governor George Pataki. The Explorer quizzed the Governor on his attitudes toward a subject northern New England's governors either shirk, cloak in working forest/recreation rhetoric or trash altogether: Wilderness. Indeed, the Explorer states that "Wilderness is one of Pataki's passions."

In his interview, the Governor indicated support for the 400,000 acre Great Oswegatchie Wilderness proposal in the Park's northwest corner, stating that "the concept of having intact ecosystems that reflect the wilderness nature of significant parts of the Adirondacks is something I am extremely supportive of."

Asked about wolves, the Governor expressed support for recovery ("It's something we should not stand in the way of") — in the context of local input. Although not pressed on his feeling toward reintroduction efforts, Pataki demonstrated awareness that habitat is a basic premise of successful recovery — across the northern forest: "I think as we have large tracts of wilderness preserved as wilderness, as the northern forest regenerates, not just in the Adirondacks but in Vermont and New Hampshire and Maine and southern Canada, I think we're going to see the natural reintroduction of species that had been wiped out in the Adirondacks."

Nation steps in to accept responsibility for wolf reintroduction, DIFW's intransigence could render the Department irrelevant.

Also worrisome is the behavior of the conservation community. The conference organizers refused to include a representative of RESTORE, the first group in the region to advocate wolf recovery, on either the divergent views or the downlisting panel — the two panels that were the weak links of the conference. The conference organizers did invite representatives from the hunting and timber industry lobbies, as they should. But, isn't it a rather sorry comment that the region's environmental community was willing to listen to critics — even demagogues — but chose to silence the one voice in the region whose courage seven years ago made it safer for the conference organizers to follow.

If wolf restoration is to succeed in Maine this sort of short-sighted and divisive activity must cease. All voices must be heard.

A few days after the wolf conference, Maine Audubon Society and the Natural Resources Council of Maine (NRCM) announced their support for the lawsuit to list the Atlantic salmon as endangered (another unpopular issue RESTORE pioneered seven years ago). This is indeed welcome news, and since there are fewer wolves in Maine than there are wild salmon, supporting reintroduction of wolves is the inevitable next step.

NRCM's announcement of support for the Atlantic salmon decried the polarization and disinformation put out in the debate. The antidote to efforts to polarize is principled defense of the truth about wolves and an unyielding insistence on continuous public discussion about real wolves, not the fairy tales peddled by the George Smiths of Maine. A principled, united campaign for wolf rein-

troduction and protection of wildlands — vital habitat for wolves and a myriad of other native critters — cannot fail.

Free, open, and inclusive discussion will bring back wolves to Maine. Silencing courageous voices, or remaining silent in the face of lies about wolves will perpetuate the ecological wrong of our ancestors who drove the wolf out of the Northern Appalachians.

Despite years of lies and misrepresentations about wolves over the centuries, the public has surprisingly positive, and well-informed, attitudes about wolves. If the public is already sympathetic toward wolves, even though the environmental community has thus far failed to challenge the anti-wolfers, think how much support there will be after a principled, persistent, and unflinching campaign of honest information about wolves. And think of how the public will respond to a campaign that respects their intelligence, and offers them an opportunity to participate in an act of generosity toward wolves, wilderness, and future generations. In this dead end, consumerist age, people are dying for an opportunity to do something selfless, something generous.

GREAT LAKES: A SOURCE OF WOLVES FOR MAINE

Jim Hammill of the Michigan Department of Natural Resources told the Missing Link conference that when wolf populations in the Upper Peninsula exceed the 'social carrying capacity' for citizens of Michigan, his department would institute a hunting season on wolves to keep the population from exceeding that social carrying capacity.

A much better idea would be to trap surplus wolf packs targeted for extermination in Michigan (and per-

haps in Minnesota and Wisconsin) and relocate them to Maine. The Great Lakes States would thus be able to maintain their wolf packs at socially-optimal levels, while helping the northeastern United States to recover its ecological legacy.

Relocating wolf packs targeted for extermination would be the least disruptive means of rebuilding viable populations of wolves in Maine. It would give new life to condemned critters and would spare us from disruptive and dangerous (for the innocent wolf) wolf captures in other regions to supply Maine with wolves.

OPINION POLL

Elowe mentioned that DIFW had released an opinion survey on January 13 that revealed a majority of Maine citizens do not want wolf reintroduction, a position that fits nicely with the DIFW's. (See accompanying article for a fuller discussion of this and another more comprehensive opinion survey.)

The DIFW press release of January 13 led off with Elowe's statement: "A majority of residents do not want to see the reintroduction of wolves into their state." The Maine Times challenged Elowe's spin on the survey. It spoke with Kevin Boyle of the University of Maine who directed the survey. Boyle noted that it was not a true wolf survey because it asked a long series of questions about DIFW issues, and only two dealt with wolves. Boyle also pointed out that the percentages were not very reliable, did not demonstrate a clear majority view against wolf reintroduction, and could 'flip-flop.' Somehow DIFW failed to report these qualifications.

Mark McCollough, the non-game biologist at DIFW, agreed with Boyle. He told Maine Times that the survey results did not necessarily support the Department's position on wolves. In fact, McCollough stated, it showed people fairly evenly divided and it pointed to the need for better educational efforts. "For that reason," he said, "the Department and others interested in wolf conservation need to provide accurate information available to the public, and, in turn, make decisions based on the best scientific information available."

A defensive Ken Elowe told the Maine Times the press release had not been a "malicious attempt" to subvert wolf recovery. He defended the decision to ignore other findings more favorable to wolf recovery, claiming he had been told you have to keep press releases short.

TWO SURVEYS ON WOLVES

MAINE'S DEPARTMENT of Inland Fisheries and Wildlife's press release on January 13 was titled "Survey results reflect department stance." The press release stated 54 percent of Maine citizens do not want to see wolves reintroduced, but 61 percent support protection for wolves that recolonize naturally and 66 percent believe wolves have a right to exist in Maine. DIFW did not point out that recolonization is highly unlikely and did not ask respondents if they would be more willing to support reintroduction in light of the evidence that recolonization is unlikely.

The DIFW also asked respondents if they agree or disagree with a series of statements about wolf ecology, the ethics of wolf recovery, hunting issues, economic issues, and basic wolf mythology. Responses to these statements reveal some interesting things. The respondents feel that wolves are important to Maine's ecology (40 percent favorable, 31 percent unfavorable, the rest had no opinion. Hereafter, I will only supply the favorable-unfavorable ratio, i.e., 40-31.) They believe wolves would keep populations of other wildlife species in balance (43-27). By a narrow margin (38-32) they feared wolves would decrease hunting quality. Of course, this hypothetical response is debunked by Michigan hunters who have hunted where wolves are — and love it.

By wide margins respondents felt wolves have a right to exist in Maine (66-20), and they would enjoy seeing a wolf in Maine (55-30).

A poorly worded statement, "Wolves would decrease deer and moose populations in Maine" received 73 percent agreement, only 13 percent disagreed. But what does this mean? Do hunters, who take far more deer and moose than wolves could, reduce their populations? That question was not asked. Would the deer and moose herds be more fit if weak, old, and stupid animals are culled by wolves, or is the genetic vigor of deer and moose herds improved by removing trophy bucks and bulls? These questions were not asked, so it is very difficult to know how to interpret the response to this question.

MAINE WOLF COALITION SURVEY

However, in 1998 the Maine Wolf Coalition conducted a much more thorough wolf survey. One of its statements (#40) was: "Maine's deer herd would be wiped out if wolves return." Respondents sharply disagreed (70%-13%). Clearly, citizens of Maine understand wolves will not end deer hunting in Maine.

The other questions in the MWC survey are very revealing. I have arranged questions by subject matter.

ECONOMIC IMPACTS

Respondents convincingly rejected the following statements: "Wolf recovery will negatively impact the forest products industry" (19% agree- 60% disagree). "Wolf recovery will result in restricting access to Maine's forest" (30-53%). "Wolf recovery will harm Maine's economy" (20-60%).

ETHICS

Respondents agreed that wolves "are an important part of nature" (62-25); wolves "have a right to exist" (67-17); "I may never see a wolf, but it is important just to know they exist" (65-21). By a closer margin (45-34) respondents agreed wolves "belong in Maine."

WOLF ECOLOGY

The survey disclosed that respondents need more information on wolf ecology. The "don't know" response to a series of seven questions on the subject ranged from 49.6% to 20.5%. However, responses indicated a basic grasp of important issues. Respondents rejected the following statements: "Wolves only kill animals that are sick or old" (16-63); "Wolf packs commonly have 20-30 wolves" (11-51); and "In one year, 100 wolves would kill more deer than Maine hunters" (6-58).

WOLF MYTHS

Respondents rejected standard anti-wolf myths. Only two percent of respondents agreed with the statement, "Wolves have killed many people in North America" (77% knew this to be false). The statement "Wolves are very dangerous to people" was rejected by 71% of respondents; 15 percent agreed.

HUNTING ISSUES

Only ten percent believe wolves should be reintroduced so we can harvest pelts (73% disagreed). Thirteen percent said reintroduction should occur so we can hunt them (72% disagreed). By a margin of 65-25%, respondents favored "Imposing fines on, or jailing those who illegally kill wolves." Respondents agreed that "Wolves have at least as much right to kill deer as I do" by a margin of 67% to 20%. Hunters agreed 55% to 36%. And they don't think "wolf recovery would negatively impact hunting and timber harvesting" (21% agreed and 56% disagreed). Only 13% agreed with the statement "I would kill a wolf if I saw one." Almost 72% disagreed.

NATURAL RECOLONIZATION

The first question of the Maine Wolf Coalition survey was: "To what extent do you support natural wolf recolonization in Maine, that is, allowing wolves to return to Maine naturally from Canada? 21.1% answered "not at all." 8.1% said "very little." 27.2% replied "some". An impressive 43.5% said "very much." Combining those figures, we see that 70.7% support wolf recolonization in Maine while only 29.2% oppose it! In response to a related statement "I sup-

port allowing the wolf to return to Maine," 58% agreed and 31% disagreed. When asked if there already were wolves in Maine, ("I believe there are wolves in Maine,") 77% agreed and only 4% disagreed.

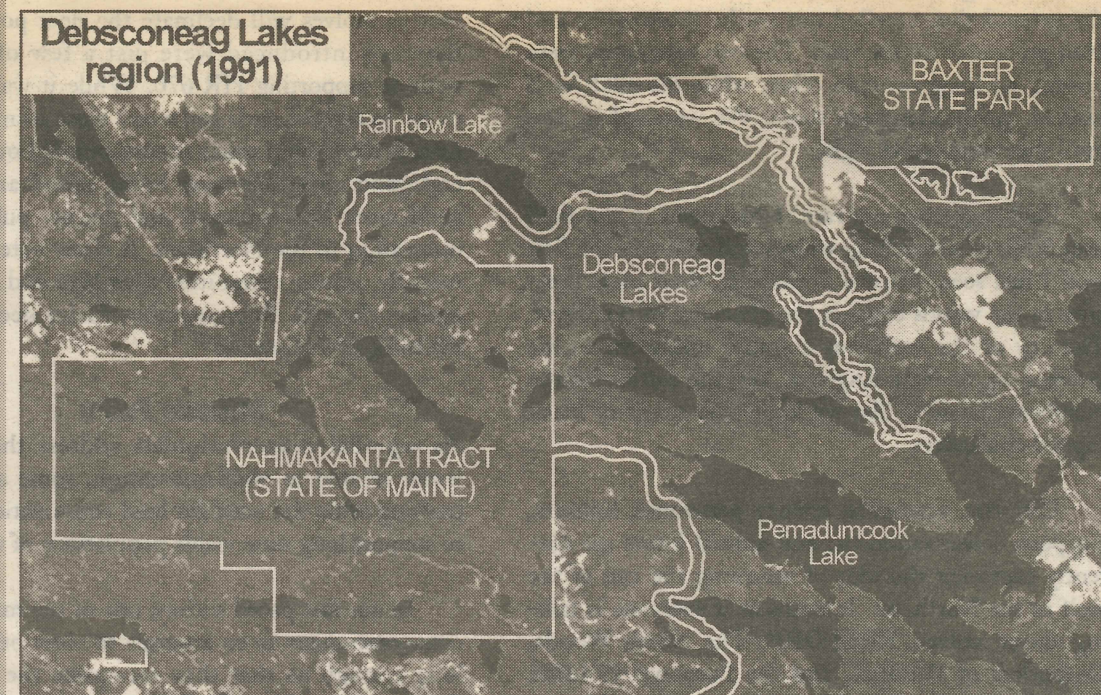
DISCONNECT

Although a relatively small survey with a margin of error of approximately five percent, there is a pattern of respect for wolves among respondents to the survey that is extremely heartening. The respondents to the survey are not worried that Maine's economy will collapse if wolves return. They respect the rights of wolves and recognize that it is ecologically and ethically right to allow them to exist. They overwhelmingly reject the most silly myths put forward by anti-wolfers. They indicated strong support for natural recolonization of wolves in Maine.

And yet, when asked about wolf reintroduction, the respondents turned negative. "To what extent do you support reintroducing wolves in Maine, that is, capturing them elsewhere and releasing them in Maine?" 29% said "some" or "very much;" 71% said "very little" or "not at all" (54.9% said "not at all"). Two follow-up questions elicited some hopeful information: "If a small number of wolves already existed in Maine, to what extent would you support releasing additional wolves to enhance their chances of survival?" 42.3% said "some" or "very much," but 57.8% said "very little" or "not at all." To what extent would you support reintroducing wolves to Maine if it was determined that natural recolonization from Canada was unlikely?" 39.4% responded favorably and 60.6% unfavorably.

What is most striking to me is that despite years of misrepresentation about wolves in Maine by some elements of the hunting lobby and certain popular politicians, as well as the scientifically unenlightened position of the DIFW, the public expresses surprisingly positive and well-informed attitudes about wolves. If the public is already sympathetic toward wolves, even though the environmental community has thus far failed to mount a high-profile, sustained challenge to the mythology of the anti-wolfers, think how much support there will be after a strong, sustained campaign of honest information about wolves. Think of how the public will respond to a campaign that respects their intelligence, and offers them an opportunity to participate in an act of generosity toward wolves, wilderness, and future generations. The most rabid opponents of wolf reintroduction have conducted a campaign that assumes people respond to selfish appeal. The results of the Maine Wolf Coalition survey suggest that people are eager for an opportunity to do something generous, ecologically-informed and responsible.

The Maine Wolf Coalition survey suggests something else: residents of Maine are not altogether pleased with the work of DIFW. The final question of the MWC survey asked if respondents agreed with the statement: "The Maine Department of Inland Fisheries and Wildlife should do more to help endangered and nongame wildlife, such as loons, eagles, turtles, and wolves." 66.7% agreed and only 19.5% disagreed! Not exactly a reflection of the Department's stance. — JS



Separating habitat quality protection from endangered species restoration will not work. It is a mistaken conservation strategy to sever the two. Water quality, protection of critical habitats and remote, unfragmented forest can be worthy goals in themselves but must be part of species recovery plans.

Maine has the opportunity to restore all three in the Moosehead region. The Debsconeag Lakes region is a key piece, between the southeast corner of Baxter State Park and the Namakanta Tract. A reserve has also been proposed to the south of Namakanta around Roach Ponds. See page 31. These areas between Moosehead and Baxter could someday be part of a much larger wilderness stretching to the Canadian border. See page 15. Unfortunately, since 1991, the area shown above has been clearcut even more (white areas clearcut.)

WILD WOLVES NEED WILD HABITAT

A Wolf Researcher's Observations of the Political Process & Conservation Strategy

by Kathleen H. Fitzgerald

Driving down the narrow, abandoned logging road, my eyes scanned for wolf scat. It was the last day of July and my second month in the field doing wolf research. My assistant Sherry and I were deep in a Preserve in Québec, La Vérendrye, and many kilometers from civilization and main roads.

In the sandy soil to my left I noticed dozens of wolf tracks. Pulling the van over, I got out to investigate. While scanning the ground for scat, I noticed a flicker of movement out of the corner of my right eye. I turned and saw a small canid running into the woods. Because of the quick sighting, I could not tell if the small mammal was a wolf pup or perhaps a fox. Quickly, I cupped my hands to my mouth and howled towards the woods. The response nearly blew me away. Two high pitched pup howls and an adult howl bowled me over. They were wolves all right and they were just meters away.

With my heart pounding, I howled again. The chorus of the wolves returned. Then, one of the pups darted out of the woods and popped his tiny head up over a sandy mound to see what or who was howling. With eyes wide open the pup stared at me briefly and then disappeared back into the woods as quickly as he had appeared.

I ran as fast as I could to the van to get Sherry and the tape recorder and for the next twenty minutes the five of us howled back and forth to each other. After getting adequate recordings, we decided to retreat, to give the wolves their space. We moved up the road and hid behind a tree where we could see where we had stood. Within minutes, the curious wolves emerged from the woods. With their heads to the ground they smelled our tracks thoroughly, and then proceeded up the road. The two fuzzy pups were playful, jumping on each other, while the adult wolf walked alertly alongside them. We watched in awe until they were out of sight.

Such sightings are rare. I had been in the field over 50 days researching wolves and that was the first wolf I had seen. Elusive as they are, their mere presence in the woods changes the character of the forest. The cry of the wolf was a sound unknown to me growing up in New England. Yet, the settlers of the Northeast knew it like we know the songs of black capped chickadees.

Citizens, scientists, agency personnel, hunters, trappers, conservationists, and animal lovers are currently exploring the idea of returning the call of the wolf to the Northeast. It seems as if everyone is talking about wolves. RESTORE: The North Woods, Defenders of Wildlife, and the National Wildlife Federation are leading the wolf restoration dialogue. Scientists are conducting wolf feasibility studies. The Nature Company is selling wolf pup stuffed animals and wolf videos. The public is devouring a New York Times bestseller on wolves. The latest Imax film is on wolves. And, up on capitol hill in Montpelier, the Vermont legislators held their own discussion on wolves — how to keep them out of Vermont.

Representative Robert Helm, Chair of the House of Representatives Fish, Wildlife and Water Committee, introduced HR 670 in January 2000. The bill would ban the reintroduction of wolves in Vermont. Original? Hardly. New Hampshire succeeded in passing a similar bill in 1999. The

Sportsman Alliance of Maine attempted to introduce the same legislation in Maine, but their timing was off. In Maine, in the second year of a two year session, bills can only be introduced if it is an emergency. Due to the intensive lobbying by Maine's conservation community an exception was not made for the wolf legislation, but look for it next year.

Two Committee meetings were held in Vermont to discuss the proposed legislation. Representative Helm explained that he introduced the bill because Vermont has too many carnivores and that we already have enough problems with coyotes...coyotes are filling the niche wolves filled and if we introduce wolves the impact on deer would be detrimental.

LISTENING TO THE DIALOGUE AT THE CAPITOL BUILDING IT WAS QUITE CLEAR THAT MUCH OF THE INFORMATION CIRCULATING AROUND THE COMMITTEE ROOM WAS INCORRECT

Ron Regan, the Commissioner of the Fish and Wildlife Department, testified against the bill. Mr. Regan stated that he did not think wolves at this time could be reintroduced in Vermont because of lack of suitable habitat, but he did not see any reason to pass such a premature bill. He noted that the wolf issue is a regional one that needs public dialogue and more time. A majority of the people attending the meeting, from high school students to hunters to citizens agreed with Mr. Regan and opposed the bill.

Listening to the dialogue at the capitol building it was quite clear that much of the information circulating around the committee room was incorrect. Statements such as wolves fill the same niche as coyotes or wolves will decimate the deer population if they are introduced were just a few of the false notions supporting HR 670. While it was tempting to try to address each and every piece of misinformation, I, along with many others, pointed out that several good questions were being raised and that we need more time to study and discuss publicly wolf restoration in the Northeast. A straw vote was taken recently among committee members and it was 5-4 against the bill. Representative Helm decided to let the bill go for this year.

MISSING PIECE

As regional conservationists address the complex issues related to wolf restoration, some seem to be pushing aside the need for land conservation in order to support long term viable populations of wolves.

In our fast paced society, one of the main roles of conservationists is to attempt to slow others down long enough so that they recognize the ecological destruction world wide. It is ironic then that conservationists themselves have not slowed down long enough to see what is missing in the wolf restoration discussion. Some conservationists, in their heartfelt enthusiasm for wolf restoration have charged ahead leaving behind the fundamental question What sort of land protection must take place in the Northeast concurrent with active wolf reintroduction efforts. By slowing down and reflecting carefully on the ecological and social realities affecting wolf recovery, I believe that conservationists will realize that large blocks of habitat must be protected if a viable population of wolves are to survive in perpetuity in the Northeast. Isn't that the goal?

The issue of landscape-scale conservation of roadless wildlands is looming in the woods and many are doing their best to bushwhack around it. The recent release of a feasibility study in the Adirondacks is a classic example of the avoidance. For the past couple years attention has been directed at the Adirondacks for possible wolf restoration. A recent study done by Paquet et al. (1999)* concluded that given trends in regional development, we anticipate environmental conditions necessary to maintain wolves will deteriorate over the next 100 years. The study included a long list of recommendations, such as developing a plan that addresses community, ecosystem and landscape level issues, and preserving linkages among potential sub-populations of wolves. Rather than addressing the recommendations and embracing the long-term challenge of wolf habitat restoration, it appears as if conservationists will turn their backs on the Adirondacks and shift focus to Maine.

WOLVES SHAPED BY HUMANS

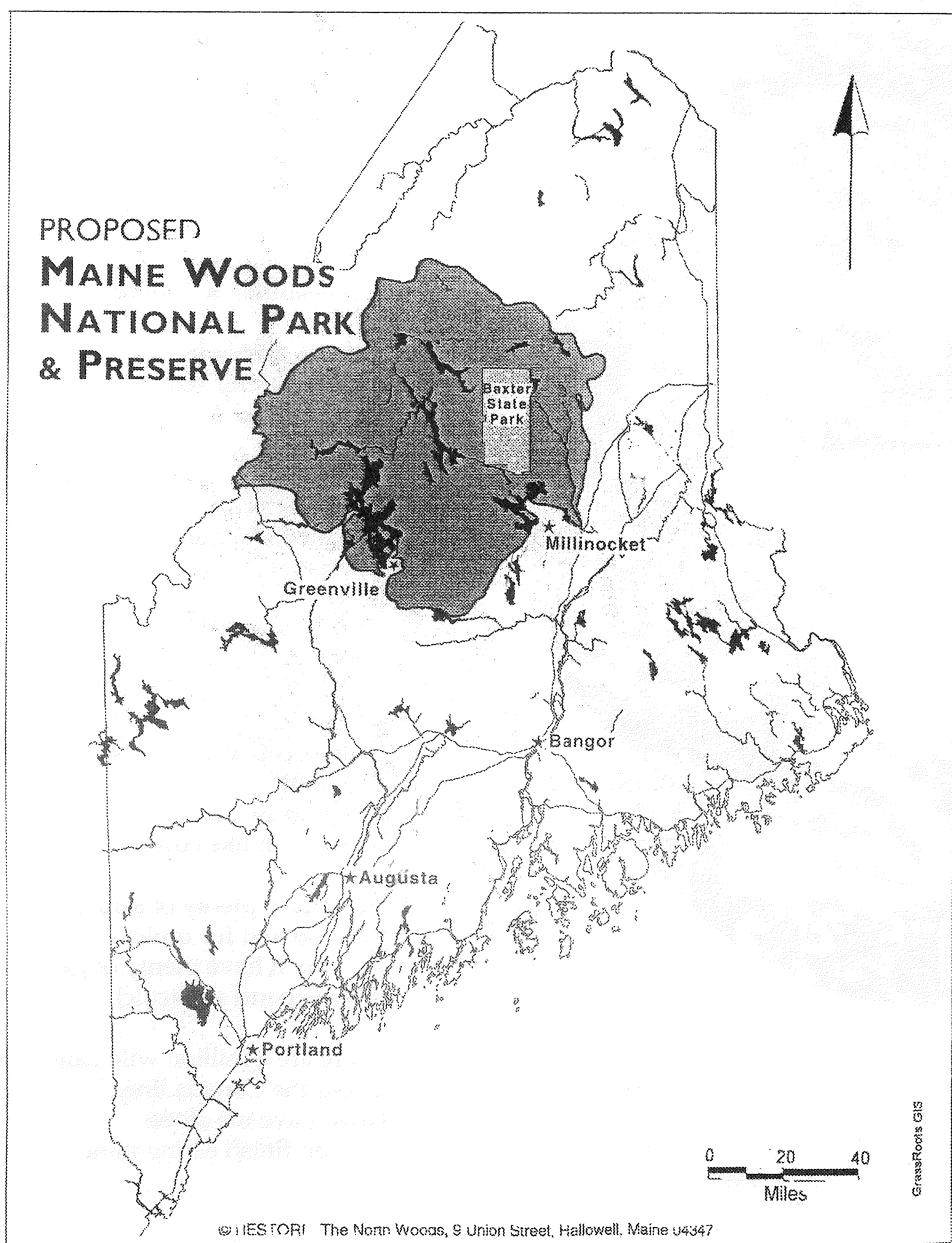
If wolves were brought back to the Northeast in the current landscape, they would be similar to the wolves living in Algonquin Provincial Park, shaped by humans. Because of habitat fragmentation and weak hunting regulations, Algonquin wolves work to avoid humans, bullets, traps, and vehicles. Natural processes such as predator and prey dynamics has been changed by human processes. Speaking at a wolf conference in Albany, New York in November 1996, Dr. John Théberge, who has been studying wolves in Algonquin Provincial Park for eleven years, posed the question What kind of wolf do you want back in the Northeast. A wolf that is made by humans as opposed to made by nature? In recent years, Théberge and other scientists have questioned whether or not even a wolf made by humans could survive in the current Northern Forest landscape. The long term effects of habitat fragmentation and direct human persecution on wolves is unknown; thus, the choice between human made wolves and wild wolves may not even be ours to make.

In an effort to forward wolf reintroduction in the Northeast, many have argued that land protection and forest management is not an issue because wolves are adaptable. Wolves are adaptable, but the story is not so simple.

This past summer I encountered a pack of wolves, the Mine Pack, living approximately 10 km outside of a town in an abandoned mine and the Athlone pack, living 3 km from a two lane paved road in an area that had been logged. Not your classic Wilderness, but for the short-term it appears as if these packs have adapted. However, the future of these wolves is in doubt. The mine is soon to be turned into a dump for Toronto's garbage and the area where the Athlone pack now roams is soon to be clearcut by Domtar. Whether or not these wolves will survive remains to be seen. Being isolated from other habitat, the Mine pack will have to travel through the town to reach another suitable place to live. Depending on the extent of the cutting, the Athlone Pack may have to venture across the paved road to seek other habitat.

What does this story have in common with the Northeast? The land is not protected in perpetuity. Studies show that land in the Northeast could currently sustain a population of wolves, but this is not guaranteed for the future. Based on my field experience, I agree with most scientists that wolves are adaptable. I suspect, as other scientists have, that they would survive for the short-term in Maines Northwoods. But, what happens when their denning site is sprayed with herbicides and clearcut, or when a pack becomes genetically isolated from another pack because of logging roads and traffic?

Wolf restoration has been successful in other areas such as Yellowstone, Idaho, and Michigan. As Northeasterners reflect on these successes and project



Typical scene in Maine's North Woods — smoked.



This example of modern scientific forestry is along the St. John River 40 mile south of Allagash. Photo © C. Heeschen

"DO WE WANT TO MOVE FORWARD WITHOUT ADEQUATELY ADDRESSING HABITAT NEEDS AND ENJOY FOR A SHORT TIME A POPULATION OF HUMAN MADE WOLVES?"

an image of wolves roaming in the Northeast, they seem to be forgetting a major difference between the Northeast and these places—National Parks and Wilderness areas protect core areas. Wyoming has Yellowstone, Idaho has millions of roadless acres of public land and Minnesota has the Boundary Waters. Conservation biologists argue that even these areas are too small, yet they do provide significant refuge for wolves. Refuge from humans. They provide areas large enough for nature to take its course and wolves to be shaped by natural processes, not human pressures. Under current conditions, the Northeast can not guarantee ample refuge for wolves in the long-term.

Many have been quick to highlight areas where wolves co-exist with logging, such as Minnesota and Algonquin Provincial Park. However, they have neglected to point out that logging brings roads and road serve as direct and indirect mortality sinks for wolves. Roads provide access to humans, are a source of direct mortality by cars, and may function as partial barriers or filters (Paquet et al. 1999). As a barrier, roads may isolate meta-populations of wolves, which would stifle genetic exchange. This has detrimental long-term effects on wolves.

Human activity can not be underestimated as a threat to wolf populations. In Algonquin Park for example, the population declined by 43% from 1989 and 1993, and slowly recovered until 1997 (Théberge 2000). The population then dropped again by 28% (Théberge 1999). Between 1987 and 1993, 56% of the wolf deaths were related to human activity (Forbes and Théberge 1996). Roads enabled humans to reach the wolves in Algonquin Park. Wolves may be adaptable, but they are not adaptable to a car driving 70mph or bullets and snares. Wolves need protection from humans. They need large, roadless areas.

Wolf recovery efforts must reflect biological/ecological time frames rather than social/political ones (Paquet et al. 1998). To restore a viable population of wolves that will survive in the long-term, we must think long-term. The wolf restoration discussion should continue, but it must include habitat needs. We must move forward with wolf restoration with a full commitment to large-scale habitat protection. Conservationists can no longer shy away from the reality that wolf restoration goes hand in hand with habitat protection. To restore the wolf, we need to restore wilderness in the northeast. Following are some suggestions:

- Protect 3.2 million acres in Maine as a National Park (RESTORE 2000).
- Protect the remaining roadless areas on the White Mountains and Green Mountain National Forests.
- Connect the forever wild public lands in the Adirondack Park with habitat linkages (Paquet et al. 1999).
- Design and implement linkages from Maine to New Hampshire to Vermont to the Adirondacks.
- Protect the habitat linkages that have been identified from the United States to Canada (Harrison and Chapin 1997, Quinby et al. 1999).

The list of things to do is increasing. In addition to general outreach on wolves, lobbying the Fish and Wildlife Service to conduct a feasibility study, fighting anti-wolf legislation, I am adding the need to adequately address wolf habitat. Fortunately, there is a diverse network of talented groups, the Coalition to Restore the Eastern Wolf**, committed to restoring wolves to the Northeast. We have the skills, the support from the general public and the ability to restore a viable population of wild wolves to the Northeast if we commit to doing so.

As much as I would like to have wolves return to my backyard, the real issue is what is best for the

wolves. Dodging bullets and cars, and avoiding humans is not ideal for wolves. Wolf restoration is in our hands. We have the ability to restore viable populations of wolves. Wolves that run down deer and moose. Wolves that maintain their intricate social structure. Wolves that are genetically diverse. The choice is ours, do we want to move forward without adequately addressing habitat needs and enjoy for a short time a population of human made wolves? Or, will we choose to commit to habitat restoration and to restoring a wild wolf population?

Kathleen H. Fitzgerald is a naturalist based in Vermont. She has studied wolves in Ontario and Quebec, and has worked with Wild Earth and The Wildlands Project.

* The Wolf reintroduction feasibility study done by Paquet et al. can be found on the Conservation Biology Institute web page.

** For information on the Coalition to Restore the Eastern Wolf (CREW) write POB 157, Kents Hill, Maine 04349.

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THE KING WHO LOVED SALMON

A PARABLE FOR MAINE BY
THE BROTHERS GRIN

ONCE UPON A TIME
far, far Down East,
Atlantic salmon swam
providing a feast

for local Native people,
for shags and eagles,
for the whole circle of life,
including seals and seagulls.

Upstream they swam,
half a million at least,
to love and to spawn
in those rivers Down East.

And that's how it went
for thousands of years,
till white guys showed up
and put in more fish weirs.

They put up big dams
and they cut down the trees
silting the fish beds and
blocking the way from the seas.

The salmon cried, "Enough.
You're killing off our kind.
Don't you see the problem?
Are you totally blind?"

But the people couldn't stop;
they said, "It'll give you the shivers,
but we need to take still more
water from the rivers

to grow all our berries,
red cran and purple blue.
You salmon need water,
but we need more than you,

for berries are worth money.
They're as good as hard cash."
No one saw the salmon's tears
as their population crashed.

Now, in that great northern land
lived a grumpy old King,
who more than anything else
loved just three special things.



FIRST,
he
liked
jobs.
Jobs was his second
favorite, too.
Third he loved jobs,
any sort would do.

Good jobs or bad jobs,
a lot or a few.
If something threatened jobs,
he would threaten to sue.

When the King was young
he tried to fix Bangor dam,
but salmon blocked his project
'cause the dam blocked where they
swam.

The King was hurt and angry
and determined to get back.
"I'll kill 'em with kindness!"
was his plan of attack.

So he bided his time,
but he didn't just snooze;
he worked on other projects
he was determined not to lose.

A port for big ships
kept him busy for a while
till a bunch of eelgrass
growing on sunny Sears Isle

cast a shadow of doom
on his industrial plan.
He was furious that again
nature had beaten man.

Next the people rose up
to try to save the
Big Woods.
The King said,
"I'd join
you,
if only I could.

But your refer-
endum's too
broad.
We need one
more com-
pact.
That's what I
think,
so it must be a
fact."

WELL,
his
Compact
was voted
down,
then voted down once
more.

The King was twice as mad,
twice as angry, twice as sore.

But there was no time to lick
wounds —
In the north there was a crash
in the Wilderness Waterway
known as the mighty Allagash.

Canoeists wanted to save the river
from more bridges and more
roads,
while anglers wanted easy access
to lighten their loads.

The King said, "No problem.
In Maine's northern spots
we've got plenty of parks
but too few parking lots."

Next he looked from his castle
and saw trouble with sprawl.
But he said, "Let's not think big;
it's much better to think small."

The people wanted 100 million
bucks
to buy large chunks of ground,
but the King said, "That's too
much.
We must keep the budget sound.

I know you want Land for Maine's
Future,
but I'm a conservative miser.
We'll cut it in two;
that's a plan that is wiser."

So the people got just half,
though they pled and they plead-
ed.
(More money to buy public land
is what Maine really truly needed.)

Suddenly there was a voice,
hauntingly distinct.
The wild salmon were crying,
"We're going extinct!"

The King brightened up
at this chance to get back.
Remember, "kill 'em with kind-

ness"
was his plan of attack.

He roared, "I love salmon.
In fact, I have just one wish.
Every day and every night
bring me another salmon dish.

I love salmon for breakfast.
I love salmon for lunch.
I love salmon for dinner.
I love salmon to munch.

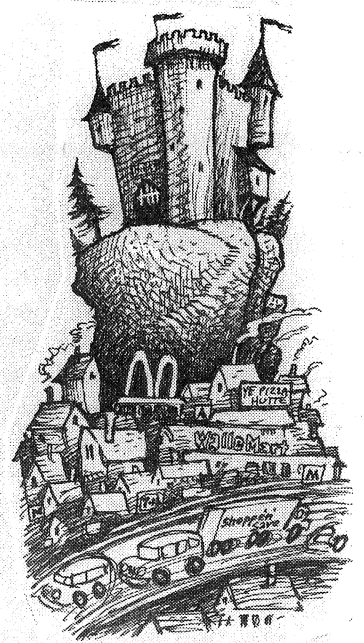
They're grown by the tankful
in pens off our coast.
I love to bake 'em and fry 'em
and smoke 'em on toast."

"Fowl!" cried the CAP
and the FEN and the TU.
"Declare them endangered
or we'll be forced to sue."

"SALMON ARE SCARCE?" asked
the King.
"Yes," replied the ASF and the
DOW.
"Then grow more in pens.
Farm them like cows.

We'll have plenty of salmon
for food and for mulch.
And we'll have plenty of jobs
if we expand aquaculch.

There are a million wild salmon
across the Canada line.
Now leave me alone
so I can finish eating mine.

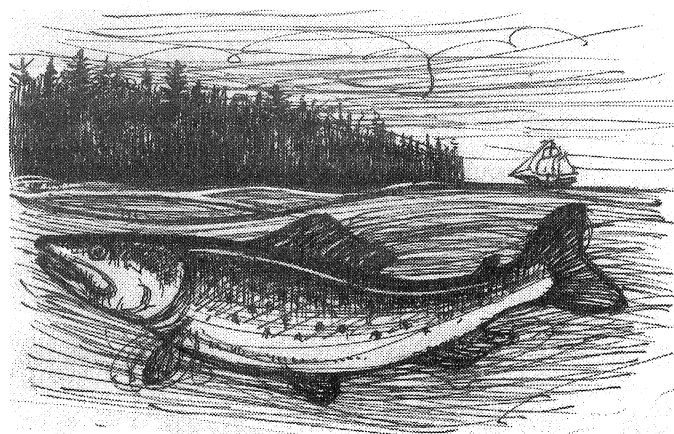


By the way, I'm not to blame
if the wild ones are rare here.
Blame it on shags and seals
(and pass another beer).

Blame it on foreigners.
Blame it on eagles.
Blame it on liberals.
Blame it on seagulls.

Blame it on anyone,
just don't blame it on me
for I dearly love salmon
as you can plainly see.

I love them for breakfast.
I love them for lunch.
I love them for dinner.
I love them to munch."



TWO DROWSY bystanders could no longer sit on their hands. NRCM and Audubon decided to take a stand.

Together the greenies warned,
"Sire, you're making us
queasy.
Blaming everyone else
is royally sleazy.

We SHARE your love of
salmon,
but we're mongers in
fish, not fear.
Your fishy plan sounded
good,
but we can no longer
cheer.

Your plan does too little
and the hour grows late,
Sire.
Please work with the feds;
extinction is dire."

"TO HECK WITH THEIR LAWS!
I'm the King!" said the King.
"What I say goes
every time for everything.

These federal laws annoy me.
I'm sick of regs; I'm sick of rules.
They're like atomic bombs
made from nuclear fuels.

Besides, Maine has no wild
salmon.
They're all exactly the same.
They came from stocked fish.
They're genetically tame."

"Sire," whispered his jester,
"we've just had a Christmas
and some people are calling you
the Angrinch who stole fishmass.

Still worse than that,
it's a brand new millennium.
People don't want the fish
full of mercury and selenium.

And remember what else — "
the jester looked rather baleful,
"You let the papermills continue
to dump dioxin by the pailful.

These conservationists
are getting way out of hand.
The movement is growing
all over the land."

"I know," rasped the King,
"this is not what I thought
when I said Maine's on the move."
His face looked red hot.

"Jester, think quick.
We need a new scapegoat.
Someone from away, like me.
Someone remote."

"We can deCAPitate Dave Carle.
We can FENd off Jon Carter.
We can knock DOWN Defenders,
and that's just for starters."

The jester added, "We can accuse
Sierra
till they see the error of their ways.
We can sideline the Greens--
put them all out to graze."



"GOOD
IDEAS," PRAISED the King.
"But I want to do more.
Why don't we blame it all
on that group called RESTORE.

We can blame them for salmon!
We can blame them for lynx!
We can blame them for wolves!
Its unfair and it stinks,

but they think way too big.
They refuse to think small.
I may even blame them
for causing all this darned sprawl."

The more the King spoke,
the more he sounded frantic.
"I'll make sure they know
I'm no wilderness romantic.

THEY SAY biodiversity
needs big wild preserves.
They claim we can't manage
with two-bit ecoreserves.

I know! I'll blame them
for giving the peasants false hope.
Yes, it's a brilliant strategy,
(I'm really no dope).

I'll snuff out the flame
of their bright, blazing spark.
I'll blame every problem
on their oversized park.

I'll say it'll cause taxes to go up,
our lifestyle to come unfurled.
It'll be the end of the working
woods,
the demise of our world.

I'll teach those RESTORE folks
a lesson right from the start:
Don't dream grand dreams.
Don't have hope in your heart.

I'll call them fanatics.
I'll declare them extreme.
I won't let them play
on my official royal team."

THE KING HOPPED on his Harley
and popped a wheelie in the
rotunda.
Lords and ladies gawked
as he continued to thunda'.

"I want the House and Senate
to endorse my insisting
that the Congress put a stop
to this endangered fish list-
ing!"

"Caution, Sire," said
the jester.
"You sound less than
regal.
You sound defen-
sive and shrill.
You sound a lot
like a seagull."

"Well, maybe,"
said the King,
"but I love to rant
and to grum-
ble.
Here, park my hog.
My tummy's starting
to rumble.

I've had salmon for
breakfast.
Now bring salmon for
lunch.
Tonight I'll have salmon for din-
ner.
I love salmon to munch."

THEN SOMETHING strange hap-
pened
(some folks thought it was tragic).
The King began to shiver
as if possessed by weird magic.

His eyes grew large.
His legs became a tail.
His arms turned to fins.
He began to flop and to flail

on the hard marble floor
like a fish out of the ocean.
The King's mouth, for once silent
made a scared gasping motion.

"Oh, no," whined the jester.
"Oh, no," cried his wife,
"the cloned genes in his salmon
have changed the form of his life."



"BUT WAIT," EXCLAIMED a voice
from far off to the right,
"there's no need to fear;
there's no need for fright."

A blackSmith stepped forward.
(He'd just come from the forge.)
He held a gun and a fishing rod
and wore a cap that said "George."

"There's no cause for alarm.
There's no need to fret.
This is quite the biggest catch
Maine has ever seen yet.

He's the prize winning lunker
caught in Kennebec County.
Tourists will flock to a kingdom
with such piscivorous bounty.

Our King was a champ;
he always loved salmon,
but now he can truly be
king of the SAM men."

George swept up the Kingfish
in his plastic wicker creel
He said, "I love salmon, too!
He'll make a wicked good meal.

Start up the fire.
Let's have a salmon roast!
We'll bake him; we'll fry him;
we'll smoke him on toast."

OUR MORAL, MY FRIENDS,
isn't 'Watch what you wish.'
It isn't 'You are what you eat'
or 'Kings can turn into fish.'

It isn't about salmon or pickerels
or even stripped bass.
Nor jobs, gold, or payrolls --
nothing so crass.

It's not about fish, or royalty,
or peasants, or the Pope...
It's that no one — even Kings —
can steal people's hope.

THE END

NOTE & GLOSSARY

Wild Atlantic salmon are on the brink
of extinction in the United States.
The only remaining runs are in a
handful of Maine rivers. On
December 2, 1999, Gov. Angus
King of Maine delivered a speech
arguing against protecting the
Atlantic salmon under the national
Endangered Species Act (ESA). In
his speech and in numerous subse-
quent speeches and news media
interviews, Gov. King singled out
the conservation group RESTORE
for special criticism. He erroneously
suggested that RESTORE was
among the organizations that had
sued over the failure to list the
imperiled salmon under the ESA.
In his remarks he also made a
number of other false statements
about RESTORE.

ACRONYMS

ASF = Atlantic Salmon Federation
Audubon = Maine Audubon Society
CAP = Conservation Action Project
DOW = Defenders of Wildlife
FEN = Forest Ecology Network
NRCM = Natural Resources Council of
Maine
SAM = Sportsman's Alliance of
Maine
SHARE = Salmon Habitat and River
Enhancement
Sierra = Sierra Club
TU = Trout Unlimited

ATLANTIC SALMON ENDANGERED SPECIES ACT LISTING HEARING COMMENTS

Effective Local Strategy for Salmon Requires Federal Presence

State Government Uncommitted & State Plan Inadequate

MY NAME IS NATHAN PENNELL. My family and I own and operate a small farm and ranch in the Machias watershed. For many years we have irrigated from the river and its tributaries. I am privileged to serve as the secretary and treasurer of the Machias Watershed Council and the East Machias Watershed Council. For the past seventeen years, I have been employed by the Washington County Soil and Water Conservation District. I am not here to speak on behalf of any of these organizations. I am also a catch and release fisherman for the past 16 years. My goal is to fish at least 5 new streams in Washington County annually. In so doing I have become familiar with most of the streams in these salmon watersheds. I have also trapped live bait in these watersheds for over 20 years.

During the dust bowl days of the 1930s President Roosevelt learned that to effectively put conservation on the land and in the streams you had to work closely with local landowners on a voluntary basis. The more than 3000 Soil and Water Conservation Districts were established to provide technical assistance and financial assistance to those landowners to help them accomplish local goals. This delivery system has worked very well for over sixty years nationwide and for fifty years here in Washington County. When it comes to Atlantic salmon, our state government has ignored this approach and has in fact prohibited most local landowners from being involved in the writing and implementation of the Governor's Salmon Plan. Local people with an intimate knowledge of the history and dynamics within these watersheds were not allowed on the Governor's task force, were not permitted to review the plan, were not allowed to participate in the Water Use Management Committee. In fact this committee of selected individuals met in secret so that local people could not attend let alone participate.

The local Soil and Water Conservation District has also been kept from being a partner with an active role in the plan, even though they were written into the plan without their knowledge or consent. The state has even refused to provide a copy of the plan to the Washington County Soil and Water Conservation District and to the Natural Resources Conservation Service office here in Machias. The plan was completed and dated March 1997. It was January of 1999 just a year ago when the district finally got a complete copy of the plan from a friend in Southern Maine. The Washington County Soil and Water Conservation District has been planning, writing, implementing and evaluation conservation plans in these

watersheds for 50 years. The district has also been doing surveys and inventories with in these watersheds as well as working on specific projects, some of which benefit Atlantic salmon.

The district reviewed the plan and found it to be full of false and misleading information. It lacks the most basic required elements of a conservation plan. If implemented it will hasten the demise of Atlantic salmon in these watersheds.

The people in charge of the plan for the past two years do not have the knowledge or the skills necessary to effectively implement the plan or to restore Atlantic salmon. In addition, they have repeatedly mistreated local people and businesses.

The governor has had ample opportunity to fund the local watershed councils and the local soil and water districts technical delivery system. As you know Maine has a strong economy with hundreds of millions of dollars in income over expenses.

Atlantic salmon and their habitats can only be restored by local people living and working within these watersheds, by doing comprehensive watershed management plans, implementing those plans and evaluating their actions as they work toward their goals of developing a recreational fishery.

Many of us know that you have very little choice at this point. There are indeed very few mature Atlantic salmon entering these rivers. There are some serious problems and issues to address within these watersheds. We know what many of them are and we know other issues needing research.

Fortunately, the threat to list has helped to educate many people. It has also brought our state government to the point of agreeing to provide a few dollars this year. Last year, the Governor and our state Republicans chose to play politics rather than provide the few dollars needed at that time.

A year has been wasted and our needs are even greater now than they were then.

I would urge you to give local people the opportunity to do the job that only they can do. Remember that the local watershed councils are working on plans that will work to restore the habitats and recreational salmon fishing. They should have the opportunity to try before it's too late.

Q & A

What's Wrong in the Atlantic Salmon Watersheds in Washington County?

1. Studies show that there are four to five times as many seals as there were in the early 70s.

2. There are nearly 50,000 nesting pairs of cormorants (shags) along the coast.

3. There are now large mouth bass, a new species in the East Machias River from the headwaters at Pacomoonsshine to Hadley's Lake in East Machias.

4. There are small mouth bass and pickerel throughout most of these rivers and major tributaries. Small mouth bass being a relatively new species.

5. Each year hundreds of thousands of tons of silt, sediment, sand, gravel and rocks, are washing into these watershed streams.

6. We have islands growing meadow grass and alders where salmon swam in the 60s.

7. There are natural clay and silt embankments contributing to the flow of silt and sediment.

8. Many beaver dams add to this silt and sediment load and contribute warm water and other problems.

9. Much of the thousands of miles of access roads used by forestry and agriculture are not properly constructed nor properly maintained. Stream crossings and ditches contribute to the silt, clay, sediment, sand and gravel that sometimes completely fill stream channels and hinder fish passage.

10. There are hundreds of beaver dams that block streams hindering adult salmon from reaching traditional spawning areas and preventing their young from reaching suitable nursery stream habitat.

11. Many cool springs are no longer maintained and therefore have silted in and do not provide the cool water that used to flow into these tributaries.

12. Our water chemistry is experiencing dramatic changes including the acidity dropping rapidly after some storms killing young Atlantic salmon.

13. Some other problems such as gullies from 100 to 300 feet long and 4 to 8 feet deep where logging roads and yards were not properly closed at the end of harvest will also need to be addressed.

The general public is not well informed about these problems, issues, and challenges and neither are our state and federal officials. —
Nathan Pennell

Testimony of Nancy Oden of Jonesboro, Maine

January 29, 2000 in Machias, Maine

Representing: Citizens for a Livable Environment in Alliance with Nature (CLEAN: Maine) and NorthEast Resistance Against Genetic Engineering (NE-RAGE), part of the world-wide Resistance to the creation of mutant life forms.

SHOULD THE US GOVERNMENT or the State of Maine take on attempts to save the Atlantic Salmon? Actually, it doesn't matter, so long as whoever does it, does it right. Likely a group of dedicated, caring citizens with enforcement powers would do much better than any government agency, but that's not our choice here. What is important is that anti-Nature forces, those who would selfishly usurp and poison our natural resources for their own personal gain be identified and stopped from further poisoning and destruction of everyone's resources.

I hear people talk about "property rights." I believe that should be "property responsibilities," since we're only stewards on this Earth. If one believes in "property rights" along with the responsibilities this entails, then they must consider the property rights of others as well. For example, the rivers, the oceans, the Atlantic Salmon belong to us all, not just those who exploit those resources.

To poison those waters and the creatures therein with pesticides from blueberry and cranberry growing (so unnecessary if natural methods were followed), dioxins from paper mill dumpings (unnecessary for paper mills to use chlorine, which generates dioxins), escaped cage fish which have been selected for fat and lazy genes, as well as genetically-engineered fish with inferior survival-in-the-wild genes – to poison everyone's waters and Nature's creatures like this is to completely misunderstand the concept of "stewards of the Earth" and "property responsibilities."

The tragedy of the Commons, that which is owned by everyone and no one's air, water, oceans, wildlife is that without strong and uncompromising oversight on our part, there are always a few greedy and selfish men who take way more than their share, and who poison at will that which belongs to us all. If we, as well as the Atlantic Salmon, are to survive, we have to stop them. Not just slow them down, but stop them from their destruction altogether.

My property rights have been trampled by the selfish men: my land and air and food from Nature, including Atlantic Salmon, which would permit me to be healthy and self-sufficient, and my own body, have been poisoned. That's the

CONTINUED NEXT PAGE

“There is No Middle Course in this Matter”

Report of 1947 Maine Atlantic Salmon Commission

Presented To His Excellency Horace A. Hildreth, Governor of Maine, State House, Augusta, Maine. January 1, 1947.

Foreword to the Report

When the first settlers came to this country they found that in the spring virtually all of the rivers from New Jersey northward were alive with countless thousands of salmon that were making their way from the mysterious depths of the sea to their spawning grounds in the upper reaches of these various rivers.

For a great many years they and their descendants enjoyed this harvest that a kind and thoughtful Providence had brought to their doors.

But these forbears of ours were unmindful of their blessings. With a thoughtlessness that seems shocking to us, they completely destroyed these fabulous spring runs of fish.

They did it by building dams that were insurmountable thus preventing the fish from reaching the spawning grounds and so procreating their kind. They did it by making the rivers the dumping grounds for all kinds of waste through which the fastidious salmon would not swim.

Gradually the Atlantic salmon, the most beautiful and one of the most desirable of all fish, disappeared from the American scene. Today it is extinct in the United States except for a few small runs in some of our eastern Maine rivers.

This disappearance of the salmon is a shocking condemnation of man's stewardship over the bountiful riches of nature with which the Almighty has endowed us. It belongs in the same

category as the despoliation of our forests; as the man-created erosion that has ruined forever hundreds of thousands of acres of our land; as the extinction or near extinction of many of the birds, animal and fishes that once populated our country.

We of Maine are the sole arbiters of the Atlantic salmon's future in this country. We will restore our salmon runs to something approaching their former glory or we will allow the last salmon to die and thus bring to an end ignominiously the history of this magnificent fish in our nation.

If we decide upon the latter course, we will be holding ourselves up to the contempt of all men from this time forward. We will be looked upon as being stupid, ignorant and totally irresponsible; as being persons God has trusted unwisely.

This report will point out the material advantages that will accrue to Maine if our salmon runs are increased. The evidence presented is incontrovertible. But even though not a single dollar was to be returned for the money spent to preserve the salmon for posterity we would have to do it or admit that in our dealings with God's creatures we are morally derelict. Our duty is self-evident. We cannot evade it, we cannot temporize with it, we cannot pass it off as something that is insignificant. We will be known to historians as a people with the wisdom and foresight to preserve this magnificent fish or we will be known as barbarians who were unmindful of their blessings or too ignorant to preserve them for our children. There is no middle course in the matter.

problem with the so-called “property rights” men: they have no respect for other people's and creature's right to live, they act like anarchists, just taking whatever they want with no thought to Earth's other creatures or their fellow humans. To protect ourselves against these anti-life forces, we must be strong and uncompromising.

We are all aware that pesticides used by blueberry and cranberry growers poison our streams, rivers, and coastal waters, and that ocean creatures are dying from these deadly poisons. We're finding sea creatures washed up dead, for no apparent reason.

When New York City sprayed the nerve gas Malathion over the entire city this past year on the pretext of killing mosquitoes carrying a virus, shortly afterwards there were major lobster kills and fish kills. A story in a Staten Island newspaper now reveals that Malathion was the cause of at least one of the major fishkills, and the others are being analyzed still. The nerve gas sprayed so liberally by air over all of us and our streams, rivers, and coastal waters up here is Guthion, or azinphos-methyl, a much more powerful nerve gas, which attacks the human, and other creatures', central nervous system — our very means of life. It has been found in the Atlantic Salmon rivers, and so, one can logically deduce it has a role in killing Atlantic Salmon, especially the young salmon. The use of pesticides must be stopped; it is not necessary in order for blueberries or cranberries to grow up here.

The paper mills add to the mix of toxic chemicals in our waters by using chlorine-based bleaching agents, which they know put dioxins into our rivers and coastal waters. Even if bleaching paper were necessary, and I don't believe it is, they could use the safer hydrogen peroxide, used by many

paper mills world-wide now. We have to stop their use of chlorine, and their dumping of toxic chemicals into our waterways.

But perhaps the worst offenders in killing wild Atlantic Salmon are the growers of caged fin-fish, so called fin-fish aquaculture. The caged salmon, bred to put on fat and move more slowly than their wild relatives so they're easier to handle in their cages, escape regularly, and breed with their wild relatives. One problem research shows is that those offspring do not survive as well as wild Atlantic Salmon, and — a major problem — their diseases, for which they get treated with drugs, get passed on to wild Atlantic Salmon, for example Infectious Salmon Anemia, which is now in the waters of New Brunswick and Maine (which are the same waters)

Also, the incidence of Paralytic Shellfish Poisoning rises wherever aquacultured fish are grown, damaging the livelihood of clam diggers and harming, potentially killing, anyone who unknowingly eats a creature carrying the disease.

Caged Atlantic Salmon are fed antibiotics and pharmaceuticals, which are believed to be contributing to the worldwide resistance of antibiotic-resistant diseases. They are also attacked by sea lice, because Cypermethrin, on top of the fish to kill the sea lice. Unfortunately, Cypermethrin is also harmful to fish and lobsters and other creatures, including humans. It's an endocrine disrupter, as is dioxin, which means it imitates human hormones in our bodies, and it imitates hormones in the bodies of other creatures, including Atlantic Salmon, as well.

The pesticide's molecules bounce around in Atlantic Salmon's bodies

(and ours, if the chemicals remain after they're killed and we eat them), turning bodily functions off and on by imitating our own hormones. They attack the pancreas, which can lead to diabetes, and the thyroid, which can lead to low or high thyroid levels, and, most especially, they imitate estrogen, the female hormone. This has many effects, most notably the feminizing of males, and the changing of males in utero into females. This works the same for humans as well as Atlantic Salmon, and many other creatures. This is unacceptable, totally, and must be stopped completely.

In fact, with all the problems it causes and all the destruction and poisoning it entails, if anyone is serious about saving Atlantic Salmon as well as ourselves, fin-fish aquaculture must be halted — completely. If we don't do this soon, they have developed a genetically-engineered fish, which may already be in commerce because it's being grown in New Brunswick and Massachusetts that I know about, which grows 8 times faster than wild Atlantic Salmon, which it would out-compete for food.

All of this is bad enough, and enough reason to stop fin-fish aquaculture altogether, but possibly even worse is this: while the fin-fish aquaculture industry claims it's feeding a hungry world, the truth is that fish is caught in Third World waters and fed to these caged Salmon to feed richer nations — and it takes about seven (7), possibly more, pounds of people-edible ocean fish (herring, etc.) to grow one (1) pound of marketable caged Atlantic Salmon. Seven to one. These caged creatures are eating more of the world's fish than we are! So there is a large net LOSS of protein available to Earth's people and those creatures who's existence depends on available fish for food.

This is clearly unsustainable and, with fisheries crashing around the world, and with our own fishermen unable to find enough wild fish to make a living, the whole business of finfish aquaculture must be halted. Workers should be compensated and jobs created in new hatcheries, fishermen could be sent out in flotillas to stop illegal fishing on the high seas, and we could hire them and their boats to find sources of poisons getting into our waters, and local fishermen could have sole access to local waters to feed local people, and so on. There are many ways fishermen and former aquaculture workers could be put to work — and it would be a lot cheaper than trying to exist without fish in the oceans, and with genetically engineered mutant fish eating more fish than us.

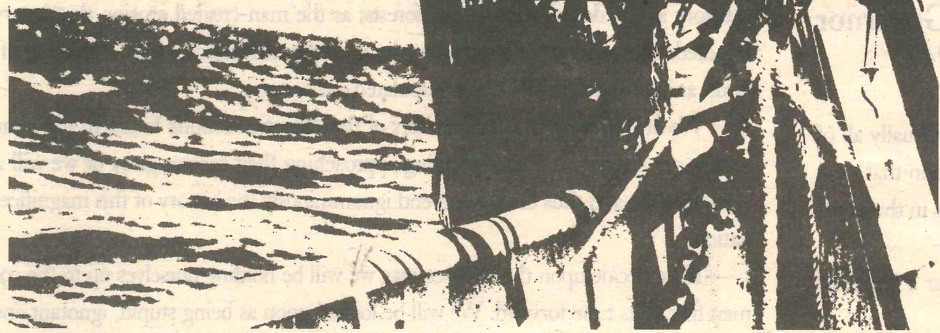
So, if you decide to list the Atlantic Salmon as endangered, which of course it is, then do it right. Do the job that really needs to be done:

- Stop the use of pesticides;
- Stop paper mills from using chlorine-based chemicals;
- End the practice of fin-fish aquaculture altogether.

If you did these three things, you would not only save the wild Atlantic Salmon, but us, and many other creatures as well, from being poisoned into oblivion.

I hope you're up to it. If not, at some point not distant, we, the people, will simply have to take over and do what needs to be done ourselves. We cannot much longer tolerate a government which panders to the monied interests, the large corporations, to the detriment of we, the people, and the rest of Nature. If we have to, we will reinstitute true democracy, and we will do the job ourselves. So I hope you're up to doing what needs to be done, completely, without compromise.

Coastal Waters Watch



CORPORATE SEAWEED CUTTING COMES TO THE MAINE COAST

A SIX MONTH-LONG effort to create a management plan for Maine's rapidly expanding wild seaweed cutting industry has sputtered, despite expansion of industrial seaweed harvesting from Cobscook Bay all the way to Blue Hill Bay.

Maine coastal activists concerned about the sustainability and ecological impacts of the present level of heavy cutting of Irish moss and other inshore seaweeds are calling for Maine to follow the lead of its Canadian neighbor New Brunswick and put an emergency stop to wild seaweed harvests until biomass estimates have been conducted, and sustainable harvest quotas established.

They are also asking the state to look into establishing town level harvest management zones, as well as no-harvest conservation areas. Presently, Maine Department of Marine Resources is content with merely requiring that seaweed cutters report their harvests and describe the location. The Maine Seaweed Council has suggested that the harvest height of rockweed be above the point where branching occurs.

Marine Winnebago Plan Dropped

A BARGE OPERATOR has abandoned his plans to tow bargeloads of mobile homes on vacation tours around the upper Penobscot Bay area. Outspoken criticism by shoreside landowners outraged by the prospect of being gaped at by motorized tourists peering out of their marine Winnebagoes, and concerns by fishermen that the barges tow cables would snarl the dense webs of lobster traplines that lace the waters of Penobscot Bay contributed to the plan's demise.

Beware of Geeks Bearing Gifts

UNHAPPY TIMES at the Island Institute. The "Tute" has branched out from a research & educational organization to becoming something of a money laundromat for credit card peddler MBNA International Corp, which is required by law to disperse money into the Pen Bay-area communities where it has set up its telemarketing complexes. Having dumped millions into mainland libraries in the region over the past several years, the company sought for additional largesse targets. After Island Institute leaders Phil Conkling and Peter Ralston brought island libraries to MBNA's attention, the credit giant began forking over the dough, but to their and the II's chagrin, the First Assessor of Monhegan Island, William Payne, not only opposed the donation, but actually carried out a one-man picket line outside the Island Institute's office on January 22, 2000, complete with a sandwich board reading "Island Institute undermines island communities." Payne also distributed a flier entitled "A matter of Concern" detailing his concerns.

"The viability and character of Maine island institutions," Payne wrote, "can rise and fall according to the various interests and abilities of island residents, or they can be forced to artificial levels by the

deep pockets of inshore corporations." Payne continued his picketing effort in front of MBNA's telemarketing center in Camden. More info at www.monhegan.com.

Right Whales Bring Suit

STATING THAT "the survival of the northern right whale is even more severely jeopardized than previously realized," the Conservation Law Foundation has filed a notice of intent to sue the National Marine Fisheries Service for failing to protect the Northern Right whale.

"The purpose of the ESA is to conserve endangered and threatened species and the ecosystems on which they depend." CLF reminded NMFS leader Penny Dalton, adding that "... entanglement of right whales has continued. Although documentation of right whale entanglement in fishing gear is relatively infrequent, 57% of all right whales sighted have scars apparently due to entanglements." CLF's complaint describes four right whales found entangled in gillnet gear last year, on Georges Bank and elsewhere in the Gulf of Maine. For example: "Right whale #2030 was first seen entangled on Cultivator Shoal on Georges Bank, east of the Great South Channel critical habitat." This whale was partially disentangled in the Bay of Fundy but was found dead off the coast of New Jersey in October.

NMFS determined that the cause of death was "massive traumatic injury induced by entanglement in fishing gear. Starvation." The complaint goes on to note that "NMFS has failed to insure that its fisheries management program is not likely to jeopardize the continued existence of right whales ... has failed to use the best scientific data available and to reinstitute consultation in light of new information in violation of the ESA ..." and by "permitting of fixed fishing gear has caused takes of right whales in violation of the ESA ..."

The federal government has until June 3rd to respond to the notice of intent to sue. Details: CLF's website: www.clf.org.

St. George River Threatened By Prison Poop

Despite anguished opposition from area residents, the State of Maine has proposed creation of a large new prison in Thomaston, Maine, against the wishes of the town. Beyond the Town of Thomaston's disinterest in transitioning from a tourism and fishery based economy to a prison-based economy, alarms have been raised by two conserva-

tion groups about impacts to the fisheries of the tidal St George River. The St George River, which is the 'receiving water' for the massive increase in waste that the new prison's inmates would 'generate' and send off to the town of Warren's Sewage Treatment Plant.

The daily dumping of 151,000 gallons more of treated sewage into the poorly flushed St George River will create a large oxygen-free dead zone, near the US Route 1 river crossing in Warren, reversing the gains in river water quality that have been fought for over the years. This has drawn the ire of the Natural Resources Council of Maine, and the George's River Tidewater Association, which have filed a notice of intent to sue the town of Warren under the Clean Water Act for its lengthy history of clean water act violations, and to forestall the additional prison waste. In response to the suit, MDEP water quality scientist David Mitnik, who has stirred controversy by maintaining that the river's dead zone is a natural occurrence, has belatedly announced that his models of the river are "flawed."

At press time, NRCM and GRTA have requested additional time to review MDEP's revisions to its computer model of the river.

Toll Rising on MBNA Displaced Deer

White Tail Deer corpses have been littering US Route 1 below the former Ducktrap Deeryard, as MBNA International Corp continues its controversial demolition and construction effort on this pristine wildlife management area, Ducktrap Mountain which overlooks Penobscot Bay. The whitetail deer herd that has lived in the sheltered DWA 020427 deer winter shelter area forest above Penobscot Bay for thousands of years has apparently been driven out from its home.

Local residents and businesses report up to seven deer killed per week by vehicles passing through this thickly forested area along US Route One, which here threads between Ducktrap Mountain and Penobscot Bay on the Maine coast. Having predicted that Maine Department of Environmental Protection's decision to allow MBNA to sprawl onto the mountain with forty buildings would turn deer into accident statistics, the Coastal Waters Project is taking MBNA before a state appeals board asking that the construction project in the deeryard be ended and the deeryard restored. See the Waters Project appeal online at: <http://userpages.acadia.net/coast-watch/appeal1.html>.



In the next issue of The Northern Forest Forum Coastal Waters Watch reports on the United States Supreme Court decision keeping oil tanker regulation in the hands of the federal government at the expense of stricter state regulations.

MORE ATLANTIC SALMON HEARING COMMENTARY

Move quickly to Protect All Wild Atlantic Salmon Populations — Including those Not Included in Current Proposal

MY NAME IS DOUGLAS WATTS, I live along the Kennebec River in Augusta, Maine and am here today to speak on behalf of the Atlantic Salmon Federation.

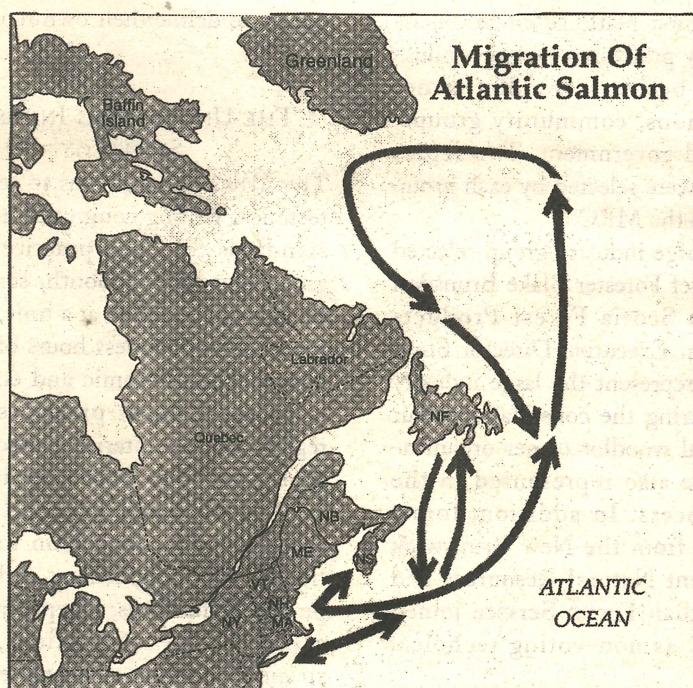
The Atlantic Salmon Federation is 50 years old and is composed of people from all walks of life across the United States and Canada. We are a group of people who share a common goal that cuts across income, language and culture. That goal is to conserve and protect Atlantic salmon in the United States and Canada. We support the Services proposal because all scientific evidence indicates the Atlantic salmon living in Cove Brook and the Dennys, East Machias, Machias, Pleasant, Narraguagus, Sheepscot, and Ducktrap Rivers are at the very edge of extinction. We have yet to hear from any credible person who contests this.

The Atlantic Salmon Federation supported the state's creation of a conservation plan for these rivers as early 1994. Like many others, we believed such a plan, if adequately funded and implemented, would help salmon runs rebound by 1999. But like many others, we were wrong. It is now 1999 and Maine's wild salmon runs are not on the rebound. That is an undisputed fact. The number of salmon returning to these rivers has not improved in the past five years. Instead, these runs have continued to decline, in some cases to just one or two females in an entire river. This is not what we had hoped and worked for, but it is reality.

Our remaining salmon are now faced with new threats that did not exist five years ago. The salmon swimbladder sarcoma virus has caused the entire Pleasant River broodstock to be destroyed and broodstock from other rivers as well. Infectious salmon anemia has been found just a short distance from Maine waters and some biologists feel it is only a matter of time before it arrives near our rivers.

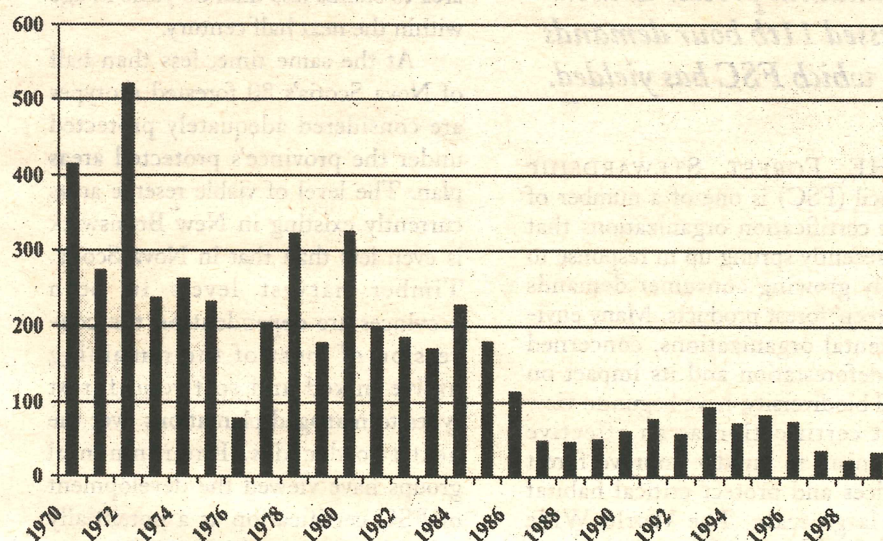
And lastly there are the wild salmon in Maine that are now receiving no habitat protection under state or federal programs. While eight salmon populations are targeted for protection in this proposal, scientific evidence indicates that another 11 confirmed or suspected wild Atlantic populations exist in Maine. Recent field work by state and federal workers with support by ASF volunteers has not only documented the presence of wild-born Atlantic salmon in these waters, but has also documented serious, unchecked habitat degradation in many of these waters.

If the goal of the Services is to protect the last remaining wild Atlantic salmon in the United States, a proposal that omits up to 50 percent of the wild Atlantic salmon in the United States fails to meet its goal. For the eight wild salmon populations the Services have selected for protection, the Atlantic Salmon Federation believes a collaborative partnership by all parties under the United States Endangered Species Act as enacted by the United States Congress offers the last and best hope for their survival. We urge the Services and the state to move quickly to protect those populations not included in this proposal. Thank You.



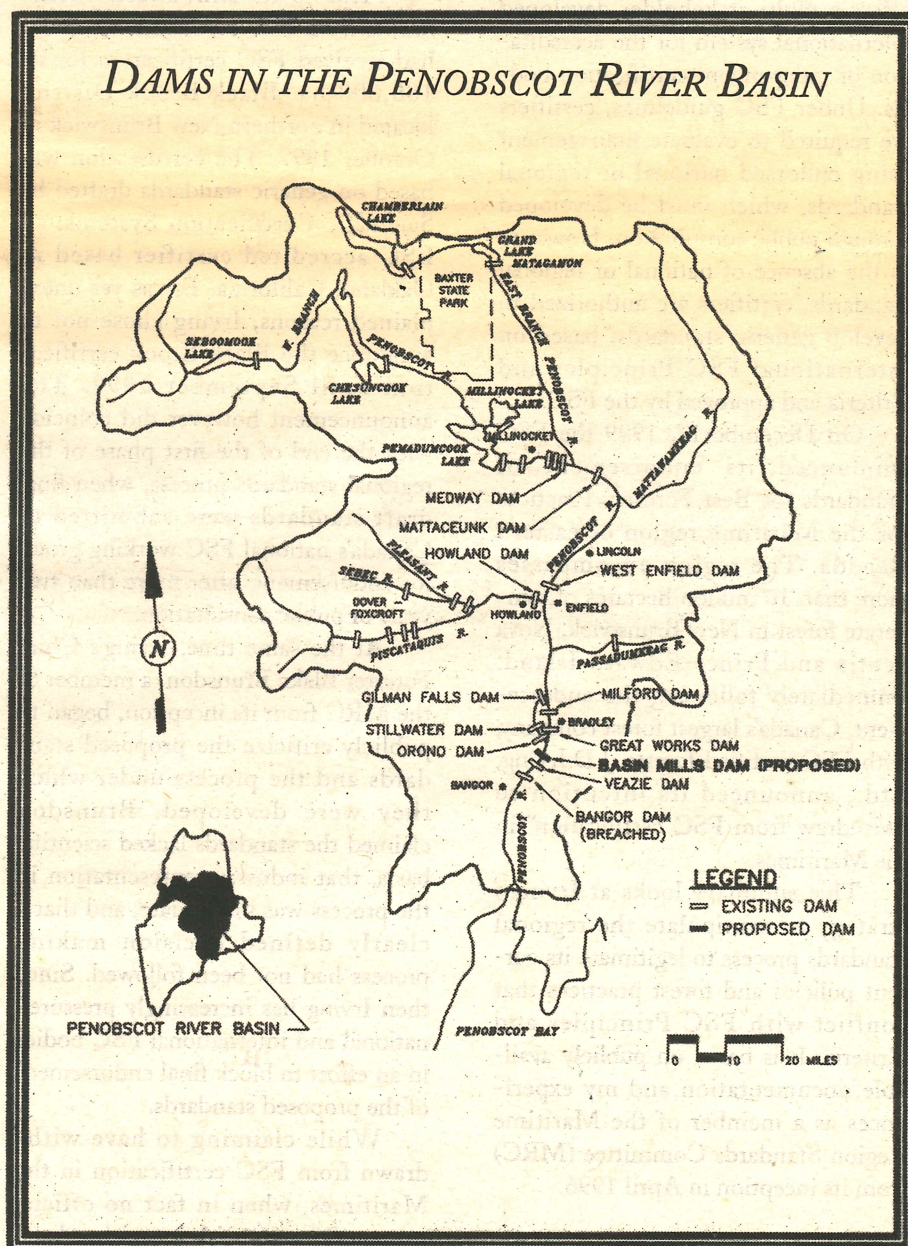
Atlantic Salmon Returning to Maine's Rivers (1970-1999)

Steady Decline Over the Past 30 Years



1999 data from Maine Atlantic Salmon Commission trap/rod catch statistics
1970-1998 data from Status Report on Maine Atlantic Salmon by USFWS & NMFS

DAMS IN THE PENOBSCOT RIVER BASIN



Conservation action for Atlantic salmon should not be confined to those rivers being considered in the federal listing petition. Considerable obstacles face the salmon throughout its range. Dams are the primary cause of the species' historic decline.

J.D. Irving Pressures Forest Stewardship Council to Weaken Maritime Standards

Timber giant ignored the Maritimes Region Standards process & then pressed 11th hour demands on which FSC has yielded.

THE FOREST STEWARDSHIP Council (FSC) is one of a number of forest certification organizations that have recently sprung up in response to rapidly growing consumer demands for 'green' forest products. Many environmental organizations, concerned over deforestation and its impact on global biodiversity, have begun to view forest certification as an effective mechanism to rapidly improve forest practices and protect critical habitat on a large scale. The World Wide Fund for Nature, Greenpeace and other respected international groups have invested heavily in promoting FSC certification as a reliable system for providing assurance of responsible forest management.

Established in 1993, the FSC offers a multi-stakeholder developed international system for the accreditation of independent certification bodies. Under FSC guidelines, certifiers are required to evaluate management using endorsed national or regional standards, which must be developed through public consultation. However, in the absence of national or regional standards, certifiers are authorized to develop generic standards, based on international FSC Principles and Criteria and approved by the FSC.

On December 17, 1999 the FSC announced its endorsement of Standards for Best Forestry Practices for the Maritime region of eastern Canada. The region encompasses more than 10 million hectares of temperate forest in New Brunswick, Nova Scotia and Prince Edward Island. Immediately following the endorsement, Canada's largest forest company, with FSC certified forests, J.D. Irving, Ltd., announced its intention to "withdraw from FSC certification" in the Maritimes.

This summary looks at Irving's strategy to manipulate the regional standards process to legitimate its current policies and forest practices that conflict with FSC Principles and Criteria. It is based on publicly available documentation and my experiences as a member of the Maritime Region Standards Committee (MRC) from its inception in April 1996.

IRVING'S AGGRESSIVE FORESTRY COLLIDES WITH ECOLOGICAL SUSTAINABILITY OF MARITIME FORESTS — AND WINS

Over the past decade forest concerns in the Maritime region have increasingly focused on the inability of the region's provincial governments and

forest industry to regulate timber harvesting within ecologically sustainable levels. For example, Nova Scotia's current rate of harvest will result in the conversion of 90 percent of its forest area to stands less than 60 years in age within the next half century.

At the same time, less than half of Nova Scotia's 80 forested ecotypes are considered adequately protected under the province's protected areas plan. The level of viable reserve areas currently existing in New Brunswick is even less than that in Nova Scotia. Timber harvest levels in both provinces are dependent on the conversion of most of the remaining native mixed and softwood forest types to managed plantations over the next two decades. Environmental groups have viewed the development of FSC certification as a potentially valuable tool to address over harvesting and the need for increased ecological protection, particularly in regard to unregulated private lands which account for 70 percent of the region's total forested area.

Prior to its announced "withdrawal from FSC certification," Irving had received FSC certification for its 188,000 ha. Black Brook District located in northern New Brunswick in October 1997. The certification was based on generic standards drafted by Scientific Certification Systems, an FSC accredited certifier based in Oakland, California. For as yet unexplained reasons, Irving chose not to announce the Black Brook certification until September 1998. The announcement however did coincide with the end of the first phase of the regional standards process, when final draft standards were submitted to Canada's national FSC working group for endorsement, after more than two years of public consultation.

At the same time, Irving's Chief Forester Blake Brunson, a member of the MRC from its inception, began to publicly criticize the proposed standards and the process under which they were developed. Brunson claimed the standards lacked scientific basis, that industry representation in the process was inadequate, and that a clearly defined decision making process had not been followed. Since then Irving has increasingly pressured national and international FSC bodies in an effort to block final endorsement of the proposed standards.

While claiming to have withdrawn from FSC certification in the Maritimes, when in fact no official request for such withdrawal has been made, Irving has broadened its efforts to block the acceptance of the Maritime standards. Their lobbying to have the standards rejected has generated a great deal of concern within the FSC community. The impact of Irving's campaign can be seen when

Hank Cauley, Executive Director of FSC United States Board (FSC US), recently wrote FSC Canada Board members, "We are being raked over the coals on the apparent violation of the core factors for FSC's differentiation in the green-labeling marketplace." Cauley requested the Board to, "ask the MRC to VOLUNTARILY REJECT the approval of the FSC of the Maritime standards, reformat the MRC and reevaluate the standards." In an earlier letter regarding the Irving dispute, Cauley connected it to future funding for FSC Canada in advising the board, "Unless I hear otherwise from the foundation Community, none of the recent developments should affect FSC US's ability to act on behalf of FSC Canada in passing through grants from US foundations to FSC Canada."

While portraying itself a victim of "a biased and unrepresentative committee," Irving has in fact managed to increasingly assert its influence over the standards used to evaluate its forest holdings in eastern Canada and the U.S. In doing so, they have also diverted attention from any serious public review of the ecological impacts of what is clearly the region's most volume intensive forest management strategy. The strategy is intended to double the annual softwood harvest in the Black Brook District over the next 25 years, with the conversion of more than 38,000 hectares of mature primary and secondary Acadian forest to biocide dependent plantations.

THE MARITIMES STANDARDS PROCESS

The Maritime standards process began in April 1996. Over 400 individuals and organizations were contacted representing a broad range of regional forest interest groups. Over 120 participants representing nine diverse groups attended an initial meeting: First Nations, environmental, forestry professionals, large industry, small business, woodlot owner organizations, community groups, youth, and government. Two representatives were selected by each group to serve on the MRC.

The large industry group selected Irving Chief Forester Blake Brunson and Nova Scotia Forest Products Association Executive Director Steve Talbot to represent the large industry sector. During the consultations four commercial woodlot owner organizations were also represented in the MRC process. In addition, forest ecologists from the New Brunswick Department Natural Resources and the Canadian Forest Service joined the MRC as non-voting technical advisors.

Not until six months after the end of the two year public consultation phase of the process, and FSC Canada's Nov

'98 decision to endorse the Maritime standards, did Irving decide to appeal over "representation" issues. In response to the Irving appeal, FSC Canada formed a Dispute Resolution Committee, which ruled in September '99 that: "The MRC had representatives in all four houses. We consider this adequate and balanced representation." And, "the standards were endorsed by the authorized body, the FSC-Canada Working Group, which also includes the same balanced representation with members from each of the four houses."

FSC guidelines require stakeholder representation for four "houses" or "chambers," representing social, economic, environmental, and indigenous organizations.

Regarding the issue of stakeholder support, the committee ruled: "while there is significant disagreement on certain aspects of the Maritime Regional Standards among a limited number of stakeholders (some members of industry and the New Brunswick government), there is significant agreement among sufficient members of the broad range of stakeholder groups, including Aboriginal, economic, environmental and social, to support FSC-Canada's endorsement of the standard."

In spite of the Dispute Resolution Committee findings and that the economic chamber had the highest number of representatives throughout the process, Irving has continued to publicly claim the regional standards were developed in their words, "in direct violation of the FSC's founding principles." Irving's press release announcing their withdrawal mistakenly claims, "FSC principles require that regional standards be developed through participation by all interested stakeholders." The Irving release also falsely maintains that the MRC "did not allow interested stakeholder groups to define their own representation."

THE UNDERLYING INDUSTRY STRATEGY

The MRC mandate was to serve as a technical writing committee and draft standards for "best practices." The group met once a month, sometimes for two or three days at a time, for two years. After countless hours of discussion on the economic and ecological impacts of forest practices in the region, and an interim public review, draft standards were submitted for final public review in June 1998. At this point Mr. Brunson indicated that he was in agreement with all the proposed standards, except those covering the use of biocides, exotic species, and size of protected areas. Representation was not raised as an issue.

During two years of meetings,

with the exception of Mr. Brunsdon, industry reps generally appeared to have little interest in the process. On a number of occasions the Nova Scotia Forest Products Association in particular had to be actively encouraged to send representatives to meetings. Industry submissions throughout the process generally failed to express positions concerning economic or species conservation issues.

In July '98, Maritime FSC members met to elect a steering committee, which then invited to a subsequent meeting, all the members of the MRC technical writing group to join them and make one more attempt to resolve the remaining non consensus issues, and make final revisions before sub-

process. In retrospect, industry's primary strategy was to allow a process it was clearly unable to dominate, to unfold without serious opposition. When the consultation phase completed Irving used the pretext of poor representation to delay final endorsement for more than a year, while at the same time demanding and getting incremental revisions of any standards which seriously conflicted with current Irving management policies.

The Irving strategy has been remarkably successful, with all levels of the FSC making one concession after another over the past 18 months in a futile effort to encourage Irving to accept compromises over key standards. Irving accepted none of these

requires that managers be "committed to using no biocides" at some unspecified time in the future. Even this vacuous provision is slated for revision over the next few months in order to accommodate Irving's expressed demand to use biocides "whenever and wherever they deem it necessary." Having successfully overridden all the standards which supposedly had earlier blocked consensus, Irving has also indicated it has no less than fifteen additional industry friendly revisions of standards company representatives previously endorsed.

IRVING'S USE OF PROHIBITED BIOCIDES

While the so-called biocide standard

FSC principles and criteria. Six of these products are regularly used in Irving's seed orchards and nurseries, while another Garlon, is used in the establishment of softwood plantations.

While Irving and SCS claim the use of Garlon was merely experimental, government data indicates otherwise. At least half the company's herbicide spray program in Maine is dependent on Garlon. In New Brunswick Irving's use of the herbicide increased 500% between 1996 and 1998. Garlon is remarkably similar to the banned phenoxy herbicide 2,4,5-T and especially effective in killing Sugar maple, a late successional Acadian forests species.

In addition, a number of other

Maine Audubon Society Defends Irving & Attacks "Narrow Agenda" of Environmentalists in Letter to FSC Protesting Maritime Standards

MAINE AUDUBON SOCIETY

20 Gilsland Farm Road
Falmouth, ME 04105
USA

(207) 781-2330

7 January 2000

Timothy Synnott, PhD

Executive Director

Forest Stewardship Council

502 Avenida Hidalgo

68000 Oaxaca, Mexico

RE: Maritime Standards Decision

Dear Dr. Synnott:

As a member of the FSC Northeastern US Working group and forest ecologist for one of Maine's largest environmental organizations, I was astonished at the recent decision made by the FSC in regards to the Maritimes Standards, as described in your 20 December 1999 memo to Mr. Drescher and Mr. Levy of the FSC Canada Working Group.

Approval of the Maritime Standards without agreement of all major stakeholder groups is simply inexcusable. While you note that substantial agreement was made on all but a few issues, it is clear that the position on one major issue, biocides, was not endorsed by stakeholders representing a majority of the forest products output for the region. This is magnified by the fact that the Maritime Standard for biocides goes far beyond the standard set by the FSC Principles and Criteria.

If the FSC is to be successful as a market-based approach to sustainable forestry, conservationists must constructively engage the industrial landowners responsible for most of the timberland in the Maritimes and northern New England. While you have set forth conditions that might lead to resolution of this issue in the Maritimes, approval of standards that were developed by a flawed process sends the wrong message to

landowners weighing the costs and benefits of FSC certification. If these landowners do not trust the decision-making process, they will not participate in the FSC, and the entire system will wither. The FSC certificate will become the gentleman landowner's seal of self approval and will become irrelevant or at best a fringe player in specialty markets, while the many other industrial programs such as SFI, ISO, and CSA will have free reign to take center stage in the forest products marketplace.

As an interested observer of the Maritimes Standards process it has been clear to me that the Acadian Working Group is dominated by environmental interests with a narrow agenda. While the Maine Audubon Society has long been an advocate of reduced biocide use, we recognize that we cannot reach the goal of zero biocide use overnight and that to make progress on most environmental issues both conservationists and industry must compromise. That is the essence of democracy. The best path forward is to work with the best science, and that science does not yet dictate that we should ban all biocides. For those in the Acadian forest region whose primary reason to own timberland is as an income-producing investment, swearing off the use of biocides as of 20 December 1999 is not a prudent or acceptable financial risk. Yet if the FSC is to be successful, these are the very landowners who must be engaged in the process.

Some industrial forest landowners are willing to make changes and adapt new thinking into their management styles, including adopting management strategies that will reduce biocide use. However, if there is no system to reward them to do better, why should they change? Undergoing an FSC certification is voluntary and expensive for landowners. Why should they participate if the rulings by FSC undermine the consensus process?

When participation for timber producers is voluntary, a majority vote by a small committee on

a controversial issue about which most members have no scientific expertise is a recipe for disaster when those who would be most affected are in the minority.

Right now the State of Maine, half of which is owned by industrial forestry interests, is a critical area in the US for successful establishment of the FSC. Maine's largest environmental groups are supporting the FSC process here, and I have angered many industrial foresters because of my critical appraisal of SFI's many weaknesses and support for the FSC in a recent white paper. However, your decision will cause those who might seek FSC certification to question the risks and will undermine the credibility of environmental groups on this side of the border who have claimed that FSC is more democratic than SFI. Meanwhile, industry's SFI program is gaining momentum and political support. I sincerely hope that in two years we will have many more FSC-certified acres in Maine, but more arbitrary decisions such as those you have just made could be the death of the FSC as a positive force for sustainable forestry in this state. If the FSC is to succeed, all stakeholders must be assured of a fair and democratic process and be assured that significant decisions are supported by all. If those who are unwilling to compromise on extreme positions get the final word, then the FSC and all its potential to move commercial forestry toward a sustainable future is doomed. Theirs will be a Pyrrhic victory indeed. I urge you to return to the Maritimes and work towards a settlement that all parties can accept.

Sincerely,

Robert R. Bryan

Forest and Wetlands Ecologist

Maine Licensed Forester

rbryan@maineaudubon.org

mission for endorsement. Both Brunsdon and the Nova Scotia Forest Products Association reps chose not to attend the meeting, where consensus was reached by the remaining fifteen committee members, prohibiting the use of biocides and requiring that 20% of large management units be set aside as protected areas.

At this point, Irving began its effort to block endorsement in earnest, claiming the standards lacked scientific basis, did not have broad stakeholder support and of course, that they were not adequately represented in the

proposals. Nevertheless, a policy to appease the company's unjustified demands, after the consultation process had in fact officially concluded, merely served to reinforce Irving's assumption of veto power over standards.

During this period, the standard requiring a specified area of protected reserves has been dropped. A regional definition for plantations is gone, along with a standard preventing the use of exotic species. The prohibition against the use of biocides has also been replaced by one which merely

has become the irritant cause célèbre of Irving's attempts to undermine the MRC, the issue amounts to little more than a convenient smoke screen at this stage. It has served Irving well to divert attention from one of the most graphic examples of industry deception and certifier incompetence in FSC's brief history.

This past November, following nine months of research, I presented documentation to FSC international Board members showing Irving's operational use of seven chlorinated pesticides prohibited under criteria 6.6 of

pesticides used by Irving should also be considered to contradict 6.6 due to their toxicity and persistence. While managing 26% of New Brunswick's forests, Irving is undoubtedly the province's heaviest user of herbicides. Canada's National Forestry Database figures show the company accounts for 60% of all forest herbicide spraying in New Brunswick.

The FSC international Secretariat has acknowledged the validity of the

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...IRVING

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biocide charges by issuing corrective action requests to Scientific Certifications Systems. However, it has done nothing to ascertain how the company's expert reviewers managed to overlook such a major aspect of Irving's entire management regimen, or whether Irving's excessive dependence on biocides runs contrary to other FSC Principles. Nor has FSC Secretariat indicated that it will order a review of any other aspects of Scientific Certification System's evaluation methodology used in the certification of Irving's Black Brook District. No punitive action is even being considered regarding Irving's role in concealing the extent of their pesticide use for over three years from Scientific Certification System's reviewers and the MRC.

At the same time Irving's use of prohibited pesticides has been substantiated, the company and Brunsdon have increased their attacks on the integrity of the FSC and MRC, both privately and in the press. Under normal consultative protocol Brunsdon's actions would have to be viewed as so grossly unethical that the only credible recourse for the FSC would be to withdraw his membership and demonstrate that this level of conduct is not acceptable in an FSC process. Instead, the FSC will be conducting yet another inquiry into MRC representation in an effort to placate Irving and its growing legion of misinformed supporters.

SIERRA CLUB APPEAL 7 HOURS LATE

Ironically, on November 2nd the FSC Secretariat also decided to dismiss the Sierra Club of Canada's formal appeal of the Black Brook District certification, claiming the Sierra Club had been seven hours late in filing its appeal documents. The appeal would have provided definitive FSC interpretations for a number of FSC international Principles and Criteria in Canada, including those covering natural forest conversion, ecological reserves, and the use of biocides.

Given the pattern that has developed over the past 18 months, environmental groups and others are now seriously questioning the value and credibility of the entire FSC process. The FSC at all levels has repeatedly allowed vested economic interests to first subvert, then dominate a legitimate FSC regional standards. Given the circumstances outlined here, Maritime environmental groups should now seriously consider whether FSC certification has become more a part of the problem of forest degradation in the region, than part of the solution. And if so, what they will do about it.

Prepared for: The Sierra Club of Canada
By: Charles Restino Updated: 3/1/00
Phone: 250-388-3518 Email: restino@islandnet.com

LIST OF ACRONYMS:

FSC (Forest Stewardship Council)
FSC Canada (Canadian Board of Forest Stewardship Council)
FSC US (United States Board of Forest Stewardship Council)
MRC (Maritime Region FSC standards Committee)



These re-vegetating clearcuts are on the White Mountain National Forest in New Hampshire. See commentary about forestry on the WMNF by Channing Snyder on page 29. He calls for changes that, while not necessarily proscribing logging, would shift the emphasis from production to protection.

J. D. IRVING'S BIOCIDES USE

Our study of Irving forest herbicide spraying has focused on New Brunswick where 66% of the company's 2.4 million hectares are located. Irving's private holdings and leased crown lands account for around 25% of the total forested area in the province, yet they carry out 60% of all the forest herbicide spraying.

Spray area figures are based yearly pesticide use reports filed with the NB Department of Environment. The data for '99 are from Irving's herbicide permit proposal filed with NBDOE, prior to the start of their program, and areas reported in the company's October 25th memo on pesticide use. Irving's initial permit 1999 permit proposal covered 24,236 ha. This figure represents the area of sites with potential competition problems before 1999 aerial surveys were completed. Irving was confronted over using FSC prohibited biocides at a meeting of the Maritime working group on Sept. 14th. It is likely the program was cut back as much as possible at this time, especially regarding use of Garlon in Black Brook.

Large scale spray programs vary from year to year due to planting schedules and weather conditions. Reduced harvesting can result in less planting in a given year and a temporary reduction in herbicide use later. The critical factor concerning Irving herbicide use is the integral role it plays in the company's long term forest management strategy. Irving strategy relies on data showing softwood volume gains through rigorous application of herbicides. All of the company's current softwood harvest levels are based on models that have specific levels of herbicide and insecticide 'crop protection' built in. Any long term reduction in protection levels would require proportional model predicted reductions in current and future harvest levels.

TOTAL HECTARES NEW BRUNSWICK HERBICIDE SPRAYING BY IRVING

1995—1999
1995 — 11,274
1996 — 11,354
1997 — 17,800
1998 — 14,746
1999 — 15,686* proposed, 12,706** completed

While Irving claims their use of herbicides has dropped 25% over the past three years, the '99 total remains significantly higher than either '95 or '96. Also, there has been a steady increase in the use of Garlon 4/ Release (its trade name in Canada) from 380 ha. in '96 to 1,947 ha. in '98. Irving's proposed '99 program called for 1,763 ha. with Garlon4/Release.

Even with this year's spray program reductions, herbicide use in Black Brook increased from 4,107 ha. in '98, to 4,841 ha. in '99. Irving was in fact a cooperator with Dow Chemical in gaining a Canadian forestry registration for Garlon. Field trials to provide registration efficacy data, included tank mixing combinations of both Garlon and Roundup for combined application. Garlon4 is a chlorinated hydrocarbon product which has served Dow Chemical as a higher cost replacement product for the banned herbicide 2,4,5-T. It is reported to be slightly more effective than Roundup for killing Sugar and other maples. Garlon can also be used later in the Fall, thus extending the "spray season" by a few extra weeks. Government and industry herbicide efficacy studies document that use of Roundup or Garlon4 can have dramatic impacts on the normal succession of native climax species, including isolated rare trees and plants. Both herbicides also have significant aquatic toxicity. Roundup has also been shown to adversely affect salmon fry survival following operational forestry use.

A significant proportion of Black Brook plantations were established using large quantities of 2,4,5-T prior to 1985. It should be determined to what extent dioxins and furans have persisted in Black Brook ecosystems, particularly in aquatic sediments. Also, the district was among the most heavily sprayed forested areas of New Brunswick during Irving's over 30 year chemical insecticide spray program against the spruce budworm which was only ended in the mid 1990s. It would also be useful to determine the extent of any environmental contamination related to various insecticides such as fenitrothion. Forests in Maritime region are primarily shade tolerant temperate hardwood and softwood mixtures. Species composition throughout the Maritime region forests has shifted dramatically over the past century from shade tolerants to more insect vulnerable early successional softwoods such as Balsam fir. The changes have largely been attributed to over harvesting, salvage cutting and intensive spraying itself.

Insecticide spraying actually increases future forest vulnerability by enhancing the survival of balsam fir regeneration over longer lived and more insect resistant spruces.

Clear cutting, followed by herbicide and pre-commercial thinning treatments, have quantifiable implications for contributing to the decline of shade tolerants across the region's forested landscape. It is important to keep in mind, the long term consequences of the removal of even remnant native populations of shade tolerants would be far more difficult to remedy, than any negative impacts on tree species composition which might result from herbi-

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cide use in catastrophe-prone boreal systems, having rapid recovery dynamics.

In an effort to put a more positive spin on their dependence on biocides, Irving has even tried to argue that they "only spray a small percentage of the total forest, while farmers spray every year." The fact that company officials can not recognize the obvious differences between biocide effects in agricultural systems consisting almost entirely of exotic components and impacts are associated with biocides in natural forests ecosystems, is a good indication of how out of date Irving's current management policies are concerning biocide use.

Even with a so called 'reduced' level of herbicide spraying, Irving still defoliates every hectare clear cut in Black Brook at least twice. This frequency is without precedence in the region or throughout Canada. Plantations in Black Brook are managed on a European even aged multiple thinning model, over a 70 year rotation. The entire productive forest, including areas of hardwoods, where herbicides are supposedly seldom used, covers only 177,000 ha. The current level of 5,000 ha. sprayed per year is double the area currently clear cut each year in Black Brook, and would total 350,000 ha. over a complete rotation.

Herbicide dependence is a reliable indicator of the intensity of 'competition' spruce plantations are confronting, and can accurately reflect the actual degree of conversion taking place. Plantations normally only require one application of herbicides if raspberries, ferns and other herbaceous shrubs are the primary competition. However, when hardwood stumps are sprayed before sufficient sprouting occurs to allow adequate transfer of lethal levels of herbicide throughout the plant's root system, vigorous re-sprouting will take place. This is particularly true with species such as Red and Sugar maples, Beech and Poplar. Consequently multiple herbicide applications are required to maintain acceptable survival of softwood 'crop' trees. Extensive second applications of herbicides are a consistently reliable indicators of hardwood site conversions.

Irving's timber supply model remains intrinsically dependent on conversion of native mixed forests to softwood plantations. No other company in the northeast US or Canada, as dependent on the conversion of mixed wood sites to maintain current softwood production levels. The data indicates that the Black Brook District appears to represent Irving's most intensive application of this site conversion policy.

The company appears to prefer faster growing White and Norway spruces for plantations. These are far less shade tolerant than native Fir, or Red and Black and hybrid spruces. White and Black spruces planted off site should really be considered exotics for all practical purposes, due to their lack of natural adaptability to site conditions, homogeneity in age structure, genetics and spatial frequency. For example, natural forest succession after catastrophic events and clear cutting can take as long as 20-30 years before stands become fully stocked. While often considered 'even-aged,' naturally regenerated areas inevitably develop much more structural, genetic and species diversity when compared to Irving managed plantations.

There is also a growing body of evidence showing open grown 'well spaced' plantations and pre-commercially thinned stands are more susceptible to a number of endemic insects. These include the hemlock looper, tussock moth and yellow headed sawfly. None appear as problematic in denser unspaced naturally regenerated sites.

Irving is certainly not the first company in the region to exploit the short term economic benefits of hardwood conversion. Benefits which have yet to be balanced against cumulative long term negative effects on species diversity, nutrient cycling, increased acidification and future stand vulnerability.

In Nova Scotia environmental groups campaigned against hardwood site conversions throughout the 1980s. A coalition of community environmental groups, local hardwood producers, and tourist and recreation organizations eventually succeeded in ending all hardwood site conversions and herbicide spraying in the eastern half of the province. StoraEnso for example, which followed policies similar to Irving throughout the 80s, has now rejected herbicide use completely and 'naturalized' their harvesting and regeneration strategies.

StoraEnso now gets applause instead of criticism, saves money, and is committed to a policy of developing more ecologically resilient forest structures. StoraEnso has also committed itself to maintaining harvest levels within the normal productive capacity of the natural forest. This should be a basic requirement for any 'green' certified company.

IRVING NURSERY AND SEED ORCHARD BIOCIDES USE

Irving lists 18 herbicides, insecticides and fungicides used in nurseries and seed orchards. Unfortunately, Irving would not release detailed nursery spray records and quantitative comparisons with other nurseries in the region could not be made. However, there is no reason to believe the company's nursery and seed orchard policies are not equally as intensive as their plantation and forest management policies.

Certainly the number of products used vastly exceeds the number currently used at other nurseries producing similar quantities of trees. The company's dependence on herbicides can also be reflective of slower early growth rates of planted seedlings due to the excessive use of fungicides and their impact on essential root fungi.

The Irving biocide list contains a number of particularly lethal products from both an occupational health and ecotoxicity perspective. Seven are chlorinated hydrocarbons prohibited under FSC criteria.

Captan, diazinon, and benomyl have all been implicated in reports concerning adverse human health effects and birth defects. The fungicide

chlorothalonil causes multiple cancers at low doses in laboratory test animals, and is contaminated with hexachlorobenzene, a WHO List IA chemical. In addition few of the products listed, or their so called 'inert' formulation ingredients, have ever been evaluated for hormone disruption capabilities. Data is available which indicates a number of these biocides persist as residues on seedlings for long periods.

However, we are unaware of any Canadian research devoted determining actual occupational exposure levels of workers handling pesticide contaminated seedlings. Even the herbicide Roundup, long claimed to be free from any long term human health problems, by its manufacturer Monsanto, has now been associated with increased levels of non-Hodgkin's lymphoma in epidemiological studies in both Ontario and Sweden.

BIOCIDES USED IN J.D. IRVING NURSERIES AND SEED ORCHARDS

Fungicide Product Name Active Ingredient

Daconil Chlorothalonil

Benelate Benomyl

Rovral Iprodione

Manzate Mancozeb

Truban Etridiazole

Captan Captan

Insecticide Product Name Active Ingredient

Safers Insecticidal Soap Insecticidal Soap

Ambush Permethrin

Orthene Acephate

Sevin Carbaryl

Pentac Dienochlor

Metasystox Oxydemeton-methyl

Kelthane Dicofol

Cygon Dimethoate

Pirimor Pirimicarb

Diazinon

DIAZINON

Agriculture Canada reviewed Nova Scotia tree nursery biocide use during the late 1980s after nursery workers and tree planters reported symptoms of acute pesticide exposure. Nursery spray records confirmed over 200 instances of violations of Canadian PCP Act regulations over a three year period. The violations involved using mixture rates in excess of label instructions, use of products not registered for nurseries, or the unauthorized operational use of products under experimental permits. Nursery managers frequently used chemicals as much as twenty times label instructions, "just to be on the safe side" in an effort to ensure full protection for seedlings.

As a result, federal officials carried out corrective reviews of forest nursery practices across Canada. An important result has been a serious effort on the part of a number of nurseries to significantly reduce their overall pesticide dependence. Economic thresholds have been revised within fairly conventional IPM systems with very positive results. As one manager explained, "we just had to learn to accept a certain level seedling mortality, sometimes in the area of 10%, as an occasional tradeoff for significant reductions in pesticide use."

Irving's biocide-dependent forest management policies conflict with the basic objectives of Forest Stewardship Council Principles 6, 9 and 10, as well as Criteria 6.3 and 6.6. The company's use of biocides vastly exceeds that of any comparable certified or non-certified producer in North America. To reward a forest management systems so heavily dependent on chemical biocides can only be viewed as regressive and contradictory to FSC's stated objectives.

In the market place, FSC certification of J.D.Irving management practices clearly discriminates against every forest manager actively implementing IPM policies which obviously require a willingness to sacrifice short term profit for the long term well being of the forest. Something J.D.Irving has clearly indicated it has no intention of doing.

— Charles Restino



Bicknell's Thrush: Exciting Discovery of a New Northern Forest Species

By Pamela Prodan

BICKNELL'S THRUSH (*Catharus bicknelli*) is a rare songbird endemic to our Northern Forest region. It is the only bird whose current breeding range is restricted to New England, New York, Quebec and the adjacent Maritime Provinces. In the United States, it nests almost exclusively in high-elevation subalpine forests dominated by red spruce and balsam fir. More research is needed to determine its exact wintering distribution, but it is known that Bicknell's Thrush winters in Haiti, Dominican Republic and possibly other Caribbean Islands.

Bicknell's Thrush was accorded full species status in 1995 by the American Ornithologists' Union. Long considered a subspecies of the more northerly and widely distributed Gray-cheeked Thrush, it is now recognized as a separate species having different plumage, size and range. Research continues in order to document the amount of gene flow, if any, between these populations. In the field, Bicknell's is most easily distinguished from the other thrushes by its distinctive song.

According to Kent McFarland, senior research biologist at the Vermont Institute of Natural Science (VINS), Bicknell's Thrush is a natural disturbance specialist, which means that it likes regenerating stands of timber. Historically, in Canada, the species has followed massive windthrows and in the U.S., it has followed mountain fir waves, insect damage, wildfire and windthrows. It is also found on mountain ridges and high peaks near tree-line where wind and weather conditions create a forest that, while not truly mid-successional habitat, is similar in structure and size to the mid-succession growth that it prefers.

Some researchers fear that the restricted Northern Forest breeding habitat of Bicknell's Thrush is threatened by ski area development, wind power development and transmission and communication tower construction (see accompanying article about a new policy that will site communications towers on state-owned mountains in Maine). Other researchers say that it is too early to determine whether the species is showing any serious range-wide population decline in the United States. Certainly, global climate change and acid rain already appear to have had adverse impacts on the health of many upper montane spruce-fir forests, a

factor that could lead to the species' decline. And at the other end of the thrush's migratory journey to the Caribbean, human population pressures have led to deforestation and development of much of its winter habitat. Efforts by VINS and other groups are already underway to rescue tropical habitat critical to the survival of the Bicknell's Thrush.

It is not known whether regenerating softwood clearcuts in the Northern Forest successfully support Bicknell's Thrush populations, although the bird has been found 10-15 years after clearcuts at high elevations where mid-succession regeneration is occurring. One large private landowner in Maine surveyed the occurrence of Bicknell's Thrush in its regenerating clearcuts above 2800 feet but has not yet released the results. More research is needed to determine breeding and nesting success in this type of habitat because if Bicknell's are attracted to regenerating



Ski Trail Construction may pose a threat to the Bicknell thrush in its summer habitat. The bird is however considered a natural disturbance specialist. De-forestation in Haiti, the Dominican Republic and nearby islands poses threats to the bird in its wintering grounds.

clearcuts but are unable successfully to breed and nest there for lack of food or any other reason, the selection of this habitat might actually contribute to the species' decline.

In recent years, VINS researchers have found populations of the thrush breeding on Vermont ski slopes, although success appears greatest where the

cleared ski trails are relatively narrow. The researchers do not presently feel that they know enough about Bicknell's Thrush habitat requirements to make a recommendation as to habitat management, except for the caveat that the greatest threats to the bird are probably activities that cause a disturbance during the nesting and breeding seasons and the gross removal of habitat for development.

Early research done by VINS between 1992 and 1994 indicated that there might be no more than 7500 to 15,000 pairs of Bicknell's Thrush across the species' entire breeding range. Because this is a relatively small number in the bird world, I recently inquired whether VINS had any more recent information about population size and trends. Unfortunately, population modeling for Bicknell's Thrush is complicated by several factors. One is simply the difficulty of counting the elusive birds. The difficult terrain, weather and density of vegetation of the bird's habitat, combined with the propensity of males to sing only during limited hours near dawn and sunset, create a challenge for researchers.

In addition, Bicknell's Thrush has a bizarre mating system. It will take years to understand the system and until then, reliable population modeling cannot be performed. Apparently, nearly every clutch of young birds has up to four male birds feeding it. Researchers believe that the thrush has a skewed male to female ratio, probably 1.3 males to every female. Additional research is expected to reveal what ratio of males to females is ideal for maintaining a healthy population level. Based on the past few years' research, VINS now estimates that Bicknell's Thrush may have a U.S. population of as many as 30,000 males.

Chris Rimmer, Director of Research at VINS, is optimistic that new volunteer-based monitoring programs throughout the region will lead to a better understanding of Bicknell's Thrush population size and trends as well as habitat requirements. In addition to gaining understanding what the species needs for maintaining healthy population levels, research priorities in the United States include investigating whether Bicknell's have elevated blood mercury levels. This is a possibility due to the transport and deposition of mercury compounds in air pollution to soils and plants at high elevations.

To read "Bicknell's Thrush: A Species is Born," go to the website created by Dan Busby, a senior wildlife biologist at the Canadian Wildlife Service, at <http://www.tantramar.com/bicknell/>. Also see the article by Chris Rimmer and Kent McFarland called "Sky Island Songbirds" in the September Discovery/Natural History magazine, which describes the logistical difficulties of studying Bicknell's Thrush.



Policy OKs New Communication Towers on Publicly-Owned Mountains

By Pamela Prodan

IN JANUARY, the Maine Department of Conservation issued a new written policy allowing the Commissioner to lease state-owned mountaintops to commercial interests for private communication facilities. The creation of a state policy that allows new communication facilities to be built on these mountains defeats the well-established ultimate goal for all state-owned mountaintops, which is "to have them cleared of all appurtenances and machinery, with the exception of observation platforms."

The policy replaces the Department's past practice of not

allowing any communication facilities to be located on state-owned mountaintops except for those that the Department itself uses, primarily for the Forest Service. The new policy also designates 13 publicly-owned mountaintops as "Communication Sites" that are deemed appropriate for communication facilities. No public hearing will be held before new communication facilities are approved at these designated sites.

While the new policy articulates important goals and considerations such as minimizing the environmental and operational impacts of the communications facilities, it remains to be seen whether these considerations will actually translate into practice. The new policy is structured in such a way that aesthetics and the natural character of the viewshed are mentioned as values to be protected, but the policy's standards do not require that specific steps be taken that will ensure protection of those values. Co-location (placement of facilities owned

by more than one user on a single tower in a single building) is expressly encouraged, although not required. Similarly, the policy requires consideration of proposals that would utilize existing roads for access, but the policy has no standards that would minimize the clearing of vegetation or prohibit new roads. Such activities can adversely impact birds and other wildlife. And, although the policy states that "under no circumstances shall antenna towers attain or exceed the height requiring lights under FAA laws or regulations," the technical requirements (a separate but attached document) requires that the cost of any changes to the existing tower, including "tower lighting," be paid by the user. Lighting is a concern because of massive bird kills that have been associated with lighted communication towers.

Unfortunately, this commercialization of state-owned land is one more instance of the privatization of public goods, already exemplified by

the sale of timber from publicly-owned lands and water from Ranges Pond State Park. These policies are created to accommodate demands by private interests for commercial use of public resources that are "underutilized." Although the new communications siting policy suggests that public or quasi-public entities will take precedence over private commercial users, the policy also states, "New installations/users shall not interfere with existing installations/users and functions." Thus, the policy contains no provision for removal or displacement of a commercial user once its facilities are in place, even if the need for a public or quasi-public use later emerges. Similarly, although the policy contains a complaint procedure intended to resolve conflicts created by a new installation, it is not clear whether a member of the using public

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A Conservation Plan for the Boundary Mountains

In light of the changing landscape of land ownership in Maine, people are more concerned about protecting special places. Recently, Friends of the Boundary Mountains, a group to which I belong, proposed a conservation plan for the Boundary Mountains, north of Flagstaff Lake, specifically targeting land in Kibby, Skinner and Appleton Townships, now owned by Plum Creek.

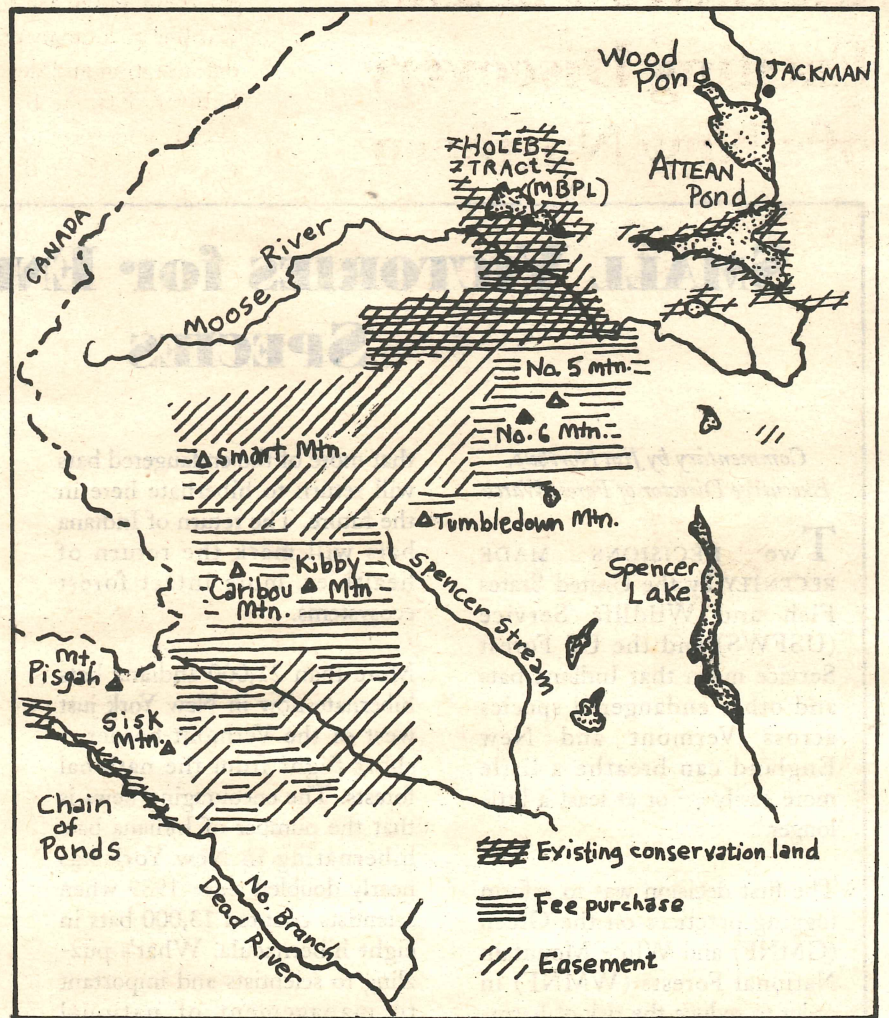
Initially we've identified approximately half of the land area in those three Plum Creek townships as suitable for fee acquisition by the State as wetlands/shoreland areas or high elevation areas with little potential for timber production. We think the remaining land in these townships is suitable for a conservation easement that will assure public access, prevent development and insure the continuation of a productive forest. The townships are near existing Public Reserve lands at Chain of Ponds and Holeb Townships.

Together with land under other ownerships, this is an unprecedented opportunity for the State to link conservation lands and safeguard a large contiguous area in the Boundary Mountains for its ecological value, beauty and productivity. This area is distinctive for its wild and remote character. The views from the mountaintops are spectacular with endless ridges stretching in both directions along the Appalachian Mountains and glimpses into Canada. But as with many places today, it is likely to change unless something is done. It is important to preserve public access as well as the area's undeveloped character.

It's been my privilege to see a pair of rare golden eagles soaring above Kibby Mountain in Skinner Township, adding to the mystery of this place. This happened to me in the fall of 1995, just before Western Maine Audubon, National Audubon Society and other parties joined forces to appeal the Maine

Land Use Regulation Commission's approval of the Kenetech Windpower project. That project would have developed 25.7 miles of mountain ridges in three townships, including Skinner and Kibby. If allowed to proceed, Kenetech would have built 132.2 miles of roads up the mountains, strung power lines down the ridges and erected an army of 684 towers supporting 108-foot diameter turbines.

There has never been any doubt in my mind about our conclusion that this project and the process by which it was approved were wrong. Yet, as often happens, it was economics that actually killed the project. Less than a year later, Kenetech had declared bankruptcy and LURC subsequently refused to extend the permits. Those who wish to support the efforts to safeguard the Boundary Mountains as the King administration is negotiating with Plum Creek are urged to write to Governor Angus King immediately. Please also contact the Congressional delegation, as their support of the Conservation and



A Conservation Proposal for Plum Creek Land Boundary Mountains Region

1 0 1 2 3 4 5 6 7 8 9 10 Miles

Reinvestment Act is critical to assure that federal money is available for these types of purchases. — Pamela Prodan

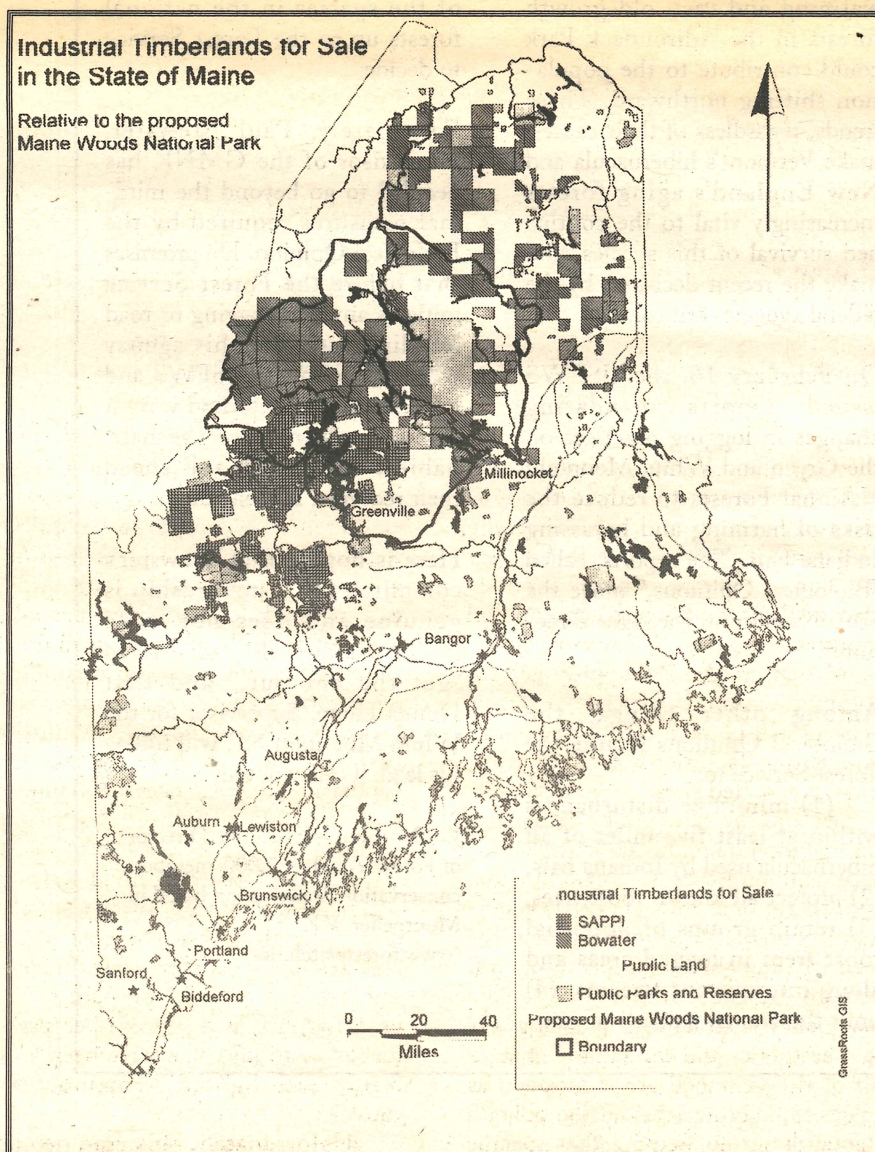
NOTE: A STORY ABOUT THE CONSERVATION AND REINVESTMENT ACT APPEARS ON PAGE 30.

has a right to complain about a problem, or just an equipment owner experiencing electronic interference or another technical problem. Although a broad interpretation would recognize the rights of individual members of the public who use the mountaintops for recreation, the Department probably did not intend to provide for citizen complaints.

On the positive side, in response to public comment, the Department added a requirement that an applicant for a permit post a bond sufficient to ensure that the costs of site cleanup will be met at the end of the lease/use agreement. Also in response to public pressure, three mountains were dropped from the designated site list since the policy was first proposed.

Sites that were removed are Mount Blue State Park in Weld, Pleasant Mountain in Denmark and Mt. Pisgah in Winthrop.

***** Publicly-owned Maine Mountains designated as "Communications Sites" 1. Harris Mt. - Dixmont 2. Bald Mt. - Rangeley 3. Mitten Mt. - Centerville 4. Wesley Mt. - Wesley 5. Cooper Mt. - Cooper 6. Almanac Mt. - Lakeville 7. Big Squa Mt. Unit* - Greenville 8. Coburn Mt.* - Upper Enchanted Twp. 9. Peakaboo Mt. - Weston 10. May Mt. - Weston 11. Masardis Site - Masardis 12. Squa Pan Mt. - T11R4 WELS 13. Portage Hill - Portage *documented occurrences of Bicknell's Thrush



The Sappi and Bowater lands within the proposed Park boundary have been sold — & may be sold again someday, given the unstable economics of cutover land. A Park feasibility study is the first step to implementation.

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OUR HEARTFELT THANKS TO ALL MEMBERS, SUBSCRIBERS & LOYAL READERS OF THE NORTHERN FOREST FORUM!

SMALL VICTORIES for ENDANGERED SPECIES

*Commentary by Jim Northup,
Executive Director of Forest Watch*

TWO DECISIONS MADE RECENTLY by the United States Fish and Wildlife Service (USFWS) and the US Forest Service mean that Indiana bats and other endangered species across Vermont and New England can breathe a little more easily — or at least a little longer.

The first decision was to reform logging practices on the Green (GMNF) and White Mountain National Forests (WMNF) in order to reduce the risk of harming Indiana bats. The second, and more important decision, was to develop strategies to actively promote the recovery of Indiana bats, Canada lynx and other imperiled species. As surprising as it may seem, the Forest Service has focused in the past on reducing harm to endangered species, but has done relatively little to help them recover. Fortunately, times are changing.

Indiana bats are small, migratory mammals listed as "endangered" when the 1973 Endangered Species Act was adopted. At one time these bats occupied much of the eastern half of the nation. Today, the total population of Indiana bats is about 350,000 — reflecting a decline of over 60 percent since rangewide surveys began in the early 1980s. Indiana bats spend winters hibernating in abandoned caves and mines (hibernacula), and spend warm-weather months roosting under loose bark of big, old trees during the day and foraging for insects among tree tops at night. After hibernation, Indiana bats will sometimes fly more than 200 miles to reach summer habitats.

Scientific records reveal that hundreds of Indiana bats used several hibernacula in and around the GMNF during the 1930s and 1940s. Only a few hibernating Indiana bats have been found in Vermont in recent years. No hibernacula for Indiana bats are known to exist in New Hampshire. There is good reason to believe that Indiana bats are using New England's forests in summer and

that more of the endangered bats will return to hibernate here in the future. The return of Indiana bats will mark the return of healthier, more intact forest ecosystems.

More than 21,000 Indiana bats hibernate now in New York just west of the Vermont border, a short flight from the national forests. The encouraging news is that the number of Indiana bats hibernating in New York has nearly doubled since 1989 when scientists counted 13,000 bats in eight hibernacula. What's puzzling to scientists and important to management of national forests is that Indiana bat populations are increasing in New York and other northern states while populations are declining in the former core of the species' range, resulting in a shift in distribution and a net decrease in total population.

Widespread clearcutting, whole-tree chipping and plantation forestry could be contributing to declines in Indiana bat populations in the Southeast. Global warming and vast, old-growth forests in the Adirondack Park could contribute to the population shifting northward. These trends, regardless of their causes, make Vermont's hibernacula and New England's aging forests increasingly vital to the continued survival of this species, and make the recent decisions by the federal agencies critical.

On February 16, the USFWS issued reports mandating changes in logging practices on the Green and White Mountain National Forests to reduce the risks of harming and harassing Indiana bats. The reports, called "Biological Opinions," move the Forest Service in the right direction.

Among other things, the Biological Opinions require the Forest Service to:

- (1) minimize disturbances within at least five miles of all hibernacula used by Indiana bats,
- (2) protect all known roost trees,
- (3) retain groups of potential roost trees in logged areas and along intermittent streams, (4) limit the annual amount of sum-

mer logging, and (5) study Indiana bat activity on the national forests during the spring, summer and fall.

Despite these positive steps, Forest Watch and other conservation groups believe the Biological Opinions are flawed, and even stronger steps could and should be taken. At a recent meeting of bat experts from across the Northeast, one USFWS biologist acknowledged that the steps mandated in the Biological Opinions "do not do anything good for the species; they do not promote the species' recovery." At an earlier meeting, a USFWS director said a Biological Opinion gives the Forest Service a "license to kill — nothing more, nothing less."

USFWS staff claim the section of law requiring Biological Opinions does not allow the agency to require stronger, more affirmative actions from the Forest Service even though such actions are needed if endangered species are to thrive once again. They say they must leave the fate of the species in the national forests up to the Forest Service to decide.

Fortunately, Paul Brewster, Supervisor of the GMNF, has decided to go beyond the minimal measures required by the Biological Opinion. He promises that before the Forest Service initiates any new logging or road building activities, his agency will work with the USFWS and interested citizens to find ways it can actively improve the bats' habitat conditions and speed their recovery. Hallelujah.

Here is hoping that Brewster's commitment to stewardship is genuine and does not wane under the age-old pressure to "get the cut out," and that Donna Hepp, Supervisor for the White Mountain NF, will follow his lead. Time will tell.

Jim Northup is Executive Director of Forest Watch, a 2,000-member conservation organization based in Montpelier, VT.
(www.forestwatch.org)

National Forest Logging Creates More Economic Harm Than Good, Report Finds

Georgia Congresswoman Supports Redirecting Subsidy to Community, Ecologic Restoration

SANTA FE — The National Forest Protection Alliance and the Forest Conservation Council today released a ground-breaking report on the economics of the federal logging program. The 75 page report, which is based upon three years of research, concludes that the logging program on National Forests cannot be justified on economic grounds because it creates more economic harm than good, in violation of several statutes governing management of the 191 million acre National Forest System.

The report demonstrates that National Forest lands are far more valuable to rural communities standing than cut down, and that the logging program creates billions of dollars in unaccounted-for costs to communities, businesses, and individuals in addition to the \$1.2 billion annual financial losses to the U.S. Treasury.

"National forests are far more valuable to America's rural communities standing and growing as living ecosystems than they are chopped down and turned into two by fours and paper products," said John Talberth, Executive Director of the National Forest Protection Alliance, and principal author of the report. Mr. Talberth also serves as President of Forest Conservation Council and has worked professionally as an economist and natural resource planner. "There are consistently more jobs, more income, and more public revenues associated with forest protection, yet, using economic analysis techniques from the Dark Ages, the Forest Service considers our National Forests economically worthless unless they are logged," said Talberth.

The report breaks new ground in the field of research known to economists as "ecosystem services." Ecosystem services are provided free of charge by nature, and include economically valuable functions such as flood control, water purification, pest control, and pollination. These services, the report argues, contribute many times more economic value to rural communities than logging.

The report also addresses what economists call "externalities," which are costs passed on to businesses, communities, and individuals when National Forests are logged. These include costs incurred by municipal water providers when rivers are polluted by logging-induced sediments, as well as lost jobs and revenues incurred by businesses that support recreation and tourism. Such costs are ignored in Forest Service accounting systems, which only address direct financial costs of the logging program. Recent estimates conclude that on financial terms alone, the program loses \$1.2 billion annually.

CONTINUED NEXT PAGE

Forests as Preserves of Biodiversity, Clean Water & Sacred Places

Commentary By Channing Snyder

(This commentary first appeared in vol. 24 #29 of The Mtn. Ear, Conway, NH)

I WOULD LIKE TO START by thanking the U.S. Forest Service for the tremendous amount of work they have been doing to create the White Mountain National Forest Plan and its revisions. Thanks should also be in order for the Forest Service's openness in receiving public input into the plan in the form of regular meetings and written public comments, thus making this a democratic process. The management of our remaining forest lands has become a contentious issue and there are important reasons why.

I believe it would be accurate to say that the White Mountain National Forest is a day's drive from a megalopolis of over 100 million people and is possibly one of the more intensively visited national forests in the United States. This impacts how we need to manage our forests. The 'golden goose egg' that feeds the people of our region by bringing the countless visitors to vacation in northern New Hampshire is the White Mountain National Forest and not, as some people would like you to believe, the strip malls, factory outlets and fast food joints of North Conway nor the highly automated forest industry. That is the truth. Preserving the scenic character and the ecological health of the White Mountain National Forest and the surrounding private forest tracts has become a paramount issue if we as a mountain people are to develop in a sustainable way over the next 50 years.

Those who have witnessed the changes to the landscape over the last 30 years may agree with my observations that endless subdivisions, condominium sprawl, liquidation forestry, and horrendous traffic congestion are growing trends that present unsustainable

growth and are negatively impacting the natural wonders of our area, wonders which represent, after all, our New Hampshire heritage.

A drive through southern New Hampshire will be instructive to you all about growth out of control and a glimpse into our future up here if we lack a unified vision and plan of action to create a different future.

How do we as forest stewards strike a balance with our need to preserve our national forests and other landscapes, and those who want to manage the White Mountains as a tree farm at the disposal of the forest industry? Furthermore, why do we build access roads at a public loss for industrial forest interests, so that they can cut down our forest at a profit?

Let us first of all end corporate welfare in the National Forest and pass the real costs of forestry and road building on to industry and the wasteful consumer. There are many people from New Hampshire who think that there should be some places left sacred on Earth from man-made machines and that we ought to get out of our damn cars and machines and walk with our God-given legs and listen to the sound of the forest growing. It might even be healthy for us.

Our forefathers laid waste to the White Mountains through deforestation early in this century, which gave rise to such organizations as the Society for the Protection of New Hampshire's Forests. Hopefully we have learned from those mistakes and will never, never decimate our forest like that again, though I have my serious concerns. If

you build the roads, they will sooner or later be tempted by money to cut the forests down, especially as the world's forest resources continue to become scarce and depleted.

There are those of us who have lived in New Hampshire practically all our lives, who come from all walks of life, and who have also studied forestry. All are concerned Americans and many are forest owners themselves who see our forests not always in terms of saw logs and board feet but as a living organism; forests as preserves of biodiversity, forests that create and purify our water and air supply, forests as important habitats for plants and animals that are increasingly finding it difficult to survive in mankind's expanding megalopolis.

We are not totally against cutting, but we do want to see the development of a new type of soft, ecologically sensitive forestry that reflects the reality of the new global environmental paradigm on 'Planet Earth,' a world bio-sphere and climate that is in serious crisis.



These fellows are not happy with recreational user fees on the White Mountain National Forest

"The \$1.2 billion financial losses are just the tip of the iceberg. The costs associated with polluted water, increased floods, lost recreational opportunities, and degraded scenery are many times that amount," said Karyn Moskowitz, a natural resource economist and co-author of the report.

Major findings of the report include:

- National Forests supply over 530.4 million acre-feet of clean water each year to municipalities, businesses, and rural residents. Economists estimate that the value of this water for consumptive purposes alone is over \$3.7 billion per year. According to the Forest Service, "this figure does not include the value of maintaining wild fish species, recreation, or the cost savings to municipalities who have reduced filtration costs because water from National Forests is so clean."
- National Forests sequester over 53 million metric tons of car-

bon from the atmosphere each year. Economists have estimated that this function is worth nearly \$3.4 billion each year.

- Recreation, hunting and fishing on our National Forests contribute at least \$111 billion to the gross domestic product and generate 2.9 million jobs each year. These uses contribute 31.4 times more value to GDP and generate 38.1 times more jobs than the timber sale program.

- National Forests provide habitat for tens of thousands of wild pollinators. Researchers have estimated the potential contribution of wild pollinators to the U.S. agricultural economy to be in the order of \$4-7 billion per year.

- Lost recreational opportunities and scenery, increased water filtration costs, wildfire, death, injury and property damage are among many externalized costs of logging that the Forest Service ignores when reporting on the costs and benefits of the timber

sale program to Congress.

The economic report lends ammunition to efforts in Congress to end the federal timber sale program. "The report illustrates that the commercial logging program is causing widespread economic harm to communities near our National Forests. When this harm is added to the amount of money lost on the program each year, it becomes perfectly clear that the federal logging program is economically indefensible," said Congresswoman Cynthia McKinney (D-GA).

"A common sense alternative is to protect America's National Forests from commercial logging by reinvesting the logging subsidies into economically viable programs. Rather than spending taxpayer dollars to degrade our national heritage, we should invest in programs for ecological restoration, adequate school funding, alternative fiber research, vocational training, and community economic development," said Congresswoman

McKinney.

Congresswoman McKinney is the sponsor of the National Forest Protection and Restoration Act (H.R. 1396), a bill before Congress that would end the federal timber sale program while putting people to work restoring the damage caused by 100 years of National Forest logging. The bill currently has 76 cosponsors.

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A Full, Permanent, Flexible Fund For Land & Water Conservation

IMAGINE A CANOE TRIP through a land of towering white pine trees over two hundred feet tall. Imagine a hike in a seemingly unending forest of large diameter northern hardwoods. Imagine setting up camp at night while listening to the cry of a wolf in the background. Imagine a catamount silently watching you fish on the banks of your favorite Northern river.

With many of the large land owners in the Northern Forest moving on to more profitable parts of the world and the need for conservation in the Northern Forest becoming clearer, this dream may finally become reality. With the recent announcement of Champion International's merger with the Finnish UPM-Kymmene, 18% of Maine has changed hands in the last year. 133,000 acres of Vermont's wildest land has changed hands. In New Hampshire and New York, large parcels of land have also been sold.

These changes in ownership patterns together with a loud citizen voice calling to protect the special places in the Northern Forest have led the Clinton Administration to recognize the Northern Forest as an "Area of National Significance." Much needed funds for conservation in the area are finally starting to trickle into the region. Now is the time to stand up a little taller, raise those voices a little louder and get the

wheels of citizen advocacy grinding to let our elected officials know one simple message- "the Northern Forest needs a full, permanent and flexible LWCF!"

The Land and Water Conservation Fund (LWCF) was passed by Congress in 1965 and was created to use the revenue generated from off-shore oil leases for the purposes of conservation and outdoor recreation. In the past LWCF has been used to expand out National Park and National Forest lands, to assist individual states in the financing of their own state park networks, to purchase public access to waterways, to protect open space and to assist local municipalities to create ball fields, parks and other vital outdoor recreation areas. Unfortunately since the 1980s much of LWCF has been diverted elsewhere and federal, state and local agencies have all seen their funds available for conservation dwindle to next to nothing.

Over the last five years however an incredible coalition has come together and asked for the return of a full and permanent LWCF. Conservationists have worked together with groups like the Sporting Goods Manufacturers Association, the US Conference of Mayors, the National Governor's Association, US Youth Soccer, National Recreation and Park Association, the National Trust for Historic Preservation and hundreds more to make sure that we get more money for conservation, open space protection and outdoor recreation.

In early March, seventeen Northern Forest residents flew down to Washington, DC to make sure that our elected officials heard why we needed LWCF. After attending a rally with over 500 people calling for LWCF we sat down with our Senators and Representatives and told them why we care about the Northern Forest. Overall, the Northeastern Members of Congress have been very supportive of fully and permanently funding LWCF; we need a little more from them however. LWCF allocations are distributed in a formula based on population and federal land ownership and this doesn't help the Northern Forest too much. Vermont, for example, gets the least money of all 50 states and would not receive much help in the creation of new large-scale conservation projects. Maine, which has arguably the greatest conservation opportunities in the country, would not be able to count on significant federal assistance under LWCF as written. For this reason the Northern Forest needs an LWCF which is not only permanently and fully funded, but which is also flexible enough to allow for assistance in special projects which might arise in the North Woods.

Support your fellow conservationists and write to your Members of Congress. Let them know that they shouldn't leave Washington this year without having passed a bill that gives full and permanent support to the Land and Water Conservation Fund. Make sure you let them know that the Northern Forest needs more from LWCF however and ask them to support a flexible funding package as well. For more information contact Matteo Burani at mburani@nfainfo.org or at 802.434.4300. To see a list of LWCF sites in your town go to www.capweb.net/outdoors/lwcf/lwcf.cfm.

FEDERAL FUNDING FOR WILDLIFE AND WILD PLACES

H.R. 701 - The Conservation and Reinvestment Act of 1999

H.R. 701 IS AN HISTORIC conservation proposal that would, for the first time, automatically set aside revenues from oil and gas leases on the Outer Continental Shelf (OCS) to provide desperately needed conservation funding. The legislation provides approximately \$2.4 billion annually, automatically, until 2015 for: coastal conservation, stateside Land and Water Conservation Fund (LWCF), state wildlife agencies, urban parks (UPARR), historic preservation, federal and tribal land restoration, conservation easements, endangered species, the Payment in Lieu of Taxes fund (PILT), and the North American Wetlands Conservation Act (NAWCA). Additionally, it authorizes Congress to allocate up to \$450 million annually for federal land acquisitions under LWCF.

H.R. 701 took an important step forward when it was passed out of the House Resources Committee on November 10, 1999 by a vote of 37-12. This victory occurred in large part

because of the support and leadership of Chairman Don Young (R-AK) and Ranking Member George Miller (D-CA).

WILDLIFE: \$350 million to state fish and wildlife agencies for wildlife conservation, recreation and education projects.

LAND & WATER CONSERVATION FUND: State-side LWCF - \$450 million Federal-side LWCF - \$450 million

Note: LWCF funds are automatically appropriated; however, every federal land acquisition project must be approved by Congress.

COASTAL CONSERVATION AND OCS IMPACT ASSISTANCE: \$1 billion to 35 coastal states and territories, including Great Lakes states, for coastal/marine conservation efforts; states that have OCS development will also receive impact assistance funding to mitigate the harmful impacts of drilling activities.

URBAN PARKS AND RECREATION RECOVERY PROGRAM (UPARR): \$125 million to assist local governments in developing urban park and recreation systems.

HISTORIC PRESERVATION FUND: \$100 million to support the protection of historic properties and to manage national heritage areas and national heritage corridors.

FEDERAL/INDIAN LANDS RESTORATION: \$200 million for federal and Indian lands restoration, including maintenance

activities.

CONSERVATION EASEMENTS AND ENDANGERED SPECIES: \$100 million from OCS revenues for conservation easements, and \$50 million from OCS revenues for incentive programs to promote the recovery of threatened and endangered species.

Interest generated from the Wildlife title will be used to fund the North American Wetlands Conservation Act (NAWCA). The interest generated from the remaining funds will be used to support the Payment in Lieu of Taxes (PILT) program.

BENEFITS OF CARA

The Conservation and Reinvestment Act (H.R. 701) would provide a tremendous infusion of reliable funding to new and existing conservation programs. Providing \$2.4 billion annually at the local, state, and federal levels would protect our valuable natural resources and improve the quality of life for future generations. This funding will help protect open space against sprawl and development; allow state fish and wildlife agencies to develop comprehensive wildlife conservation programs; provide increased outdoor recreation opportunities; protect and conserve sensitive coastal and marine ecosystems; and preserve important historical sites.

H.R. 701 sets an important precedent for creating automatic, long-term funding for conserva-

tion purposes. Historically, conservation programs have struggled to receive adequate financial support in the annual Congressional appropriations process. This legislation would finally provide a reliable source of revenue for these important programs. Although H.R. 701 only provides this funding until 2015, it lays the groundwork for creating a truly permanent conservation funding source.

H.R. 701 would expand the concept that revenues derived from the exploitation of non-renewable natural resources should be reinvested in the conservation and restoration of our renewable natural resources to conservation programs beyond the Land and Water Conservation Fund. The idea of "giving back to nature" was the underlying principle of the original Land and Water Conservation Fund, but it was never fully realized. This legislation would fulfill the promise of LWCF and broaden the funding for other critical conservation needs.

CONCERNS ABOUT CARA

H.R. 701 does not adequately address the needs of nongame wildlife or provide guidelines for state wildlife conservation plans. Ninety percent of the nation's wildlife species are nongame species (i.e. those that are neither hunted or fished, nor threatened or endangered). To help

CONTINUED NEXT PAGE

A Proposal by residents for Preserving the 'Totality' of the Moosehead Region

9 March 1999

Dear Governor King:

We write, as residents of the Moosehead Lake region, to offer our ideas for the conservation on Plum Creek lands in this vicinity. This letter represents the results of discussions among various business owners and community leaders, all of whom believe that this region must be protected from widespread development. Our concerns have been heightened by the large-scale land sales throughout the North Woods during the course of the last six months. We all live and work, as well as recreate, in this wonderful region and the preservation of what surrounds us is worth our every effort.

Recognizing that the rapidity and scope of land sales makes this issue a dynamic one, sometimes changing nearly daily, we offer the following conservation goals for the region:

1. We view the potential for development of the currently undeveloped, remote forested and lakefront characteristics of this region to be the most threatening change to the greater Moosehead Lake area, and a likely result of the trading of lands such as occurred this year.

2. We consider the broad use of conservation easements that prohibit new development and assure public access to be the most preferable method to preserve the undeveloped qualities of the region — preferable to acquisition in fee by the government,

given that conservation easements are likely to have a softer effect on forestry activities, adjacent real estate values and impacts on taxes.

3. We recognize the importance of preserving all of the "traditional uses" of the woods and waters of this region. We believe that the traditions enjoyed by generations of Maine Residents, as well as visitors from nearly every corner of this country and abroad, including much coveted public access to these wildlands, should be protected for future generations.

4. We believe it is vitally important to recognize what we view as the 'totality' of the Moosehead Region. By this we mean that it is not simply shoreline areas which are important around Moosehead Lake, but it is fact the entire territory, reaching far into the back country. This broader view is essential to preserve the traditional uses mentioned above. Preserving public access along the shore of Moosehead Lake or the waters of the Penobscot or Kennebec rivers is a starting point. However, the many recreational pursuits of both visitors and residents of this region, reach far beyond the shores of these bodies of water, and will be threatened if not protected.

In attempting to identify specific areas of importance, it quickly became apparent to us that the sheer vastness of the region defies our ability to separate areas of greater importance, earmarking one over another for preservation. We have, however, made an attempt to identify an idea of how conservation can work in this region. These are some of the principles that have guided our thinking:

We do not desire to see the region broken down into various patches of protected lands, like a

patchwork quilt.

We have erred on the side of being inclusive, knowing that none of us can predict the development pressures that will face this area over the next 50 years.

We have noted where conservation easements can 'bridge' to areas that are already under some form of protection.

We urge the concept of protecting wider areas from development, rather than simply 'beauty strips' along the shore.

We have identified where acquisition of easements in this region can provide for contiguous use areas such as 'Moosehead Trail Corridor' noted on the map. We see this trail, as now used by the snowmobiling community, as something that can grow to become a year-round recreational use area, utilized by hikers, mountain bikers, canoeing and kayaking parties and camping enthusiasts, along with wildlife viewing and photography buffs.

If the beautiful and valuable lands in the greater Moosehead Lake area become fragmented into multiple ownerships through large scale real estate development projects, one of the first losses to the public will be the traditional uses we all hold so dear. More homes, marinas, resorts and condominiums would forever change the face of this unique and irreplaceable region. We hold in our hands today, the ability to forever protect these lands from becoming what so many visitors to this area are fleeing, when they travel here from afar.

overcome the historically imbalanced funding for these species, the legislation should prioritize use of funds for nongame wildlife conservation. In addition, the bill should provide guidelines for state conservation plans to establish a framework for pro-active conservation of fish and wildlife species. The planning and implementation process should provide opportunities for meaningful public involvement.

H.R. 701 allows coastal impact assistance funds to be used for a broad array of activities, including potentially damaging infrastructure development. The legislation should require that any funds expended on impact assistance be used for improving or enhancing the environment and prohibit the use of the funds on environmentally destructive projects.

H.R. 701 bases a state or municipality's coastal impact assistance revenue on their proximity to OCS oil and gas leases. This creates the potential for a state or local government to support new OCS development in order to increase the amount of funds they would receive. The legislation should be designed in a way that eliminates or reduces, the link

between increased offshore drilling and increased revenue to a state or municipality.

H.R. 701 leaves the federal side of LWCF vulnerable to annual political battles. One primary reason for creating an automatic conservation fund is to separate it from the politics of the Congressional appropriations process — a process that has left it underfunded for years. Currently under H.R. 701, each federal LWCF land acquisition must be approved by Congress before the funds can be expended.

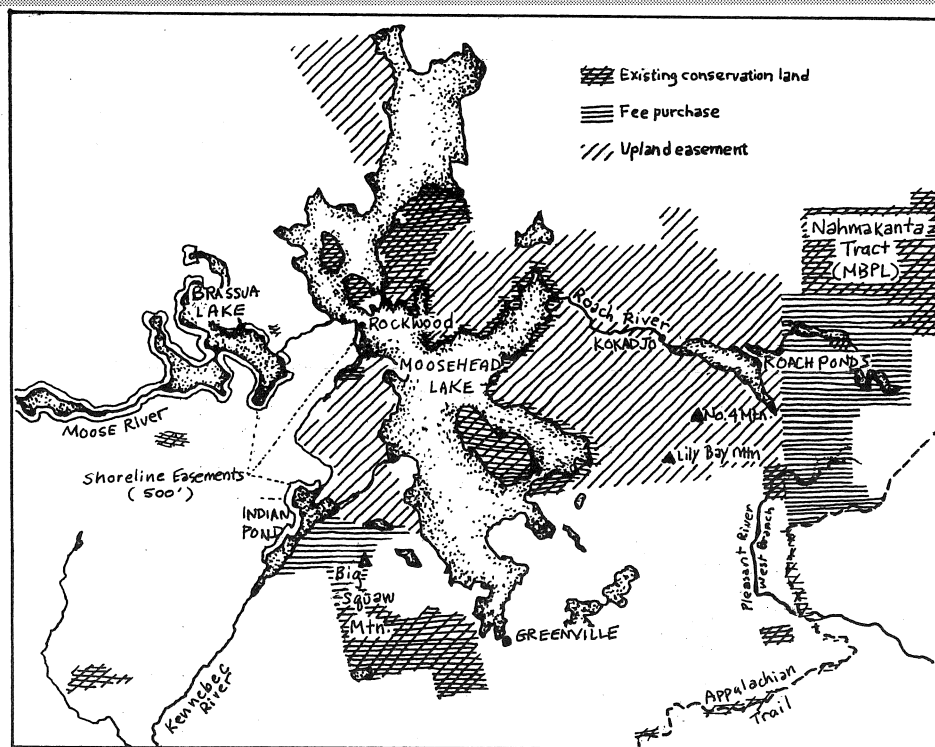
The legislation should be designed to ensure that federal LWCF dollars are not held up by the annual appropriations process.

For Complete Information Visit Our WebSite At

www.nwf.org/naturefunding
The nation's largest member-supported conservation advocacy and education group, the National Wildlife Federation unites people from all walks of life to protect nature, wildlife, and the world we all share.

CONTACT:

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A Conservation Proposal for Plum Creek Land Moosehead Lake Region

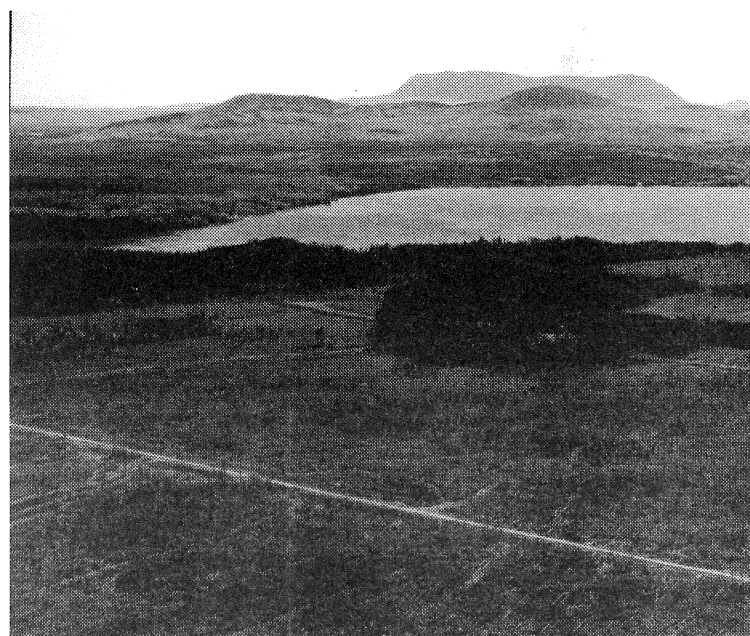


Photo © Conrad Heeschen: Looking across Sappi clearcuts at Moosehead's Northeast Carry toward Big Spence Mtn. Part of the easement proposal outlined above.



In the warm sunshine I breathe deeply
and dream of mountains.

An owl calls from the woods.
Patches of snow lie in the shade.

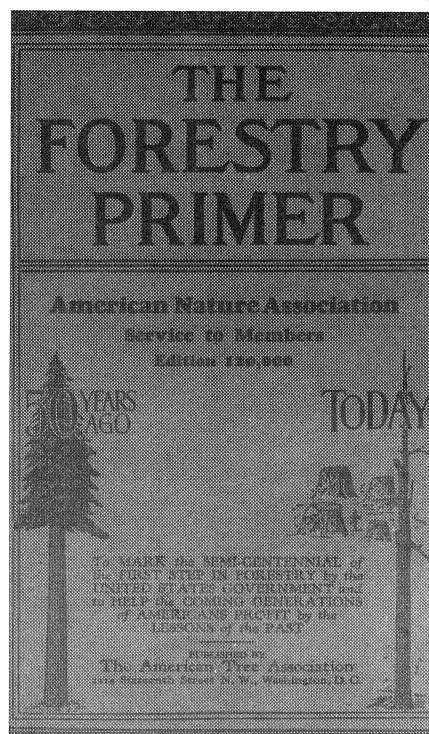
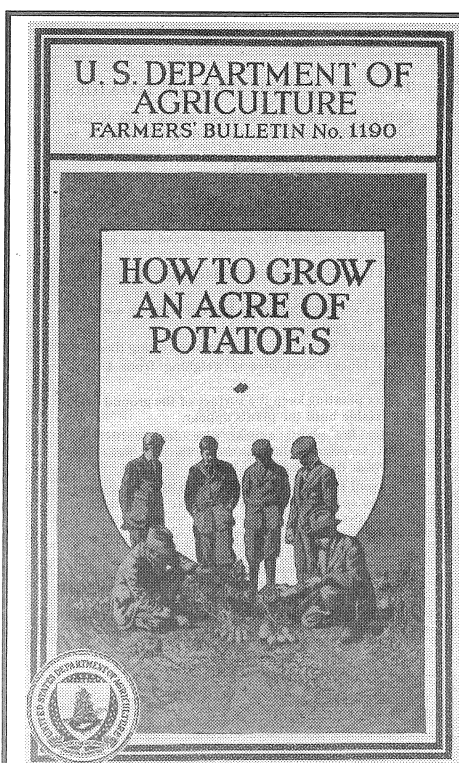
Antares is lonely.

Venus and Jupiter too close to the sun.
Fires rage in the heavens at points I
can't see clearly, too much wine.

Rainbow is brother to the
Milky Way.

Crows in the morning rain.

—gary lawless



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