

# THE NORTHERN FOREST FORUM

THE NORTHERN FOREST  
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*Working for Sustainable Natural & Human Communities in the  
Northern Forest & Gulf of Maine region of the Northern Appalachians*

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## THE NORTHERN FOREST FORUM

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## VERMONT LEGISLATORS NIP AT CHAMPION DEAL

A rear-guard legislative effort is underway in the Vermont Legislature's House of Representatives to chip away at the Champion land deal. Specifically, legislation has been pursued that would prevent the watered-down Wilderness area of 12,500 acres from being managed as forever wild. In these pages, we have already expressed the opinion that the Champion deal had an initial flaw, based on a calculated and at least rhetorical exclusion of Wilderness by deal architects from what was being proposed. The legislature should have been informed that a reserve was likely, and desirable. Better to have debated then than now.

But since legislation is proposed and may at this time have passed the House, the onus of a fair debate is now on those legislators who seek to enshrine existing camp leases and forever logging on the state lands. Why? While the cause is wrapped in nativism and accusation against flatlanders, even while being led by outlanders, there has been little or no evidence of the alleged Vermont tradition of fair-minded consideration of either the facts or the ideas behind reserves.

One young man who spoke at the Island Pond listening session on the West Mountain pointed out that in his graduating class from that town, not one individual is employed in the woods. He went on to ask that portion of the audience hostile to a small wilderness area how they proposed to get together with those supporting it. Opponents to the reserve from outside the immediate area have no compunction about playing a divisive, us and them argument, and have shown no real interest in extending olive branches. Why? Could it be they are all about self-interest? Legislators from the area, (shhh...some born "elsewhere"), persist in treating local supporters of the reserve as outlanders and conspirators, rather than citizens worthy of representation. Goggled newspaper reports play the story as locals versus enviros, and apparently always will.

Hopefully, the Vermont legislature does contain a few worthy supporters of reserves, of wise and balanced public policy on public land. What is clear however is that as much as we hear stories of how Northeast Kingdomers think this and think that, there is more recognition on the local level than in the Statehouse that the job base has shifted, the woods are beat up, and pure protection makes sense.

## WHY CONFUSE US WITH THE FACTS?

We've looked for some examples of constructive reaction by local leaders to the Thomas Power's economic impact study of the proposed Maine Woods National Park. Other than a few positive letters to the editor, we haven't found any. That's too bad.

What that study seems to demonstrate, in abundant detail, is that as a provider of employment, the Maine woods is failing and will continue to do so. It is unfortunate that response to the study has determined to react to it as propaganda, rather than a case built on facts. It is one thing to argue with it, but to dismiss the study without reading it?

Too often, the leadership in rural communities across the region suffers from either a misplaced nostalgia for an old industrial dream, or a belligerent defense of a steadily declining, shifting status quo. The people of this region deserve better from their elected representatives. One student of regional history recently lamented to us that, in his reading of past journals here, there was in the 19th century a greater appetite for a cosmopolitan outlook, an eagerness to be part of the world — a counterpoint to the attitude of today that seems to welcome an inflow of dollars in whatever form; just don't ask us to change our ideas.

Events in Maine this summer have demonstrated that public purchase of land is in the long-term the best protector of public values. Mega-easement deals, where used indiscriminately, misallocate resources, scarce in any time, and can enshrine the notion that landowners have no responsibilities, other than what they are paid for. Private purchase of large blocks of forest will inevitably reduce access, increase liquidation and fragmentation. Default logging practices will continue to erode the economics of forestry.

Meanwhile, defenders of forest biodiversity have been making the point all along: the link between economic and ecologic health is fundamental. Ignoring one is ignoring both. Time to shed our ignorance.



Cover Art — *Magnolia Warbler (Dendroica magnolia)* by Gabriel Willow

This is one of the most characteristic and abundant songbirds of our northern woodlands. It is misnamed, as its typical breeding habitat is regenerating boreal spruce/fir forest, not a habitat in which magnolias occur. The first specimen of this species was shot in a magnolia in the south during migration, and the name stuck.

Like other warblers, this species breeds in temperate forests and migrates to tropical areas from southern Mexico to Honduras for the Winter. Many other families of birds follow this pattern, including many shorebirds, hawks, cuckoos, swallows, flycatchers, vireos, thrushes, tanagers, sparrows and buntings, and blackbirds and orioles. Neotropical migrants, as these birds are known, are of particular conservation concern, as they are sensitive to impacts both to their breeding grounds in northern forests, and their wintering range in tropical forests, as well as migration routes in between. The breeding pair of Magnolia Warblers is shown at their nest in typical spruce/fir habitat. Below, an immature Magnolia Warbler is shown in the tropical forest where they winter. I find it remarkable that these species are able to adapt to such different habitats and thrive in each. — GW

Opposite: *Blue-headed Vireo*



## A NATIONAL PARK FOR NEW HAMPSHIRE'S PITTSBURG LANDS WOULD DIVERSIFY LOCAL ECONOMY

(This letter was cc:ed to the Northern Forest Forum and is re-printed by permission. It was addressed to Mr. David Houghton of the Trust for Public Land, principal in the IP/Pittsburg deal.)

DEAR MR. HOUGHTON:

My name is John Jahoda and I am not a resident of Pittsburg, but I have roots in Pittsburg that go deep. I spent my summers growing up from when I was about 7 on my grandfather's farm in Pittsburg and during my 50 some years of spending summers and occasionally parts of the fall and winter in Pittsburg I have observed a great deal about the Great North Woods. My Grandfather's land is now the "Johnson Memorial Forest" and I have a small camp along Back Lake Brook where I spend part of the summer. I have a Ph.D. in mammalian ecology and I have been involved in a long term research project on the diversity of the northern forest for several years. I am currently professor of Biological Sciences at Bridgewater State College in Massachusetts.

All that I have observed over the past 50 plus years is nicely encapsulated in the chart that appears on Page 31 of the Northern Forest Forum fall 2001 issue. This chart shows the unsustainable forestry practices that have resulted in the current state of affairs in this northern tip of New Hampshire. My wife and I spend a lot of time in the woods, exploring, fishing and hiking. I have seen what is shown in this chart first hand. We have observed massive clear cuts, having walked and driven into these areas. This summer we observed the final sorry chapter as International Paper was madly cutting whatever small remnant stands remained. The result is a forest which cannot support a viable timber or logging based economy. This is the simple and sadly unavoidable fact. I read in the paper statements that the forest in the "best shape it has ever been in." I don't know what forest this person was looking at, but it certainly is not the one I have spent my time in over the past 50 plus years.

I also observed all the rhetoric and the passion of the local people. It appears that some people are thinking with their hearts and not their minds.

They are understandably trying to retain a way of life that can no longer be sustained. The timber companies have repeated the clear cut mentality that stripped the land at the end of the previous century as shown to the extreme left of the chart and

we have entered the new century in pretty much the same place that we were in 1929. It may be a good thirty years before a viable timber economy can return to the area. I seriously doubt that there are any timber companies willing to wait that long before seeing a return on their investment.

From time to time in the last twenty years I have mentioned the idea that the best thing for the town would be the establishment of a Northern Forest National Park. This idea was seldom received with enthusiasm. I have also spent a great deal of time traveling during the past 40 plus years. I have been to the Amazon and studied black caiman, studied marine mammals in the Caribbean and gray whales off the California coast. I have spent a great deal of time in national parks both in the US and in other countries and I have seen first hand the impact that having a national park in the back yard can have on local economies. It is not all good, without controls you can get a Gatlenberg, Tennessee. But with good planning you can get a very active and viable tourist based economy. You don't even have to go that far afield. The economy in the towns south of the White Mountain National Forest is a good deal more diversified and robust than the economy in Pittsburg.

It very well might be that the best thing that could happen to the town of Pittsburg would be the establishment of a Great North Woods National Park. I don't know if this is even a remote possibility given the political climate at the local, state and national level, but it may very well be the best long term option for the economy of the northern part of the state.

The eastern part of the US has a large population and very few national parks. Most national parks are out west, having been established after the east was already populated. Public lands, under the control of the federal government, are a great asset to local economies everywhere I have seen them. As you know there are major management controversies regarding the use of some public lands in the West. But National Parks can produce a viable tourist based economy and a viable economy is something that the Northern tip of New Hampshire needs very badly. Bottom line is that logging is dead or nearly dead for a good long while.

Sincerely yours,

John C. Jahoda

## NATURE FOR ITS OWN SAKE HAS A PAST & FUTURE IN VERMONT

DEAR NORTHERN FOREST FORUM:

The preeminent American conservationist, Aldo Leopold, said that "Civilization is a mutual and interdependent cooperation between human animals, other animals, plants, and soils."

His was not a lone voice crying in the wilderness. Since the early 1800s, many enlightened Americans have spoken out on behalf of Nature. Their collective voices reverberate as clearly as a pack of coyotes howling on a mid-winter's night. Among them, we can distinguish the call of one of the pioneers of the conservation ethic, or the idea that we should cooperate with Nature rather than always be looking for ways to exploit its resources. In fact, it's the voice of a nineteenth century Vermonter, George Perkins Marsh, whose unprecedented book *Man and Nature*, prevented the near complete eradication of Vermont's forests in the mid 1800's and promoted the restoration of the land.

At the recent public hearings regarding the ecological preserve proposed for the West Mountain Wildlife Management Area, folks who oppose the preserve bristle at the idea that Nature should exist for its own sake. They demonize those of us who speak on behalf of Nature, biotic integrity, and the spiritual qualities of wilderness as though we're subversive anarchists or alien invaders. In reality, we are merely following in the footsteps of a Vermonter whose conservation philosophy precedes us by about two generations.

The collective call to cooperate with Nature is as traditional as apple pie and as down home as maple syrup. The voices of passionate, prescient environmentalists are the cries of our forefathers and of some of America's most eloquent, caring, and thoughtful citizens. They should, like the frenzied crying of coyotes, send shivers up our backsides. They should move us to transcendentalism. Those howls are warning us that we will never be truly civilized until we appreciate the intrinsic value of Nature as much as, or more than, her commodity values. Will we stop to listen and be converted by the experience? Or, will we blithely go on exploiting Nature until she has nothing left to give as we march toward our own demise?

Meanwhile, somewhere in the future, our great, great grandchildren read their history books. Will they read about why there are no more great herds of caribou in Alaska, no more penguins, no more tropical forests — about how our generation was too blinded by greed to notice the environmental atrocities we are committing? Will they read that we pled ignorance like the citizenry of Nazi Germany? Will they wish, in vain, that we had abated our wreckless use of fossil fuels and prevented the sixth extinction instead of bequeathing to them a desecrated, poisoned, spiritless Earth? Will they wish that we hadn't fiddled even as islands drowned?

Gustav W. Verderber  
Lowell, VT

## MAINE COYOTES & SNARES: CRUEL STATE POLICY

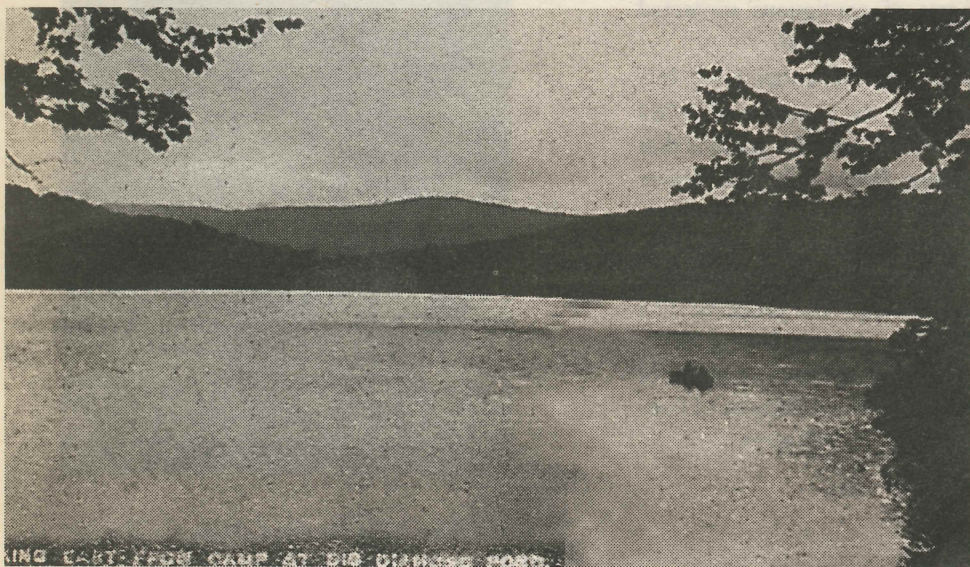
A message from PAWS (People Against Wildlife Snaring)

The Bangor Daily News recently reported on a coyote snaring seminar held in Down East Maine (BDN, Dec. 20). It said that many people believe the coyote is decimating the deer herd in Maine. It mentioned that the Department of Inland Fisheries and Wildlife (IFW) is holding more seminars publicizing them better to encourage more snaring. It correctly stated that a new expanded program, not yet approved by the commissioner of IFW, will remove the limit on the number of snares a snarer can use in unorganized territories. And that with permission, snaring will be allowed in organized towns as well. At present 30 professional snarers are allowed to set 30 snares each. The new regulations would allow unlimited snares to be set in any area other than lynx protected habitat. In lynx areas, if there is coyote and deer conflict, a snarer can set up to 30 snares within a five mile radius. This radius is well within the lynx's roaming range and increases the danger to lynx getting snared as a non-target animal. "Fully certified snarers have no limit on the number of snares or areas in which they may set, except in special lynx areas (see lynx avoidance, page 5)" Summary of Coyote Snaring Policy Changes (Nov. 2001).

### What Snaring Does

A spotlight was recently shined on descriptive records kept by state biologists on 94 coyotes that had been snared and brought to IFW for a study to determine if wolf genes are present in the DNA of Maine coyotes. Paid certified snarers provided the carcasses. Although not the purpose of the study, it provided an opportunity to see how well Maine's best snarers were doing in regard to technique and the humane dispatching of coyotes. An experienced snarer, who knows how to set the lethal wire correctly, allows a coyote to strangle in a few minutes. The coyote then dies through suffocation as the snare closes in around its windpipe. What the data revealed was shocking. Sixty-three percent of the 94 snared coyotes didn't die a quick, humane death. Instead, to quote from the records, hemorrhaging was evident in most of the coyotes' swollen heads. Their eyes and mouths were bloody, their lips split and their teeth broken from trying to chew their way out of the snare. There were broken limbs resulting from long struggling. And in many cases, because the coyote wasn't even dead when the snarer returned, it was clubbed to death. (State law requires that snares be tended within three days.)

For More Information & What You Can Do, Please Turn to Page 15



"Looking east from camp at Big Diamond Pond" — New Hampshire North Country Postcard scene, circa 1909. From the collection of Wilmer Sipple, featured in this issue.



## Open Space Institute: Supporting Working Forests and Ecological Reserves in Northern Forests

(Press Release)

New York, New York -Dec. 13 The Open Space Institute (OSI) today announced four grants to non-profit land trusts totaling \$1.44 million to support the purchase and permanent protection of 62,854 acres of private forestlands in the Northern Forest.

These grants are the first to be made from the Northern Forest Protection Fund (Fund), a \$12 million matching capital fund created by the Open Space Conservancy (OSC), the land acquisition affiliate of the Open Space Institute. The grants were made on the recommendation of an eight person advisory board comprised of representatives from around the region. The Fund was made possible with a \$10 million grant last year from the Doris Duke Charitable Foundation and a \$2 million grant from the Surdna Foundation, to protect through acquisition or easement, forestland in northern New York, Vermont, New Hampshire and Maine.

The Northern Forest comprises a vast unbroken landscape of 26 million acres stretching across northern New York and New England. The first of its kind, the Fund was established in response to development threats posed by forestland sales in the Northern Forest, totaling almost 5 million acres in the last three years. This rapid turnover in ownership presents a unique opportunity to protect the values of the sweeping forest landscapes for sustainable forestry, wildlife, water quality and public access. "At stake is the historic use of the region's woods and waterways. These four purchases conserve the forest land base that feeds the mills in the region, protect habitat for so much wildlife and allow the public continued use," said Joe Martens, President of the OSI. "The Fund's mission is to support the groundbreaking work of the region's land trusts."

The Fund's first round of grants reflects an emerging trend among conservationists to connect conserved lands in order to protect forests and the economic and ecological values they support. Conserved lands are generally protected from future development through conservation easements. Easements protect the forestland from development, but allow the land to be retained in private hands for purposes of forestry and wildlife and water quality protection.

A grant was awarded to the Trust for Public Land (TPL), in the amount of \$400,000 for the purchase of three tracts of land totaling 13,910 acres in northern New Hampshire. These parcels will link the two units of the White Mountains National Forest to create 950,000 acres of contiguous conserved lands.

"The Pond of Safety project in New Hampshire is an outstanding example of how partnerships can benefit a community and the forests that surround it," Martens explained. With help from the Fund, TPL's purchase will result in 10,198 acres to be managed as a working forest by the Town of Randolph. The balance will be added to the White Mountain National Forest. Pond of Safety is a model for future projects because it resulted from a partnership among the town, state and federal governments and private philanthropy. The project will assure public recreational opportunities, wildlife protection and productive working forests. "This is an innovative new community development model we hope to encourage throughout the north country," said U.S. Senator Judd Gregg (R-NH). In New York, The Nature Conservancy (TNC) was awarded \$400,000 to support the purchase of three tracts of land totaling 26,500 acres in the heart of the Adirondacks. The purchase will join 195,000 acres of contiguous protected lands.

When the International Paper Company lands in the Adirondacks came on the market, The Nature Conservancy was ready. "Conservation science led the Conservancy to focus on a 1-million acre area in the western Adirondacks where there are more unbroken forests, lakes and wetlands than paved roads, buildings and lights. Here, nature still holds sway," said Michael Carr, Executive Director of The Nature Conservancy's Adirondack Chapter. In addition, two more grants were awarded. The Green Mountain Club, Inc. is receiving a \$240,000 grant for the purchase of the Black Falls Tract, 3,764 acres of forestland in the northern Green Mountains of

Vermont. The Nature Conservancy's New Hampshire Chapter will receive a \$400,000 grant toward the purchase of the Bunnell Tract, 18,680 acres in northern New Hampshire including 13 peaks over 13,000 feet. To encourage additional public and private sector support to Northern Forest conservation projects, each grant recipient is required to match the Fund's award on a blended basis of at least 1:4 or greater. Over \$400 million of conservation easements and fee purchase opportunities have been identified in the Northern Forest. "We're committed to investing in projects that assure healthy forests that will be able to produce wood products long into the future while protecting basic ecological functions such as watershed and wildlife protection," commented Dr. John Gordon, a member of the Fund's Advisory Board who is a resident of Holderness, New Hampshire and former Dean of the Yale School of Forestry and Environmental Studies.

The Open Space Institute is a non-profit organization that acquires significant recreational, environmental, agricultural and historic properties throughout New York State. Since its inception nearly 25 years ago, OSI's work has added to or created more than 30 parks and preserves and permanently protected more than 70,000 acres stretching from the Palisades to the Adirondacks.

### Project Descriptions

**New Hampshire: Pond of Safety** The Trust for Public Land (TPL) is receiving a grant of \$400,000 for the purchase of land totaling 13,910 acres in northern New Hampshire. Approximately 10,198 acres will be owned and managed as a sustainable community forest by the Town of Randolph, protected through a conservation easement. The remaining 3,712 acres will be purchased in fee by the U.S. Forest Service as an addition to the White Mountain National Forest. The acquisition permanently protects a critical wildlife corridor between the Kilkenny and Presidential units of the White Mountain National Forest. The project contains very high recreation and scenic values and provides the critical linkage to create 950,000 acres of contiguous conserved lands.

**Bunnell Tract** The Nature Conservancy (TNC) New Hampshire Chapter will receive a \$400,000 grant toward the purchase of 18,680 acres in northern New Hampshire. It is contiguous to the Nash Stream State Forest. TNC will manage 10,330 acres as an ecological reserve, which will protect 13 peaks above 3,000 feet and 28 miles of stream frontage. The remaining lands will be protected through a working forest conservation easement and sold to a private timberland investment company.

**New York: Adirondack Lakes** The Nature Conservancy (TNC) New York Chapter purchased three tracts of land totaling 26,500 acres in the heart of the central western Adirondacks. The tract encompasses 4 lakes, 12 smaller lakes and ponds and extensive river frontage. TNC will sell some lands to the State of New York for additions to the State Preserve and some as a working forest, protected with a conservation easement. A historic canoe route will be reopened with this purchase. An area of 12,500 acres will be managed by TNC as an ecological reserve. The area joins 195,000 acres of contiguous protected lands. TNC is receiving a grant of \$400,000.

**Vermont: Black Falls** The Green Mountain Club, Inc. is receiving a \$240,000 grant for the purchase of 3,764 acres of forestland in the northern Green Mountains that will be added to the Jay State Forest. The 2,864-acre Upper Basin will be managed as an ecological reserve. Timber harvesting will be permitted on the remaining 900 acres. The Catamount Trail, a cross-country trail running the length of Vermont traverses the property. The Long Trail, the nation's oldest long-distance hiking trail is adjacent to the property, providing spectacular views of the land. The project is part of a growing complex of conservation lands in the area totaling 30,000 acres.

## NEW ENGLAND'S GLOBAL WARMING ASSESSMENT: WELCOMING THE OAK-HICKORY FOREST

"Climate change, if it occurs as projected, will fundamentally change both the character and the quality of life of the New England Region." So says the report of a global climate change assessment group, issued last August, and soon submerged in the hurly-burly of human events.

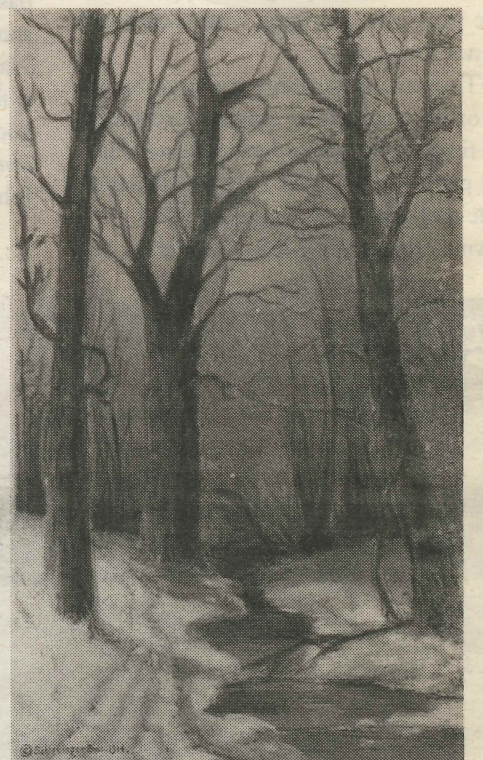
Not much that is encouraging, even for those who enjoyed the mild, open weather of this past December, is in the report. The New England piece of a national climate change impact assessment mandated by Congress over 10 years ago, its conclusions are based on two climatological models.

One model predicts a much warmer and wetter climate for New England; the other predicts a slight gain in precipitation punctuated by periodic droughts and a greater rise in temperature. Both models project a greater rise in minimum temperatures than in maximums — decline of our nordicity by whimper rather than bang.

Overall, the report makes clear that our regional ecosystems are inter-locked with global systems. The models suggest possible massive changes in the vegetation of the landscape — such as a transition to an oak-hickory forest for much of New England. Increased pestilence, such as gypsy moth and woody adelgid outbreaks, is thought likely, as are extreme climatic events such as the ice storm of 1998.

The report repeatedly links the particular with the general. One scientist studying flounder population in Narragansett Bay has looked at the impact of warming winters on these estuarine breeders and concluded that warming is "clearly unfavorable" for the species. More broadly, another scientist is studying the North Atlantic oscillation, and its circumstantial links to winter climate in the northern hemisphere. Snowfall, streamflow, and drought may be a reflection of this system's variations. Its response to increasing greenhouse gas concentrations may be a key to understanding broad range impacts on New England's climate.

Economic impacts of likely changes are discussed in the report. While some positives are noted, the negatives are considerable. Maple sugaring, skiing and other aspects of our accustomed wintriness will certainly decline if not disappear over the next century. In the case of sugaring, a northward shift in the industry is already discernible, as is its century-long decline in New England.



A postcard mailed in Portland, Maine in December 1906 to the writer's brother in Greensboro, Vt. "I suppose it is very cold up their [sic]. be careful in the woods."



*Maple sugaring, skiing and other aspects of our accustomed wintriness will certainly decline if not disappear over the next century.*

The report's look at New England forests will be of especial interest to *Forum* readers. While some may quarrel with the proposed coping strategy's call for planting of warm climate species and forest fertilization as a mere extension of hubris in a hubristic situation, the forest study section also states that "It will be important to maintain contiguous forest regions and not continue the current land use practices that foster fragmentation of the landscape with subsequent impacts on wildlife." The forest study also predicts increased conflicts in the area of land use and increased encroachment on natural ecosystems.

But what natural means on a planet subjected to human-induced climate change is a good question. Should forests be left to evolve as they will, in response to change, or will man-the-interferer interject himself again?

While the study repeatedly notes the uncertainties of its models, the impacts of human-induced climate change are clearly reverberating throughout the systems that surround us. While many will continue to use the uncertainties as an excuse to avoid action, the impact of inaction, the study makes clear, is grave.

The conclusions of the model were assessed by experts in various fields and the report summarizes their observations and concerns. The report notes several weaknesses of the models employed in the study, which were used for the entire national assessment. Lack of regional-specific data is one. The Canadian and Hadley models employed in the current study both assume a 1% annual gain in greenhouse gas concentrations over current levels; the cooling effect of certain gases is also allowed for. Impacts were assessed over both a short-term (2030) time frame and a long term (2100 and beyond). Climatological models are more accurate, notes the report, at greater spatial and temporal scales; impacts in the near term and within the region are somewhat uncertain. The National Assessment scenarios, says the report, provide a "minimum basis" for judging climate change impacts.

While the United States has been preoccupied over the past months with issues of security, global climate change clearly looms as a challenge of even greater proportions — even if our only standard is human well-being. Let us hope that we find some leadership, soon, to lead us out of the fossil age. — *Andrew Whittaker*



*Open brook in winter; an increasingly common sight and sign of a changing climate. Science points to the burning of fossil fuels as the cause of warming temperatures. Impacts may be broad-reaching.*

## FORMER USFS/BLM CHIEF DOMBECK CITES TOP TEN CONSERVATION CHALLENGES OF 21ST CENTURY IN ADDRESS AT MIDDLEBURY COLLEGE

**W**atershed integrity, invasive exotics, and ATVs are among the top land use challenges in the coming century, said Michael Dombeck, the only person to have ever held the top positions at both the United States Forest Service and the Bureau of Land Management. He delivered his remarks at the 2002 Scott Margolin Environmental Affairs Lecture at Middlebury College on January 14.

Identifying ten issues that he says will be the biggest challenges for public land managers in the coming decades, Dombeck, who was USFS chief from 1997-2001, acknowledged that he was ignoring such contextual challenges as global warming and over-population. Like most people these days, however, he did acknowledge the events of September 11, saying that his impression of places around the globe such as Afghanistan is one of places that have used up their resources over centuries. "The fertile crescent is now dry and brown," he said. "As a relatively young nation," he continued, "we must learn to live within the limits of the land."

Musing on the unexpected outcomes of tragedy, he noted that Theodore Roosevelt, in his estimation our greatest conservation President, ascended to the presidency after President McKinley's assassination. Referring to the last election, Dombeck said in closing that he hoped the urban-rural, East-West split in the electorate reflected in the close outcome could be breached. Education, he said, can play a great role in addressing all the problems he identified. On the one hand, he lamented the sort of conservatism that has directed itself against environmentalism; on the other, he noted the increasing urbanization of the American populace and its resulting alienation from the land.

The 10 conservation challenges Dombeck identified

*The former chief stated that conservationists must consistently err on the side of the environment. Leadership, he added, requires elevating issues, not invoking process.*

ranged from the burgeoning problem of invasive, exotic organisms, about which he is pessimistic, to the "issue of the decade," or Off Road Vehicles. He views the latter as "more vexing than the spotted owl" for public land managers as it pits the perception of rights against the limits of the land. "If we don't resolve this issue the courts will," he said. Conservation leaders, he said at the outset of his remarks, "must consistently err on the side of the environment." Leadership also requires elevating issues, "not processing them," he said while discussing ORVs, an issue he said the Bush administration would take on were it interested in "testing its mettle."

Dombeck, in fact, twitted the Bush administration throughout his speech, on issues ranging from the 1872 Mining Law which the administration is seeking to relax rather than reform, to that of roadless protections on National Forests, which the administration is seeking to roll back. He also identified sprawl as a huge threat, an agent of land fragmentation consuming a Delaware-sized area annually, and the private land base as a great opportunity to further biodiversity protections. He said that urban forests are neglected in policy discussions, and that the planting of trees has demonstrated beneficial impact on energy consumption. Noting the scope of California's energy problems, Dombeck suggested the enormity of what a water shortage there would be. Water supply will be "the issue of the millennium" he said, noting that 3400 communities and 60 million people in the US rely on watersheds flowing from National Forests.



## Vanishing Spirit of the New Deal

"His colleagues knew where he stood on most issues. He unabashedly accepted liberal dogma. He was for the individual over government, government over big business, and the environment over all else."

The judicial philosophy of William O. Douglas, appointed to the Supreme Court in 1939 by Franklin Delano Roosevelt, serving until forced into retirement by a stroke in 1975. From *The Brethren*, by Bob Woodward & Scott Armstrong.



## DYNAMIC TENSION:

# A BRIEF HISTORY OF MAINE'S ECONOMICS & LABOR ROUND TABLE

*How can we deal with complicated, contentious issues, especially after various committees, councils, and government agencies that had the power to address these issues preferred, instead, to punt?*

*The following article, about the Round Table to Study Economic and Labor Issues Relating to the Forest Products Industry, tells of an approach that may prove useful. The roundtable approach did not solve the problems, but it created an opportunity to discuss the problems in a broad context and recommend next steps. The hope for such an approach is that participants can act for the betterment of the whole system, rather than try to advance their interests at the expense of others.*

by Mitch Lansky

Why would an environmentalist be interested in promoting discussions on labor and timber processing? Part of my concern comes from living in a forested community. My neighbors are working 55 or 60 hours a week for wages less than those paid to burger flippers in Portland. The vitality of the community and the local school depends on the quality and number of jobs available. Lots of small towns like mine are suffering as the forest industry mechanizes, squeezes labor, and exports quality timber that could be processed locally.

My concerns are also for the forest, the foundation of the economy — as well as the foundation for the quality of life. Forest management has not always been kind to that foundation. If forest management is to improve, however, someone has to pay for it. Improving the quality of the residual stand means leaving the highest quality trees to grow and taking more time to take care. This could mean less money for loggers — if they are paid based on the quantity and value of what is removed. Loggers will do better work if they have monetary incentives. Improved forest management can have an impact on a half-million acres a year. But where will the money come from to pay for improved management? That needs to be discussed in the broader forest industry community.

### THE ISSUES

Declining logger wages, imported Canadian labor, and exported raw sawlogs (to Quebec) have been decried by rural Mainers for many decades. Yet, little seems to happen to address these issues. The Northern Forest Lands Council, during the early '90s, punted. The Maine Council on Sustainable Forest Management, in the mid '90s, also punted, but suggested that some sort of multi-stakeholder roundtable would be the way to tackle these issues. Legislator Paul Volenik submitted legislation that would set up such a roundtable, but the Agriculture, Conservation, and Forestry (ACF) Committee put the legislation on hold.

By the end of the '90s, some of these issues were coming to a head in Maine. Allagash loggers blockaded the Maine/Quebec border to stop the inflow of Canadian workers and the outflow of Maine wood. The Maine Department of Labor (MDOL) held a series of meetings with the Allagash loggers and large landowners, but the loggers got more frustrated by the process. The MDOL helped sponsor a \$100,000 study, published in November of 1999 on the issue of bonded

Canadian loggers. While the study did not support the contention that the federal program regulating the use of Canadian workers was having an adverse impact on logger wages, the study did paint a bleak picture of the logging industry. It showed that in northern Maine, loggers had little bargaining ability. The market is "imperfect" — dominated by a handful of big landowners in an isolated region.

During this same period, huge areas of land were sold. The new landowners, with big debts, wanted more wood for less money. Large contractors, as well as their employees, started to feel the squeeze. The Maine Forest Products Council, which represents landowners, mills, and contractors, was divided over labor and economic issues. Council director Abby Holman recognized that a roundtable process might be helpful if its goals were phrased as positives, rather than negatives.

### THE LEGISLATION

I cooperated with Ms. Holman to rewrite the mission so that the goals were to: "Study key economic and labor issues related to the forest products industry with the goals of helping to keep more value-added wood processing in the State and make logging a more respected and more attractive profession, thus benefiting the rural economy of Maine." We also rewrote what types of members the roundtable would have and who would appoint them. Finally, we rewrote the duties, which included the following:

"An assessment of the import and export of roundwood and other wood products as determined by the roundtable; the market forces and government policies in Maine, the United States and other countries that impact this trade; the status of value-added manufacturing; and the relationship of these issues to employment in Maine;

"An evaluation of trends in logging, including changes in mechanization, logger training and education, workers' compensation and insurance, employment relationships, types of wood measurement and means of payment; and

"An assessment of regional variations in and seasonal capacity of the logging labor force in Maine, policies both within Maine and in nearby Canadian provinces and factors, including current and projected resource availability, transportation costs, market forces and imperfections and geographic locations, that might impact wage and employment opportunities for Maine workers..."

Now I admit this is more than a platitudinal. The idea, however, was to avoid simplistic solutions that caused unintended consequences.

At a time when well-publicized,

strongly-lobbied forestry bills were failing, this bill, LD 2005, which got no publicity and which had a zero budget for lobbyists, somehow passed. The press not only ignored the bill while it was being considered, the press also ignored the bill after it passed. I found it ironic that a press that had been so concerned with the two Maine's had so little interest in a bill whose goal was to improve the prospects for loggers and the rural economy.

How the Round Table functioned. The Round Table (RT) was (at least on paper) supposed to have 19 members that included loggers, contractors, mill owners, landowners, a rural sociologist, a forest economist, and representatives from the Department of Labor, the Maine Forest Service, the University of Maine, and the legislature. To make meetings more manageable, the RT was divided into three working subgroups to focus on the three major foci of LD 2005: market forces, logging labor force, and logging trends. These subgroups reviewed existing, relevant studies and also invited guest speakers to discuss their research and views on key issues. The staff (Chris Spruce and Todd Jorgenson of the legislature's Office of Policy and Legal Analysis) wrote up summaries of these meetings and distributed the summaries to the whole group. The plan was to come up with findings and make recommendations based on this mass of information. We had barely a year to do this work.

### PROBLEMS

We very quickly started accumulating huge piles of studies as well as summaries. Our plates were very full indeed. The time schedule, however, soon forced us to pare down our range of exploration. While we were supposed to have a year to complete our work, we actually had much less. For nearly six months, while the legislature was in session, both the legislators and the staff were unavailable for meetings. We were on hold between February and August of 2001.

When we got back together in August, one of our legislators, Roland Sampson, was replaced by Rosita Gagne — who had to play catch-up with the rest of us. Allagash logger, Hilton Hafford, was replaced by Troy Jackson. Two of our members from the University of Maine, David Field and Bruce Wiersma stopped attending due to scheduling difficulties. Some other members such as Ked Coffin of Irving or Tom Howard of Domtar (formerly Georgia-Pacific), attended sporadically or not at all because of scheduling difficulties. We also lost the services of staff member Todd Jorgenson. These changes in personnel magnified the discontinuity caused by months off the issue.

Some issues that seemed promising when we first encountered them got dropped by the time we came to findings and recommendations. For example, in the early phases of our work, Tom Howard told us about the headaches of shipping raw materials and manufactured products by rail. Often a company has to ship through a number of lines owned by different companies that charge widely varying prices per mile of freight. We invited representatives from a rail company to one of our market forces meetings, read a heap of studies, but did not follow through for lack of time to sort out the complexities of policies surrounding this issue.

At another market forces meeting, we toured the wood engineering facilities at the University of Maine. This unit is developing state-of-the-art products, such as laminated wood beams for bridges, I-beams made from wood/glue composites, or insulated structural panels. Much of the manufacturing of products developed by this research facility, however, is being done in places like Pennsylvania or Quebec — not in Maine. We needed a meeting with industry leaders to find out why, but such a meeting never happened. Again, we lacked the time for follow-through.

The issue that generated the most weight of paper in our bulging files was Canadian competition with Maine lumber mills. Many Maine mill owners insist that they have trouble competing with Quebec mills because, for example, the mills are subsidized with cheap Crown stumpage, the Canadian health-care system puts Maine companies that have to pay high insurance rates at a disadvantage, and the monetary exchange rate is more favorable to Canadians. Canadian sources claimed that the trade is not unfair at all; they are just more efficient than Maine mills. At the time we were holding our meetings, the federal government was involved in negotiations on the softwood lumber agreement with Canada. We dropped the issue.

On the labor front, logger-activist Kevin Matthews asked the Round Table to consider three changes that, he said, could level the playing field with Canadian loggers:

- Require that foreign workers coming to Maine be covered by Maine workers' compensation (rather than lower-cost Canadian insurance);
- Only allow independent contractor status



Farm-scale forestry in the province of Quebec. A tractor driven forward piles pulp



*I found it ironic that a press that had been so concerned with the two Maine's had so little interest in a bill whose goal was to improve the prospects for loggers and the rural economy.*

to Canadians operating in Maine if they obtain workers' compensation coverage in Maine (Canadian logging firms only have to cover the cost of lost wages, not medical costs);

•Not allow foreign businesses that self-insure workers' compensation insurance.

Further exploration by the staff found that Canadian independent contractors did have to have workers' comp. This coverage had to be equivalent to that for Maine workers, but it could come from Canadian insurers. The logging labor force working group did not make recommendations on these particular issues, which would have required further examination of both state and international law.

#### POINTS OF VIEW

To come up with recommendations, the staff listed issues that we had discussed in the three working groups and asked each working group member to rate which issues were most worthy for further discussion. This winnowed down the list by dropping issues that had little chance of consensus. Issues generating consensus from such a diverse group were deemed to be most likely to succeed at generating future action. The downside of trying to reach consensus is that it has the effect of eliminating difficult, but important issues that some members would rather not discuss.

The remaining meetings were spent in refining our reduced list of findings and recommendations. We had one public meeting where a panel of four industry representatives discussed their reactions to the issues and the findings. Unfortunately, because the Round Table had almost no publicity (besides a notice of the hearing), few members of the general public came to the public meeting—though there was better representation of paid lobbyists in the audience.

Panel member Jim Robbins, of Robbins Lumber, listed a number of ways that Canadian mills have advantages over Maine mills. He also stated that Maine has a bad business climate. When asked how it was that his business was doing well despite the competition and bad business climate, he told us that his secret was smart marketing. Panel member Russ

Hewitt of Pride Manufacturing complained that his company's Maine division could not compete with its Wisconsin division. Maine's costs for taxes, insurance, and energy, he claimed, are too high. Several of the panel members raised the issue of uncertainty due to threats of referendums and a proposed national park. I suggested that many of the issues concerning logger wages and competition with Canada pre-date the park proposal. Killing the park proposal would not cause Maine loggers to be better paid or Maine mills to compete better with Canada.

State Representative David Trahan, a member of the Round Table and an independent logger (without employees) in Waldoboro, testified about his concerns over a recommendation that all contractors have workers' compensation. Workers' comp, he argued, is for employees, not employers. He also wondered if there was a way for the public to help pay for bridges and culverts required for best management practices. Bridges and culverts can be very expensive for loggers if they have to pay for installment out of stumpage revenues.

#### RECOMMENDATIONS

The final recommendations deal mostly with logger issues. We have recommendations that:

- Try to prevent contractors from dropping workers' comp on their employees while engaged in cutting;
- Recommend against changes in workers' comp laws that would increase costs by encouraging more litigation;
- Get the federal government to clarify the distinction between an "employee" and an "independent contractor" (OSHA has nearly given up trying to get at unfair practices to what should be employees but are called "contractors." Employers have a "safe harbor" provision that exists in the Revenue Act of 1978 that has led the courts to interpret against OSHA every time);
- Urge the federal government to reevaluate how rates are calculated in woods worker surveys for the H-2 program (bonded workers);
- Urge the federal government to establish heavy equipment operational rates for the H-2 program (currently, rates exist only for cable skidders and chainsaws, even though most of the cutting is now with feller bunchers and grapple skidders).

For dealing with wood processors and forestry businesses, the RT has one big recommendation for various agencies to identify gaps for service assistance and options for improving services to smaller forest-industry businesses (see side bar).

#### LOGGER PAYMENT MODELS

As our list of findings and recommendations got pared down before the public meeting in September, I was concerned that we were missing something that was crucial to both improved forestry and logger viability; the way loggers are paid. I, and others, had raised the issue numerous times in various ways (including logging scale methods) since the RT began, but the issue never seemed to get on the agenda. When I saw plans for having a "forest products industry summit" at our public

*Continued Next Page*

## QUESTIONING MITCH LANSKY

**Andrew Whittaker (AW):**

*Maine's forest product industry and its forest both appear to be in decline. How are the two conditions related?*

**Mitch Lansky (ML):** The word "decline" needs a little discussion before I answer this. The US Forest Service's 1995 inventory of the Maine woods found a decline in volume, a shift from softwoods to lower-value hardwoods, an increase in the percentage of acres in seedlings and saplings, and a continued decline in hardwood quality. The state's latest surveys are indicating that the decline in volume may have bottomed out and that the inventory may actually be starting to increase.

The statistics I've seen show an increase in the number of forest-products manufacturers, but a decline in jobs, mostly due to a decline in jobs in the woods and in the more mechanized paper mills and saw mills. Also, in the last few years, a few big mills have shut down. There has not been a major decline in total revenues generated, but if one looks at the forest industry as a percentage of the whole economy, the forest industry's share is in decline because the rest of the economy is growing faster.

The condition of the woods and the condition of the forest are very much related. To the extent that large, high-quality trees diminish as a percent of the timber base, industries that could thrive on such timber have the options of: overshooting their supply and risking future collapse; importing more wood at a higher cost; or declining with the inventory. Ironically, a good percentage of some of the higher-quality sawlogs in Maine are not milled in state but are shipped raw to sawmills in Quebec.

Industries relying on low-quality wood, such as pulp, are producing commodities that compete in the global market. The profitability strategy for such industries is to cut costs, since increasing prices means losing market shares.

The larger companies have learned to use their leverage to reduce costs in terms of labor, purchased wood, pollution control, and taxes — all of which has an impact on state and local communities. If more and more of the forest industry is based on low-quality wood, we can not expect to see major increases in the quality of life in timber-dependent regions.

What we need are more industries that can internalize all the costs of production, not externalize them, as the pulp and paper industry has done.

**AW:** *Thomas Power's economic impact study of the proposed Maine Woods National Park found that the ratio of employment to harvest has dropped by about half over recent history; at the same time that direct employment in logging has dropped. He also says that Maine's timberland owners have the option of over-*

*"... if more and more of the forest industry is based on low-quality wood, we can not expect to see major increases in the quality of life in timber-dependent regions."*

*cutting for about 50 more years, but that the economics of decline will continue, and eventually undergo a precipitous drop. Do his observations bear out what you and others see in Maine's forests and forest industry?*

**ML:** Donella Meadows, just before she died, ran projections of the Northern Forest forest-products economies. She found the same pattern of overshoot and eventual collapse and found that most simple fixes at best delayed the inevitable. A key strategy for avoiding such future collapse would be to get average cut to be below long-term average growth.

I have a little trouble, however, with predictions based on past trends — such as the incredible explosion of productivity that came with mechanization. Trend is not always destiny. There may come a point where mechanization in the woods reaches a plateau, or even recedes. For example, instead of relying on feller-bunchers and grapple skidders, loggers might shift to mechanized cutting with smaller machines, such as feller-processors and forwarders, that do less damage to the woods and increase long-term economic benefits, but are less productive in terms of output per worker.

As the Danish physicist, Niels Bohr, once said, "It is difficult to make predictions; especially about the future." So many things can change the trajectory of any projected trend, such as terrorism, war, goofy policies, economic depressions, catastrophic weather changes, or major outbreaks of insect or diseases in the woods. There is also the, admittedly unlikely, possibility that social policy might become more sane and the forest and the industry that depends on it could show a steady recovery.

**AW:** *Can the industry in northern New England shift to smaller equipment, perhaps greater labor input, and still produce at a low enough cost to be productive and competitive? What makes you believe it will make this shift?*

**ML:** The reason that companies have shifted so heavily to the big machines is that they are operating on a short-term economic basis. They are looking at the productivity of the removal of wood, which they want to do as cheaply as possible, rather than the productivity of the forest over the long term. They are paying loggers based on how much and how fast wood is removed, rather than what shape they have leave the residual stand. Large landowners have also used their economic and political clout to keep labor costs down, as I indicated before.

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north of the border. Photo © Elderberry Youngman.



## MAINE'S ECONOMICS & LABOR ROUND TABLE...

meeting, I sent a memo out to all RT members to consider having a logger summit, where the following issues could be discussed:

What are the impediments towards paying loggers to reach a desired outcome (rather than to just cut wood fast)?

What are some of the models being tried by landowners in Maine (including Baxter State Park Scientific Management Area) and other parts of the world (such as Scandinavia) where high quality logging is rewarded, rather than penalized?

What are the costs and benefits to landowners to switching to a different payment system?

I also wanted to see exploration of an apprenticeship training program for loggers. This is an issue brought up by one of our members, Stephen Hanington, a woods contractor. An apprenticeship requiring long periods of learning all phases of the logging industry would be more significant than declaring a logger a "professional" after a 4 day training and would lead to a true professional logging force.

The most significant response I got to this was an e-mail from a large-landowner representative saying that he would not participate in any forum that would set prices for loggers (this would be a violation of antitrust law). I assured him that the purpose of a logger summit would be to explore payment models, not to set prices.

The issue still did not get into the RT agenda. I saw an opportunity, after the public hearing in September, when I noticed that we had an item #5, having to do with logger trends, with no recommendations. I suggested adding findings and recommendations about exploring logger payment issue to fill that empty slot. A number of members of the RT agreed, and it was put in as an item of discussion for our October meeting.

In October, several members objected to some of the wording of the "finding" section, which, they claimed, put the blame of low logger wages on landowners (it actually didn't). Another member, Maine Forest Service director, Tom Doak, suggested that if the goal was to attract more loggers, the findings and recommendations should be broader in scope, to include issues relating to landowners, truckers, and the like.

For the November meeting, item #5 had been rewritten. The recommendation called on examination of "increased costs for owners of forest lands, transportation policies that regulate the transportation of logs over Maine roads, State election policies that enable forestry practices to be established and altered by public referenda, and State policies that negatively impact logger wages." There was nothing in there regarding the model or method of how loggers are paid, which was the original issue. I resubmitted my original proposal with modifications to improve the language where RT members had specifically pointed out problems.

At (and after, with the use of letters, phone calls, and e-mails) our November meeting, we had something of a show-down. It appeared that the majority were going to support some version of my approach — to deal specifically with logger payment methods. Senator John Nutting, the chairman of the RT, did not want to send out a divided report, however, so he asked if I and John Cashwell (president of Seven Islands) could work out a compromise. John and I sent each other a flur-

ry of e-mails. I did my best to incorporate his concerns while retaining the original thrust of a public forum to look at logger payment. To my surprise (and to the surprise of other RT members as well), we reached agreement:

### AGREEMENT!

"The Round Table recommends that the Joint Standing Committee on Agriculture, Conservation and Forestry conduct a series of field hearings in 2002, in regions of the state where logging operations are concentrated, to examine how logging contractors and their employees are paid and to explore new models of payment that provide incentives to loggers to enhance the quality of their work. Additionally, the hearings should also examine how public forest policies to promote better forestry or protect wildlife habitat can give landowners incentives (that, in part, can be passed on to loggers), rather than create increased burdens for both landowners and loggers. Further, the hearings should examine whether there are forest policies that give incentives for mismanagement or disincentives for improved management. At the completion of the field hearings, the Agriculture Committee should convene a "logger summit" with representatives of a broad spectrum of forestry interests with a direct relationship to the forestry community to further discuss the new payment models identified during the field hearings, to consider working examples of new approaches, and to discuss the costs and benefits of switching to these new approaches. Additionally, the summit should examine the incentives and disincentives of public policy identified in the field hearings.

The committee also shall examine State labor and educational policies that govern the creation of apprenticeship programs and identify the opportunities for and barriers to creating logger apprenticeship programs."

### THE CHARLES ATLAS METHOD

Was it worth it? We obviously had too much to do in too little time. It would have been better if the bill had been more focused or was extended for a number of years and had adequate funding for expenses for members. The Round Table did not solve any major problems. Our contribution was, at best, incremental. Loggers who want to see action to make their profession more viable will still have to wait as more forums lead to more talk. Unfortunately, action does not often happen without a power base and public support. Loggers do not have that yet. But maybe a public forum will help change that.

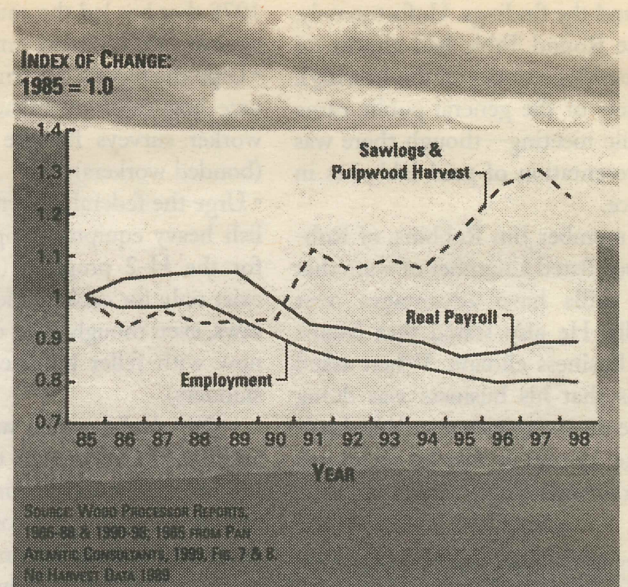
The diversity of our group, though it was a barrier to immediate substantial changes, did lead to rich discussions that were, in general, constructive. I wish more people in (and out of) the industry could learn what we learned. John Cashwell observed that our group had a kind of "dynamic tension." I pointed out that dynamic tension was the method that Charles Atlas used to turn 90-pound weaklings into muscle men. Unfortunately, we did not have enough time to get the full results.



## Recommendation #4 urges

the Department of Economic and Community Development, in cooperation with the Maine Forest Service, Finance Authority of Maine, State Planning Office, the Maine International Trade Center, the Small Business Administration, the University of Maine, representatives from key forest product trade organizations, such as the Maine Woods Products Association or the Small Woodlot Owners Association of Maine, and regional economic development entities, to include in DECD's current statewide assessment of technical assistance to all small businesses a particular focus on the forest products industry that specifically addresses the following:

- Assess the business assistance needs within each of the 3 sectors of the forest products industry (logging and primary and secondary manufacturing), documenting what needs are being met, and what needs are unfulfilled.
- Document the extent, location, source and types of business assistance services that are targeted to each of the 3 sectors of the forest products industry.
- Assess, through business assistance service providers, the current levels of participation-utilization of business assistance services by each sector in the forest products industry.
- Identify the gaps in business assistance services that are needed within each sector of the industry.
- Identify options for improving the utilization and coordination of existing business assistance services, as well as how to fill service gaps within each sector of the forest products industry.
- Work with the Finance Authority of Maine to assess the awareness with the 3 sectors of the forest products industry of the availability of financial resources through FAME's Natural Resources Division programs and to develop strategies for enhancing awareness of such programs throughout the forest products industry.





## FINDINGS ON LOGGER PAYMENT

Logging in Maine is under pressure from complex global and statewide forces that impact all aspects of the forest industry from mills and landowners to logging contractors and their employees.

Over the last two decades, average inflation-adjusted logger wages have fallen at a faster rate than most other forest-industry professions. This decline in real wages occurred despite major increases in productivity over the same period and in conjunction with a logger labor shortage in some regions of the state that allowed importation of foreign workers through the federal H-2 program.

Public demands for improved forest practices, changes in state forest policy, and the enlightened awareness of some landowners regarding the effects from residual damage are creating increased short-term costs for landowners and increased responsibilities for loggers. Landowners, while internalizing what

were once external costs, are not always compensated with higher revenues for their wood. Loggers are not always compensated for their increased responsibilities.

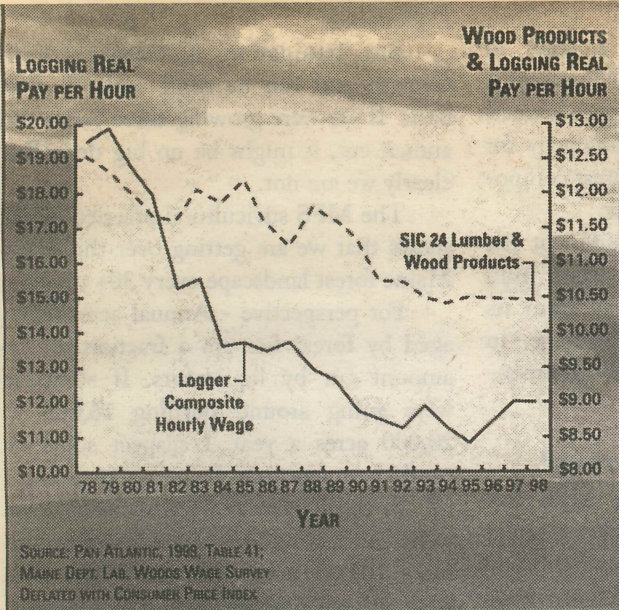
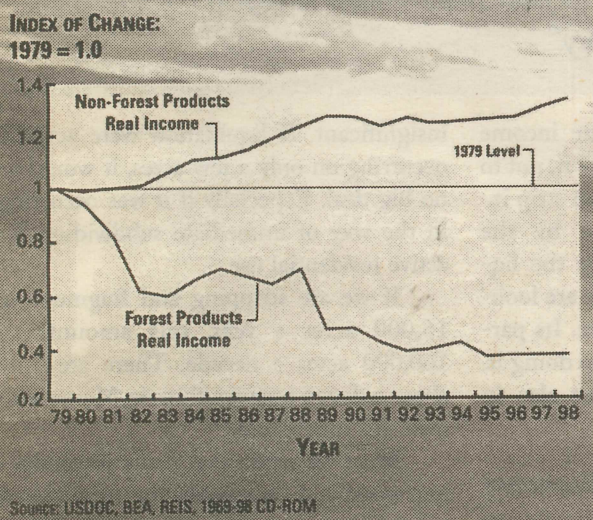
The Pan Atlantic study done for the Department of Labor in 1999 found that logging contractors and their employees in some parts of Maine are operating in "imperfect markets" and have little bargaining ability. Decreasing costs or increasing revenues for landowners in these markets do not always translate into benefits for loggers.

Employers are finding it difficult to recruit new, young loggers into the profession. The

Pan Atlantic study estimated that the average age of loggers in their survey was 43 years. This same study found that a majority of loggers and contractors, both domestic and bonds, are telling their children to not get into the logging business.

Training programs are an important means of recruiting and educating new loggers. Training alone, however is not sufficient to attract sufficient new domestic workers if trained workers face falling wages and diminished power to negotiate.

Charts these pages from *The Economic Impact of the Proposed Maine Woods National Park & Preserve* report, authored by Thomas Michael Power, available from RESTORE: The North Woods, 9 Union Street, Hallowell, Maine 04347, Tel. (207) 626-5635.



## Questioning Mitch Lansky ...

Based on my research, in many circumstances the extra costs involved in doing more careful logging with smaller machinery can be justified in the short term by lower costs of residual damage and in the longer term by higher productivity of more valuable timber products. To the extent that landowners can start to think in terms of longer-term economics, a shift in technology and labor practices should make sense. The key in paying loggers is to pay them for desired results. Unless the condition of the residual stand is accounted for in the way loggers are paid, it will not be their first priority.

**AW:** Many in industry are very concerned about the recent collapse of pulp markets and the possible loss of more pulp purchasers. Foresters say they need to peddle pulp to pay for improvement cuts and eventual sawtimber. There is an associated push to reinvigorate chip markets. Should we go that route?

**ML:** Ironically, an important means of paying for stand improvement is to have good markets for junk wood. Such markets, in themselves, do not insure good management. After all, if markets for junk wood are good enough, why bother managing for something better? Maine has always had markets for "junk wood" (albeit, not well paying), but the result has not inspired a lot of confidence in me that the market can be the sole means of inducing good management.

Pulpwood will not go away — it is an important part of the mix of markets, but there are alternatives to pulp and biomass for lower-grade trees. In Wisconsin, the Sustainable Woods Cooperative is milling bent trees, that would normally go in the pulp pile, and creating acceptable flooring material. The University of Maine engineering department is looking at alternative uses for "low-grade" trees. This includes laminated beams made from smaller timbers or oriented strand board products such as structural insulated panels and I-beams. There can be environmental or health problems associated with the glues involved in such products.

If trees or chips are to be burned, I would prefer it be done primarily for heat, where most of the energy would be captured, rather than for electricity, where 2/3 of the energy would be lost as "waste" heat. There is always the option of girdling the cull trees and letting them rot in the forest. The forest would benefit.

**AW:** The sort of closed-canopy forestry you advocate is regarded as hobby forestry by many in industry. Can we base a significant manufacturing sector on it?

**ML:** The forestry I am advocating is essential both ecologically and economically to a healthy forest industry. It is not "hobby forestry." Ecologically, a relatively closed canopy (with occasional gaps of various sizes) is the natural state of most of the northern forest types.

In terms of forest products, many of the highest quality tree products need partial shade to develop. If you want to grow clear, straight lumber with tight growth rings, you do not do this with heavy cutting. Do we want to grow low-value commodities, or high-value products? As a long-term strategy, growing the low-grade trees doesn't make much sense. Prices for these products, at best, have averaged out even with inflation over the long term. High value lumber and veneer prices have well outpaced inflation. So with the high-value products, you make more money per inch of growth, and this value increases with time, even if the trees don't grow.

Leaving more trees not only leads to higher quality, but it decreases risks. In softwood stands, if you do heavy cuts, you increase the chance of losses to wind-throw. Heavy cuts also encourage shorter-lived species, like fir, poplar or red maple, and discourage species like red spruce or sugar maple. So, by leaving more trees you can get (given the right stand) better form, better quality, better species, less risk, and higher returns over inflation.

**AW:** Why do you view the woods as a source of direct employment and an economic asset to rural communities in our region?

**ML:** Wood is great stuff. I just built a house out of wood, most of which came from nearby. I heat with wood. Wood is in the paper of the Northern Forest Forum. My tool handles are made of wood. It makes sense in Maine, which is 90% forested, to use locally-produced wood products, rather than import stuff made of mined materials from thousands of miles away.

Given that we are going to use wood products, how are we going to obtain them in a way that makes ecological and social sense for the long term? While I see a need for reserves, reserves will never cover every inch of Maine's forest. Low-impact forestry complements existing reserves, rather than isolates them, as does heavy cutting.

It is possible to do less cutting and have a higher local economic benefit if higher-value products are grown, if the land is locally owned and profits are reinvested locally, if the wood is milled more locally, and if there is more local value added. Moving in that direction just a little can have lots of benefits to the local economy.

A well-managed forest has aesthetic benefits. It enhances the neighborhood. It shows that someone cares. People like to live near such forests, even if the forests are not "wild." There is thus a real-estate benefit from well-managed forests. Such a landscape attracts a broader range of people to the area who contribute to economic diversity by bringing in more professions and starting new businesses. So low-impact forestry can be an important economic asset, not only from direct employment, but also from indirect effects.



# Liquidation Logging in the State of Maine

*This article is condensed from a presentation made by the author to the Maine Legislature's Committee on Agriculture, Conservation, and Forestry last November. It was part of a panel that discussed the issue of liquidation harvesting. Since the topic is being debated regionally, we offer it here. It has been condensed with the author's permission.*

By Lloyd C. Irland The Irland Group,  
Winthrop, Maine

**L**iquidation harvesting is a problem. It is wrong. Now is the time to deal with it.

I have been asked to offer a few suggestions for action, but do not have detailed proposals to recommend. My basic proposal is that we start taking this issue seriously.

I offer my congratulations and support to those who have already had the courage to rise before us, to speak out, and to demand action. This note seethes with anger, and for this I make no apology. As much as anything I am angry with myself for being silent for so long. I for one will no longer shrug my shoulders and turn away.

## What is Liquidation?

The Maine Forest Service (MFS) definition captures part of the matter. I think the essentials of liquidation harvesting are:

- Heavy volume removals (usually so heavy that traits of residual stand are of secondary importance).

- Elimination of quality growing stock over the bulk if not all of a property.

- Short term ownership preparatory to Subdividing and sale - usually into lots too large for a residence, too small to manage for timber or provide meaningful public access. Buyer motivations vary, often speculation, I suspect.

In short, liquidation is the brutal exploitation of a forest property for maximum immediate gain. It is motivated solely by greed. It has no place in a civilized society.

The Maine Forest Service concluded that:

- Liquidation harvesting occurs throughout the state, predominantly in organized towns.

- Liquidation harvesting is conducted primarily by a small group of logging contractors or realtors who are in the business of buying land, stripping the timber value, and reselling the bare land.

- 3% to 12% of all timber harvests can be characterized as liquidation harvests, the equivalent of 16,000 to 64,000 acres each year. (In comparison, approximately 5,400 acres of forest land were converted to non-forest uses in 1999.)

Since liquidation harvests generally retain some stocking of low-quality timber they are not regulated as clearcuts under the Forest Practices Act. MFS has found through recent enforcement efforts that liquidation harvesting is occurring on small and medium-sized, non-industrial ownerships. A number of these parcels were purchased during the breakup of larger, industrial ownerships.

## Who Are the Liquidators?

By extension, the Liquidators are those

companies who engage in liquidation. In every part of the state, people know who they are. This has grey areas too. There are some prominent liquidators who engage in a number of businesses. They may retain ownership of bits of property, and in other instances they may operate wood for others in a responsible manner.

One thing is not in doubt: owners who sell to known liquidators are also liquidators.

The Liquidators have many accomplices. There are landowners who acquire land to do liquidation deals, there are banks that finance them, realtors who sell the lots, and mills which buy their wood. They have allies who make excuses for them.

Liquidators use "property rights" as smoke to cover their activities. They point to the occasional hardship case as more smoke. They hide behind the skirts of the impoverished widows who "need the money." Stripping land and subdividing land, on a recurring production basis, is not the same as a paper company clearcutting 100 acres which it plans to hold for future growth. To suggest otherwise is to insult not only the paper companies, but also the intelligence of one's listeners. Further, it is not the same as a landowner who has owned property for decades conducting a responsible final cut to realize the values gained, in a setting where continued ownership is planned.

The liquidators are the termites in the Maine forest - eating it away, quietly, slowly almost unnoticed.

## Liquidation is Simply Wrong

The liquidation industry poisons the well for forest management by increasing sentiment against active management, and spawning more hostile and disruptive anti-forestry referendum campaigns. Exploitation will naturally lead to more restrictive local ordinances that will make management more difficult for responsible landowners, managers, and loggers.

If Liquidation doesn't matter... then Forestry doesn't matter. Why bother?

Why engage in stewardship when someday a liquidator will get it?

## Liquidation Institutionalized

Liquidation has been institutionalized. An entire small industry of operators pursues liquidation as a large part or entire part of their business. Maine Forest Service estimates that the bulk of the liquidating is being done by about two dozen operators.

With few exceptions, a landowner planning to manage for sustained yield simply cannot compete with a liquidator. Only another liquidator with better markets can.

The exploiters have created a market situation in which Sustained Yield is not a longrun possibility. Ongoing parcel fragmentation, sales of outlots and "non-strategic" lands create a steady flow of properties to feed the liquidator's profit mill.

Landowners should have a choice NOT to liquidate in order to maximize returns. If we bring liquidation to an end, however, some owners will not be able to make as much money on sale of their land. The best solution is better long-term management so that owners can realize incomes over time and have more value on

## What is Forest Liquidation?

*"In short, liquidation is the brutal exploitation of a forest property for maximum immediate gain."*

*"3% to 12% of all [Maine] timber harvests can be characterized as liquidation harvests, the equivalent of 16,000 to 64,000 acres each year."*

*"Stripping land and subdividing it, on a recurring production basis, is not the same as a paper company clearcutting 100 acres which it plans to hold for future growth."*

*"The solution is better long-term management so that owners can realize incomes over time and have more value on the land."*

*"Liquidation cutting has no place in a civilized society. It is a relic of an exploitive frontier mentality"*

the land. The way to maximize income from forest property is to manage it, not to let it sit idle for decades and then strip it.

We cannot be distracted by the smokescreen rhetoric offered by the liquidators and their defenders. We are looking at a substantial business here. Its participants like it and want to keep doing it. I believe in property rights but also in responsibilities.

## Long Term Harm to the Economy

The MFS projects that in spruce-fir, we can return to growth/cut balance in several decades. This assumes retention of the entire existing spruce-fir landbase. The liquidators are working hard to erode this landbase as fast as they can. They cannot claim that it's inconsequential. Every decade of Liquidation diminishes the chance of ever balancing growth/cut for spruce-fir.

Liquidation continues a shift of species composition to lower-value species. It is specious to argue that because we could use sprout maple someday for particleboard that therefore forest compositions and quality don't matter.

A steady process of mining out the quality species and grades of wood from the forest pushes Maine away from its clear long-term competitive advantage - in growing quality wood in an environmentally sound manner.

## How Much is Occurring?

We don't really know. The MFS has looked at the question and offers a range of estimates (2001 Biennial Report). They suggest that liquidation occurred on 3% of the area cut in those years, and "potential liquidation," lands not sold yet, accounted for yet more.

This is a range of 16,000 to 64,000 acres a year. Note: These studies were done at a time when the Maine rural real estate market was weak, still absorbing the shocks of the wild landboom of the late 1980s. I have been informally advised that they have revised the low end of this range upward to 20,000 acres.

I would like to see any criticisms of the methods used in this effort. I would like to see a new effort done by an objective third party (not the State) to carefully update this estimate for 1997-2000.

## Is this much a Problem?

The costs imposed by liquidation emerge only in the long-term. They are like termite damage. You go along for years and everything's fine. Then someone falls through the floor. Each year's damages are

insignificant. If liquidation were actually occurring on only a few acres, it would be no big deal. Especially if it was occurring in the way of immediate subdividing for active residential use.

If we are stripping and fragmenting 16,000 acres a year, this amounts to 160,000 acres a decade. There are only about a dozen organizations in Maine who own this much land.

Must we retain every acre in producing woodland, accessible for recreational uses? Clearly not. Can we be complacent about a patently destructive activity that is eroding the landbase by at least 160,000 acres a decade? Clearly not.

Can Maine's wood-using industry and economy, in the longrun, absorb the unnecessary shrinkage of the landbase by 160,000 acres a decade? Sprawl is an issue but is not best addressed by dealing with Liquidation.

But liquidation is clearly Dumb Growth and can be dealt with on that basis. If we were growing three times the annual cut, it might be no big deal. But clearly we are not.

The MFS silvicultural practice report shows that we are getting over the entire Maine forest landscape every 30+ years!!

For perspective - Annual acres damaged by forest fire are a fraction of the amount cut by liquidators. If someone were going around burning 16,000 to 20,000 acres a year, I suspect someone would be suggesting that it is a problem.

In the heyday of service forestry, we were conducting cost-share practices on some 10,000 acres each year - less than what we are probably liquidating now. I had many criticisms of how these programs were managed, but I was repeatedly told in the most serious terms that these accomplishments were important.

If some insect or pathogen were abroad in the Maine woods killing 16,000 acres every year, and expected to continue indefinitely, I suspect there might be calls for action.

Liquidation is a "nibbling" problem - cumulative impact in legal jargon. It is fundamentally a problem because as long as the liquidators are around, nobody wanting to manage for sustained yield will ever be able to buy a parcel of land that is a suitable victim for a liquidator.

## Is Liquidation Meeting some important need?

No. To hear some tell it, Maine's greatest social tragedy today is that not enough people own 30 acres of stripped, rutted timberland far from a road. Is there some



social goal of more people owning a bit of land? Especially since there is no timber revenue for two to three decades to offset property taxes. Fragmentation and subdividing are proceeding quite fast enough without an added boost from timber liquidation. Some people sneer at resisting these wasteful Dumb Growth subdivisions as "social engineering". This is patent, self-serving nonsense and more smoke for liquidators to hide behind. We could make it cheaper for people to buy lots in Augusta by burning down houses. This would make as much sense. The abuse of Tree Growth by some of these deer camp subdivisions will become evident over time and generate additional opposition to Tree Growth. Much of the liquidation is happening in places where residence is unlikely, even leisure units... There are thousands of buildable lots everywhere in the state, enough to supply needs for homes for a generation at least.

The continued and spreading privatization of the Maine forest and its recreational potential and access for hunting, fishing, and walking is happening fast enough. We do not need to accelerate it by tolerating forest destruction motivated entirely by greed. The mindless splatter of these subdivisions around the Maine Woods is a classic example of Dumb Growth.

What then is the need for liquidation? Simple - the unlimited, unrestrained greed of two dozen exploiters.

#### Observations...

Trees will grow back. Unless we pave the place, as they say. Occasionally, by accident, some will be of commercial value. In some of these Dumb Growth subdivisions, some of the lots may in time produce at least a bit of firewood.

It is not clear that we are affecting wildlife habitat much - yet. What is happening is that informal access to the woods is being steadily eroded by the "No Trespassing" signs that inevitably pop up when tracts of land are fragmented and sold to outsiders.

Those who take on the Liquidators can expect to pay a price for doing what's right. One of the costs will be the divisiveness within our ranks. This will be painful but we must endure it. More and more people out there are sick of what the exploiters are doing to the woods. Many have been afraid to be the first to speak.

#### Does the future matter to Maine?

Liquidation cutting has no place in a civilized society. It is a relic of an exploitive frontier mentality.

Anyone saying that Liquidation is NOT a problem, or that we should do nothing - is answering this question with a NO. We have termites in the Maine Woods - who suggests we do nothing?

We need to declare a long-term War against Liquidation. If we cannot bring the liquidators around to do what is right, then we must put them out of business. This will be like the War on Terrorism - a long-term campaign. Fought on many fronts.

We will need allies.

We will need patience. We need to recognize that liquidation is very profitable. Efforts to eliminate it will be resisted fiercely. It will be resisted with lies and distortions. This issue demands careful, sustained legislative attention.

But, we will need to avoid grasping at hastily designed solutions that will be easily torpedoed in smoke-filled rooms.

We will need to recognize that liquidation is a complex social problem with long-term impacts and the government may have only limited leverage on it. The "let's pass a law" instinct may need to be restrained here. There are many possibilities for unneeded collateral damage.

## Addressing Liquidation Through Changes to the Tree Growth Taxation Statute

The bill asks that the landowner on Tree Growth provide a signed document that any cutting is consistent with the management plan. Full Text below

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 12 MRSA §8868, sub-§2-C is enacted to read: 2-C. Landowner. "Landowner" means a person, company or other entity that holds title to land, including joint ownership or tenants in common. If the ownership of the timber located on a parcel is different than the fee ownership of the parcel, the owners of the timber are deemed to be a landowner and are jointly and severally liable with the fee owner of the parcel. If a corporate landowner is a wholly owned subsidiary of another corporation, both parent and subsidiary are deemed to be the samelandowner.

Sec. 2. 12 MRSA §8883, sub-§1, as amended by PL 1999, c. 361, §5, is further amended to read: 1. Notification prior to harvest. Unless an alternate form or method of reporting is provided in rule, notification must be on forms supplied by the bureau and must include the following information:

A. The name, address and phone number of the landowner, any designated agent, and, if known, any harvester or harvesters; B. The name and address of any licensed professional forester consulting the landowner on forest management or harvesting practices;

C. The municipality or township and county of harvest;

D. The name of the nearest public or private all-weather road;

E. The approximate dates the harvest will begin and finish;

F. The anticipated acreage to be harvested;

F-1. An indication whether the land being harvested is taxed under the provisions of the Maine Tree Growth Tax Law. If the land being harvested is taxed under the provisions of the Maine Tree Growth Tax Law, the notification must include a sworn statement, signed by the landowner, indicating that the harvest is consistent with the forest management and harvest plan required by Title 36, section 574-B, subsection 1. A licensed professional forester who has a fiduciary responsibility to the landowner may sign the sworn statement required by the landowner in this paragraph.



## MOUNT BLUE STATE PARK EXPANDS BY 2,468 ACRES

by Pamela Prodan

Mount Blue State Park in Weld, Maine is loved for its spectacular mountain views, popular trails and wildlife. Thanks to the concerted efforts of the Tumbledown Conservation Alliance (TCA) and its partners, the Maine Bureau of Parks and Lands and the Trust for Public Land, more of these valuable natural resource amenities gained protection in December. Through a 2,468 acre purchase, existing multi-use, snowmobile and ski trails are now permanently part of Mt. Blue State Park, as well as a number of valuable ecological features, including streams, wetlands and a deer wintering yard.

TCA met its initial fundraising goal of \$300,000 through the generosity of hundreds of donors, large and small, mostly from western Maine or having close ties to the Weld region. TCA needed to raise private matching contributions to add the 2,468 acres, including the popular Hedgehog Hill, to Mt. Blue State Park. Many thanks and congratulations are in order to all who contributed to this success, achieved despite a failing economy and the September 11 tragedy.

Public dollars so far have come from the Land for Maine's Future Program, Land and Water Conservation Fund, the Outdoor Heritage Fund and federal Forest Legacy Program. The private fundraising campaign received a boost when TCA obtained a cap challenge of \$25,000 in mid-November from an anonymous foundation, with the grant to be made once TCA raised \$275,000 in private dollars toward its goal. The additions to the park cost approximately \$400 per acre.

With fundraising for the first phase concluded, the State is completing the rest of the first phase acquisitions in the immediate vicinity of the State Park, which will include adding another 797 acres to the park along East Brook and next to the Webb Beach campground. About 4,200 additional acres adjoining the State Park will also be conserved in the first phase through conservation easements held by the State. These include land on Pope and Hurricane Mountains, Houghton Ledges and along East Brook and Rand Brook, all in Weld.

This is the second or third attempt by the State of Maine to protect the land next to Mt. Blue State Park. The first attempt occurred when the land was owned by the local family-owned United Timber Corporation. After New River Franklin, a subsidiary of McDonald Investment Company of Birmingham, Alabama, purchased all of the United Timber land in a bankruptcy sale in 1998, the State continued negotiations with McDonald. Subsequently, however McDonald sold off some of the land the State was interested in acquiring to Thomas Dillon, a Madison-based logger. Finally, in 2001, Trust for Public Land reached agreements with both McDonald and Dillon to purchase the conservation lands.

#### More Money Is Needed

Stay tuned — the Hedgehog Hill acquisition is only the first in a series intended to protect important natural areas as well as working landscapes in the Tumbledown / Mt. Blue region. In the longer term, TCA's vision is to conserve over 50,000 acres through a combination of conservation easements and fee purchases, encompassing lands in the Webb Lake and Wilson Lake watersheds. TCA also plans to establish an endowment fund to help manage the conservation lands.

TCA and its partners are already working toward the next goal — to conserve approximately 11,800 acres in Township Number 6 North of Weld (T6). In December 2001, Casco-based Hancock Lumber Company purchased the T6 land from Hancock Timber Resources Group. The two Hancock companies are unrelated. Hancock Lumber has agreed to a future conservation sale to Trust for Public Land. The State has already requested \$3.5 million from the federal Forest Legacy Program and \$2 million from the Land for Maine's Future program toward this phase. Competition is fierce

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# 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.



## Trampled Forest Preserve

In New York we have a proud historical legacy of a 106-year old wilderness system in our Forest Preserve. Long undisputed as the finest state-owned public land system in the U.S., the Forest Preserves consists of 2.5 million acres in the Adirondacks, and another 350,000 acres in the Catskills. This edition of The Park Report features information on three recent events that together paint the portrait of chronic mismanagement of the Forest Preserve by the Department of Environmental Conservation (DEC) under the Pataki Administration and a failure by the Adirondack Park Agency to uphold the laws, policies, and guidelines in the Adirondack Park State Land Master Plan. The three events are: 1) widespread illegal use by All Terrain Vehicles, in the Forest Preserve; 2) illegal widening of snowmobile trails on the Forest Preserve by the DEC; 3) extreme widening by the DEC of the Bear Pond Road on the Forest Preserve in the western Adirondacks.

For his part Governor George Pataki is trying to have it both ways. On many issues he has been as strong an environmentalist as you will find anywhere. He's purchased 250,000 acres statewide, including 190,000 acres in the Adirondacks either in fee or conservation easement. He signed a classification of over 45,000 acres as new Wilderness lands. He ordered that California Automobile Emission standards be adopted in New York, ordered cuts in sulfur and nitrogen emissions from state power plants, is currently taking two utilities, long out of compliance with federal clean air rules, to court, and publicly endorsed and lobbied Washington officials to support of an Environmental Protection Agency (EPA) decision ordering General Electric Company (GE) to dredge PCBs from the Hudson River; a decision that could cost GE over \$500 million. (For its part, GE spent over \$25 million in an ad campaign to sway public opinion against dredging.)

These are the big decisions and the grand acts. Adding to the GE decision and the California Air standards, is his pledge of two weeks ago to buy one million acres

of land in the next ten years. Pataki, whose second term expires at the end of 2002, is looking for a third term this November. One million acres is worthy of public protection in New York, but how much will Pataki buy while he's in office and how will he pay for it clouded his pronouncement. Many also asked: How will you manage it?

How the Pataki Administration manages the Forest Preserve is controversial. While a wilderness supporter, he more than any other Governor, has endorsed motorized access to the Forest Preserve and is strongly behind a bigger, better snowmobile system in the Adirondacks, and an ATV system as well. But there is a cost with motorized access. Quite simply, motorized use of the Forest Preserve, or woods anywhere, leaves its mark. Whether a hiker encounters a motor vehicle in the woods, the impacts, the tire ruts, the mud pits, the wider trails that grow into roads, the scraped rocks all diminish the wild experience.

## Illegal ATV Trespasses

Illegal use of All Terrain Vehicles (ATV) in the Forest Preserve has skyrocketed. This past summer, the RCPA conducted field visits to areas across the Forest Preserve to look into these complaints. What we found is not pretty. Trespasses are numerous, in many areas commonplace. Damage to trails is severe. Illegal ATV use seems to be highest on snowmobile trails, though it's occurring on some roads. A number of Wilderness Areas, where all motor vehicle use is prohibited, have experienced illegal ATV use, with new routes being bushwhacked by these machines. Last, enforcement seems practically nonexistent. In fact, in many areas the high rates of ATV use could only be occurring with the assent of the NYS Department of Environmental Conservation (DEC).

The trails showed in pictures in this article show some of the most glaring examples of chronic ATV use. The RCPA visited scores of snowmobile trails over the past few months and all had some use by the ATVs. The summer of 2001 was dry, so damage was minimized, yet many destroyed trails were found. Some of the most notable are the Hellbery Vly trail in

the Shaker Mountain Wild Forest, the Gull Pond Trail in the Black River Wild Forest, the many trails off the Powley Piseco Road in the Ferris Lake Wild Forest and Shaker Mountain Wild Forest. Extensive bushwhacking of ATVs is evident in these two areas, as well as the Debar Mountain Wild Forest, the Sentinel Wilderness and the Jay Mountain Wilderness.

Where in the Forest Preserve is ATV use allowed? ATV use is allowed on some roads in DEC Region 6 that are specifically marked as open. While motor vehicles are allowed on designated roads in Wild Forest Areas, ATVs are only allowed on roads that have been "signed open" (see picture). As the custodian of the Forest Preserve for the State of New York, the DEC has authority under the state Vehicle and Traffic Law, much the same as a town, village or county, to open public roads for use by off-road motor vehicles, such as ATVs. Currently, more than 12 roads have been opened for ATVs in Region 6 (Forest Preserve areas in the Adirondacks in St. Lawrence, Lewis, Oneida and Herkimer counties), and none have been opened in DEC Region 5 (the eastern 2/3 of the Adirondack Park).

The lack of enforcement by the DEC is an enormous problem, but the lack of Unit Management Plans compounds this. Only through an approved UMP will the DEC and APA officially designated routes in the Forest Preserve as "roads," "foot trails," "horse trails," or "snowmobile trails." The common assumption by ATV users is that snowmobile trails are open for ATV use. Further, ATV advocates maintain that the only way to control ATV use is to provide more opportunities, not fewer.

While sales of ATVs have soared in the 1990s, paralleling increases in sales of Personal Watercraft (jet skis), and snowmobiles, they are widely disliked. Again, the maxim of one person's fun destroying the experience for many others in appropriate. More so than snowmobiles, and arguably more so that jet skis, ATVs destroy the ground on which they ride. Some roads can handle ATV use, but snowmobile trails and foot trails cannot. ATVs have a place on gravel roads and on

managed forest lands or farms and other private lands, but the Forest Preserve experience should not be sacrificed to ATV use because of the negative impact on trails caused by these machines. Because of this ATV use by leaseholders has been banned by private commercial landowners in the Adirondacks.

## Illegal Snowmobile Trail Widening

The Adirondack Park State Land Master Plan sets policy that snowmobile trails should be "essentially the same character as a foot path." State Environmental Conservation Law states that snowmobile trails should be no wider than eight feet. The character of a foot path in the Adirondack Park is narrow, rocky, and with a closed canopy overhead. Unfortunately, the past few years have seen a number of snowmobile trails widened. An event that has paralleled DEC contracting with snowmobile clubs and local governments for trail maintenance and a concerted advocacy by the snowmobiling community for wider trails (up to 25 feet to accommodate high speed, two-way travel).

In 1999 and 2000, the APA issued two Settlement Agreements for illegal widening of snowmobile trails by the DEC, or those under DEC contract, on the Vanderwacker Snowmobile Trail in the Vanderwacker Wild Forest Area and the Rock Lake Trail in the Blue Mountain Wild Forest. Additionally, a settlement for illegal widening of the Safford Lake/Rondaxe Lake snowmobile trail has been pending for the last three years at the APA without completion. As the pictures show, these trails were widened considerably beyond eight feet, in many places upwards of 30, 40 and 50 feet.

Unfortunately, these three trails are not isolated incidents. A number of other trails have recently been visited and referred to the APA for an investigation over whether or not the Adirondack Park State Land Master Plan or the Wetlands Acts was violated. The snowmobile trail system is a shared trail system. While snowmobile trails in the winter months, these are the principle hiking trails in Wild Forest Areas the rest of the year.

## The Bear Pond Road Massacre

In 2000 and 2001, the DEC undertook a maintenance operation on the Bear Pond Road in the Watsons East Triangle Wild Forest to improve drainage. The Bear Pond Road is publicly accessible for ten miles before it is gated as it enters three inholdings in the southern most reaches of the Five Ponds Wilderness Area. The road is used by the public and has been opened for ATVs by DEC Region 6, despite the fact that no management plan was ever done for the unit.

When maintenance work is done by the DEC on a trail or a lean-to or a boat launch, among other activities, a work plan is completed. If the job in question involves tree cutting, a DEC Forester marks the trees to be cut. Case law involving the Constitutional protections for the Forest Preserve ruled that trees protected by the constitution must be 3 inches in diameter at breast height (DBH) and that the DEC may remove up to 50 trees in one area before the constitution is violated. If a potential job involves removal of more than 50 trees DEC legal staff is consulted. Last, the DEC should consult the APA to ensure the proposed activity is consistent





*Chubb Pond Snowmobile Trail in the Black River Wild Forest.*

with the Adirondack Park State Land Master Plan or the Unit Management Plan, if one is written. Once an activity is undertaken, field visits are made by DEC staff in supervisory positions. Unfortunately, on the Bear Pond Road no work plan was ever approved, a forester never marked trees, no constitutional assessment was ever made, the APA was never consulted, and no field supervisory visits were ever performed. The result: a massive breakdown of all internal and external checks and balances for the protection of the Forest Preserve.

The RCPA first visited the Bear Pond Road in early July 2001. Our first impression was that something had gone terribly wrong. Downed trees were strewn all along the roadside. The canopy over the road has been eliminated. The State Land Master Plan sets guidelines for roads in Wild Forest Areas stating that roads "must be compatible with the wild forest character of an area." Typically the Bear Pond Road is now 40 feet or more. In many places it was 50 feet and in places over 60 feet. Other roads in the Forest Preserve have a 15-20 foot driving surface and cleared area of a few feet on each

side. While there are no official standards at the APA or DEC for road width, it seemed to many that a road surface of 30 feet and more was excessive, not supported by a coherent rationale.

The APA began an investigation into violations of APA law from the DEC's work. The RCPA and many other groups wrote new DEC Commissioner Erin Crotty stating our positions that this road work was improper for the Forest Preserve and potentially violated the Forest Preserve's constitutional protections. After two months, the Commissioner met with leaders of various Adirondack environmental organizations.

In the meantime, the RCPA counted downed and destroyed trees. On July x, 2001, the RCPA counted 4,500 in the 5 miles of road worked on by the DEC in 2001. The RCPA counted trees at 4 inches DBH. We estimated another 1,000 trees destroyed and downed from work in 2000 over 2.5 miles of road. We estimated that trees counted at the standard of 3 inches DBH would double the number of downed and destroyed trees. Neither the DEC nor the APA has ever released a number for the

trees downed and destroyed, obviously wanting to avoid stating a position about a constitutional violation.

#### ***APA Cover-Up for the DEC***

In September 2001, the APA released a "Memorandum of Agreement" (MOA) with the DEC. This Memorandum cited over 20 violations of the Wetlands Act (for illegal fill with downed trees), but made no mention of the State Land Master Plan. The MOA accomplished three things: 1) all wetlands would be remediated; 2) DEC will submit a revegetation plan for the road shoulders beyond the ditch line to the APA; 3) DEC will prepare a Forest Preserve Road Maintenance Policy.

The RCPA was critical of the APA for issuing this "Agreement" because it failed to find violations of the State Land Master Plan, just the Wetlands Act, despite miles of downed and destroyed trees. No count was done for downed trees. Nothing was mentioned about a violation of "wild forest character" by the immense swath of cleared area on both sides of the Bear Pond Road. The RCPA filed a lawsuit challenging the MOA last November.



*Widening of Bear Pond Road violates the mandate of the State Land Master Plan that road maintenance be compatible "with the wild forest character of an area."*

## **Conservation Races Liquidation in Western Maine...**

**continued from page 11**

for these dollars, but TCA hopes that enough money can be raised this year to purchase 4,000 acres in T6 from Hancock Land Co. for public ownership. This includes the mountain tops of Tumbledown, Little Jackson and Jackson Mountains and the Stockbridge Branch. If sufficient funds can be raised, an additional 7,800 acres of the Hancock Lumber land in T6 will be protected by a conservation easement held by the State.

Hancock Lumber Company is widely respected for its conservation efforts. It was named the 2001 Gannett Family Business of the Year in the large business category, which includes companies with more than 150 employees. The Gannett award recognizes business-owning families that have taken steps to ensure their company's vitality and continuity. Hancock Lumber, founded in 1848 and now in its sixth generation of ownership and management, is the largest manufacturer of eastern white pine in the U.S. In addition, it manages timberland and retails building materials. The Hancock family says that they see their primary role as "stewardship," and they intend to pass the company on to the next generation in better shape than when they found it.

Meanwhile, in the Weld region, sales of land continue to liquidation loggers who plan to further subdivide and resell. This instability in the land base first reached the level of a crisis after the 1998 bankruptcy sale of United Timber Corporation's 90,000 acres to McDonald Investment. McDonald's decision to put this entire holding on the market and list it by individual parcels less than a year later was one of the events that sparked TCA's creation. Loggers from near and far continue to buy former United Timber parcels from New River Franklin, the McDonald subsidiary. A new phenomenon is the appearance of a Canadian corporation from Beauceville, Beauce, Quebec, by the name of "9110-2814 Quebec, Inc." In December, the Quebec company purchased a large number of former United Timber parcels, including some land in one of TCA's identified areas of conservation interest. Veneer and saw logs are now leaving the region, being transported by a trucking company based in St. Zacharie, Quebec, about 100 miles away.

In late September, McPherson Timberlands of Bangor purchased a parcel owned, not formerly by United Timber, but by another local family in the land-management business for generations. The parcel is in Perkins Township near the trailhead of popular Bald Mountain and is in one of the areas of conservation interest identified by TCA. The timber is now being removed. McPherson notified the Maine Land Use Regulation Commission of a six-lot subdivision for 40+ acre lots on this parcel two weeks before new legislation closing the 40-acre loophole went into effect. McPherson is well known locally for his heavy-handed cutting on a 4,000+ acre parcel of land he bought near Tumbledown Mountain in 1998. By way of full disclosure, I should note that McPherson recently purchased a former United Timber parcel and a woodlot from a local family in the town of Wilton, both near my woodlot. Also, it is rumored that McPherson has agreements to purchase two additional woodlots, both abutting mine.

*For more information about the TCA effort, contact Pam Prodan, 207-645-9330 or visit [www.tumbledown.org](http://www.tumbledown.org).*

## **Peace on Earth**

"It is easy to get international agreement in science. Scientists all have the same standards — they are set not by beliefs, but by what works best. Of necessity, there is therefore universal unity. And unity makes for good will." —

Bernd Heinrich, Ravens in Winter Vintage Books, NY.



*Comments of the Natural Resources Council of Maine On Plum Creek's Proposed Concept Plan and Subdivisions For First Roach Pond*

This proposal represents a major shift in Maine's North Woods. It is the first time, at least in 11 years, if not ever, that one of the 10 largest landowners in the state has proposed a major subdivision development in the unorganized townships. Until now, the large landowners have consistently asserted that they were not real estate developers, but rather forest products companies. This is no longer the case, at least for Plum Creek.

This project raises a number of policy issues. The Commission's decision on these issues will undoubtedly be closely watched by the other large landowners as they decide whether to continue managing their land for timber or whether to get into the real estate development business themselves. Some of those policy issues include:

A. Whether the project strikes a publicly beneficial balance of conservation and development?  
B. Whether almost doubling the amount of development on a lake constitutes "orderly growth?"

C. Whether the Commission is going to allow large lots that unnecessarily fragment the landscape?

D. How much consideration will be given to the impact of the proposed development on existing uses and resources on Class 3 lakes?

E. Whether the concept planning process will allow the public to present and the Commission to consider all of the relevant facts and issues?

The Natural Resources Council of Maine agrees that First Roach Pond is a lake "potentially suitable for development." However, that doesn't mean that anything goes.

*The First Roach Pond Area*

First Roach Pond is located east of Moosehead Lake. The Maine Lakes Assessment determined that First Roach Pond contained five (out of a maximum of seven) significant resource values: fisheries, scenic values, shoreline character, botanical and cultural values. It is designated a resource class 1B lake, indicating that it is a lake of statewide significance.

Fewer than ten miles from First Roach Pond are a wide variety of areas that also have statewide, or national, significance.

Traditionally, Greenville has been the gateway to this spectacular region, providing year round housing and the infrastructure required to support year round housing such as electricity and phone service, schools, health care facilities, police and fire protection, and stores selling supplies of all types for those who work in the region. Greenville also provides services for visitors such as gasoline stations, grocery stores, restaurants, banks, float planes, outfitters and outdoor equipment (boats, snowmobiles) rentals.

Kokadjo, 18 miles from Greenville, by contrast, has been, until just the last few years, an outpost in the woods, accessible only by gravel road, not served by electricity or phone, and providing only basic services for those traveling in the woods.

In recent years, development and the gateway to the North Woods has begun to push north from Greenville. The road from Greenville has been paved, development is creeping north along the road, and more products and services are provided at Kokadjo.

If this proposal is approved in its current form, the march of development north from Greenville will transform Kokadjo into the NEW gateway to the North Woods. We will have lost a significant piece of the North Woods to rural suburbanization as Kokadjo becomes a bedroom community to Greenville. Instead of feeling like we are entering the remote North Woods when we leave Greenville, we will not feel that sense of remoteness until we leave Kokadjo.

*excerpted from extensive comments submitted to the Land Use Regulatory Commission*

## MOUNTAIN BIRDWATCH CALL FOR VOLUNTEERS

This spring, citizen scientists throughout the Northeast will be cleaning binocular lenses, loading backpacks, and lacing up hiking boots in preparation for a unique mountain adventure. As volunteer participants in Mountain Birdwatch, they'll set off in search of songbirds that inhabit high-elevation forests, including Bicknell's Thrush, the region's only endemic bird species. Mountain Birdwatchers count birds on one or two mornings each June, following 1-km routes through the high country of New York, Vermont, New Hampshire and Maine. The data are used to monitor bird populations and determine the habitat needs of vulnerable species.

Vermont volunteer Deborah Browne carefully studied the training materials and surveyed Haystack Mountain in 2001, just one of the 130 routes monitored last year. "I was absolutely thrilled, rising and hiking up Haystack with the dawn colors lighting the sky... my very first bird was a Bicknell's Thrush!" Other volunteers braved inclement weather, steep trails, and black flies to complete dawn surveys in the Catskills, the Adirondacks, the Green Mountains, the White Mountains, and all the way up the Appalachian chain to Katahdin.

Preliminary findings show White-throated Sparrow and Black-poll Warbler to be the most widespread and common of the focal species. Volunteers encountered these birds along nine out of 10 survey routes, at an average level of over 3.5 individuals per route. Winter Wrens and Swainson's Thrushes appeared on 7 out of 10 survey routes, averaging 2.2 and 2.4 individuals per route, respectively. Meanwhile, Bicknell's Thrush lived up to its reputation as a wily and elusive bird, averaging just over one per route and going undetected during half of the surveys. With extra effort, Mountain Birdwatchers documented Bicknell's Thrush on 70% of the peaks, including several sites that lacked previous records of this species.

The Vermont Institute of Natural Science (VINS) launched Mountain Birdwatch in the Green Mountains during the 2000 breeding season with assistance from the Green Mountain Club and financial support from U.S. Fish and Wildlife Service.

Since the program's inception, Mountain Birdwatch data have been used to: (1) delineate a Bird Conservation Area in the Adirondacks, (2) identify Important Bird Areas in Vermont, and (3) evaluate potential impacts of wind power development in Maine. Mountain Birdwatch field records will also be incorporated into the state of New York's Atlas 2000.

A full report on the 2001 surveys is available in April at [www.vinsweb.org/conservation/citizenscience/mtnbirdwatch.html](http://www.vinsweb.org/conservation/citizenscience/mtnbirdwatch.html). Volunteers can register to adopt their own routes at the same web site. The registration deadline is May 1.

Contact: Dan Lambert — Conservation Biologist Vermont Institute of Natural Science 27023 Church Hill Rd. Woodstock, VT 05091-9642 TEL.(802)457-2779 ext. 132 e-mail: [dlambert@vinsweb.org](mailto:dlambert@vinsweb.org) Website: [www.vinsweb.org](http://www.vinsweb.org)

## GOOD NEWS FOR ONTARIO WOLVES

### *Algonquin Alert*

The Ontario government is finally proposing to introduce measures to protect the wolves of Algonquin Provincial Park. The proposed measures include a year-round moratorium on wolf hunting and trapping in 39 townships surrounding the park. This is good news for the Algonquin wolves; however, the moratorium includes an unacceptable automatic-sunset clause after 30 months and it does not apply to the killing of coyotes. Excluding coyotes from the moratorium renders it unenforceable. It would be difficult to charge anyone for killing a wolf as long as they had the option of claiming that they thought it was a coyote. Furthermore, traps and snares do not differentiate between wolves and coyotes. Please write the Ontario government that the moratorium must be permanent and that coyotes must be included in the moratorium. Please visit [www.cpaws-ov.org/Algonquin-Wolves.htm](http://www.cpaws-ov.org/Algonquin-Wolves.htm) for more information.

*From Defenders of Wildlife*

## Bicknell's Thrush & Global Warming

*by Dan Lambert*

*A number of factors* contribute to the vulnerability of Bicknell's Thrush, including its limited, and naturally fragmented breeding range. In the United States, Bicknell's Thrush breeds in dense, montane fir forests of New York and northern New England (Atwood et al. 1996). In southeastern Canada, it inhabits montane fir (Ouellet 1993), maritime spruce-fir (Erskine 1992), and regenerating mixed forest (Nixon 1996). The species is similarly restricted in its wintering distribution, occurring primarily in wet, broadleaf forests of the Dominican Republic.

These forests have been reduced to less than 10% of their historic extent in the last 30 years (Stattersfield et al. 1998). Loss of the Northeast's montane fir habitat may also threaten Bicknell's Thrush. Ski area expansion, cell tower construction, and wind power development have received the most regulatory attention, as each results in highly visible forest loss. However, climate change represents the most far-reaching, long-term threat to the species. A warming climate is expected to cause incremental, but widespread changes in the composition and structure of high-elevation forests. Forest ecologists predict that balsam fir (*Abies balsamea*) will be substantially diminished, if not lost from the Northeast if atmospheric concentrations of CO<sub>2</sub> double, as expected within the next century (Iverson et al. 1999). In the past fifty years, extirpations of Bicknell's Thrush appear

to have occurred at isolated summits in southern New Hampshire (Monadnock, Sunapee), southern Vermont (Aeolus, Ascutney, Carmel, Glebe, Molly Stark), and western Massachusetts (Greylock, Saddleball) (Atwood et al. 1996, VINS unpubl. data). The Vermont Institute of Natural Science launched Mountain Birdwatch to monitor future changes in the status of Bicknell's Thrush and other high-elevation songbirds.





## MAINE'S COYOTE POLICY: COMMON MYTHS ABOUT SNARING

### MYTH 1: SNARING IS HUMANE

All one needs to do is read the above statistics which came from the state's own investigation, not from animal rights people, to see just how cruel and inhumane snaring is. The state's best, licensed, professional snarers caused 64% of the animals they caught, extremely long and difficult deaths.

### MYTH 2: SNARING IS NECESSARY:

Many feel that the motive of IF&W is political to appease a small but vocal minority in the name of the Sportsman's Alliance Of Maine (George Smith) and The Maine Trappers Association. If this is true, these special interest groups are determining the fate of Maine's wildlife which theoretically "belong" to all of its citizens. Chuck Hulse, an IF&W biologist wrote in a memo to Ken Elowe, also an IF&W biologist, that "coyotes are not a significant threat to our deer population"; that "killing an animal by strangling it with a wire loop often results in a slow, painful death, sometimes lasting days"; that the "presence of a large canid predator is a benefit to deer, not a detriment"; that "recreational snaring lacks the mechanism for annual public review, comment, and input like that associated with all other hunting, trapping, or fishing activities"; and that "it would violate state humane laws to treat a domestic dog in this same manner..."

This field biologist further states that "the real obstacle to attaining a higher deer population in more than half the state is the declining quality and quantity of wintering habitat... The reason that deer are scarce in the northern part of Maine is that this is the northern limit of their range because of severe weather conditions and as stated above, because of timber harvest practices, winter cover has been decimated. This program is being implemented solely for the purpose of increasing the deer herd for hunters to have more deer to kill. Partly due to IF&W management of the deer herd, we have close to three hundred thousand deer in Maine as it is. In central Maine, where coyotes abound there are as many as 25 deer per square mile so the presence of coyotes has not done anything to hurt the herd in that part of the state. In some areas of southern Maine where natural predation has been virtually eliminated, the deer are so overpopulated that they are considered a nuisance and are causing human/deer conflicts such as auto collisions and deer predation in gardens.

### MYTH 3. SNARING IS EFFICIENT AND COST EFFECTIVE IN CONTROLLING COYOTES

How, during a time of huge budget deficits, which IFW says it is suffering from, can we spend a significant amount a year to pay snarers? Every scientific study shows that unless you remove 70 percent of a coyote population every year (a virtual impossibility) you can't succeed with any meaningful reduction. This IFW program doesn't make sense biologically or economically. Some in IFW have expressed the opinion that the money could be better spent for deer habitat restoration in the north woods. Chuck Hulse, a regional wildlife biologist for IFW, said "coyote bounties [the term for IF&W's snaring program] have along his-

tory of absolute failure. " And "Resources devoted to the recreational snaring of coyotes are resources unavailable to devote to habitat protection and management." Notice that he considers this snaring program recreational.

### MYTH 4. NON TARGET ANIMALS DON'T GET CAUGHT IN SNARES.

There are documented cases of lynx, bobcat, eagles and even moose getting caught in snares. The Chair of the Inland Fisheries and Wildlife Committee, Representative Matt Dunlap of Old Town, asked at a recent hearing if IF&W believed that if an endangered animal such as a lynx got caught in a snare that the snarer would report it? Good question.

To read more, this list of web addresses provides access to recent, informative, newspaper articles about snaring in Maine and the controversy that surrounds it. We hope you will take the time to read them.

<http://mainetimes.com/newspage.htm>

<http://www.portland.com/news/state/020108coyote.shtml>

[http://www.boston.com/dailynews/006/research/Research\\_to\\_determine\\_whether\\_.shtml](http://www.boston.com/dailynews/006/research/Research_to_determine_whether_.shtml)

### WHAT YOU CAN DO

There is a rising tide of protest from the citizens of Maine against this cruel practice of killing wildlife in this manner. Please contact the following with letters, emails, phone calls.

1. Governor Angus King  
Office of the Governor  
# 1 State House Station  
Augusta, ME 04333-0001  
207-287-3531  
[governor@state.me.us](mailto:governor@state.me.us)

2. Commissioner Lee Perry  
Maine Department of Inland Fisheries and Wildlife  
284 State Street  
41 State House Station  
Augusta, ME 04333-0041  
[lee.perry@state.me.us](mailto:lee.perry@state.me.us)

3. Committee Of Inland Fisheries and Wildlife  
Representative Matt Dunlap  
2 State House Station Augusta, ME 04333

Representative Bryant  
[house67@exploremaine.com](mailto:house67@exploremaine.com)  
Senator David Carpenter  
[SenDavid.Carpenter.state.me.us](mailto:SenDavid.Carpenter.state.me.us)  
Representative Chick  
2 State House Station Augusta, ME 04333

Representative Joe Clark  
[RepJoe.Clark@state.me.us](mailto:RepJoe.Clark@state.me.us)  
Representative Honey  
2 State House Station Augusta ME 04333

Representative Monica McGlocklin  
[mcglocklin@midmaine.com](mailto:mcglocklin@midmaine.com)  
Representative Royce Perkins  
[RepRoyce.Perkins@state.me.us](mailto:RepRoyce.Perkins@state.me.us)  
Representative Dick Tracy  
[RepDick.Tracy@state.me.us](mailto:RepDick.Tracy@state.me.us)  
Representative David Trahan  
[RepDavid.Trahan@stste.me.us](mailto:RepDavid.Trahan@stste.me.us)  
Representative Ron Usher  
[RepRon.Usher@state.me.us](mailto:RepRon.Usher@state.me.us)  
Senator Chandler Woodcock  
[SenChandler.Woodcock@state.me.us](mailto:SenChandler.Woodcock@state.me.us)

4. Write letters to the editors of your local papers



## The Adirondack - Dominican Conservation Connection

Several years ago, the Adirondack chapter of The Nature Conservancy looked to the skies for guidance. One of our native songbirds, Bicknell's Thrush, made it to the Conservancy's Partners in Flight Watch List, which meant that its population could be threatened due to a variety of causes, including habitat loss. While all of its high-altitude nesting habitat is protected in the Adirondacks, it is threatened by incompatible agricultural practices in the Dominican Republic — which is believed to be the bird's sole wintering grounds — and loss of habitat along its migratory flyway.

In March of 2001, a contingent of staff and board representing the Adirondack chapter travelled to the Dominican Republic to begin an exchange of conservation practices that could be mutually beneficial to both regions, where they were joined by staff from the Conservancy's Caribbean program based in Arlington, Virginia. Dr. Domingo Marte, director of the Conservancy's Dominican Republic program, and Andres Ferrer, director of

Fundacion Moscoso Puella (a lay biodiversity conservation partner), were the principle tour guides. Both are masters of working creatively with partners when resources are scarce.

Marte and Ferrer, along with our Caribbean program staff, visited the Adirondacks in August 2001. The group visited alpine habitat on Whiteface Mountain, habitat frequented by Bicknell's Thrush, and met with Adirondack conservation partners.

As the group was quick to discover, there are profound similarities between the Adirondack Mountains of northern

New York and the Cordillera Central of the Dominican Republic that extend far beyond Bicknell's Thrush. There is a wide gradient of elevations in the Dominican Republic ranging from sea level to over 10,000 feet. Though not quite as dramatic in relief, the Adirondacks extend from 100 feet above sea level to over 5,000 feet. Within these elevations are a wide variety of comparable natural communities, more than there would be if there were no gradient changes. Furthermore, we share 36 species of migratory birds.

Incompatible development is one of the biggest threats to biodiversity in both regions. Partnerships that include a combination of private landowners, government agencies, and non-government organizations are proving among to be among the best strategies for durable conservation results in both regions. With this partnership well-launched, there are numerous opportunities for two-way intellectual exchange: the Dominicans are masters of facilitating partnerships and the Adirondack Conservancy is experienced inland-scape-scale site planning and protection.

*By Richard W. MacDonald Geographic, Information & Conservation Specialist  
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Keene Valley - NY - 12943*

Phone: 518/576-2082; 518/576-4203  
(fax) <mailto:rmacdonald@tnc.org>  
<http://www.nature.org/newyork/adirondacks>

## COYOTE TALKING POINTS

Snaring should be stopped for the following reasons:

Snaring is extremely cruel  
Snaring is not cost effective and the money could be used for habitat restoration. Coyotes are not a threat to the deer herd and might in fact be beneficial. A large canid predator keeps the herd healthy.

Two small interest groups, SAM and MTA are determining Maine's wildlife policy There is no public input on this issue. There should be public hearings as there have been with other wildlife issues Non target animals such as the

lynx, bald eagle and eastern cougar are at risk. Snaring is biologically unsound. Coyotes compensate by reproducing in larger numbers when their populations are threatened.

Thank you.

If you need more information contact:

Susan Cockrell  
503 South Road  
Holden, Maine 04429  
207-843-9023  
[susan\\_cockrell@umit.maine.edu](mailto:susan_cockrell@umit.maine.edu)  
Maine Friends Of Animals  
196 Rt 1  
Falmouth, ME 04105  
207 781 2187



# The Vermont Wilderness Coalition Proposes 80,000 Acres of Wilderness for the

**T**he proposed Romance Mountain Wilderness is located in the northern half of the Green Mountain National Forest, in the towns of Hancock, Ripton, and Rochester. There are five mountains in the area with altitudes exceeding 3,000 feet: Monastery Mountain, Worth Mountain, Romance Mountain, Mount Horrid, and Philadelphia Peak.

The area is a rare ecological gem. It contains many patches of large, mature northern hardwoods, the longest section of roadless and trailless ridgeline on the Green Mountain National Forest, and the headwaters of Bingo Brook, one of the most pristine, high-quality trout streams in Vermont. Because of its remoteness, the proposed Romance Mountain Wilderness has not been well studied or documented. Still, the Vermont Department of Fish and Wildlife has designated the land as critical black bear habitat. In addition, the Forest Service has identified 17 rare, threatened, and endangered plant and animal species on Mount Horrid alone.

Much of this proposed wilderness was earmarked to be forever wild long before it was acquired by the Forest Service. The core of the area — Monastery Mountain to Worth Mountain to Romance Mountain — was bequeathed as a “park” to Middlebury College by Joseph Battell in 1911. In his will, Battell directed the trustees of these lands to “preserve as far as reasonably may be the forests of said park, and neither to cut nor permit to be cut thereon any trees whatsoever except such as are dead or down and such as it may be necessary to cut in making and repairing needful roads; it being a principal object of this [will] to preserve intact such wild lands as a specimen of the original Vermont forest.”

Middlebury sold nearly all of Battell’s lands to the Forest Service in the 1930s and 1950s. Despite Battell’s intentions that the lands remain forever wild, the college sold the lands without restrictions. The importance of this area, both ecologically and historically, cannot be overstated. It was the sale of these very lands that prompted the federal government to create the northern unit of the Green Mountain National Forest. Now is the critical time to reverse the direction in which these lands are headed—a direction antithetical to Battell’s vision for them. Establishing the Romance Mountain Wilderness will ensure that the last wishes of Joseph Battell are fulfilled: “the preservation of a considerable tract of mountain forest in its virgin and primeval state.”

**The proposed Glastenbury Wilderness** is northeast of Bennington, beginning just north of Route 9 and extending to Kelley Stand Road to the north. Most of its 35,000 acres are in Glastenbury (pop. 6), one of only two unorganized towns in southern Vermont. Seen from Route 7, Glastenbury Mountain possesses a massive and beautifully wild ridgeline that dominates the landscape to the east. To this day the watershed remains undeveloped, due to a combination of: high elevations, deep snowfalls, long winters, and its lack of suitability for agriculture. Despite the area’s proximity to Bennington, it is quiet and remote. The forestland and extensive stands of mature beech trees provide critical black bear habitat in the proposed Glastenbury Wilderness, and claw-marked beech trees are a common sight demonstrating the presence of bears throughout the area. The Vermont Fish and Wildlife Department has identified Glastenbury as a region “supporting relatively high densities of cub-producing females, and an area containing critical habitats necessary to bear survival.”

The rich forest habitat of the Glastenbury area is home to a wide variety of birds. The presence of Bicknell’s thrush (designated in Vermont as rare and of special concern) has been documented as well as Swainson’s thrush,

yellow-rumped warbler, Cape May warbler, winter wren, dark-eyed junco, and white-throated sparrow.

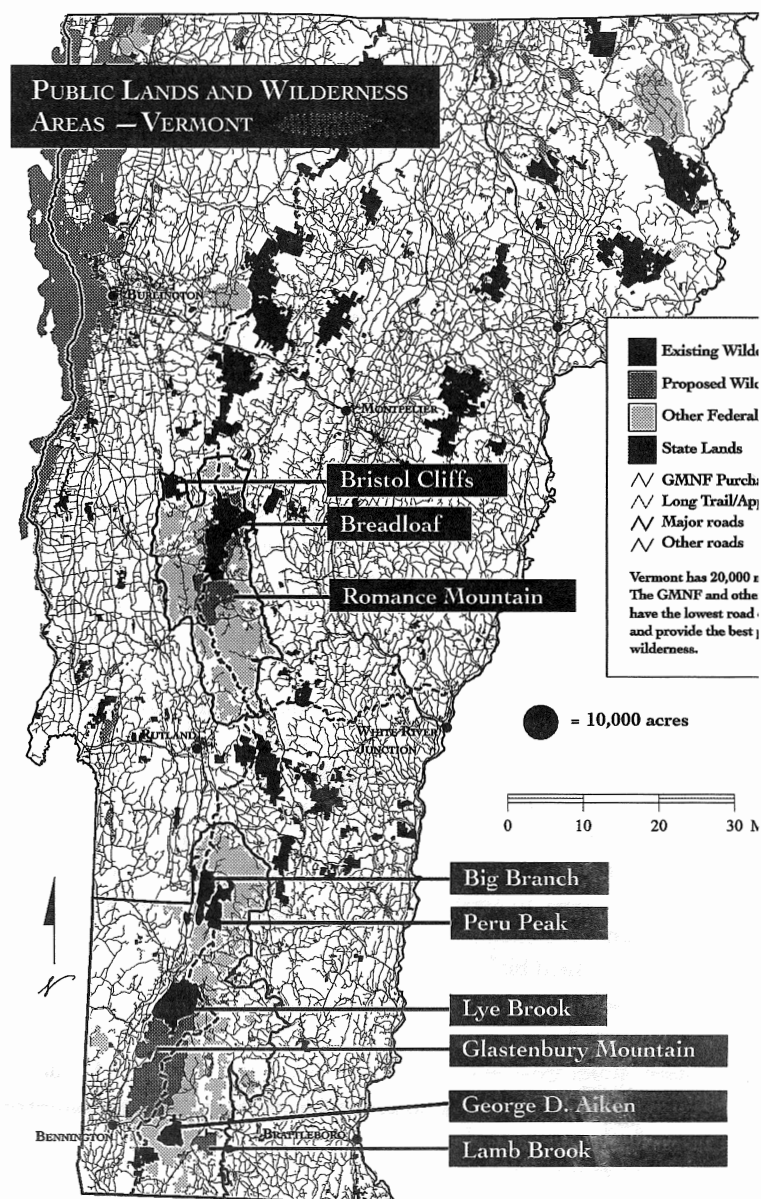
Glastenbury offers extensive opportunities for backcountry recreation. The hilly terrain of the area includes several summits surpassing 2,000 feet, with Glastenbury Mountain the tallest at 3,748 feet. More than fifteen miles of trails offer access to hikers, snowshoers, and cross-country skiers. The Long Trail/Appalachian Trail crosses the entire area from north to south by an old fire tower on the top of Glastenbury Mountain. The Green Mountain Club describes the view from the tower as “more wilderness than is to be seen from any other point on the Long Trail.” Hell Hollow Brook, in the southern edge of the area, contributes to the public water supply of Bennington. The township of Glastenbury is almost entirely National Forest, but for much of the last one hundred years it was owned by one family. The timber magnate Trenor W. Park passed Glastenbury along to his grandson, Hall Park McCullough, whose grandson, Trenor Scott, sold most of his holdings to the Forest Service. Scott still retains substantial acreage today.

Fayville, a logging community in the northwest corner of Glastenbury, is the only area of the town that was ever thickly settled. Fayville is now abandoned and all that remains is a clearing of some fifty acres. A logging railroad known as the Bennington & Glastenbury briefly became a tourist attraction near the turn of the century, taking people to an inn converted from a boarding house used by loggers. The railroad tracks were washed out in the 1898 flood and were never replaced. A cellar hole is all that remains of the inn. A century ago, Glastenbury was completely clearcut to supply vast quantities of charcoal to the iron industry in nearby Shaftsbury and Troy, New York. Glastenbury is now a rich mosaic of balsam fir, red spruce, white and yellow birch, beech, and mountain ash. It is interspersed with patches of ferns, raspberries, blackberries, bluebead lily, and dwarf dogwood. It now supports mature forest.

**The proposed 5,000-acre Lamb Brook Wilderness** forms the southeastern tip of the Green Mountain National Forest in a rugged and mountainous section of Readsboro, just north of the Massachusetts border. It forms part of a larger, 17,500-acre, undeveloped area bounded by Vermont Route 9 to the north, Route 100 to the south, Route 8 to the west, and Harri-man Reservoir to the east.

The Forest Service logging road (FR266) that climbs north from Heartwellville, near the junction of Routes 8 and 100, gives quick access to the interior of this quiet landscape. From the height-of-land there are glimpses of the terrain south to Massachusetts. Off the road, most views in Lamb Brook are closer and more personal in scale: a narrow trail before the next curve, a small stream as it disappears into an explosion of ferns. Even in the open November woods, filled with patches of bright snow, there is only a slightly longer vista to the next hemlock stand or the next hill.

As with so many recovering New England forests, a careful look at Lamb Brook reveals signs of former human presence. The two-century-old Albany to Boston stage road, now a trail covered with wood “corduroy” and drained by culverts made from hollow logs, winds through overgrown apple orchards, past stone walls, tree-filled cellar holes, and hard-won rock piles where pastures once



existed. Ancient maples, marking the edges of former fields, are now surrounded by clusters of birch, red maple, and the beech that now comprise these woods. Away from the trail, the signs of black bears abound. The smooth, gray bark of the beech show the claw marks of bears climbing for the autumn nut crop. The many bear “nests,” tree-top branches gathered together as the bears strip the nuts, attest to the importance of Lamb Brook for black bears. Deep in the woods is a huge circle of bear-nested beeches. On the ground, in the center of the circle, lie the toppled trunks of trees marked by bears over one hundred years ago.

After visiting Lamb Brook, bear biologist Dr. Albert Manville wrote, “in all my work assessing bear feeding habitat for hard mast in New England, upstate New York, Wisconsin, Michigan, and elsewhere in North America, I have never seen such a heavily utilized stand of American beech as this one in the Lamb Brook area.” The soft ground along the stream in Lamb Brook provides witness to the daily parade of deer, moose, fox, coyote, and fisher. In addition, Lamb Brook is breeding habitat for interior forest-dependent neotropical birds like the scarlet tanager, veery, and black-throated blue warbler, who winter in Central and South America but fly north to Vermont in the spring to raise their young.

Lamb Brook is a rare large block of unbroken forest cover, which these birds require if they are to reproduce successfully in the region. Lamb Brook begins as a small trickle in a hollow north of the Old Stage Road, gathers in small pools and navigates among moss-covered rocks on its way down to the Deerfield River. Although this land was used for sheep farming during the nineteenth century, the brook, and later the entire area, were in fact



# The Green Mountain National Forest

named for the Lamb family, whose descendants still live in Bennington County.

Under a federal court order issued by Chief Judge Murtha in 1995 and affirmed by the Court of Appeals for the Second Circuit in 1997, Lamb Brook is temporarily off-limits to logging and road building. Wilderness designation would preserve Lamb Brook forever as a haven for wildlife and a quiet, remote place where people can hike, camp, fish, hunt, or simply enjoy a bit of solitude.

**The Vermont Wilderness Association (VWA)** proposes that the 15,847-acre Lye Brook Wilderness be expanded to include approximately 10,000 additional acres. The additions border the southeastern and southwestern corners of the existing wilderness and the proposed Glastenbury Mountain Wilderness south of Kelley Stand Road. The Forest Service acquired much of the land forming the proposed Lye Brook Addition from International Paper in 1986. It did this with the help of a bridge loan from The Nature Conservancy, which held the land for a year until federal funding was secured. Essentially roadless, the area includes the lower hills, valleys, and wetlands around Stratton Pond, and other wetlands near Branch, Beebe, and at least nine other smaller ponds. Valuable riparian areas exist by the streams of the Black Brook, the east branch of the Deerfield River, and near the North Alder Brook.

These lands are heavily forested with beech, birch, balsam fir, maple, and scattered apple trees. The dense interior forest in the area is valuable black bear habitat, some of which has been designated as "critical" by the Vermont Fish and Wildlife Department. Several rare animal, plant, and natural communities are found in the proposed Lye Brook Addition. The Vermont Natural Heritage Program has documented a very rare dwarf shrub bog near Stratton meadow bog, consisting of plants such as leatherleaf, labrador tea, bog laurel, small cranberry, hare's cotton grass, and flowered sedge. Birds frequenting this natural community include the Lincoln's sparrow, common yellowthroat, rusty blackbird, and northern harrier. Several uncommon dragonfly species and meadow voles also live here.

Near the Winhall River, which forms the border of the current Lye Brook Wilderness and the proposed Lye Brook Addition, there is another uncommon natural community, the poor fen, which includes among its plant life the sweet gale, bog rosemary, tawny cotton grass, and white beakrush. A rare plant, the fall dropseed muhly, and an uncommon bird, the rusty blackbird, frequent the Winhall River area.

The proposed Lye Brook Addition provides extensive opportunities for backcountry recreation, including hiking, camping, cross-country skiing and snowshoeing. More than seven miles of the Long Trail/Appalachian Trail cross the area. Stratton Pond, the largest pond on the Long Trail, is a popular spot for swimming and fishing, and receives the heaviest overnight use of any campsite on the trail with more than 2,000 users per year.

Because of the large number of visitors, the VWA proposes that Stratton Pond become part of the Robert Stafford National Conservation Area. A central principle of conservation biology is that larger wilderness areas will likely become more biologically diverse. Increasing the size of the Lye Brook Wilderness to 25,000 acres, and joining it with another large natural area, the Robert Stafford National Conservation Area, will provide lasting benefits to wildlife and ensure a variety of recreational opportunities for the many people who seek a wilderness experience.

*A Summary of the Proposed Additions*  
*From the Vermont Wilderness Association website: [www.vwa.org](http://www.vwa.org)*

**ROMANCE MOUNTAIN WILDERNESS, 15,000 ACRES**  
This mountainous land, much of it owned in the early 1900s by philanthropist Joseph Battell, is south of Route 125 in the towns of Hancock, Ripton, and Goshen. The high ridges include Philadelphia Peak, Monastery Mountain, and Romance Mountain. Grindstone, Boyden, and Bingo Brooks are steep, rocky streams carrying some of the cleanest water in Vermont. The area is rich with wildlife, and a joy for hikers and hunters.

**GLASTENBURY MOUNTAIN WILDERNESS, 40,000 ACRES**  
This is the largest unbroken tract of land in southern Vermont, and home to the Long Trail and Appalachian Trail.  
The summit of Glastenbury Mountain offers views of Stratton, Mount Snow, Somerset Reservoir, and more wild, uninhabited land than can be seen from any other place on the Long Trail. This is the future crown jewel of Vermont wilderness. Lamb Brook Wilderness, 5,000 acres The singularly beautiful Lamb Brook basin offers a wonderfully quiet and remote setting. It provides important nesting habitat for neotropical migratory songbirds, and critical denning and feeding habitat for black bears.

**ADDITIONS TO EXISTING WILDERNESS AREAS**  
Since the passage of the 1984 Vermont Wilderness Act, new land acquisitions and changes in land use have made possible the expansion of three existing wilderness areas. Bristol Cliffs, now 3,685 acres, can be expanded by 200 acres. Breadloaf, now 21,043 acres can be expanded by 9,000 acres; and Lye Brook, now 15,847, can be expanded by 10,000 acres.

**NATIONAL RECREATION AREAS (NRA)**  
National Recreation Areas are established to recognize and protect outstanding recreation and natural values. Existing roads and motorized recreation, including snowmobiling, would continue, and commercial logging would be prohibited. The White Rocks NRA (22,730 acres) was established in 1984. Two new NRAs are proposed. The Robert Stafford NRA (38,000 acres) is named in honor of the former Vermont Governor and Senator who championed environmental protection and passage of the 1984 Vermont Wilderness Act. This beautiful southern Vermont area contains miles of snowmobile, hiking, mountain biking, and cross country ski trails, as well as extensive wetlands and clear streams.  
The Moosalamoo NRA (7,000 acres) provides many of the same opportunities on the northern part of the national forest. National Conservation Areas (NCA) National Conservation Areas are established to recognize, protect, and restore an area's extraordinary ecological values while allowing compatible recreation activity. Existing roads and motorized recreation, including snowmobiling, would continue, and commercial logging would be prohibited.  
Proposed for this designation are: Abbey Pond NCA (6,000 acres), Lincoln Ridge NCA (4,000 acres), and The Cape NCA (5,000 acres). These places contain rare remnants of old-growth forests, unusual assemblages of natural communities, high-elevation ridgelines with alpine vegetation, and some of the lands bequeathed by Joseph Battell for protection in their "original and primeval condition." The Vermont Wilderness Association relied on extensive fieldwork and U.S. Forest Service data in delineating and computing acreages for these areas. Additional work is needed to investigate jurisdiction of roads, ensure the rights of inholders are fully respected, and adjust the proposed boundaries if necessary.

The Vermont Wilderness Association is encouraging letters of support for their Green Mountain proposal to be sent to Vermont's Senators James Jeffords and Patrick Leahy. Congressional action will be required to establish further Wilderness. Inquire: Vermont Wilderness Association P.O. Box 15, Montpelier, VT 05601-0015 [vermontwilderness@vermontwilderness.org](mailto:vermontwilderness@vermontwilderness.org)

**The proposed Robert Stafford National Recreation Area (NRA)** will provide one of the finest areas for backcountry recreation east of the Mississippi. The proposed NRA will link together 38,000 acres of non-wilderness conservation lands with nearly 65,000 acres of existing and proposed wilderness, and incorporate sections of the Appalachian, Long, and Catamount Trails. It is a large area of mountains, lakes, trails, secluded bogs and blueberry barrens, and an outstanding array of wildlife habitat. The Robert Stafford NRA will include the headwaters of the Deerfield River, and will connect four vital wildland areas: the George Aiken Wilderness and the proposed Lamb Brook Wilderness in the south, the proposed Glastenbury Wilderness to the west, and Lye Brook Wilderness to the north. This is a once-in-a-lifetime chance to protect an entire landscape with immense benefits for wildlife and unsurpassed opportunities for recreation.

In addition, the proposed NRA surrounds approximately 15,000 acres of land, formerly owned by the power-company NEPCO and now owned by Pacific Gas

and Electric. This includes the Somerset Reservoir, a beautiful lake surrounded by the towering peaks of Mount Snow; Stratton Mountain; and Glastenbury Mountain, with views down the valley into Lamb Brook. The high ridge to the east and Glastenbury Mountain to the west offer a sense of seclusion that is nearly unmatched in New England. The proposed NRA would create a protected area spanning approximately 100,000 acres of forest. The non-wilderness portions of the NRA would be managed much like the existing White Rocks NCA, allowing snowmobile use on designated trails, while the remainder would be managed as wilderness. Commercial logging would be prohibited.

**The proposed Moosalamoo National Recreation Area (NRA)** is located in the towns of Salisbury, Ripton, and Goshen in the northern half of the Green Mountain National Forest. The area is bounded by Vermont Route 125 to the north, Route 73 in the south,

*Continued on Page 19*



# TIMBER MANAGEMENT ON THE GREEN MOUNTAIN NATIONAL FOREST

*The US Forest Service hosted a December 11, 2001 educational forum on timber management on the Green Mountain National Forest. 4 panelists offered their views: Chris Casey, a USFS silviculturist; Ed Larson of the Vermont Forest Products Association; Richard Carbonetti, a Landvest forester; and Jim Northup, past Green Mountain planner for the USFS and current director of Forest Watch, the Wilderness advocacy group. Dr. Don DeHayes, dean of the University of Vermont's School of Forestry, moderated.*

by Andrew Whittaker

The context of the timber forum was the ongoing Green Mountain planning process and the Wilderness proposals of the Vermont Wilderness Association. The VWA hopes that Vermont's Congressional reps will legislate their proposals while the USFS and industry would prefer the primacy of the planning process. Other groups in Vermont are part of the national End Commercial Logging campaign which aims to do just that on all national forests, again through congressional action.

Industry and USFS personnel clearly feel aggrieved by plans for more Wilderness on the Green; the presentations by Richard Carbonetti and Ed Larson left little doubt that they feel the time has come to say Enough! They hammered on the political and cultural aspects of more Wilderness as an assault on rural life and livelihood.

Northup called for an end to drawing on the Green as a timber source, with much greater emphasis on Wilderness and a subordinate role as demonstrator of sustainable, low impact forestry techniques. Casey presented a portrait of declining timber harvest over the course of the last plan, a frustration of timber harvest goals in the teeth of appeals such as that inspired by the Indian bat, which virtually halted GMNF logging for a year. USFS staff are clearly frustrated in their attempt to fulfill their timber mandate.

**Lands Everybody Wants**  
GMNF supervisor Brewster prefaced the panel discussion with a recapitulation of USFS multiple-use philosophy, which spans Wilderness and timber supply, and a brief summary of GMNF history. The forest's 384,000 acres were, at the turn of the last century, heavily cut-over or reverting ag lands. Today, the "land nobody wanted, everybody wants."

Silviculturist Casey's starting point was that the GMNF is fulfilling their mission to "protect and enhance forest ecosystems" — "today the forests are restored and thriving." Management, he said, is a key piece of that recovery, with thinning and clearcutting contributing to wildlife habitat diversity. He noted the prevalence of thinning as a forestry operation on the Green, and later defended below-cost or money-losing timber sales, as, in part, a function of the much broader goals of timber operations on the forest.

He then went on to present a statisti-

cal portrait of a forest staff stymied in its effort to fulfill a timber harvest plan. Over the course of the last 10 year plan, only 1/3 of the stated harvested acreage goals have been cut; average annual acreage has declined from 3000 to 500; a 40 year profile of the cut showed a decline from 20 million to 6 million feet in annual production. The fact that the recent decline in sales occurred at a time of high stumpage, the price paid to landowners for standing timber, was a further frustration to Casey, who said he felt the financial performance of the forest would have been much different with augmented sales.

Casey's goals for the forest are a rebuilding of the timber program and a "pipeline of sales."

**A Silent Majority Speech**  
The heavy for the night was Landvest forester Richard Carbonetti who assured the audience at the start that he probably wouldn't "make some folks happy" with his remarks. His thrust, an echo of the general message being directed by the hard elements of industry at what they must hope to be a receptive public, is that forest policy discussion has been hijacked by extremists. He used as one example the way in which the recommendations of the Northern Forest Lands Council were ignored by environmental outfits the "day after" their issuance.

Carbonetti said that the intention of these extreme groups is to turn national forests into national parks. He said that this, and other efforts to end logging, is a "myopic view of us as citizens of the world." Throughout the night he repeated the "moral obligation" we have to produce what we, as Americans, consume (fortunately, an audience member confronted this: "Our moral obligation is to alter our consumption." By his statistics, 20 acres of rainforest are degraded for every acre not cut in the Green: "If that's not immoral, I don't know what is.")

Carbonetti claimed further moral high ground, stating that while others see forest policy in black and white, he seeks gray area solutions. "Locking up a forest in a terrarium" is not a solution; nor is the environmental community willing to talk about the negative impacts of taking the Green out of Vermont's timber equation. The beauty of public land, he stated, in defending below-cost sales, is that it doesn't fall under the financial constraints of private operations.

Carbonetti also stated that the claim that logging precludes other uses is a fabri-

In which an audience largely receptive to Wilderness also rejects the black & white arguments of an industry spokesperson invoking shades of grey...

caion by conservation biologists: "We can't allow it to be in the debate — it's a lie." He further stated, "I am a conservation biologist," saying of the pedigreed kind, "They talk about it but haven't been responsible for decisions" on the ground, as he has. During questions period, he also claimed that private wealthy clients of his are scared off managing their land when they read in the paper about Wilderness plans for public land.

Carbonetti concluded that a silent majority of people "should recapture the debate." While agreeing that we need more wilderness but also a "vast timber-base" in Vermont, the ad hominem nature of his talk left many environmentalists in attendance displeased.

## New Vision for GMNF

While avoiding a pointed debate, Jim Northup of Forest Watch, calling for vision and leadership from the Forest Service, indicated what he believes to be their obligations: eco-forestry; wilderness; back-country recreation. Public land, he stated, should offer public goods. Private land, 86% of Vermont's forests, should be the primary source of timber for the state. Environmentalists, he said, support both healthy forests and healthy industry.

The GMNF, providing less than 1% of the state's timber harvest, could provide virtually none without negative impact (Carbonetti and Nelson quarreled with this point, Nelson later stating that as a Cabot sawmill operator, he had felt the impact of Green Mountain appeals in the form of increased competition for logs in his locality.)

"I don't see how the public loses" when money-losing sales are halted, added Northup, whose figures showed less than 1% of timber sale costs associated with appeals and litigation, an assertion that ran counter to the skeptical murmurs from audience members. (18% of costs were associated with roads.)

Northup also offered evidence (see graph) that demand for timber on the GMNF is weak, while public attitude surveys by both the USFS and UVM's Bob Manning demonstrate public support for wilderness, back country recreation and restoration of water quality (Casey, in his remarks, cited a Vermont Department of Environmental Conservation study docu-

menting exemplary water quality in managed watersheds on the Green.)

## Focus Shifts to Private Lands

Northup's recommendation that the USFS demonstrate low impact forestry as a model for private timber owners contributed to the focus shifting in part, to the condition of private lands in Vermont. Several audience members suggested their degraded condition, as generational high-grading has reduced availability of sawtimber. One logger, George Tucker, also stated that, while not necessarily opposed to further Wilderness, he finds the timber base being fragmented by sub-division and shift in owner attitudes.

If public land is the most obvious source of large timber in the years ahead, it is clear that its protection in Wilderness status will be viewed by some as waste.

## Not One Acre

Ed Larson of the Vermont Forest Products Association stated that 18,000 Vermonters are employed in the industry as a whole, 10,000 as loggers, with \$25 million paid in taxes. But Larson was upset by media, editorial sound bites and images taught in school. "The environmental community with extreme self-righteous views is effectively urbanizing our rural culture," he said. The public is confused by media, he said. He too said that the timber base is being eroded by development and new attitudes toward logging. He said that in his view there is no real rationale for wilderness.

Larson's goals for the Green are a stepped-up timber program with a 20 million ft. average annual harvest — and "not one single acre" for wilderness.

Larson then attacked elites, out-of-staters and environmentalists generally as untrustworthy and ignorant of the needs of Vermont's working folk. He called for a management vision that "truly meets the needs of people of this state." (During questions period, Larson also said that globalism, in a word, has negatively impacted the Vermont industry.)

## The Well-Tempered Audience

Very few members of Carbonetti's silent majority seemed to be in attendance, given the tenor of audience questions and comments. What was clear, was that very few shared his black and white view of good Vermonters and bad environmentalists.

## Ansel Adams on Multiple Use

*Letter of Ansel Adams to Dr. Henry J. Vaux, October 7, 1960*

"It seems to me that most arguments pro and con on Multiple Use of forest areas... are based on a materialistic concept rather than a concept which is inspirational... We either have wild places or we don't. We admit the spiritual-emotional validity of wild beautiful places or we don't. We have a philosophy of simplicity of experience in these wild places or we don't. We admit an almost religious devotion to the clean exposition of the wild, natural earth, or we don't... The whole concept of multiple use is, to me, a shocking distortion of logic and of responsibility. 'Management,' unless applied with respect and devotion, is nothing but carefully calculated exploitation."

*From Ansel Adams, Letters 1916-1984, Little, Brown and Co., Boston. [Vaux was dean of the Department of Forestry at the University of California, Berkeley.]*



*"If there is one thing I know," said Marion Leonard, Rochester, Vermont, "we need all the wilderness we can get."*

Remarks in support of Wilderness were buttressed by gestures of informed support for a sustainable woods product industry. Several Wilderness skeptics also offered more temperate views than did industry panelists. In all, the evening demonstrated the progressive centrism that has persisted through generations of Vermont politics.

A teacher of children with Attention Deficit Disorder related the calm and centeredness his students experience in natural areas — and that they have never showed negative attitudes toward logging. Jared Wood of Burlington spoke of the benign neglect enjoyed by the Green Mountains in the 30s and 40s, and development pressures since then. Saying that we "should strive to keep more wilderness areas and efficient logging," he said that while cut-over land comes back, it "doesn't come back in its grandeur."

Perhaps the final word of the meeting belonged to Marion Leonard, born in 1909, who spoke also of the many changes she has witnessed to the planet. "If there is one thing I know," she said, "we need all the wilderness we can get."

### Rural Development

The actual final speaker at the meeting asked, How do we bring ourselves together instead of battling against each other? Similar questions were asked at the Island Pond hearing on the West Mountain. In some quarters, the question may seem rhetorical; in rural communities, it is a pressing need. To the extent that Wilderness is seen as a detraction from a timber base, rather than a response to other pressures, there can be some, but not universal, progress.

Northern NH economic planner Peter Riviere has observed that NH invested \$20 million in the seacoast region after the closure of Pease Air Force base. The vitiation of the pulp and paper industry across northern New England has thus far inspired far less investment from state capitals, other than to prop up the landbase of this uncertain industry.

Where should such capital be invested? Recent economic studies suggest that what helps rural communities develop economically, is in-migration. Even modest population growth leads to increased economic opportunities. While not an argument for unchecked growth, these studies do suggest we help rural communities build an amenity base. As federal money assisted small towns with sewer systems in the 70s, with benefit to water quality, small towns today need greater access to funds for projects that build infrastructure of all sorts, whether libraries, schools, sidewalks, or trails and parks.

Some of this initiative could also be directed to projects that would assist adding value to local resources — which is where the wages are. It is lamentable that, in our rural districts, there isn't more of a general cultural focus on value-added, in the context of a broad natural resources and environmental education. Here is where much common ground could be built, and opportunities created for people in the communities where they have been raised.



### George Harrison on Forests & the Future

"When you see the rate the world is being demolished — people polluting the oceans and chopping down all the forests — unless somebody puts the brakes on soon, there isn't going to be anything left. There's just more and more people with less and less resources. In that respect, I feel very sad. But at the same time, I have to be optimistic...our planet is one little bit of the physical universe, and you can't really destroy it totally."

from an interview with Anthony DeCurtis reprinted in the Rolling Stone special George Harrison tribute edition

## 80,000 Acres of Wilderness Proposed for Green Mountain NF...

the Long Trail and the spine of the Green Mountains to the east, and Route 53 to the west. Predominantly roadless and 7,250 acres in size, the Moosalamoo NRA has extensive interior forest habitat in an area of Vermont that is largely fragmented.

The area is characterized by hilly terrain wooded with spruce, fir, and northern hardwoods. There are several unnamed summits of more than 2,000 feet, with Mount Moosalamoo, the highest peak in the area, at 2,640 feet. Several prominent cliffs, including Rattlesnake Point, are on the western side of the area. Goshen, Sucker, and Voter Streams, and Leicester Hollow Brook afford excellent trout fishing.

The area around Mount Moosalamoo, the core of which is included in the proposed NRA, offers some of the best dispersed recreation opportunities on the Green Mountain National Forest. The remarkable proliferation of trail networks has led to the formation of the Moosalamoo Association, a coalition of state and federal agencies, utilities, businesses, a youth camp, and conservation and recreation groups. The coalition has produced a detailed map of the trails of the area. Silver Lake, an undeveloped body of water in the heart of Moosalamoo, has 20,000 visitors per year, despite a mile walk in from the nearest parking area and its designation by the Forest Service as semi-primitive. Rattlesnake Point, an ice-scoured rock outcrop with a large talus slope below it rises prominently at the southern end of Moosalamoo ridge.

The point offers outstanding views of Silver Lake and the Green Mountain National Forest to the south, Lake Dunmore, the Champlain Valley, and the Adirondacks to the west. The Moosalamoo NRA includes rare biological treasures mostly in the limestone areas just below Rattlesnake Cliffs, the dry oak woodlands of Burn Mountain Ridge, and the southern end of Chandler Ridge. Seventeen plant species listed as rare or threatened are known to have existed at Rattlesnake Point either recently or historically. Rattlesnake Cliffs are also an historical Peregrine falcon nesting site. In 1998, Peregrine young triumphantly fledged there after an absence of at least 60 years. Moosalamoo provides valuable interior forest habitat as well, including black bear habitat deemed "critical" to the long-term stability of the species.

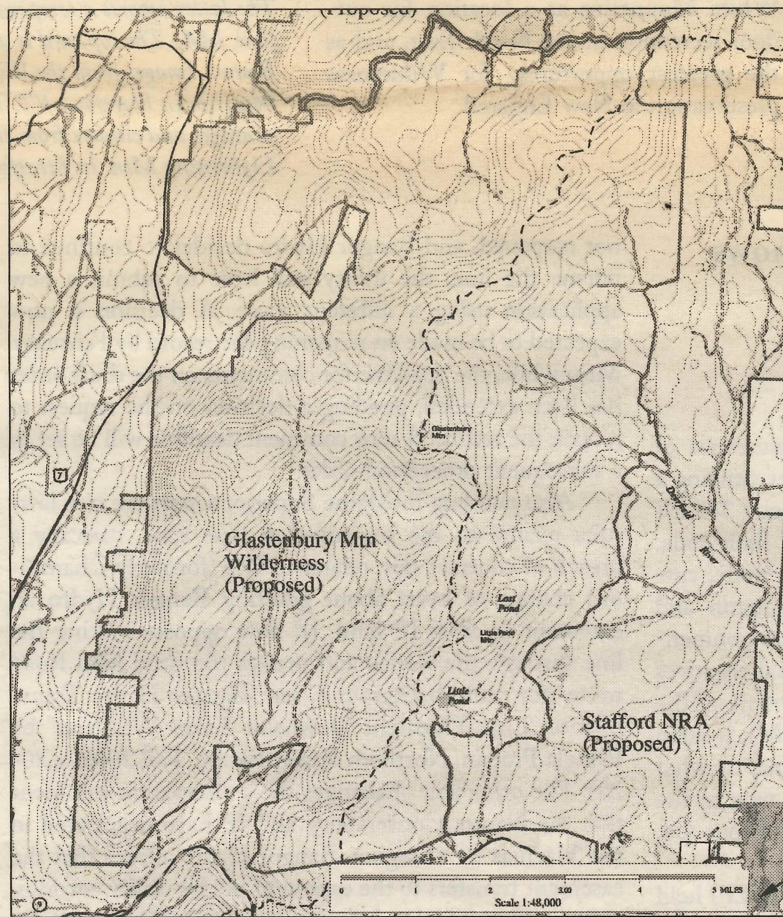
Many interior-dependent neotropical migratory songbirds breed at Moosalamoo, and great blue herons nested recently in a wetland along Goshen Brook. Importantly, Moosalamoo also contains extensive deer yards.

**The proposed Abbey Pond National Conservation Area** would protect 3,500 acres of the 8,000-acre Robert Frost Mountain area in the Green Mountain National Forest. South of the Bristol Cliffs Wilderness Area, west of the Breadloaf Wilderness, and spanning the towns of Bristol, Ripton, Lincoln, and Middlebury, the Robert Frost Mountain region is predominantly wild in character despite repeated logging by the Forest Service. The area has high ecological value because of its valuable habitat for a variety of wildlife, including black bear and migratory songbirds dependent on unfragmented interior forest. In addition, there are outstanding opportunities for backcountry recreation, education, and scientific research. The Abbey Pond Trail, which leads up the steep escarpment into this area, is popular with local residents for hiking and picnicking.

The Forest Service has logged the Robert Frost Mountain area for approximately 50 years, employing intensive logging methods such as clearcutting and other even-aged management, and building roads. Despite the land's superb natural values, the Forest Service has only proposed placing less than 500 acres near Abbey Pond off limits to logging and road building. Ensuring the area's ecological characteristics will require the inclusion of much more land in protected status.

The core of the proposed Abbey Pond National Conservation Area hosts at least three rare plants: Jacob's ladder, ovate spikerush, and matted spikerush. Great blue herons have nested on one of the wetlands. Large mammal research has revealed regular use of the proposed NCA by bears, which forage on the sedges, beech nuts, acorns, and apples found there.

The proposed NCA borders Middlebury College's Battell Preserve on the north and east. This 109-acre old-growth forest, with northern hardwoods, huge hemlocks, and native red pines, can provide a window into the potential future of the area. The proposed National Conservation Area has no fewer than 20 natural communities, all within walking distance of one another. While individual community types like these are found elsewhere in Vermont, it is their close convergence here that makes the area such rich habitat for a wide range of native wildlife. Protecting this area will increase the stability and viability of local wildlife populations.



NOTE: In a striking development as we head to press, Roberta Borland of the newly formed Vermont Loggers Association has indicated in a letter to the Rutland Herald (January 24) that her group sees some possibility for compromise on at least federal Wilderness. Her letter also sought to distance the VLA from hard-line elements of industry see story opposite page) The letter reads in part: "[We] have not been closed-minded to core areas. We merely suggested the core areas be established on federal land, rather than state land. Loggers would like to see multiple-use management on state land, where local loggers could harvest with timber-productivity and long-term forest management objectives. VLA supports education and research on federal lands and believes if we could ever get to a point of no appeals — and federal land was divided like a pie, so that environmentalists got one-third for wilderness, recreation a third for their uses, and local loggers got a third for forest management — everyone would win. We won't win with foresters' in VFPA and AIV trying to speak for loggers, with their ramrod mentality. It doesn't surprise me that the public is noticing their attitude, but I hope to set the record straight that they do not speak for loggers or logging interests." Some of the sparring between these groups relates to differing attitudes toward the Sustainable Forestry Initiative, which many loggers have criticized as a sham. SFI is an industry self-certification program that is in competition with FSC third-party certification, which has experienced credibility problems of its own.



# WHITE MOUNTAIN NATIONAL FOREST PLAN REVISION AS OF JANUARY 2002

By Thomas Van Vechten

The White Mountain National Forest (WMNF) began the public process of revising the existing plan, adopted in 1986, around the end of 1999. After a comment period areas of concern were identified and described in a series of issue focused working papers (timber management, biodiversity, wilderness recommendations, etc.) These papers were then exhaustively reviewed for omissions by Local Planning Groups (LPGs). The LPGs meet in Gorham, Albany, Woodstock, and Chelmsford, MA. They are open to any interested participant. Officially no decisions have been made as of this point, the purpose so far was just to establish the full range issues and options that the Forest service and the public feel need to be addressed.

In January 2002 this review was completed and the next stage, alternative development, is set to begin in February. The Forest Service Planning Team and the LPGs will undertake the development of several plans, each of which will address all of the issues determined to be significant by the working paper process. The Forest Service will then review these various alternatives and draft their own plan, which will be released for public comment. Following the receipt of those comments the Forest Service will then issue a Finalized Forest Plan.

This means that now is an important time for environmentally concerned citizens to become involved in the forest plan-

ning process by attending the LPGs. The WMNF web page ([www.fs.fed.us/r9/white](http://www.fs.fed.us/r9/white) click on "forest plan") announces the times and locations of these meetings. In the working paper entitled the Role of the Forest the planning team suggests that they intend to designate areas and trails for use year round by Off Highway Recreational Vehicles (OHRVs), that they intend to maintain the level of timber harvest of the 1986 plan (the 1986 plan set a goal of 35 Million board feet (MMbf) harvested per year, while in recent years the Forest has been selling 'only' 20-25 MMbf per year), and that they have little enthusiasm to recommend additional Wilderness Area or to protect the Roadless Areas of the Forest. There are also suggestions that they intend to codify the change in emphasis which has already occurred away from even-age towards uneven-age cutting.

While there was a great outpouring of environmental support in the first comment period, and while groups such as the Friends of Sandwich Notch and the Friends of Wild River were able to present maps and proposals for Wilderness Area expansion and creation, respectively, these recommendations need to be incorporated into every alternative forest plan in order to insure their adoption into the Forest Service's draft and Final plan.

In addition, the allocation of land to the different intended uses, such as timber harvesting or dispersed, non-motorized recreation are subject to revision by the new Forest Plan. It is imperative that these allocations be determined with a full appreciation of the premier status of the White Mountains as a location for outdoor recreation in the North East, and as the greatest opportunity for Wilderness preservation in New England.



Two views of Mt. Washington's Tip Top House, circa 1900, top, and 1910, bottom. The latter reports a temperature of 52° on August 26 in a postcard sent to New Bedford, MA.. The top card is addressed to a Mr. Jay Benton at the Transcript Office in Boston. Images from the Wilmer Sipple Collection, soon to be lodged at the Main Street Museum in Hartford, VT. The collection in its entirety includes barbed wire of various vintages and cinders from the more important rail lines of New England, a skull from Lightning Mtn. in Stratford, NH and one backbone of a dainty creature.

## Bangor Hydro-Electric Co. Shows No Sign of Abandoning Tie Line Proposal

by Pamela Prodan

**In December**, staff of the Maine Department of Environmental Protection issued a draft order denying a permit for Bangor Hydro-Electric to construct a 345 kV electric transmission line from Orrington to Baileyville. The draft order concludes that the proposed route, cutting a new corridor through central Washington and northern Hancock County, is not the least environmentally damaging alternative available. Two alternatives would be less damaging, either the preferred route of the Natural Resources Council of Maine (NRCM), located next to the exiting MEPCO transmission line, or what has become known as the IP Route, located next to the Stud Mill Road and traverses International Paper Co. land.

The Board of Environmental Protection (BEP) held a public hearing on September 10 and 11 and on October 3, 4, and 5, 2001 in Bangor, Maine, where the overwhelming majority of testimony heard was against the line. Many people spoke movingly of the adverse impact the new line would have on the Downeast region's wild, remote and undeveloped character. A denial by the BEP has practically been assured since November.

The BEP was scheduled to issue its final decision at its February meeting. However, on January 9, 2002, Bangor Hydro requested that the record be reopened to allow Bangor Hydro to amend its application. It also requested an extension of the comment period on the draft order from January 25 to two months following a decision on the request to reopen the record. If the record is reopened, Bangor Hydro could propose a new route, presumably one of the two alternatives that the draft order indicates would be less environmentally damaging. If the record is

not reopened, and Bangor Hydro decides to continue to pursue the line, the utility will have to submit a new application using a different route. A decision is now expected to be made on reopening the record by February. Meanwhile, the deadline for comments on the draft order has been extended, pending a decision on the request to reopen the record. A new comment deadline will be set in a subsequent procedural order.

Also pending in Maine Superior Court are two lawsuits related to the transmission line. One, basically a breach of contract suit, relates to IP's (formerly Champion) change of heart about granting Bangor Hydro an easement to cross IP land. IP now opposes routing the line through the woods and prefers the Stud Mill Road route (for more background, see "Bangor Hydro Transmission Line Threatens Downeast Lakes Wildland" by Pamela Prodan, Northern Forest Forum, Fall 2000, p.20-23). The other suit challenges the conservation easement that the Nature Conservancy and IP have negotiated in the Machias River region. Bangor Hydro alleges that the easement transfers to the easement holder utility corridor, river crossing and development rights that Bangor Hydro already owns.

New Brunswick Power Co. is a partner in the transmission line and has already scheduled to build 60 miles of new transmission line to connect to the Bangor Hydro line. New Brunswick Power has insisted that it will not connect with Bangor Hydro if the line is constructed along the route proposed by NRCM. Emera, a Nova Scotia Company that owns Nova Scotia Power, is buying Bangor Hydro and will be among the companies using the new transmission line, as will Hydro-Quebec. Bangor Hydro acknowledges that most of the electricity that will be transmitted will not be sold to or used by Maine consumers.



View of Tumbledown. See story page 11. Photo © Conrad Heesch.



# USER FEES ON THE WHITE MOUNTAIN NATIONAL FOREST

John Joline is a co-founder of New England Public Forest Advocates, a group dedicated to fighting the fee demo program on the White Mountain National Forest. Through NEPFA, Joline has given the issue profile in NH, and networked nationally with other anti-fee activists.

A Dartmouth graduate and active rock climber, Joline may be reached at JFJ@DARTMOUTH.EDU

**What is fee-demo and what inspired you to oppose it here in New Hampshire on the White Mountain National Forest?**

Fee-demo is a national pilot program which was slipped into an appropriations bill in 1996 largely at the behest of recreation industry lobbyists, to demonstrate the feasibility of charging fees for activities on public land which have traditionally been free (that is, covered by public funds). It has been extended each year since then and now is due to expire 2 years hence.

All across the nation thousands of people like myself have been fighting to end this program because it represents a serious erosion of one of the most basic, fundamental liberties that we as citizens possess. Simple foot travel on public land should be seen as an absolute birthright. For some years, fees have been charged to enter national parks, but these represent a small fraction of public land. It is a mistake of epic proportion to begin charging people access to the vast, largely undeveloped lands such as those administered by the FS and BLM.

When you begin to understand the implications of fee-demo — where it is coming from and where it is meant to lead us — it is even more dismaying, and it is clear that action must be taken to end the program.

Basically, an attempt is being made to reverse the traditional roles of citizens as owners of the public lands — with the land-management agencies as stewards of the land, caring for it at the citizens' behest — toward a system where the land management agencies are, in effect, considered virtual owners of those lands and able to use "their" lands as a kind of financial capital, essentially — to make money to cover their budget and running their operations like businesses with the citizens now considered to be their "customers."

**A private recreation lobby has pushed fee-demo. Are these folks just plain folks?** This lobby, which operates under the auspices of the "American Recreation Coalition" is the prime mover behind the fee program. In fact (in a staggeringly blatant conflict of interest) the ARC has contracted with the government for the right to evaluate how the American people like the program! They stand to make tens of billions of dollars in profits if they can be allowed to move onto public land and develop it in "partnership" with local land management agencies.

There are members of Congress who, in fact, want the forest service budget to be slashed, precisely so that the FS will be forced to accept the private outdoor industry as their revenue-generating "partners"—the land-manager lets the private concessionaire run things or build profit-making infrastructure on public land (resorts, marinas, hotels, conference centers, shops, golf courses) and then that private corporation shares (legally) profits with the local FS entity. This is called a "win-win" situation by (and for) the FS



and the ARC, but the *losers* are the American people who don't want to see the privatization and commercialization of public lands.

Setting up local forest service managers as de-facto entrepreneurs creates exactly the wrong kind of incentives for preserving the health and beauty of the landscape: it promotes development over preservation, infrastructure over natural values, and it promotes expensive, impact-intensive recreation over simple and environmentally low-impact activities.

The radical privatization agenda [of the Reagan-Gingrich era] mostly didn't "fly" with the American people, so now what is happening is this: instead of privatizing actual ownership of public lands, there is now an attempt to privatize access to public land. Fee-demo is the leading edge of this wedge to develop public land for private profit.

**Fee demo has experienced some legal challenges and not stood up too well. What have courts been saying?**

For a long time, the federal Magistrate Judge in NH was dismissing case after case of fee violators tickets, ruling that just because someone's car was found in a WMNF parking area without a pass displayed, that did not, by itself, constitute "probable cause" that the owner of the car had failed to buy a pass. In so doing, the Judge set the standard of proof very high — so that since spring/summer of 2001, after his many rulings to that effect became widely publicized, the FS has had to shift their enforcement strategy to actually approaching individuals and asking them directly if they have bought a pass (rather than just ticketing parked cars).

**The New Hampshire legislature passed a resolution against fee-demo. How difficult was that?**

The NH State legislators heard loud and clear from their constituents they greatly dislike and resent fee-demo, and so it was an easy call for them to draft and to pass that resolution (asking for an exemption for local people). Also, many of the NH state reps themselves are avid hikers or hunters, and therefore many of them hated the program from the moment of its inception. It is interesting to see how

bipartisan the resistance to fee-demo has been. Some of the most outspoken opponents of fee-demo in the US are crusty, conservative, pro-logging NH state legislators. It's a very libertarian issue.

A new NH resolution in fact is likely to be passed this winter calling for the outright abolishment of fee-demo nationwide

**Did the Congressional delegation weigh in on the subject?**

All four are on record as being opposed to the program, at least as regards its being applied to the citizens of NH who live in the WMNF area. We would love to see them take a more aggressive, outspoken role against it, however — but at the same time we are grateful that they have the good sense to realize what a misguided program it is.

**How do you respond to the argument that trail use and trail maintenance are a use of public land that impose added management costs and the user, not the general public, should foot the bill?**

When you consider the following figure, it's a no-brainer: The Forest Service's own literature states that "a person with an annual income of \$40,000 pays less than \$.03 per year in taxes to recreate on Forest Service lands, nationwide." Since the costs we're talking about are comparatively paltry, and the income-tax impact on each citizen is negligible it makes no sense at all to replace the traditional fair,

equitable way of funding public lands with a system that is intrusive, demoralizing, unfair, and difficult and costly to enforce.

The fees represent a supremely regressive tax which falls very harshly on those least able to pay. In fact, 1999 research funded by the Forest Service has shown that such fees have already had a "significant exclusionary impact" on low income people in Vermont and New Hampshire.

The traditional way it works is this: each American chips in a miniscule amount of money each year and this assures that all of us are free to visit our public lands without the coercive intrusion of fees. Fee-demo is bad for the spiritual well being and peace of mind of the citizenry!

**Do you have other thoughts about the WMNF and its management?**

We have a lot of sympathy for the local FS personnel and managers in the WMNF. Washington, DC has put them between a rock and a hard place! Their budget is being cut on the one hand, but at the same time they realize full well how unpopular the program is and what a harsh burden it places on lower-income people especially.

We have heard from reliable sources that many of the local FS actually dislike the program intensely — but of course they are not allowed to say so openly.

## Before the War

The Byronic postcard scene above is "from the Heart of the Notch, White Mountains", ca. 1910; from the Wilmer Sipple collection. It depicts the Frankenstein trestle or Willey Brook Bridge in Crawford Notch. The Maine Central Railroad's Mountain Division ran from Portland to St. Johnsbury, VT., part of a transcontinental route that linked the port of Ogdensburg, NY with Portland. Mr. Sipple relates that a friend's summer job as a brakeman on the Mountain Division involved covering for a drunk engineer and fireman, who slept while he rang the bell and ran the sanders on the descent into the Connecticut Valley. The student brakeman also put some freight cars on the ground in Gilman, VT, which he was assured was not unprecedented in railroad history.



# ORWELLIAN CONSERVATION

# IP

# LAND

# SALE

*"Politics: The conduct of public affairs for private advantage."*

*Ambrose Bierce, The Devil's Dictionary*

By Jamie Sayen

**I**f all goes according to schedule (an iffy proposition) The Trust for Public Lands will acquire 171,500 acres in northernmost New Hampshire in March, 2002 from International Paper for about \$35 million dollars. When all monitoring, road maintenance, and property tax trusts and TPL's expenses and profits are factored in, the deal will cost about \$40 million. Once TPL owns the land, it will sell 25,000 acres to New Hampshire to be managed as "natural areas," about 100 acres to the State to expand an adjoining state park, and the remaining 146,400 acres to a New Hampshire-based timberland speculator, Lyme Timber.

Lyme Timber, a limited partnership, will pay \$80 an acre. Since IP will receive about \$200 an acre, this means that the public is acquiring a "conservation easement" for about \$120 an acre. The easement will permanently extinguish development rights, ensure public access (with some significant restrictions), and, we are promised, ensure "sustainable forestry" on the lands going to Lyme.

The "Natural Area" is actually three smaller parcels. Commercial timber harvesting will be prohibited. However, the state will manage 40 percent, or 10,000 acres, for wildlife. In practice, this means clearcuts to provide early successional habitat for common game species. Also, existing snowmobile trails that cross the so-called natural areas will remain open.

The NH conservation community, led by the venerable Society for the Protection of NH Forests (SPNHF), and the leading political figures of the state are rejoicing over this "consensus conservation" triumph. They claim the deal "permanently conserves" the land and ensures "sustainable forestry" will be practiced on Lyme's holdings. It all sounds too good to be true, and, sadly, a closer reading of the fine print of the "Draft Easement" released on January 7, 2002, suggests that rhetoric exceeds reality by a goodly distance.

## Easement Language

The "Purposes" of the Easement, we are told, include:

- "Sustain traditional forest uses," (but not restore the traditional forest that was dominated by spruce more than 150 years of age and was home to wild brook trout, wolves, lynx, and even wolverine, caribou, and Atlantic salmon).
- Conserve "the quality of groundwater" and "conserve biological diversity," (while permitting large clearcuts and aerial herbicide spraying).
- Guarantee public access for motorized vehicles, (even on "natural areas," while prohibiting low impact backcountry camping).

- To retain the property "as an economically viable and sustainable tract of land for the production of timber, pulpwood..."

"Retain" implies that something is ongoing. But anyone even vaguely familiar with the condition of these lands realizes there are essentially no quality spruce sawlogs on the land today, and any that do remain are more important as habitat and seed source than as 2 X 4s. The only way to recover the squandered economic viability of these lands is patience for many decades. Clearcuts, herbicides, and other commercial activities in the near term can only exacerbate the current crisis.

## Flawed Justifications

To justify the cost of the Conservation Easement — 60 percent of the price of the Lyme lands — the dealmakers tell us that the public secures three important protections.

Development is permanently foreclosed on the entire tract. This is certainly good. But, how much should we pay to prevent non-existent threats? Ninety percent or more of these lands are not threatened by development. The dealmakers ignored repeated requests for an analysis of the real value of development rights and a cost-benefit analysis of the easement. As the claim that development was the greatest threat to the integrity of the land became increasingly untenable, they shifted attention to the other two protections: public access and sustainable forestry.

Public access is guaranteed on the entire tract for snowmobiles, (but, fortunately, not for ATVs). Access is also guaranteed for four-wheel drive vehicles and pedestrians. But overnight camping is prohibited. The dealmakers also ignored warnings that paying millions of dollars to guarantee public access (to lands that the public already pays for access via lower current use property tax assessments) sets a dangerous, and potentially very expensive precedent. What are other large, corporate landowners going to think when they read that Lyme and IP held up the public for access guarantees? Will Hancock and Mead opt to be public benefactors and refrain from the temptation to close off their lands until they secure their payoffs?

Sustainable Forestry is assured, if one only believes the upbeat promises of the Easement. But, as we read through the sections that spell out how the sustainable forestry will be practiced, we discover that the easement actually ensures that many of the worst excesses of industrial forestry will be perpetuated.

## An Occasional Old Tree

The easement calls for sustaining an economically productive hardwood forest. (Draft Easement, p. 2) It does not acknowledge that this forest naturally grew some rather impressive old growth spruce

stands. The legendary timber baron and river pirate George Van Dyke annually drove 50 million board feet of softwoods (hardwoods don't float) down the Connecticut River for nearly three decades. The Connecticut Lakes property made major contributions to his drives. His nineteenth century woods butchery, followed by more recent paper company liquidation cutting, have transformed a forest with a significant softwood component into a forest that is now 90 percent hardwood. Only time can naturally restore the lost softwood stands. This easement ensures that time will not be tolerated.

The Easement calls for "early successional hardwoods" for moose. (p. 2) There is already abundant early successional hardwood; indeed, one could make a case that that category is the dominant condition after a century of abuse. The Easement does mandate that logging operations leave behind "occasional very large/old trees." (p. 5) Occasional doesn't sound like 27 percent of the forest, the percentage of the pre-European settlement forest that was covered by trees 300 years and older.

The pre settlement forest was composed of a mix of species and age classes, ranging from zero to 300-400 years of age. Natural disturbance events rarely created openings greater than an acre. On those rare occasions, every decade, every century, or longer, the dead and downed trees remained in the forest to assist with the healing process following catastrophic disturbance. There were few large natural even-aged stands. The easement states that "even aged and uneven aged forest management techniques are equally appropriate." In other words, as part of the sustainable forestry strategy, the easement encourages the imposition of rare, catastrophic events on a routine basis. This may be "appropriate" for a timber speculator; it is not responsible, low-impact forestry of the sort that public and private conservation funds should underwrite.

## Sustainable Herbiciding

Permitted forest management activities include: "applying in accordance with applicable statutes and regulations herbicides, pesticides, fungicides, rodenticides, insecticides, and fertilizers..." (p. 4) Of course, it's a relief that the easement requires that such activities abide by existing laws. The paper industry's stringent "Sustainable Forestry Initiative" requires no less! But, where has anyone made the case that spraying herbicides constitutes "sustainable forestry"? Or the case that aerial herbicide spraying (and pesticide spraying for future spruce budworm outbreaks?) contributes to the easement's purpose of protecting the quality of groundwater? Further, the inclusion of "fertilizers" is a sly way of saying that the spreading of toxic sludge (the preferred euphemism is "biosolids") as "fertilizer" is permitted. Score another one for protecting water quality and biological integrity.

Industrial forestry has had a deleterious impact on wild native brook trout. In August 1904 a federal fisheries biologist took a temperature reading of 44 degrees in Perry Stream (when the air temperature was 76 degrees). Last summer, a New Hampshire fisherman recorded readings of 64 and 72 degrees under similar conditions. (Jack Noon, Sutton, NH; Letter to Coos County Democrat, September 5, 2001) Brook trout are cold water fish that fare poorly above 68 degrees. What caused the substantial increase? The sort of

forestry practices that the Draft Easement promotes as "sustainable."

New Hampshire conservation has sunk to Orwellian depths when we assert that herbicide spraying constitutes sustainable, responsible conservation. At a public information meeting on April 2000, when Champion International first expressed a desire to sell an easement on these lands (because its foresters publicly admitted, the company could no longer manage the lands profitably for timber alone), a local news reporter asked Paul Doscher of the Society for the Protection of NH Forests if the easement would permit herbicide spraying. He responded, "of course." For nearly two years, the dealmakers have been warned that herbicide spraying is not responsible. They brushed aside our concerns.

A little history might help explain why. The Trust for Public Lands hired the all-purpose NH forest lobbyist Charles Levesque to manage the politics and process of this deal. Levesque lobbied for Champion's and Mead's herbicide spray programs in the NH Legislature for several years. He even chaperoned a paper company-sponsored tour of sprayed areas for the benefit of diligent legislators. Levesque also is the chief lobbyist for the Sustainable Forestry Initiative—the paper industry's apparently successful gimmick to con the public into believing that current industrial deforestation practices are sustainable because industry and its hired guns say so.

The partner for TPL in the Connecticut Lakes deal is the Society for the Protection of NH Forests. Charles Niebling, its policy director, used to lobby for the paper company spray programs with Levesque. Before that, he, like Levesque, was executive director of the New Hampshire Timberland Owners Association.

Neither the draft easement nor the dealmakers have provided any information on how spraying toxins on natural systems promotes ecosystem integrity and protects water quality. Indeed, the proponents of this deal have been mum on the easement's clause permitting toxic sprays. The executive summary fails to mention herbicides, preferring instead to dwell upon the promise of sustainability and responsibility.

## Gilded Age Rhetoric

The herbicide spray provision exposes the true motives of the Connecticut Lakes land deal. The goal is to prop up a failed status quo and to ensure the continuation of business as usual. The lofty rhetoric about sustainability is a necessary public relations ploy necessary to dress up truth with a veneer of social responsibility. Mark Twain and Charles Dudley Warner understood the process. In their naughty satire of the wheelings and dealings of the Grant Administration, **The Gilded Age**, they introduce us to Senator Dilworthy, a man of his (and our) age. The dutiful public servant explained his motives: "But I have one principle in my public life, which I should like you to keep in mind; it has always been my guide. I never push a private interest if it is not justified and ennobled by some larger public good." Later he advises: "We must create a public opinion." In today's gilded age conservation, we sing sustainability while practicing business as usual, with a trifling assist of \$20 or so millions of scarce public conservation funds.

In fairness to the New Hampshire conservation community, I must report that it is deeply divided by this deal — despite public posturing of unity. One wing views wildness and more large public





The road in the middle distance is the presumed spray boundary of this herbicide job in the 3rd Connecticut Lake area. Photo © Alex MacLean, Landslides.

land holdings with hostility. It views conservation easements combined with trendy green certification as an acceptable and desirable alternative to measures that more reliably preserve ecological integrity.

Another wing is more ambivalent. It supports easements and certification is more ambivalent. It supports easements and certification, but would also like more and larger reserves and public holdings. In the end, it invariably capitulates to the easement hardliners. Groups like Sierra Club and The Wilderness Society were excluded from the strategy sessions of the NH conservation community during most of the IP sale drama. Anyone challenging the basic economic and political assumptions of the easement-certification crowd is blacklisted.

The state is obligated to monitor forestry management to ensure that it meets the exemplary standards outlined in the easement. However, the easement offers a way to reduce the workload on the understaffed state agencies. Should the new landowner secure the coveted green certification from the paper industry's Sustainable Forestry Initiative, then the state could delegate the job of monitoring forestry practices to SFI. The SFI review process claims to be open, but is in reality a secret, private operation. The State has no business abdicating its public trust to monitor performance.

### Problems Unaddressed

Senator Dilworthy would applaud the dealmakers' commitment to helping the local economy. So would I, if this deal helped it. By perpetuating a landownership pattern that has failed—and failed the natural and human communities of northern New Hampshire—the dealmakers have played politics skillfully, but, in the process, contributed to the foreclosure of our poor county's hope of escaping poverty, deforestation, and control of the economy by absentee investors. In perpetuating the status quo of timber ownership and industrial forestry practices, this deal will help perpetuate some other aspects of the status quo (that dealmakers are somewhat more reticent to acknowledge):

- Median per capita income in Pittsburg (the town that contains about 85 percent of the land for sale) is 39 percent of the national average.
- Pulp and paper mills in Berlin and Gorham, NH have closed since July, and hopes are not high that they will reopen. There just aren't many markets for wood except through raw log (and job) exports to Quebec.
- Local loggers know the game is just about up. A friend who operates a feller-buncher on industrial lands up here tells

me that he and his fellow loggers will be out of work in two years because there's nothing but junk wood to cut nowadays. We can thank the State and its leading conservation groups for failure to restrict the most egregious logging practices over the past generation.

- The dealmakers accept the conventional wisdom that logging creates lots of high-paying jobs while wilderness creates unemployment and poverty.

Dr. Thomas Power's recent study of the economic impacts of the proposed Maine Woods National Park puts that myth to rest. National parks have a track record of promoting economic diversity and vitality. Another recent study estimates that one new job is created for every 550 acres of wilderness protected. (Spencer Phillips, "The White Mountain National Forest and the New Hampshire Economy," August 15, 2001, The Wilderness Society, p5) In 1993, when Champion was cutting at about four times the rate of growth, it employed 145 loggers and truckers. That translates to about one job per 2,000 acres, when cutting is radically unsustainable. At sustainable levels, it might be one job per 5,000 to 8,000 acres. If the entire tract were logged sustainably, it would probably only support about 40 (or fewer) logging and trucking jobs. If the entire tract were designated wilderness, it could support upwards of 300 jobs (admittedly this would require a couple of decades, but the potential for job growth is there).

Does wilderness seem like such an economic black hole in this context? Unfortunately, the Connecticut Lakes Task Force, filled with politicians and anti-wilderness types, refused to permit any analysis or discussion along these lines. The Task Force members had already made up their minds: NO WILDERNESS! Indeed, the Speaker of the NH House, Gene Chandler, summoned up the ghost of "Uncle Joe" Cannon, the Speaker of the US House of Representatives in the early years of the twentieth century. Uncle Joe famously stated: "Not one cent for scenery," as he thwarted efforts to establish eastern national forests. Speaker Chandler said last July: not one acre for reserves.

### Natural Area Science is Suspect

The State of New Hampshire will own the other 25,000 acres and manage them as a "natural area." Allegedly this natural area was designated by rigorous science. Let's examine. The Nature Conservancy has in the past couple of years argued that core ecological reserves must be a minimum of 25,000 acres in northern New England to protect against stand destroying natural

## Conserving & Creating Connection to the Land

**The Great Remembering: Further Thoughts on Land, Soul, and Society**, by Peter Forbes, The Trust for Public Land, 2001 (distributed by Chelsea Green Publishing Company, 1-800-639-4099)

Last fall, the Trust for Public Land (TPL) published Peter Forbes's provocative small book *The Great Remembering: Further Thoughts on Land, Soul, and Society*. Forbes, a long-time TPL staffer with the New England office, challenges conservationists to view their work as a call to build relationships between land and people, and not just advocacy that is measured in political victories.

He describes many conservation campaigns he's been involved with, and the local people whose love for a particular place played the decisive role in consummating successful action. He has concluded that conservation can and must create a new kind of people. Conservation work, he argues, must lead in meeting our moral challenge to develop a healthy, respectful land ethic. "To save the land, we must save the people." [I]t is evident how our strengths as a people emerge from the quality of our relationships with the land," he writes. "It is equally clear how many weaknesses as a culture grow from our inability to develop a connection with place." (page 57)

This book offers a very tactful, but firm, challenge to prevailing social, political, and economic assumptions of society, politicians, economists and industry, and mainstream conservation. The line that divides good and bad relationships with the land, Forbes suggests, "is defined by self-interest, or exploitation. One begins a relationship when one begins to think beyond one's own needs and wants." (p. 69)

Forbes concludes his essay with the statement that conservation success will be measured by "how much love and respect for the land we can engender in the greatest number of people." This is a nice re-working of Pinchot's tired utilitarian doctrine.

I heartily recommend this short work. I do, however, have two concerns.

Most of the case studies deal with development pressures in urban and suburban settings. There is very little about appropriate conservation strategies for undeveloped land such as northern New England's paper company lands that have flooded the market in the past fifteen years. I would welcome a more explicit treatment of these land sales. Forbes repeatedly speaks of the importance of preserving wilderness—usually not an option in suburban conservation deals. How should this be accomplished? Easements and certification? Or public land acquisition? It is essential that articulate voices like Forbes clearly distinguish between conservation issues of southern and northern New England. The solutions to these are not identical, and I would welcome his clear thoughts on the differences.

At the very end of the book, he offers a list of ways we can gauge successful conservation deals. Below is a sampling. A successful conservation land deal:

- Brings opposing forces together;
- Expands the public sphere by raising the standard of citizenship;
- Transforms the existing power structure;
- Teaches an alternative story to prevailing mainstream culture by providing the example of forbearance and self-restraint;
- Contributes directly to the health and well-being of the whole land community.

Further, conserved land should provide or protect:

- The community with a viable sense of dependence on all that is local;
- Examples of human relationship to the land that are more than economic;
- Biological diversity, thus strengthening the total diversity and whole community health;
- Provide a space for families to be together without human or technological distraction.

If we measure the Connecticut Lakes deal by these standards, one must wonder if the TPL dealmakers bothered to read Forbes's fine tome. Indeed, the easement, the hostility to wilderness and reserves, and the hostility to public lands displayed by this deal orchestrated by the Trust for Public Land reads almost like an intentional mockery of Forbes's checklist. Which Trust for Public Land are we dealing with? — JS

disturbances. A reserve of this size will protect most small and medium sized vertebrates. Fisher, lynx, and bobcat and other larger predators require substantially more area. And, many large scale disturbances, such as the 1998 ice storm and the 1938 hurricane affect areas much larger than 25,000 acres. So, TNC's 25,000 acre figure protects many elements of ecosystem integrity, but clearly not all. Politics, at least as much as science, drove the selection of that size.

In July 2001, when this figure was cited at a meeting of conservationists and politicians, Speaker Chandler seized on the 25,000 minimum and moaned and groaned. Eventually, the Connecticut Lakes Task Force adopted the 25,000 figure as a maximum. Then it allowed scientists to identify the most biologically significant areas, so long as no more than 25,000 acres were chosen.

In the fall, the dealmakers announced

that they were creating "a natural area" that actually is in three fragments, not one contiguous tract. "Wildlife management" will be practiced on 10,000 acres (40 percent), so effectively we are down to 15,000 acres in three fragments as reserves. But wait. Politics dictates that we retain an existing snowmobile trail that cuts through this "natural area." And, of course, the natural areas will be embedded in a matrix where large clearcuts and herbicide spraying can continue merrily on.

Science based indeed! This pitiful scrap thrown to the conservation community sets a terrible precedent for the design of future ecological reserves. Even though the public and private conservation sources will foot 70 percent of the cost of the deal, we get a mere nine percent as wild lands (with snowmobile access).

*Continued Inside Back Page*



# ATV Use in New Hampshire's Nash Stream Forest: Opponents Call for State to Stand by Its Plan; Supporters Say Give Us a Try

**T**HE FOLLOWING EXCERPTS of public commentary on the Nash Stream forest plan were taken from the New Hampshire Department of Forests and Lands website ([www.nfld.org](http://www.nfld.org)), where the comments may be viewed in their entirety.

*Comments addressed three areas, generally: whether ATV use on the state-owned land should be allowed; whether camp leases should be extended past the present sunset date; and whether the current forest plan should be opened for revision.*

*These commentaries are worthwhile reading, for they help prick this myth that the rural areas of northern New England speak with one monolithic voice. Rather, we discern here many local voices for a conservation ethic, as well as down-country lobbyists for greater machine access.*

*Democratic tolerance is a virtue, but we are also reminded of someone's observing, at a legislative hearing on Vermont's state lands, that "snowmobiles are fun if you are on one" but not so fun otherwise. We have yet to hear from the Governor's Snowshoe Council on this topic, and were surprised to learn that such a body may not even exist: no one knows who is on it. How this could be so, given the existence of an official snowmobiling council, is hard to imagine.*

*What is easy to imagine, with commercial values now virtually synonymous with civic, is that the mushrooming of ATV use, dealerships, and even the size of the machines, has resulted in an osmotic pressure for the expansion of their use across the region. The plethora of down-country ATV enthusiasts and a native political culture ready to accommodate anything to make a cash register ring, is a sure recipe for expanded use. With quiet uses and users making far less of a stink, perhaps it is time they began to make more noise.*

## Yes: With Resignation

**A**LTHOUGH MY INITIAL REACTION was to say "no!" to ATVs, with the increase in popularity of ATVs, the need for further economic growth in the North Country and the support of North Country legislators, I now realize that ATVs will most likely be allowed in the forest whether I like it or not. Therefore, I am changing my opinion to an unenthusiastic "yes," but, as a camp owner, am not in favor of the proposed routes that were displayed at the public hearings.

Further, I am opposed to year round use of the trails for ATV use if the trails for ATVs will be the same as the snowmobile trails. I also am opposed to ATV use during mud season. I support the clubs maintaining their trails as well as self-policing the areas for rule breakers and transgressors. I would also hope the Fish and Game and Trails Bureau of DRED will have enough resources and interest to enforce the rules. If the policy is passed allowing ATVs to use the forest, I would like to see the policy reassessed after so many years, say 3 to 5, to determine the impact on the environment and on other modes or recreation. —

THE BETHLEHEM CONSERVATION COMMISSION (BCC) is concerned about the use of ATVs in the state of NH. The BCC believes there should be a statewide policy rather than a piecemeal plan, which addresses one issue or one state-owned area at a time. BCC urges you to consider potential damage to trails by ATVs during snowmobile season, including beginning and end of season when snow cover is thin and gets soft during the day. there should be regulations/restrictions during a thaw. Allowing ATVs on some sort of constructed road system would do less damage to the land. State should consider environmental impact of ATV trails. During spring many wildlife species are producing young; many birds nest on the ground; what appears to be "mud holes" could well be vernal pools or at least small ponds with amphibian reproduction. The Bureau should also consider the impact of allowing ATVs on trails used by hikers especially with small children and/or dogs, who want an outdoor experience complete with bird watching. The Bureau of Trails should continue to aid ATV clubs with

education courses so they will be aware of environmental impact. BCC believes state-wide policies including location of future trails is crucial - perhaps regulations that restrict use in certain seasons or dividing state into districts such as for hunting only on a climatic basis. State must enforce regulations. This will require more money, resources, and people. Perhaps ATV registration fees should be increased. —

**I**REALIZE THAT POLITICS and political pressure are going to play a big part in your decision. And hopefully the majority of comments you receive are against any use of ATVs in Nash Stream and they will not be allowed. If ATVs are to be allowed I feel they should be contained to hardened trails only as far from water sources as possible to prevent rogue riders from mimicking the "mud run" they have at their rodeos. Use should be monitored, and rules, regulations and laws enforced. If the ATV clubs and law enforcement cannot, [or] do not control rogue rides then whatever trails opened to ATVs should be taken away from them. If ATV use of Nash Stream is allowed it should be the minimal land available with no expectations that more trails may become available in the future. —

ADVERTISERS OF ATVs sensationalize the wild side of speed and "leaping off from cliffs" which gives public the impression all ATVers are like James Bond movies instead of the actual responsible and courteous greater majority. —

FEELS WE HAD problems in 60s and 70s with snowmachines, but we worked through the problems. Feels that ATVs should have a window of time to try out ATV trails in Nash Stream, give them a chance. Feels hikers do as much damage and that club can fix any trail problems. —

RATHER THAN CODIFY the individual uses, I would prefer a special use permitting function be created, once revision was opened up. A special use permit granted to the ATV club, or a special use permit granted to those who wanted to bait bears, would be easier to administer than continually having to revise the NS plan. DRED needs to do some background work on the issue of ATV use. I submit that self-policing is a nice idea, but very difficult to practice. DRED needs to have in hand some measure of compliance now — I regularly see ATV trails on places they are not supposed to be. I also have witnessed ATV damage resulting in increased erosion at Stratford Bog Pond, including joy-riding on the dam. You will need to provide a contrast to the claims of the ATV enthusiasts before giving the decision over to the public for input.

## Yes! With Conviction

**I**AM A FIRM BELIEVER that the sport of trailriding on ATVs is certainly growing in this area — as it is all over the State of NH. To me, this is a natural process based on how the snowmobile industry grew. It is inevitable that we will follow suit with this business. I am one of the people who have fallen in love with four wheeled trail riding due to my age - I am over 50 and look forward to joining a group of riders heading to the top of a mountain to enjoy the scenery ... I cannot walk the mountain trails any more due to health problems - I see this sport becoming more and more desirable to folks of this age group in particular. For you to stop the use of these trails would be a very sad message to the aging population as well as the handicapped folks. I am urging you to please consider us when making these decisions, we need State trails all over the state. I have been on rides to Nash Stream and the folks in the camps asked us to stop and visit - which we did. I feel it is not a correct statement that the camp owners don't want ATVs as many have their own. This business is growing and especially here in the North Country where we are becoming more and more dependent on tourism for a living... If there are rogue riders, they can be dealt with appropri-

ately- the average riders only want their own trails. Please take time to learn what strict rules are in place with the clubs and you will see this sport and the riders have great respect for the environment. There is a place for us, please vote to have the trails open in Nash Stream. —

**S**TATE OF NH has obligation to thousands of registered ATV owners and you must be working towards opening more trails for us. We in Lincoln, Woodstock area have no legal trails to ride on either state or national forest. It creates problems all-around. Many of us truck our ATVs to Groveton and N. Stratford and many of us belong to their club but more trails are needed and where better than Nash Stream? You took our money, told us to form some clubs, get organized and you'd talk to us. Well we have done those things with many many clubs and many are members of the Granite State ATV Assoc. Show us you are willing to work with us on getting some trails opened. So many negatives could become positives if there was ample riding. Our club has close to 100 members, many senior citizens who would not be able to get into the forest without ATVs. —

WE RIDE ATVs throughout the year. We register our ATVs in NH where we own a vacation home in Woodstock. We belong to White Mtn ATV club, the Ammonoosuc Valley ATV club, and the Granite State ATV Assoc. We pay to register our ATVs and spend a great deal of money in NH and we deserve more trails to be open and to enjoy. —

I WOULD LIKE to go on record as favoring ATV use in the NSF. My constituents and I believe in a true multi-use concept of public access. If the state is to be a true steward of the lands, it must be ready to accept new uses in a regulated manner. I would also like to see these changes and other necessary changes as they come up acted on in a timely fashion. —

PUBLIC LAND MEANS multiple use. Snowmachines paved way. ATVs are here. State collects registration money so state should provide place on public land. Much more ATVs being made vs. snowmachines. Commissioner Bald needs to decide now; 3 years is too long. Public obligation to decide this and provide it. [Governor's Council member Raymond]Burton strongly in favor of allowing them. 18,000 reg. ATVs in all, 60,000 reg. snowmachines. —

## No!

**W**E ARE NOT in favor of ATV use in Nash Stream. As horse riders we have ridden in the Nash Stream area for several years and have already seen evidence where ATVs have been coming into the area even though it is posted against their use. The damage they are causing by their tactics of spinning around and tearing up the trails is obvious. If this number of machines will come in when it is posted against their use, we can only wonder the damage that will be inflicted if it were open to their use. —

THERE ARE ALREADY many miles of ATV trails in Coös County. It is well established that ATV use, particularly on small or wet and muddy trails cause extensive erosion and vegetation damage. —

I FEEL QUITE STRONGLY that ATVs do not belong there! They are noisy, pollute, contribute to land erosion and quite often when misused (as they frequently are) contribute to wetland and water source degradation. I do not feel that because someone buys an ATV and registers it that the State has an obligation to provide trails for them. No one puts a gun to their heads and tells them they have to buy these things. —

HAVE SEEN MARKED INCREASE in foot, vehicle and snowmobile use since state purchase; increase in trash, camp breakins and more pressure on game & fish. Adding another group to mix will magnify all these last three problems not to mention damage these vehicles can do certain times of the year when conditions are soft. Damage happens whether they are driving responsi-



bly or not. Who is going to enforce the laws that govern this group? Fish & Game officers are already overloaded. Is the state going to hire extra staff at more cost? to who? If ATV travel is allowed I hope as camp owner that the trails are not set up near camps. I feel the goal of the state to protect the beauty and ecology of the area will not be met if ATV travel is allowed. —

I AM WRITING THIS LETTER to express my non-support of opening the Nash Stream Area to any further use by ATVs. My reasons are as follows: as the "Chief" of Police in town I have found a number of riders on town roads (not locals) miles from the nearest trail (yes they are issued a summons). Erosion caused by the nature of the machines (much like a small skidder), as people do not realize what happens the next time it rains.

Snow machine impact appears to be minimal and unfortunately not so for ATVs. We have not ridden our snowmachines for at least four years because of the reckless manner and high speed that we have encountered on the trails. So in both cases both types of machines have a few riders that spoil it for the rest. My suggestion is to have any summons issued impact the operator's driver license. With out exception every person I have issued a summons to has stated that they are glad it doesn't count on their record. There needs to be something akin to the marine patrol for snowmachines and ATVs. —

IT WOULD BE A GRAVE mistake to allow ATV use. I have seen the damage to trails created in southern NH. There are wonderful gated roads and trails to walk peacefully on in NSF. What a shame it would be to have these quiet trails filled with noisy speeding ATVs. there is no outdoor activity which can cause so much damage by so few people. I think self-policing by the local club will be an impossible task. I realize that ATV use will probably be allowed, if this happens please consider very limited access with 10 mph speed limits —

OUR OPPOSITION IS TWOFOLD, one of concern for the safety of our property when it's unoccupied but more importantly concern for our safety when it is. This past summer was dry. We own [the] second camp from end of road and we are concerned we would have no escape should a forest fire start below us. We know there is overnight camping going on now, opening the area to ATVs will only encourage more and the thought of what a careless campfire will do is chilling. That being said, we understand the probability of some form of ATV use will be allowed. If the state feels it must open NS to ATV use, there must be another place in the whole forest other than on the Nash Stream road itself! Improvements to the main road this past year would be wasted if ATVs are allowed on the main road. Another concern is campbreakins. Make NS main road the ATV trail and you in effect give access to our camps to young unsupervised teenagers. Our last concern is the most frightening. Do you honestly propose to have both on road and off road vehicles on the nash stream road? The section that runs by the camps is narrow. Many of us have to park our cars on the road which makes it even narrower. Please re-consider this trail proposal. —

ATVs INHERENTLY DAMAGING to the soil as opposed to snowmobiles running over frozen ground and snow. ATVers don't stay on the trail as example east side of Androscoggin River called the 'red barn area' along Stearns brook. A huge bridge was built but ATVers don't stay on trail. Fish & Game co Gralenski said he puts up signs and patrols but can't control it he would have to spend half his time on that area to control 4-wheelers. There is no workable method in place to control the existing situation. No additional areas should be opened to ATVers until this problem is addressed & there is a workable method in place to monitor & control ATVs. —

THE ECOLOGICAL VALUES and the wilderness beauty of the forest is greatly diminished when these motorized vehicles are allowed. you only have to look at other areas where ATVs are allowed to see the negative impact on wildlife and damage to the forest. please keep this forest wild and free from noisy ATVs —

AGAINST ATVs, hiker, biker, wants to use Nash Stream in summer When do hikers, bikers get to use trails, will

noise scare wildlife? Worried about policing, stand behind plan. —

I DON'T LIKE sharing the woods with ATVs. For us non-riders, they only detract from our experience. I will avoid going to areas of wilderness where they have access. In a sense, I see giving them access as taking it away from people like me. They track up, if not tear up the trails. They are noisy and generally unpleasant to be in the woods with. We already share the woods with the snow machines all winter. Let's keep the woods quiet in the spring, summer and fall for those of us who don't need a machine to enjoy the environment. —

I'D LIKE TO CHIP IN my opposition to allowing ATV use on Nash Stream. ATVs cause erosion, severely disturb wildlife, pollute the air, conflict with other, more benign uses (like hiking or mountain biking,) are not consistent with the original intent of Nash Stream. I do think a trail system should be established for ATVs in NH, but not on Nash Stream, or any other state holding with such tremendous ecological value. —



*Paper companies took a hard line on ATV use. Will public land managers?*

OUR INITIAL THOUGHTS on ATV trail development are that it is premature to discuss this issue until the legislature's ATV Study Committee has made recommendations and DRED has adopted an overall state policy. We recommend withholding any consideration of revising the NSF plan until this process is completed. DRED has publicly committed to no new trail development on public lands until the ATV Study Committee releases its recommendations.

Even if the ATV Study Committee decides ATVs are an appropriate use on state lands, we will continue to believe the NSF plan should not be revised to allow ATV use. The best guide to informing this issue is the Management Vision that was adopted for NSF (NSF Management Plan, pages 61-64). The following are relevant passages from the Management Vision:

1. "The management of Nash Stream Forest will be a model of environmentally sound public land stewardship."
2. "[W]e will strive to protect the natural qualities and integrity of the land, natural communities, native species and ecological processes."
3. "Manage the land with as little interference as possible with natural ecological functions."
4. "Continue to offer public access for traditional, low impact, dispersed recreation."
5. "Recreation management will feature the natural beauty of Nash Stream Forest and fit naturally, with minimal development, on the landscape."
6. "Water quality protection will be of the highest priority throughout."

7. "[Recreation] management decisions will be consistent with the guiding philosophy of protecting the environmental integrity of the land."

8. "Protection of the natural resources and environmental quality will be of primary concern in recreation management."

In furtherance of this vision, non-winter public motorized use of the property was limited to two roads (Main Road and Fourteen and a Half Road), and no new permanent roads were planned. The purpose of this policy was so that "motor vehicle traffic disturbances to wildlife and wildlife habitat will be minimized, low impact and remote recreational activities will be available, and road maintenance costs will be reduced."

The AMC does not believe that allowing the use of ATVs on Nash Stream Forest is consistent with this vision. In order to adequately protect soil and water resources from degradation, an ATV trail system would have to be constructed to the high level appropriate for permanent roads (hardened surfaces, bridges, culverts, etc.). Even given this level of construction, ATVs propose a greater risk to both natural resources and existing recreational experiences than other currently allowed recreational uses. The construction of such trails and their use for motorized recreation outside of snow-covered periods is in direct conflict with the management vision outlined in the above statements.

To allow this use on NSF the overall Management Vision would have to be significantly revised. The creation of the Vision involved the work of many individuals and organizations over a period of several years, and it has been in effect for only six years. We believe it is inappropriate to open the Vision to revision after such a short time.

Although AMC does not support ATV trails in NSF at this time and feels that considering it contradicts the Management Vision for the property, we recognize that DRED may decide to move forward with consideration of this issue during plan revision. In light of that, we offer the following procedural recommendations for addressing the issue of new ATV trails in NSF:

1. As it is yet unclear what direction the USDA Forest Service will take in respect to the use of ATVs on lands purchased through the Forest Legacy Program, it is first necessary to determine whether or not ATV use is legal under the terms of the easement.
2. If the ATV study Committee determines it is comfortable endorsing all-terrain vehicle use on state lands, an open public process should be used for determining if NSF should host a trail system for these vehicles. The public process should follow recommendations by the Committee.
3. Before the NSF management plan is reopened for amendment, the Nash Stream Advisory Committee should vote on whether or not they support amending the six-year-old plan, and what issues should be considered for revision. —

I WOULD LIKE TO TAKE this opportunity to write that I am opposed to ATV use in the Nash Stream Forest. The existing roads in the NSF are not sufficient for ATV traffic to take place in a safe and environmentally sound manner during the warmer months. As for winter use in conjunction with snowmobiles, the treads of ATVs would wreak havoc with the tread left by snowmobiles. To simply construct a new trail system would not be minimizing impact on this beautiful region, but increasing it! If the use of ATVs is definitely on the rise, serious consideration must be given to create safe, stable lands for them... However, Nash Stream Forest must not be considered an option. —

BECAUSE OF THE UNIQUE way in which Nash Stream was protected and is managed, ATVs are not a compatible form of recreation for this site. We do not believe that Nash Stream Forest is suitable for the potential development of an ATV trail system for the following reasons:

1. It is unclear whether ATVs are even an allowable use under the provisions of a Conservation Easement held

*Continued Next Page*



# ATV Use in New Hampshire's Nash Stream Forest: Opponents Call for State to Stand by Its Plan

on the Nash Stream Forest by the United States of America.

2. The management plan states that "Management will strive for levels of recreation use that upholds the vision and that are sensitive to and respectful of the natural values of Nash Stream Forest". Allowing ATV use on Nash Stream Forest will impact these natural values, processes and functions.

3. Public access for Nash Stream is to be provided for "traditional, low impact, dispersed recreation" as specified by the management plan. We believe that ATVs and their necessary trail development are not traditional, low impact, or dispersed. There has never been a "tradition" of legal ATV use on Nash Stream, and it was prohibited by the previous owner. ATV use, even under the best circumstances, is a high impact recreation use, which tends to be concentrated.

4. We believe that because of safety and compatibility concerns, the existing road system is insufficient and incompatible to handle ATVs. This would necessitate the construction of a new trail system. The management plan states that "Management area planning will minimize fragmentation of the forest by management activities including for example, roads, and developed recreation..." The plan further states the "Recreation

by ATVs. We are also concerned about the State's commitment and ability to effectively monitor, enforce, and adaptively manage ATV use on Nash Stream.

6. We believe there are serious problems of education, enforcement, and trail standards on both public and private land. These issues must be addressed in order to assure that ATV use on public or private land is conducted in legal, responsible and safe manner that is respectful of property rights, other recreation users and our natural resources. The Nature Conservancy supports the development of a comprehensive state policy that examines the ATV trail needs based on current and predicted use levels, and evaluates which state lands may be suitable for the potential development of an ATV trail system. We do not, however, believe that Nash Stream is one of the state lands suitable for this use.

7. We believe that there is sufficient motorized recreational access into Nash Stream through the allowance of snowmobiles and limited vehicular traffic. There should be a period of time when the non-motorized public such as hikers and walkers can enjoy this public treasure as it stands today - a true multiple use forest for compatible, appropriate recreation as a natural resource. —

Percy Peaks on a beautiful summer day, seeing and hearing 100s of birds along the way. When I got to the top I picked enough wild blueberries to fill my water bottle and make a pie that night.

With the handful of other people who had made the climb to the top, and with only the noise of the wind in my ears, I sat on the top of that mountain and took in the stunning view that spreads out in all directions from Percy Peaks.

When fall rolled around, on one of those picture perfect days, I thought, "this would be a great day to go bike riding in Nash Stream". But that day I learned another lesson. You don't go to Nash Stream in the fall unless you have a gun. But again, I thought to myself, "Dana, it's a State property, you have to share. The people on the machines get it in the winter, the people with guns get it in the fall, and you get it in the summer".

So the question becomes, if you open Nash Stream to ATV use, when do I and people like me, people who don't care to navigate Nash Stream on the back of a machine, when do we get OUR turn to use the property?

Will there be a time of year that I can walk a trail or ride a road at Nash Stream that I won't have to worry about a machine that might come around a corner too quickly and run me

down? That's why I don't go there now in winter.

Will I be able to observe and listen to the birds? Will the birds continue to return to Nash Stream Forest with all the noise and commotion that is ATVs? Will I be able to sit at the top of Percy Peaks and hear nothing but the wind, or will the whine of ATVs come floating up from below?

And that first sign of spring that I hold so dear, the tiny, delicate Trout Lily. Will it be there, or will it have been smashed under 100s of ATV tires? —

The current Nash Stream Management Plan provides for machines in Nash Stream. Those machines are snowmachines, and they're allowed in the winter when both the damage they can do to the physical environment and the effect they have on wildlife is minimized. While I admire the local ATV club for believing they can police themselves, I think they're being a bit unrealistic. This is a 39,000 acre piece of property. We all know it doesn't take dozens of people on dozens of machines acting irresponsibly to do a lot of damage. It only takes one person on one machine acting irresponsibly to do a tremendous amount of damage in a very short amount of time. Sometimes, that damage is irreversible. It's time for the State to stand behind the plan that was 7 years in the making. It's time to say NO. Nash Stream is not an appropriate

place for ATV use. —

I STRONGLY OPPOSE the use of ATVs on the Nash Stream State Forest. The fact that more of these eroding machines have been sold in recent years is irrelevant. Buying a machine does not entail buying a place to operate the machine on public land. The State of New Hampshire should not be encouraging in any way the use of these machines. DRED has a sorry record in the control of machines on public land. Its bias in favor of machines is obvious and without merit. You want to increase State income, without doing any comparative economic studies with non-machine (pedestrian) economic uses. I learned of the opportunity to comment on Nash Stream only through a conversation with a friend. — I AM SURE that there are many responsible users of ATVs. However, there are others who are not responsible and those people who go off trail cause damage to the environment that cannot be repaired. Many places out West are now trying to limit the use of ATVs that have destroyed miles of desert land. Why add something to this area that is already prohibited.

Let the ATVs users use private property for their riding. The vehicles are noisy and disturbing to the wildlife that inhabit the forests and to people who enjoy hiking, camping etc for the peaceful quality of the mountain wilderness. They are also dangerous to wildlife that cross trails. They pollute. Please do not change the management plan of this area to include ATV use. Hunters will be riding their ATVs to hunt instead of walking and animals will be run down in ways that are not humane. —

ATV USE MAY REQUIRE revision [to the Nash Stream forest management plan], but I would offer a different process to determine if revision is needed. Prior to opening up the revision process, I would ask the ATV enthusiasts (most likely the North Stratford ATV club) to prepare a prospectus on how they intend to perform their policing and stewardship functions should their request for use be granted. Provide that prospectus to the public and weigh public feedback before deciding to open up the revision process. The public needs to see much more detail from the ATV club on how they intend to perform before I would recommend that dred resort to the expensive and time-consuming task of revising the plan. Rather than codify the individual uses, I would prefer a special use permitting function be created, once revision was opened up. A special use permit granted to the ATV club, or a special use permit granted to those who wanted to bait bears, would be easier to administer than continually having to revise the NS plan. —

[Exit hurriedly pursued by] BEAR BAITING: Open NS to bear baiting to help control the over population in the stark/groveton area.



management will feature the natural beauty of Nash Stream Forest and fit naturally, with minimal development on the landscape." Construction of an ATV trail system would constitute a significant development and new fragmenting feature in Nash Stream.

5. Issues of compliance and enforcement are a major concern. As abutting landowners of the 18,680 acre Bunnell Tract, where ATVs are not an allowed use, we are concerned that we will see an increase in trespass and resource damage

I LIKE TO HIKE, take walks, ride my bike and cross country ski. I moved to Lancaster in late 1995. When the first winter rolled around I thought, "I think I'll go see what Nash Stream is all about and do a little cross country skiing". It wasn't long, minutes really, before I realized that you don't go to Nash Stream in the winter unless you're on a snow machine.

But I thought to myself, "Dana, it's a State property, you have to share. You can come back next summer".

And so I did. I climbed to the top of



## Dueling Aquaculture Industry Reform Bills Before Maine Legislature

*Industry-backed aquaculture legislation would reduce local control, decriminalize fishpen felonies while citizen-backed bill would increase public participation and fishpen environmental standards*

By Ron Huber

AUGUSTA. While conservationists and coastal communities promote a small but significant change to state aquaculture public hearing and ecology review requirements, representatives of the multinational salmon farming industry are busy urging Maine legislators to pass a controversial and very complicated package of legislation brought forward by the Maine Department of Marine Resources, that:

- (1) Makes state law supercede all local municipal law or ordinance controlling the siting of aquaculture pens and rafts,
- (2) Decriminalizes all violations of aquaculture laws and regulations, (violators would no longer prosecuted for most felony or misdemeanor violations, and would be merely assessed civil penalties for violations of laws governing the international movement of commercial salmon or eggs or milt)
- (3) Ends the requirement that aquaculture leases be registered in the local courthouse or Registry of Deeds,
- (4) Lets the Commissioner of Marine Resources delegate the signing of fishpen lease agreements to any DMR staff member he or she chooses,
- (5) Broadens a state dedicated fund for aquaculture ;
- (6) Proposes setting up an Aquaculture Advisory Council drawn solely from the state government and the aquacul-

ture industry.

READ THIS STORY ONLINE at <http://www.pen-bay.org/aqbills.html>

The Maine Department of Marine Resources has hired an Aquaculture Coordinator to try to shepherd the bill through the legislature. Interestingly the new Aquaculture Coordinator Andrew Fisk has a degree in forestry, and no background at all in aquaculture or marine biology.

Fisk is, however, a recent graduate of a Leadership Maine school set up in 1993 by the Maine Development Foundation "to build a broader pool of talented leaders in Maine with a statewide perspective of the economy". Graduates of Maine's new "leadership school" are well steeped in group process, and fluent in bland resource agency management-speak applicable to any sort of government agency process.

"Its troubling", said Ron Huber of Penobscot Bay Watch, "that the state doesn't require its aquaculture coordinator to have any technical background at all in aquaculture or marine biology training." Huber noted that under the legislation Fisk is promoting, Fisk would be given the power to decide on aquaculture leases instead of the commissioner of Marine Resources.

"Do we really want people with no experience of training in marine resource issues to make those decisions?" Huber said. "I don't think so. The DMR should explain to the legislators why they've given someone with no background at all in Maine fisheries or aquaculture such a position of responsibility over Maine's coastal waters" he said.

Concerned about the growing encroachment of absentee industrial aquaculture into local coves and fishing grounds, members of coastal communities across the state are alarmed at DMR's corporate aquaculture agenda as promoted by Coordinator Fisk, and are working to assure the legislators that the department's bill (which as yet has no LD #) bill should be rejected, if not in its entirety, then certainly with major excisions made in its

body. These changes to the DMR bill include

Discarding all the 'supercede' language in the bill, removing the wording that 'decriminalizes' violation of aquaculture law, raising the penalty cap, which in the DMR bill is "no more than \$1000", to "no less than \$1000".

Increasing public participation in the aquaculture licensing process by adding "any other persons requesting notification" to the list of those mailed notices by the DMR of aquaculture applications (currently only riparian owners within 1,000 feet and local town governments are notified directly by the state).

Modifying the make up and purpose of the Aquaculture Advisory Council. Rather than having it limited to aquaculture industry representatives, citizens recommend changing the makeup to reflect the impacted communities as well as the aquaculture industry.

Under the proposed changes, the Advisory Council would include one member of the finfish aquaculture industry, one from the shellfish aquaculture industry, one commercial fishery representative one from the commercial shellfishing industry, one from the lobster industry and one member from a conservation or environmental organization. There would also be one non-voting representative of the state government and of the federal government. They also support increasing the Aquaculture Advisory council's "purpose" section to include the review of proposed aquaculture rules and regulations".

The legislative process is moving along merrily on a separate simpler track as well. As noted above, the Maine Legislature's Marine Resources committee already has before it a much simpler bill introduced in the last session and held over.

That bill LD 1428 "An Act to Amend the Aquaculture Leasing Law" if passed would

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"Maine Coast News"*

## Gains for Marine public lands protection under Bush Administration

By Ron Huber

Since President George Bush relieved Ocean wilderness advocates last year by re-authorizing and funding President Bill Clinton's Executive Order on Marine Protected Areas, the notion of establishing natural areas in the vast and rugged public lands expanses lying just off our shorelines has gathered a tremendous head of steam. The Executive Order creates a funded mandate for America's federal agencies to team together at the request of public and commercial stakeholders to assist in the creation of new or improved Marine Protected areas in waters under US jurisdiction

First out of Bush's MPA starting gate have come intertidal MPAs protecting rockweed stands bordering three National Wildlife Refuges along the Maine coast from commercial harvest.

The US Fish and Wildlife Service sensibly determined that removal of this important live habitat by practitioners of the increasingly corporatized high volume seaweed forest cutting industry in the Gulf of Maine would harm the lobsters, fishes, ducks and other wildlife that use these extraordinary intertidal forests, which lay flattened on the beach at low tide sheltering invertebrates, and then rise during high tide into tall stands of seaweed forests inhabited by in-migrating fishes and seabirds.

All National Wildlife refuges routinely protect their living vegetation from commercial removals. With property rights in Maine extending generally to the low tide line, and with continued vacillation on the part of state seaweed managing

agencies on controlling the seaweed cutting industry, the managers of three coastal refuges- Rachel Carson NWR in southern Maine, Petit Manan NWR along mid-coast and downeast Maine, and Moosehorn NWR around

Cobscook Bay, Maine determined that the rockweed filling their intertidal areas was also ecologically critical vegetation barred from commercial harvest.

NARP's Coastal Waters Project has begun a joint program of conservation overflights hosted by Northern Wings of the offshore islands of the Petit Manan Wildlife Refuge, to discourage unauthorized seaweed removals. The Project hopes to increase its work helping cutters recognize the importance of protecting refuge seaweed resources.

Another inshore MPA in proposal stage will protect a thriving inshore lobsterfishery surrounding a federally owned granite breakwater extending nearly a mile into Penobscot Bay, Maine, from commercial marina sprawl. The Rockland Breakwater Lobstering Reserve — a municipal designation — will bar expansion of mooring fields or construction of marina facilities into these rich fishing grounds, where lobstermen capture roughly two million dollars worth of lobsters per year on the breakwater's submerged rocky shoulders and surrounding boulder fields. Backers of this lobstering reserve presented their concept to the executive director of the Maine Lobstermen's Association and urged that the Association consider helping lobstermen elsewhere along the fast-developing Maine coast protect their prime inshore fishing grounds from marina sprawl and mooring field encroachment.

Looming on the MPA horizon for the feds are the re-emergence of the ambitious bi-national proposal to 'naturalize' the waters and submerged lands in a ten mile wide biosecurity zone straddling the US-Canada border across the Gulf of Maine; another that would honor the US President who first extended American conservation stewardship to Georges Bank, by renaming a distinctive feature on this submerged plateau for him and designate it as a protected Research Natural Area. Another very ambitious effort will designate an offshore "Georges Canyonlands Wilderness Study Area" to consider protection locations in the hundreds of square miles of rugged canyons that cut the eastern flanks of that vast barely submerged Georges Bank plateau.

While they have been noncommittal in public, rumor is rife that the Ocean Conservancy, which in its previous incarnation as the Center for Marine Conservation played a key role in the designation of Stellwagen Bank National Marine Sanctuary north of Cape Cod, is interested in turning part of that sanctuary into a fully-protected no take area.

### *Anti Marine Protected Area Intrigues*

Oil and gas companies and the aquaculture industry are trying to outrace or even derail the ocean wilderness train while they attempt to carry out an audacious lease takeover of the inshore and offshore public marine lands of the Gulf of Maine. Natural ocean supporters won a critical victory when they overturned a bid by big oil and corporate fishstickers to insert a rider into the Department of Commerce's budget forbidding the nation's marine agency from spending any money on considering new candidate Marine Protected

Areas anywhere within America's thousands of square miles of marine public lands. Maryland eastern shore Republican Congressman Wayne Gilchrest — one of Congress' strongest proponent of healthy commercial wild fisheries — fended off Alaskan Don Young's rider at the House/Senate conference committee pass.

As we go to press an effort is underway by the New England Fishery Management Council and the aquaculture industry to strip the "L" word ("lasting") from the official federal executive order's definition of "Marine Protected Area":

"Marine protected area" means any area of the marine environment that has been reserved by Federal, State, territorial, tribal, or local laws or regulations to provide lasting protection for part or all of the natural and cultural resources therein.

The National Ocean Service is set to post a federal register notice requesting proposals for changes to the definitions that are used by the federal Executive order on Marine Protected Areas. Industry would like to do away with the word 'lasting' from the definition, as it can then argue that the temporary overfishing closures that are enacted throughout much of the Gulf of Maine as the situation warrants, are themselves sufficient "marine protected areas" to obviate the need for any future protected places.

To keep up on this most important conservation issue of our times — the protection of America's vast undersea public lands: contact Task Force Atlantis, 418 Main Street, Rockland ME 04841 website: [www.atlantisforce.org](http://www.atlantisforce.org) Email: [pen-bay2@justice.com](mailto:pen-bay2@justice.com)



## Maine Coast News...

(1) increase public comment period to ten days following the end of any aquaculture hearing. a (The present comment period is ZERO days);

(2) require a much more detailed "assessment of the proposed site and surrounding area to determine the possible effects of the lease on commercially and ecologically significant flora and fauna and conflicts with traditional fisheries."

(3) require the state to issue the results of the assessment to the public and to legal intervenors in fishpen leases at least 30 days before any aquaculture hearing.

Read LD 1428 at

<http://janus.state.me.us/legis/bills/billtexts/LD142801-1.asp>

Which bill shall prevail before the legislature remains to be seen. Supporters of LD 1428 say the ten day comment period is vital to participative democracy in decisions affecting our inshore marine public lands, wildlife and wildfisheries. They also say that the diminishment of public and civic involvement in aquaculture decisions as proposed by the Department of marine resources goes in the opposite direction.

Citizens also worry about the DMR bill's lessening of accountability through increasing the number of state employees who can make make final decisions on aquaculture licenses, and by decriminalizing aquaculture industry violations of law. For more information contact Penobscot Bay Watch, 418 Main Street Rockland ME 0-4841 email [penbay@justice.com](mailto:penbay@justice.com) 207 594-5717 or visit the Penobscot Bay watch website at [www.penbay.org](http://www.penbay.org)

### *Controversy over aquaculture industry influence on Maine state government deepens*

While citizens and industry lobbyists spar over dueling aquaculture reform bills, a recent federal action to subsidize that industry with a disaster bailout and with ongoing crop disaster insurance coverage, is undergoing close scrutiny. The decision to subsidize absentee corporate fishpen operations in state waters is going to make American coastal waters from Maine to Oregon to Washington to Alaska very attractive to very big absentee salmon farming investors. The investors are eager to carry off a submerged public lands grab rivaling the takeover of the public lands of the wild west a century ago.

But at least one of the companies' own greed and operational slovenliness may get it booted from the public trough. While details are still sketchy, the very same day the federal government upped the bailout by awarding three foreign fishpen companies an additional eight million dollars, over the 12 million they'd already given them in early January, the state of Maine issued a warrant charging one of the companies with its hand out, Canadian aquaculture giant Heritage Salmon, with ten counts of willfully violating the Infectious Salmon anemia virus laws and agreements that Heritage Salmon had just signed committing it to immediately reporting disease outbreaks.

The company is charged with concealing dangerous disease outbreaks in its fishpens.

Senator Olympia Snowe and Senator Susan Collins - who championed the deal awarding the owners of Heritage and of Norwegian firms Fjord Seafood and Stolt Seafarms tens of millions in American taxpayer monies - are said to be shocked by the announcement. But conservationists and fishermen from Maine to the Pacific coast are demanding a deeper inquiry into whether the USDA already knew that Heritage was under investigation when it decided to award the company the subsidy. Such an award would violate federal law, and could require a return of the bailout money.

Beware! The global aquaculture industry's lobbyists are working the statehouses and US capitol, in an effort to elbow their way into more and more and more state waters, with less and less control by local communities and wild fishing industries. At the same time, conservationists and fishermen are hoping to force the federal government to prepare an environmental impact study of the effect on the natural fish and fisheries of subsidizing big aquaculture operators. Stay tuned.

## A READER'S GUIDE: RECENT BOOKS ON THE NORTHERN FOREST

*An abundance of written materials about the Northern Forest region has been published in the past few years. Here is a sampling, heavy toward my home state of Maine. Excluded are lots of interesting articles and bureaucratic reports. With a few exceptions, listings of travel books, tourist literature, field guides, and maps also are not included. For an extensive bibliography of that sort of info for the Maine Woods, contact me at 9 Union Street, Hallowell, ME 04347, [jym@restore.org](mailto:jym@restore.org). Prices are typically for a softcover edition, unless there is none.*

*If I had to single out three important books in this list, I would urge you to read Klyza and McGrory's **Wilderness Comes Home**, Rolde's **The Interrupted Forest**, and Bennett's **The Wilderness from Chamberlain Farm**. Though they each have their limitations, this trio more than justified transforming some perfectly good trees into the printed word.*

*Jym St. Pierre, Hallowell, Maine, January 2002*

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Albers, Jan. **Hands on the Land: A History of the Vermont Landscape**. 2000. The MIT Press. \$40. Using Vermont as a study, she explains how the landscapes of today are the result of decisions of yesterday.

Arlen, Alice. **She Took to the Woods: A Biography and Selected Writings of Louise Dickinson Rich**. 2000. Down East Books. \$16.95. An admiring peek behind the curtain Rich fashioned of her experiences living the so-called simple life in the woods of western Maine.

Arlen, Alice. **In the Maine Woods, Insiders' Guide to Traditional Maine Sporting Camps**. 1998 (2d edition). The Countryman Press. \$17. A snapshot of a century-old backwoods institution as well as a recipe book.

Askins, Robert A. **Restoring North America's Birds: Lessons from Landscape Ecology**. 2000. Yale University Press. \$35. A plea for landscape-scale conservation in the Northern Forest and beyond.

Belanger, Pamela J. **Maine in America: American Art at The Farnsworth Art Museum**. 2000. The Farnsworth Art Museum. \$55. Includes only a few inland paintings, but don't miss the atmospheric 1871 landscape of "Mount Kineo" by John J. Enneking on page 67.

Bennett, Dean B. **The Wilderness from Chamberlain Farm: A Story of Hope for the American Wild**. 2001. Island Press. \$30. Both a detailed history of the struggle to endlessly save the Allagash and a hopeful apologia for wilderness further afield.

Bernier, R.G. **On the Track**. 2001. Big Whitetail Consultants. \$19.95. An effort to tease profound wisdom out of prosaic deer stalking. **The Deer Trackers**. 2000. Big Whitetail Consultants. \$19.95. More of the same.

Birkett, Terri. **Truax**. 1995. Hardwood Forest Foundation. \$9.99. With funding from forest industry trade associations, hundreds of thousands of copies of this cleverly inverted version of Dr. Seuss's **Lorax** have been donated to elementary schools nationwide.

Botkin, Daniel B. **No Man's Garden: Thoreau and a New Vision for Civilization and Nature**. 2001. Island Press. \$24.95. Does not live up to the subtitle and contains some serious mischaracterizations of my work, but offers some tasty nuggets if taken with enough grains of salt.

Bourque, Bruce J. **Twelve Thousand Years: American Indians in Maine**. 2001. University of Nebraska Press. \$39.95. The story of Native peoples who for a dozen millennia have called this region home.

Conforti, Joseph A. **Imagining New England: Explorations of Regional Identity from the Pilgrims to the**

**Mid-Twentieth Century**. 2001. \$19.95. University of North Carolina Press.

Connors-carlson, Shirlee. **Landings, Logging and Lumbermen: Memories of St. John, Maine, 1901-2001**. 2001. Self-published. \$25. A rough collection of writings, sketches and old-time photos from northernmost Maine.

Conover, Garrett and Alexandra Conover. **The Winter Wilderness Companion: Traditional and Native American Skills for the Undiscovered Season**. 2000. Ragged Mountain Press. \$19.95. A couple of woods-wise Maine guides tell how to enjoy the cold season the old way.

Cook, David S. **Above the Gravel Bar: The Indian Canoe Routes of Maine**. 2000. Douglas Charles Ltd. A reprint, with a prettier cover, of his 1985 paperback. Even with the many new texts on Native Americans, this remains an important sourcebook.

Dietz, Lew. **The Allagash**. 2000. Down East Books. \$15.95. Thirty-five years after it was "saved" the Allagash is more at risk than ever. First published in 1968, this book reminds us of the natural and human history the Allagash Wilderness Waterway was created to honor.

Dow, Grace Butterfield. **A Week at the Lake**. 2001. Down East Books. \$15.95. A small treasure about a Depression-era adventure at Wytopitlock Lake in the wilds of Maine. Charming woodcuts by Siri Beckman.

Dunn, John W.G. **Diary**. 2001. Maine Historical Society. A wonderful first person account of sporting adventures at Moosehead in the late nineteenth century along with a fantastic collection of photos. On the Web at [www.mainehistory.org](http://www.mainehistory.org).

Elder, John (ed). **The Return of the Wolf: Reflections on the Future of Wolves in the Northeast**. 2000. Middlebury College Press. \$24.95. Four thought-provoking essays about wolf recovery, but really about whether our species has grown up yet.

Forbes, Peter. **The Great Remembering: Further Thoughts on Land, Soul, and Society**. 2001. Chelsea Green. \$14.95. Wisdom from the former head of the New England branch of the Trust for Public Land. Easier read than followed, but well worth being reminded.

Foster, David R. **Thoreau's Country: Journey Through a Transformed Landscape**. 1999. Harvard University Press. \$27.95. Lessons for conservation in our time teased out of Thoreau's observations on ecological succession a century and a half ago. A more thoughtful meditation than Botkin's.

Foster, David R. and John F. O'Keefe. **New England Forests through Time**. 2000. Harvard University Press. Photos and insights from the extraordinary dioramas at



the Harvard Forest of succession in the woodlands of southern New England.

Gorman, Stephen. "Paddling through Time, Allagash River Headwaters, Maine," in **The American Wilderness: Journeys into Distant and Historic Landscapes**. 1999. Universe Publishing. \$45. A coffee table tome for arm chair dreaming.

Gove, Bill. **Railroads of the Saco River Valley**. 2001. Bond Cliff Books. \$24.95. A winter's worth of stories and pictures about how the iron horse opened up the virgin forests of northern New Hampshire for logging. **J.E. Henry's Logging Railroads**. 1998. Bond Cliff Books. \$25.95. A history of the biggest logging operator in the White Mountains back when men were men and forests were merely trees going to waste.

Grant, Richard. **Tex and Molly in the Afterlife**. 1996. Avon. \$24. This novel about tree-huggers, wolves, and forestry companies—some dead, some alive—is such a hoot I keep giving copies to friends. I think I know the real people who inspired most of the characters.

Hafford, Faye O'Leary. **The Fall of the Forest**. 2001. Self-published. \$10. Paeon to the woodworkers of Maine's North Woods. **Only God Has the Right to Make Heroes**. 1999. Self-published. \$10. How the Moosetowners fought for survival during a flood in 1991 that nearly wiped Allagash village off the map.

Hardy, Fannie Pearson. **Tales of the Maine Woods: Two Forest and Stream Essays (1891)**. 1999. Maine Folklife Center. \$15. Collected articles by historian Fannie Hardy Eckstorm. One is a series about camping in eastern Maine, the other is a polemic against early hunting laws promoted by outta staters to curb the wasteful ways of locals.

Hennessey, Tom. **Handy to Home: A Lifetime in the Maine Outdoors**. 2000. Silver Quill. \$24.95. Tom draws better pictures than conclusions, but there is no denying his devotion to Maine's outdoors.

Hilyard, Gordon R. and Leslie K. Hilyard. **Carrie G. Stevens: Maker of Rangeley Favorite Trout and Salmon Flies**. 2000. Stackpole Books. \$39.95. The story of one of Maine's legendary fly-tiers.

Hubbell, William. **Seasons of Maine**. 2001. Down East Books. \$24.95. A photodocumentary of the state including a few inland images. My favorite is of Native American elder Arnie Neptune watching dawn break over the Penobscot River.

Huber, J. Parker (ed). **Elevating Ourselves: Thoreau on Mountains**. 1999. Houghton Mifflin. \$6.95. I love the double entendre in the subtitle of this little paperback.

Huey [Coleman, James]. **Wilderness and Spirit: A Mountain Called Katahdin**. 2002 [in prep]. Films by Huey. This feature length movie will be a portrait of the natural and human history of Maine's "Greatest Mountain."

Hunter, Julia A. and Earle G. Shettlesworth, Jr. **Fly Rod Crosby: The Woman Who Marketed Maine**. 2000. Tilbury House. \$25. Two books in one: a short bio of Maine's most famous outdoorswoman plus a terrific portfolio of early Maine Woods photos by Edwin Starbird.

Hunter Jr., Malcolm, A. Calhoun and M. McCollough (eds). **Maine Amphibians and Reptiles**. 1999. University of Maine Press. \$19.95. Everything from eye of newt to scale of snake as well as a CD of frog and toad choruses.



Irland, Lloyd. "Maine Forests: A Century of Change, 1900-2000...and elements of policy change for a new century," **Maine Policy Review**. Winter 2000. Useful backward look though I fear that the "pragmatic vision" offered (e.g., "find better ways to sustain wildness") is not an adequate recipe to end the continued fumbling on forest policy. **The Northeast's Changing Forest**. 1999. Harvest University Forest. \$50. A comprehensive update of his 1982 book, **Wildlands and Woodlots**, overstocked with pithy data.

Irvine, Amy. **Making a Difference**. 2001. Falcon. \$12.95. A dozen tales about grassroots groups that are leading the charge for protection of spectacular wildlands and important recreation areas around the country. My favorite, of course, is the chapter on RESTORE: The North Woods.

Jacoby, Karl. **Crimes against Nature: Squatters, Poachers, Thieves, and the Hidden History of American Conservation**. University of California Press. 2001. \$39.95. Analyzes the criminalization of early hunting, foraging, and logging in the Adirondacks as well as in Yellowstone and the Grand Canyon.

Jay-Livermore Falls Working Class History Project. **Pain on their Faces: Testimonies on the Paper Mill Strike, Jay, Maine, 1987-88**. 1998. Apex Press. \$13.95. I lived in Jay during this strike and watched it tear families apart. Read this and weep. Sponsored by the Jay Foundation.

Judd, Richard W. **Common Lands, Common People: The Origins of Conservation in Northern New England**. 2000. Harvard University Press. \$19.95. Argues that the larger conservation movement sprang as much from the homegrown motivations of grassroots backwoods folks as from intellectuals seeking efficient resource use.

**The Kennebec River: A Guide for Paddlers & Friends**. 2001. Kennebec Valley Trails. \$14.95. A spiral-bound user's

1998. Self-published, printed by The Foot-Print, 20523 South Samiami Trail, Estero, FL 33938. \$12.95. A murder whodunit set in the Maine Woods.

Lansky, Mitch. **Low-Impact Forestry: Forest as if the Future Mattered**. 2001. Self-published. Mitch Lansky, HC 60, Box 86, Wytotitlock, ME 04497. \$15. We need many more forest preserves and much better stewardship on the surrounding harvested forestlands. This is an excellent introduction to the latter.

Lester, Terrell S. **Maine: The Seasons**. 2001. Alfred A. Knopf. \$35. A book of romantic fine art photography landscapes, mostly coastal, but includes some heroic images of the Katahdin region.

Livingston, Valerie. **Beyond Description: Abstraction in the Oil Paintings of James Fitzgerald**. 2001. Monhegan Museum. Fitzgerald was one of the top painters of Katahdin. His watercolors of the massif are splendid, but this exhibit catalog includes a pair of powerful oils.

McGrath, Robert L. **Gods in Granite: The Art of the White Mountains of New Hampshire**. 2001. Syracuse University Press. \$49.95. A survey of three centuries of literal and metaphorical landscapes.

Macdougall, Walter M. **The Old Somerset Railroad: A Lifeline for Northern Maine**. 2000. Down East Books. \$19.95. Stories from the era (1860s-1940s) when the wild country around Moosehead was opened up (fortunately) and tamed (unfortunately).

Maine Public Employees for Environmental Responsibility. **Losing Paradise: The Allagash Wilderness Waterway under Attack**. 2002 [actually published in 2001] (second edition). Free. Maine PEER, PO Box 365, Millinocket, ME 04462. A cogent indictment of wilderness mismanagement in Maine's only official "wild" river.

Manning, Samuel F. **New England Masts and the King's Broad Arrow**. 2000. Self-published. \$10. Crisp b&w drawings and spare text tell how in the 1600s the world ran on wood and England reserved the biggest pines here for ship masts.

Marchand, Peter. **Autumn: A Season of Change**. 2000. University Press of New England. \$17.95. An elegant meditation on a transcendent time of year.

Marlow, Connie Baxter. **Greatest Mountain: Katahdin's Wilderness**. 1999. Tilbury House Publishers. \$20. Reissue of her 1972 photo book with several brief, new essays.

Miller, Bing and Jeff Dobbs. **Katahdin: The Mountain of the People**. [video] 2000. Jeff Dobbs Productions. \$19.95. Films never match the depth of a book, but they are superior for streaming

Landry, Horace P. **A Maine Mystery**.

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images and this one has some stunning moving pictures.

Miller, Dorcas S. **Adventurous Women: The Inspiring Lives of Nine Early Outdoorswomen.** 2000. Pruett Publishing Company. \$19.95. Includes a chapter on Martha Whitman, a pioneer adventurer in New Hampshire's White Mountains.

Muir, Diana. **Reflections in Bullough's Pond: Economy and Ecosystem in New England.** 2000. University Press of New England. \$26. Concludes that Yankee ingenuity has not only kept us prosperous, but has influenced the industrialization of the world.

**Northern Forest Canoe Trail: Rangeley Lakes Region Map.** 2000? This is the first section to be fully mapped of the proposed 750-mile water trail from the New York's Adirondacks to Fort Kent, Maine.

Peladeau, Marius B. **John Francis Sprague: Chronicler of Maine History.** 1998. L.C. Bates Museum, Hinckley, Maine. \$10. Sprague was such an important figure in conservation, development, and history in Maine that he deserves a full biography. For now this booklet is a serviceable introduction.

Perley, Karen et al. **Wolastoquiyk.** 2000. New Brunswick Culture and Sport Secretariat. \$15. Catalog of an exhibition about indigenous peoples of the St. John River valley. The exhibit will be at the Abbe Museum in Bar Harbor, Maine, during the summer of 2002.

Pike, Robert E. **Spiked Boots.** 1999. Countryman Press. \$14.95. A reprint of his 1959 classic on loggers and river drivers of northern New England. **Tall Trees, Tough Men.** 1999. W.W. Norton. \$13.95. A reprint of his 1984 collection of further tales of loggers and river drivers.

Power, Thomas Michael. **The Economic Impact of the Proposed Maine Woods National Park.** 2001. RESTORE: The North Woods, Hallowell, ME. Free (\$3 for s/h). A thoughtful critique of the working forest in its declining years and analysis of the benefits/costs of creating a new 3.2-million acre national park in northern Maine.

Probert, Randall. **A Forgotten Legacy: The Matagamon Region.** 1998. Self-published. \$19.95. Written like a novel, one of the few books about the country around the north end of Baxter State Park.

Provencher-Faucher, Doris. **Le Quebecois: The Virgin Forest.** 2000. Artenay Press. \$19.95. Historical fiction about life and love in 17<sup>th</sup> century Canada and northern New England.

Roberts, Kenneth. **Arundel.** 1995. Down East Books \$16.95. A reprint of the 1933 classic historical novel about Benedict Arnold's ill-fated expedition through the Maine Woods in 1775 to Quebec. I read it

when I was eight and still vividly recall the excitement of the story more than two score years later.

Rolde, Neil. **The Interrupted Forest: A History of Maine's Wildlands.** 2001. Tilbury House. \$20. With better footnoting this would have been a more useful work for serious historians, but it will be an important reference for years. Neil is too pessimistic about creating a national park in the Maine Woods. The revolution in ownership he describes happening there make it virtually inevitable.

Ryden, Kent C. **Landscape with Figures: Nature and Culture in New England.** 2001. University of Iowa Press. \$19.95. Deep ponderings on how history and nature have interacted to create the place and notion we call New England. See especially chapter 4 on "Thoreau, Cartography, and the Maine Woods."

Sargent, William. **A Year in the Notch: Exploring the Natural History of the White Mountains.** 2001. University Press of New England. The experiences of a naturalist in northern New Hampshire.

Sawtell, William R. **Old Sebec, Vol. 1.** 1999. Self published. \$19.95. Local history of an archetypal community on the southern margin of Maine's North Woods.

Scee, Trudy Irene. **In the Deeds We Trust, Baxter State Park 1970-94.** 1999. Tower Publishing. \$14.95. A useful update of the Baxter Park story since John Hakola's *Legacy of a Lifetime*, but I wish she had spent as much time talking to participants as researching in the library.

Schneider, Richard J. (ed). **Thoreau's Sense of Place.** 2000. University of Iowa Press. \$19.95. Essays on environmental writing, including one by Bernard W. Quetchenbach on "Sauntering in the Industrial Wilderness" of the Maine Woods.

Scott, Kathy. **Moose in the Water/Bamboo on the Bench.** 2000. Alder Creek Publishing. \$18.95. One man's quest to build the perfect bamboo fly rod while immersed in wilderness splendor of the western edge of the Maine Woods.

Sewall, George T. **To Katahdin: The 1876 Adventures of Four Young Men and a Boat.** 2000. Tilbury House and Friends of the Maine State Museum. \$20. A charming journal, rescued from the dusty archives, of a wilderness trip a century and a quarter ago to the heart of the Maine Woods.

Seymour, Tom. **The Foragers Guide to the Northeast.** Vol 1, Spring. [video] 1999. One guy's guide to stalking the wild weeds. **Maine.** 2002 [in prep]. Globe Pequot Press. \$15.95.

Silliker, Bill, Jr. and Steve Pulos. **The**

**Story of Baxter State Park: Nature at Peace** [video]. 2000. Down East Books. \$19.95. For those too lazy to read. Silliker, Bill, Jr. **The Moose Watcher's Handbook.** 2001. R.L. Lemke Corp. \$14.95. Bill is a one-man moose industry. This is an update of his 1993 **Maine Moose Watcher's Guide. Uses for Mooses and Other Observations.** 2000. Down East Books. \$12.95. Justifiable silliness. **Moose: Giant of the Northern Forest.** 1998. Firefly Books. \$19. Had enough moose yet? **Maine's Magnificent Moose** [video]. 1997. P.S. Hemingway Productions. \$19.95. More moose in motion from Maine's main mooseman.

Smith, Wynifred Staples. **Pines and Pioneers.** 1999 (reprint). Keim Publications. \$19.95. How, after the American Revolution, two families settled on the shore of Webb Lake in western Maine and cut and drove "a hidden pocket of gigantic pines" down river to Bath.

Staber, David. **The Art of Somerset County.** 2001. L.C. Bates Museum. In recent years the Bates Museum in Hinckley, Maine, has put together some impressive exhibits on a shoestring. This show was uneven and the catalog, in black and white, lacks pizzazz, but they deserve an A for effort.

Steele, Betty D. **Chesuncook on My Mind: Recollections of Historic and Remote Chesuncook Village.** 2001. Moosehead Communications. \$19.95. Personal reminisces from Maine's best preserved 19<sup>th</sup> century logging settlement in the heart of the deep woods.

Tam, Laura. **At Home in the Northern Forest: Reflections on a Region's Identity.** 2001. Northern Forest Center. \$19.95. Explores sense of place through photos and stories of a variety of residents.

Temin, Peter. **Engines of Enterprise: An Economic History of New England.** 2000. Harvard University Press. \$24.95. Notable not for how much, but for how little, it mentions the importance of the forest industry in the region.

Thompson, Elizabeth H. and Eric R. Sorenson. **Wetland, Woodland, Wildland: A Guide to the Natural Communities of Vermont.** 2000. University Press of New England. \$19.95. Some author ought to write a comparable book for Maine that is as readable.

Trombulak, Stephen C. **So Great a Vision: The Conservation Writings of George Perkins Marsh.** 2001. University Press of New England. \$19.95. A handy aggregation of important early ecological writings by a seminal author.

Thoreau, Henry David. **Walking with Thoreau: A Literary Guide to the Mountains of New England.** 2001. Beacon Press. \$16. Repackaging Thoreau's writings is a growth industry. This is a handy compilation of Saint Hank's descriptions of ten alpine adventures.

Vecsey, Christopher. **The Paths of Kateri's Kin.** 1997; paperback 2000. University of Notre Dame Press. \$18. A history from the 1600s to the present of the intersection between French Catholicism and Native American religion,

including of the Passamaquoddies in Maine.

Voight, Robert O. **Robert O Voight Editorials 1991 to 1999.** 2000. Maine Conservation Rights Institute. \$15. A decade's worth of hysterical rantings by a private property rights extremist about misguided conservationists and grand conspiracies. Bob is both sincere and sincerely paranoid.

Waldron, Nan Turner. **North Woods Walkabout.** 1998. Butterfly & Wheel Publishing. \$12.95. A loving memoir of one woman's quest for quiet insights from many seasons spent in the woods and bogs of northern Maine.

Weaver, Rhonda Hanson. **On the Edge.** 1994. 1<sup>st</sup> Books Library \$10.85. Adventure tale for 9-12 year olds about a pair of young teen girls who find themselves lost in Maine's North Woods.

Wessells, Tom. **The Granite Landscape: A Natural History of America's Mountain Domes, from Acadia to Yosemite.** 2001. \$27.95. Countryman Press. A follow-up to his excellent 1997 book, **Reading the Forested Landscape: A Natural History of New England.**

Wilson, Donald A. **Logging and Lumbering in Maine.** 2001. Arcadia. \$19.99. Old photos that illustrate before "harvesting" we had "cutting." How come so many logging operations look worse today than in the old days? **Maine's Hunting Past.** 2001. Arcadia. \$18.99. An album that shows before new-fangled wildlife management came the good old days of wanton game banging. **Maine's Angling Past.** 2000. Arcadia. \$18.99. Pictures that prove we used to have plenty of trophy fish.

Wiseman, Frederick Matthew. **The Voice of the Dawn: An Autohistory of the Abenaki Nation.** 2001. University Press of New England. \$19.95. Self-told tales of the Western Abenaki in Vermont.

Yocom, Margaret (ed). **Working the Woods.** 1999. Maine Arts Commission. An exhibit catalogue that romanticizes a vanishing way of life.

*Jym St. Pierre has been dealing books, with a focus on the Maine Woods, for over twenty years. In his spare time, he is Maine Director of RESTORE: The North Woods.*

## Hawthorne on the Puritans

"...most dismal wretches, who said their prayers before daylight, and then wrought in the forest or the cornfield till evening made it prayer-time again. Their weapons were always at hand, to shoot down the straggling savage. When they met in conclave, it was never to keep up the old English mirth, but to hear sermons three hours long, or to proclaim bounties on the heads of wolves and the scalps of Indians."

from *The Maypole of Merry Mount*



## Cutting the Spiked Tree by Mitch Lansky

*Recently, I cut down a tree that someone had spiked.*

It was a spruce tree 29 inches in diameter where the chainsaw severed the stem. The largest red spruces in the Boody Brook old growth area of Baxter State Park are around the same diameter at chest height. The tree I cut down, however, was not a red spruce. It also wasn't old growth. It was a white spruce (also called cat spruce or field spruce) that had grown on an abandoned field. I counted only 45 growth rings. The height, from stump to tip, was less than 50 feet. The taller Boody Brook red spruce are closer to 90 feet high. This tree had grown with no competition. There were branches to the ground. Old-growth red spruce might be branch free for a few dozen feet.

I moved onto this land 28 years ago. At that time, the tree was only 17 years old. It was one of several field spruce growing around the site where I, and my wife Susan, built our first house. At that time I considered cutting down the trees. They were worthless for lumber, with so many branches and knots and the drastic taper of the stem. Local mills do not like to take such trees. Cutting down and disposing of a worthless tree was not high on my to-do list. Since the trees offered some shelter from wind and snow, I let them grow.

The farm onto which we moved had been abandoned for several decades. There were no buildings left, although there were a few piles of rubble where some buildings had once stood. Indeed, all the farms on my mile-long road had been abandoned. The fields were starting to grow back into forest. The new forest — white spruce and tamaracks — was not the same as the forest that grew before the land was farmed — probably mixed hardwoods and red spruce and balsam fir, with an occasional pine. Some pines were regenerating, but they were deformed by weevils.

During the spruce budworm outbreak of the 1970s and 1980s, I found that budworms like white spruce. Every spring I found budworm larvae in the terminal buds of the spruce surrounding our house. Apparently, white spruce can harbor large numbers of budworm without dying. These trees can intensify budworm outbreaks and lead to higher mortality in nearby fir.

There was something else my family discovered about these field spruce. They are very easy to climb. With branches acting like 3-D ladder rungs, one can safely climb quite high without fear of falling. As you climb, you are inside the canopy. You are more aware of the tree than the ground.

Our children discovered this particular spruce tree as they grew big enough to climb. They found scrap boards and hauled them up the tree to make perches and nests. They also found used nails which they pounded into the boards

(using two little hands) to secure their perches to the tree. The lowest perch, we discovered, looking at the downed tree, was 12 feet off the ground. The highest was 32 feet off the ground. Not just children, but even we parents would climb the tree to be alone, or to sway in the wind in a storm.

The children have moved away to go to college. Our first house burned down a year and a half ago. The heat of the fire scorched some of the spruce trees, killing them. We had to cut them down. As we rebuilt, a few hundred feet away, we had to cut down more spruce and pine trees to make room for a gray water leach field and drainage for our foundation.

This fall we moved our new house forward 20 feet to put it on the foundation. The house had previously been sitting on rocks. When we started the building (before the fire), we thought we were building a shop. Rocks would have been adequate to hold the building off the ground. If the house shifted off level, we could always jack it up and put more rocks under it. But after the fire, the building turned into a house. We wanted a stable foundation, so we could put on additions.

Moving the building ahead, however, put us in the shadow of the climbing tree. Our photovoltaic panels, our source of electricity, were useless by midday. We had to cut the tree down if we were going to have an adequate electric supply.

As I cut and limbed the tree, tears started welling up in my eyes. I was overwhelmed by all the memories of nearly three decades. I realized that though the spikes that the children had pounded into the tree were only eight penny nails, they were penetrating my heart.

Sue, who was hauling off the branches to a pile for later burning, was experiencing similar emotions. As the sky darkened in the cloudy dusk, we called it quits and went upstairs, held each other and wept.

We have sawn up the tree limbs for firewood and burned all the brush. I am growing used to the increased space and increased light. My solar panels are bringing in more electricity and my windows more light and heat. The space taken up by the tree can be used for gardens or fruit trees.

The weeping was healing. The past is gone. Losing cherished parts of it can be painful. But we move on. There are other trees growing that will be fun for other children to climb.



### Orwellian Conservation Deal Nearing Completion in NH

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Who benefits?

- International Paper would be lucky to get \$125-150 per acre if it were to sell these lands on the free market. Here is a curious case of politicians and industry representatives who are gung ho for free market capitalism, unless they can raid the public till.
- Lyme gets almost 150,000 acres for \$80 an acre. Lyme holds land for a few years (probably less than ten) and then resells at a profit. In some circles this is called "speculation." It is legal, even if destructive to land and community. But is it appropriate for the public to subsidize private speculation? I asked Peter Stein, the Lyme partner who is handling the deal, if Lyme would share its profits with the public. Stein, who formerly worked for Trust for Public Land, smiled and said "no."
- Politicians get to wrap themselves in a

green mantle and proclaim their undying commitment to "conservation."

- Conservation groups get to approach funders and members with appeals for money, bragging that they have "permanently protected" 171,500 acres.

#### Who Loses?

- Forests and critters that need wild places.
- Taxpayers who cherish wild places.
- Residents of the region who remain locked into cycles of poverty and economic dependence.
- State and Federal taxpayers. Even though these two groups will fork over more than \$20 million to purchase a dubious easement, the dealmakers refused to permit any meaningful discussion of either federal or even state ownership of the tract (or a substantial portion thereof). Indeed, the

hostility and paranoia regarding possible federal ownership was so great that one would have thought that Uncle Sam's land managers were terrorists. I found it a trifle hypocritical that dealmakers were willing to accept federal largess even as they railed against federal land management. If the Feds are so evil, why not reject their money too?

- The integrity of "conservation" which has been expanded to include some of the most ecologically destructive industrial forestry practices.

Note: On January 22, the New Hampshire Legislature (House) held a hearing on a bill to authorize the state to raise a \$10 million bond as part of its \$12 million contribution to the purchase price. An uncritical lovefest, committee members failed in their responsibility to protect public interest by asking probing questions. Instead,

they rubber-stamped a done deal, without grasping its basic elements. The same may be expected on the Senate side.

I am an enthusiastic supporter of effective conservation strategies. We need a mix of large reserves that ensure the eventual recovery of the integrity of these lands (that are in about the same condition that the White Mountain National Forest lands were in a century ago) and low impact forestry on unmanaged. This deal thwarts both of these hopes and substitutes empty rhetoric for enduring protections. This deal seriously inflates the price to benefit an absentee paper company and a timber speculator by picking the pockets of the taxpayers of New Hampshire and the other 49 states.

It makes a fellow think that Ambrose Bierce's sardonic definition of "politics" offered a century ago (in *The Devil's Dictionary*) is the real New Hampshire Way.





## DOWNHILL EXPANSION

**Results in  
large tracts  
logged off  
hillside and top  
logs piled you  
see the stacks  
of bright butt  
ends from  
the valley.**

**I don't remember this  
from the EIS.**

**Gaps in the woods  
are missing pieces of  
the picture-puzzle  
world up to this day.  
Clouds descend  
to cover the hills,  
open and close like  
hands feeling  
the wound, how  
bad is it? Can't  
leave it alone. Keep  
returning to  
the empty space.**

— Stephen Lewandowski  
Bristol Mountain  
the year two thousand

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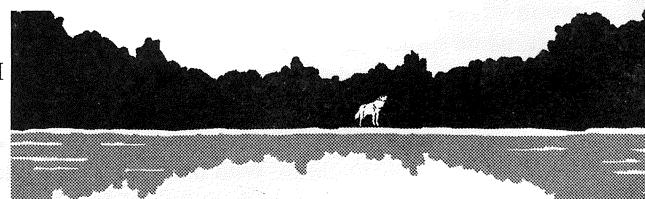
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