

THE NORTHERN FOREST FORUM

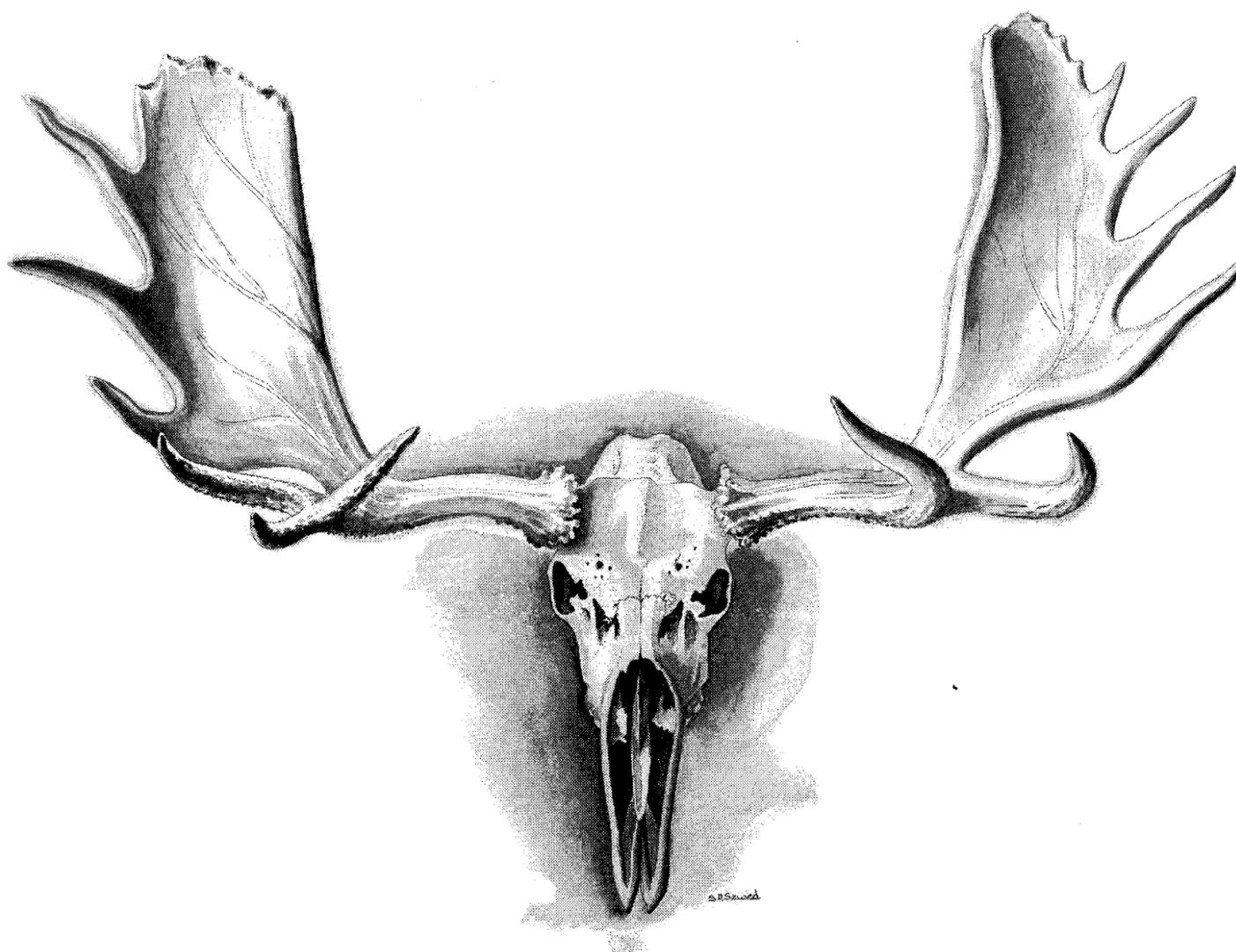
*Working for Sustainable Natural & Human Communities in the
Northern Forest & Gulf of Maine region of the Northern Appalachians*

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THE NORTHERN FOREST FORUM

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Photographs — as credited

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Frugality: A Menace to Society

THERE ARE DANGEROUS PEOPLE in the northern forest region who are a threat to our economy, if not our society. Some of these people may be in your own town. Consider Vernon and Viola who live in the old farmhouse down the road. They tend a neat vegetable garden and can, freeze, and rootcellar much of their winter needs. They burn firewood to heat their house in the winter. He keeps his tools sharp, his equipment maintained and running, and rarely needs to buy new replacements. She darns socks, cooks meals from scratch, and can make something tasty from leftovers. What are they doing that is such a menace to America? They are being frugal.

Our economy is in trouble. The stock market has been on a slide. If we are going to pull ourselves out of this mess we need people to spend more money, not less. Vernon and Viola are not contributing their share. Indeed, President Bush, in response to the terrorism of last year, encouraged Americans to go out and shop and to take vacations. That is the proper response to threats to our country. Frugality subverts our American Way of Life.

Our economy needs to grow to stay healthy. When people do not spend enough money, our economy gets ill — it is depressed. To stimulate the economy, the Federal Reserve has lowered interest rates over the last few years in the hopes that people will borrow more money and then spend it. Debt, apparently, is a good thing, as long as people are spending like there is no tomorrow.

The key to make our economy grow is to put a consumer product or service between every scratch and its itch. Vernon and Viola shouldn't be growing their own food (especially if they minimize their purchase of seeds, fertilizers, pesticides, and equipment) — they should just buy it at the local mall, where they will have to drive, because it is too far to walk. The food should be shipped from California, and processed as much as possible. This would help the economy, because it will stimulate the transportation sector, the energy sector, as well as the food industry. And if Vernon and Viola should find themselves ill from eating too much processed food, why that would help the economy too. The health care industry is one of the fastest growing sectors in our economy — which shows that the sicker we are, the better off we are. Unfortunately for us, Vernon and Viola work hard, go for walks, and eat whole foods that they raise — they just don't get sick often enough.

They don't even have enough sense to spend a lot of money to get entertained. They don't have CDs or VCRs. They don't go out to the movies. They mostly entertain themselves by going fishing, playing the fiddle, listening to birds, picking flowers, or spending time with their grandchildren.

Part of the problem of Vernon and Viola is that they don't have a TV. Americans need to be constantly reminded that they need to consume, and if they do not consume enough (or the right things), they will lack status, sex appeal, and fulfillment. Americans need such messages hundreds of times a day. These messages are thoughtfully placed nearly everywhere that people look or hear — on TV and radio, in magazines, on billboards, in shop windows, and even on people's clothing. When you are not constantly reminded to consume, you forget. Our society cannot afford to let people forget something so important.

Fortunately Vernon and Viola's grandchildren are true patriots — they watch lots of TV and have all the desires and habits that come from such a pastime. While they seem to be on the right track, there is still the example of frugality of their grandparents that is a distant, but real threat. What if the kids should actually emulate these subversives? Now that the economy is faltering, the frugal example might appear attractive to some citizens who are having a hard time making ends meet.

More ominous, Vernon and Viola are not alone. They belong to a local subversive "cell" of other frugal people. For example, Lucien helps Vernon with shearing sheep and Vernon helps Lucien with haying. Lilly helps Viola with shelling peas and Viola helps Lilly with canning tomatoes. Ellsworth trades his eggs and Edwina trades her spun wool. When they barter like this, these people are not contributing to the Gross National Product, they are not supporting companies on the stock exchange, and they are not contributing sales taxes.

If more people started being frugal, our economy and government might collapse. Vernon and Viola have to go. But for our benefit, it would be best if they went slowly — with a debilitating disease that takes high-technology medical treatments, such as chemotherapy or radiation. While an intrusive medical intervention might interfere with their dying with dignity, it would certainly benefit our economy, and thus our society as a whole. And when these two die, let's hope that their children have enough sense to have a big, expensive funeral. — *Mitch Lansky*

Immoderation Here, Bothereation There

ON A MOORING SOMEWHERE near Kennebunkport several years ago I saw a yacht sneeringly named Moderation, Frugality or somesuch. Or at least I inferred a sneer since the yacht was grossly oversized, out of scale with even its boastful surroundings. One of the central tenets of Reaganomics and by extension Bushonomics has been that empowering the wealthy — increasing their wealth — is a boon to all. This is a point of view at stark variance with the New Deal, whose architect, Franklin Roosevelt, argued that not only was increased disparity of wealth unjust, it was also bad economics.

The history of bad economics suggests however that the true economic conservatives who preach individual moderation and frugality also have it right: that the sum of a society composed of profligate overspenders and speculators is collective disaster. Herman Melville biographer Laurie Robertson Lorant paints an interesting portrait of a speculative America crashing in the 1820s. Melville's own father was caught up in the swirl of speculation and in his business failure also came to personal disaster. Melville's life and writings offer a criticism of the speculative capitalism and materialism that came to define our culture in the 19th century — over his literary protest.

We should resist letting patterns of consumption and waste determine economic and social policies. Broader social values should come first. Wildness and wilderness are a paramount value we are seeking to protect and extend. So too is a sustainable energy supply. Part of a comprehensive energy policy must be waste reduction. We should not let over-consumption and ever increasing demands for material and energy wag the dog. While wind and solar merit promotion, they should take their place where they can have the greatest environmental impact: close to points of consumption, outside our wild places. The Redington proposal that Vera Trafton comments on in this issue would be a major assault on the wildness of a large tract of forest that is better left protected. As windpower proponents look to our mountains for their development potential, let's make sure our regulatory standards reflect the value of backcountry remoteness. — *Andrew Whittaker*

Public Lands Managers Should Just Say No to ATVs

by Tom Butler

An administrator of public land containing remnants of wilderness should be aware of the fact that the richest values of wilderness lie not in the days of Daniel Boone, nor even in the present, but rather in the future. The administrator has a double responsibility; to keep some wilderness in existence, and to cultivate its qualitative enjoyment.

Aldo Leopold, from *Wilderness Values* (1941)

AS THE U.S. FOREST SERVICE commences its process for revising the Green Mountain National Forest (GMNF) Management Plan, administrators of our federal public lands here in Vermont will face the daunting challenge of protecting the forest's wild qualities while accommodating compatible recreational use. At a recent public forum in Weston, the Forest Service asked citizens to share their thoughts on the future role of recreation on the national forest. Strong support was voiced at that meeting for emphasizing traditional, primitive recreational uses such as hiking, hunting, fishing, camping, snowshoeing, and backcountry skiing. There was also considerable concern over the rampant, illegal use of public land by all-terrain vehicles (ATVs) and the Forest Service's limited ability to enforce the law.

With very narrow exceptions (such as special use permits granted for cross country ski trail maintenance), ATVs and other off-highway vehicles are nowhere legal to operate on Vermont's state and federal public lands. Of course, ATVs licensed and registered for use on roads are free to travel the state's extensive 3rd and 4th class road networks, including national forest roads. But admittedly, riding these machines on roads is not very exciting. They are made to go off trails, make the mud fly, and cause damage. That's what they do. That's what makes them fun. Thus the large and growing problem of illegal, destructive off-road vehicle use on the national forest—and growing push by ATV users to have their criminal behavior legalized by becoming organized, gaining "stakeholder" status, and having a legal ATV trail network sanctioned on public land.

Such an accommodation would be a huge mistake, with negative consequences for air and water quality, soil and plant communities, wildlife, and other recreational users of the forest. Some motorized use advocates—and even some conservationists—have incorrectly drawn a parallel between the current situation and the time, some three decades ago, when snowmobilers got organized, built a statewide trail network, instituted codes of riding conduct, and the cultural conflicts between snowmobilers and cross country skiers lessened. While they are loud, polluting, noxious machines, snowmobile use is limited to the winter season, and does not cause equivalent direct impacts to soil and vegetation as ATVs. In our forested landscape, snowmobiles are generally confined to their trail networks, but ATVs are not—and no statewide riders' group will fully mitigate their negative ecological effects, even if it should somewhat lessen conflicts with other recreationists.

That there is a distinction between ATVs and snowmobiles in terms of damage to the land is supported by a simple fact: many private landowners allow snowmobile trails on their property, but they won't allow ATV trails. When ATV riders complain that they have few legal places to ride, they are in fact admitting that their machines are so damaging that they can't persuade private landowners to accommodate them. They conclude that the solution is access to public land, but the logical conclusion is the opposite: if they do so much damage that private landowners won't put up with them, then they shouldn't be allowed on public land, either.

For public land managers to give up on enforcing the law and assume that a legal trail network, rider education, and peer group pressure to conform to "sportsmanlike" behavior among the ATV community will solve the problem is wishful thinking. It's an abdication of their responsibility to be good stewards of public resources. It's also a bit like a banker who is getting robbed every night (and thinks he can't afford to hire a nighttime security guard) concluding that the solution is for the burglars to get organized, agree to break in only one night per week, and take only half the money in the vault.

Rewarding the current illegal ATV use with decriminalization will only invite more abuse of the public lands: any legal trail network on the national forest will increase illegal use as the area becomes a magnet for riders. More-

over, any trails that mitigate the problems associated with ATVs—soil compaction, erosion, siltation of waterways that harms fisheries—would have to be highly engineered. They would be, essentially, narrow roads—again, not very interesting to riders of machines designed for off-road use.

A far better approach is to enforce the law. Recreational use of all-terrain vehicles by able-bodied Vermonters simply has no place on state and federal public lands. It is not a legitimate use of the national forest, regardless of whether it is fun, popular, politically trendy, or enjoyed by nice people (as many ATV owners are). When the Forest Service finds criminals growing marijuana on the national forest, agents seize and destroy the crop. Similarly, the agency should ramp up enforcement of existing laws against ATV use on the forest, and conservationists should endorse a one-strike policy for illegal riders. Get caught destroying the public resources on public land and your machine is seized and destroyed. Such a zero tolerance policy, if publicized and enforced, would quickly cause the activity to decline. (Call it the Rudy Guiliani approach to the problem.)

Aldo Leopold, the greatest conservation thinker that the U.S. Forest Service has yet produced—indeed, the greatest conservation thinker in American history—once wrote that "A thing is right when it tends to support the integrity, stability, and beauty of the biotic community. It is wrong when it tends otherwise." This famous condensation of Leopold's land ethic is the correct test for future recreation management on the Green Mountain National Forest. All recreation use should be subservient to the overarching goal of protecting the health of the land community. Judged by Leopold's standard, most traditional backcountry recreation enjoyed by hikers, hunters, anglers, skiers, and birdwatchers is an appropriate, valuable use of the national forest. Most motorized recreation—and all recreational off-road vehicle use—is not. It is fundamentally destructive to the ecological integrity of the forest; it cannot be made benign. It should not be tolerated.

*Tom Butler is Director of Advocacy for the Wildlands Project and editor of the new book *Wild Earth: Wild Ideas for a World Out of Balance* (Milkweed Editions, 2002).*

Proposed LURC Rule Change Would Open Maine Mountains to Development Threat

*Comments of Pamela Prodan, Esquire
From a letter to Frederick W. Todd, Division Manager, Planning and Administration, Land Use Regulation Commission*

THESE RULE CHANGES are said to be needed to facilitate the use of the Planned Development Subdistrict (D-PD) for wind power projects. I believe the major change proposed is extremely dangerous as written, and has implications for opening up Maine's remote wildlands to uncontrolled development of all sorts, not just wind power. As it is written, I believe that it can be interpreted to remove the size thresholds for ALL types of D-PD planned developments, which, according to the definition of D-PD subdistricts, are areas proposed to be developed that are separate from existing development patterns in the LURC jurisdiction. This change may make it possible for the wildlands to become peppered with small developments anywhere there is a special natural feature or location on which the development is said to depend.

While I have no objection to the proposal to change the time period to reach a decision after public hearing from 45 days to 90 days to be consistent with the time

period for other boundary changes in the Commission's rules, I oppose the other two proposed rule changes as they are drafted. One of those rule changes is a substantive change which I believe may eliminate all minimum size requirements for an application for a D-PD, while the other change is a procedural one, eliminating the six-month limit on time extensions for filing a Final Development Plan once the Preliminary Development Plan has been approved. Together, the proposals have serious ramifications for increasing the amount of uncontrolled development in the remote areas of the jurisdiction, particularly where mountains, lakes, rivers and other unique landscape features can be found, and decreasing the ability of the Commission to manage growth in the wildlands.

Before adopting such a sweeping change, the Commission needs to analyze all of the consequences of eliminating the size requirements for any or all types of developments. The problem is not simply the effect upon the landscape that is bound to result from opening the floodgates to an increase in applications to site small developments in areas with special features. The Commission should be equally concerned

that the change will lead to increasing demands on the agency's time and resources, just at a time when the State is entering a fiscal crisis that many expect to be of unprecedented proportions. Any process like the D-PD application process, which requires LURC staff consultations, pre-application meetings, agency consultations, public hearings, staff recommendations and Commission approvals for rezoning on a case-by-case basis, and approvals of preliminary and final development plans, is very costly to administer. I hope that the Commission will carefully consider the full range of consequences that the proposed rule change might bring.

Note: Although the comment period has passed for this rule change, anyone may obtain the proposed rule change by contacting Fred Todd at fred.todd@state.me.us or call LURC at 1-800-452-8711.

Ask for the proposed amendments to the Planned Development Subdistrict Standards (D-PD). I would also suggest asking for the ENTIRE D-PD rule, because it is not included in the draft revisions being sent out. — Pamela Prodan

Many Thanks...

Many thanks are due the many Forum readers who responded to our recent appeal. This edition of the Forum appears thanks to you.

Many of you renewed your subscriptions despite the fact that we have published merely three times in the past year. Many of you also donated funds in excess of the subscription rate and some of you were particularly generous in that regard.

These expressions of support for the work we have undertaken over the past 10 years mean a great deal to all of us who are involved in the work of the Northern Appalachian Restoration Project, the 501-c-3 which publishes the Forum and seeks to support the work of several of the people whose articles here are but part of a larger effort.

The greatest thanks that the Northern Appalachian Restoration Project can make to all of you is to keep up our work. To that end, we are indeed in the process of reorganizing and rededicating ourselves to our efforts. We hope to regain a six issues/year pace and to more consistently support the extensive conservation work reflected in these pages. Your contributions sustain this work and make a difference.

Saving a Wild Place in Maine's Western Mountains

Endless Energy is asking LURC to rezone Redington and Black Nubble from their current status as a protected mountain area to an area appropriate for large-scale industrial development.

By Vera Trafton

ENDLESS ENERGY CORPORATION of Yarmouth is proposing to put a large wind power plant (euphemistically and misleadingly referred to as a "farm") on the summits and ridges of Redington Pond Range (3,984 ft.) and Black Nubble Mountain (3,670 ft.) in the vicinity of Saddleback, Abraham, Sugarloaf, and the Crockers — one of the most beautiful high mountain areas in Maine. The corporation's final proposal has yet to be filed with LURC, but according to its website and material presented at its preliminary hearing with LURC in February 2002, the plant will consist of 29 turbines spread across more than 2.5 miles of high country. Each turbine with its three blades will stand about 390 feet high — the height of a 30 to 40 story building — and will be lit by strobe lights. The tips of the 130-foot long blades will rotate at speeds up to 176 mph, and will kill large numbers of birds. To construct these monsters, Endless Energy will have to cut about 10 miles of new roads through the fragile vegetation of the ridges, and blast and bulldoze the ridges themselves.

The aesthetic and environmental harm caused by this plant will be massive. Why would anyone who loves Maine approve of building it? Endless Energy claims that its plant will produce 200 million kilowatt hours of power per year—enough, according to Endless Energy, to prevent more than 630,000 pounds of pollution from fossil fuel plants per day. Two hundred million kilowatt hours sounds like a lot of power, but in fact it represents only about 1.6% of the over 12 billion kilowatt hours consumed in Maine in 2000 (the last year for which figures are available from the Maine Public Utilities Com-

mission). Given the huge sprawl of Endless Energy's proposed plant, this is not a large contribution.

It seems unlikely, however, that even this small contribution can be achieved. Because wind turbines operate at peak capacity only at certain wind speeds, and because they are subject to breakdowns caused by harsh weather (especially on high mountain peaks), their actual effective capacity over an extended period is always a fraction of their nominal capacity. To arrive at a figure of 200 million kilowatt hours, Endless Energy assumes that its turbines will operate over a year at 44% of capacity, but according to Energy Market and Policy Analysis, a think-tank in Reston, Virginia, this appears to be an unreasonably high expectation, based on computer modeling rather than on real experience in the harsh environment the turbines will encounter on Redington and Black Nubble. Experience suggests that the newer turbines such as the Danish Vestas V80s that Endless Energy will use may produce on average only about 25 to 30% of their annual capacity. Applying this more modest expectation, one arrives at an estimate of 137 million kilowatt hours per year (1.1% of Maine's consumption in 2000), and at a correspondingly lower reduction in pollution.

For other reasons, moreover, it is reasonable to doubt that Endless Energy's plant will reduce our pollution by any significant amount at all. First, it is unlikely that Endless Energy's tiny production will force fossil-fuel plants to cut back. They will remain the low-cost producers of electricity and will be able to market their product through the power grid. The real question is whether Endless Energy will be able to find enough buyers year after year to make its operation viable. And second, because wind power is intermittent it must be backed up by fossil fuel plants that are kept running even when their power is not called for. Even in reserve mode, these plants will be producing pollution.

The best approach to reducing the pollution that fossil fuel plants cause is to clean those plants up. The technology already exists. It must and can be applied. The other environmentally clean way to lower emissions is through conservation, which can also be achieved through political will and education. Cleaning up exist-

ing plants and conservation efforts can reduce pollution without blighting our landscape with a new version of industrial sprawl. Consider what it would take for wind power to produce the amount of electricity produced in Maine in 2000—at the more reasonable estimate, 2500 huge turbines spread over our mountains, islands, and coastal headlands. I believe that Maine is not an appropriate place for wind power plants at all. Our outstanding natural beauty is worth protecting for its own sake and also for the economic benefits it brings. If wind power has a role to play in the future, it should be in places where it will not produce more harm than benefit. The American Wind Energy Association rates 18 states ahead of Maine in wind power potential — many of them midwestern and plains states, where empty flat land makes the construction of massive plants easy as well as aesthetically and environmentally less problematic. Moreover, as environmentalists have been pointing out for years, much of the pollution that is dumped in Maine by the prevailing wind patterns comes from these states rather than from our own plants.

The battle over Endless Energy's proposal will be fought out in hearings before LURC. Endless Energy is asking LURC to rezone Redington and Black Nubble from their current status as a protected mountain area (P-MA) to an area appropriate for large-scale industrial development. As I have argued here briefly, I consider such a rezoning to be wholly undesirable. With like-minded friends, I have formed an ad hoc group known as Friends of the Western Mountains to inform people in Franklin County and surrounding communities of the proposal and to circulate a petition opposing it. We intend to present the petition and express our opposition at the LURC hearing, whenever it occurs. Our drive for signatures is going well, but we need all the help we can get — both signers and people who would be willing to help circulate petitions. If you would be willing to sign or become a petition bearer, please get in touch with me as soon as possible.

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Wind & Wildness... *The current level of development on our high terrain be the high water mark of civilization*

by Andrew Whittaker

INVESTMENT IN AN energy infrastructure that weans us from fossil fuels is imperative. But not at the needless sacrifice of wild places; especially not, in our region, our remote ridge and mountaintops.

Admittedly, many of our mountaintops are already well-trammled. The concatenation of developments includes Mount Washington's road, cog railway and weather station facilities as well as trails; elsewhere we find ski lifts, firetowers, huts, roads, monuments, and one cold war relic of a radar base. We enjoy a peaceable if not quite peaceful accommodation between use and observation of the wild. Should we be adding windpower development to this mix? Or should the current level of development on our high terrain be the high water mark of civilization?

The argument for windpower is straightforward enough: in our region, mountains and the coast are where the wind is; the efficiency of wind generation increases exponentially with greater wind speed; and wind is one of the ways we need to go to replace oil, gas and coal. Global warming is real, and human contribution to it adequately demonstrable. So why not get on with wind power from our mountaintops?

Here is a short list of arguments against a policy of allowing wind develop-

ment on our remote mountains and ridge tops:

Fragility of mountain ecology This should be self-evident to all who frequent them. As construction zones, mountains are simply inappropriate. Specific factors are lower temperatures, shorter growing season, higher precipitation and wind speeds, shallow and cryic soils, steep slopes — all these make for very high risk of soil erosion.

Bicknell's thrush Habitat of this high altitude nester is already fragmented in our region by ski areas. Why add another agent of threat?

Remoteness Nothing is very remote from anything, anymore, or so it would seem. Our landscape needs more remoteness, fewer reminders of humanity, not more. Surely this human aesthetic of remoteness has its value for other creatures as well.

Hubris We are told that human convenience and economy are the basis of deciding energy policy. Remoteness is fine so long as its commodity value remains higher than its utility to energy production. We can't curb our demands, so instead of reforming them we will destroy more of Nature. Is this the deal?

AT SOME POINT we must admit a bit of ugliness into our lives, perhaps, if in so doing we also assume responsibility for our use and consumption. Self-reliance

has its price. I grew up within sight of a mountaintop radar base that was obsolete the moment it was built — and suffered little direct injury from the sight (a poet might see deeper connections, like the nuclear fallout clouds that all of my generation grew up under, part and parcel of the same Cold War thinking that built the radar base and exposed a civilian population to criminal harm). As a relic, it has its aesthetic value. Like Shelley's Ozymandias, it is a reminder that human imperatives ultimately come to a lot of dust.

A few principles ought to guide development of a green energy system.

Decentralization Vermont's past Public Utility Commission chair Richard Sedano himself once observed that the grid should be evolving toward a system of small generation facilities sited close to end-users. This has some important advantages, one being a minimized risk of sabotage; another being a simplified transmission system. Smaller capitalization for energy projects will be of benefit to small scale entrepreneurs or electrical coops and reduce monopolizing tendencies within the energy industry.

Densification Some mountaintops already have ski lifts and towers of various sorts. Would the addition of a few windmills (and transmission lines, and access roads, of course) really hurt? Perhaps not: but what about other more developed areas

— the rooftops of big box retail stores and similar monstrosities; interstate medians; and our own backyards? We should look to the potential of our developed areas first — and last.

Scale Many of the big biomass plants built in New England over the past 20 years are now moth-balled turkeys. On the other hand, small boiler systems specific to factories, buildings or building complexes are efficient converters of native material to energy and are evidently a good thermodynamic investment which lessen dependence on the grid. The lesson may be transportable to wind and solar: think specific; plan small.

Reduction of use Vermont's own Danny Gore has observed that so long as buildings are over-built (he used Dartmouth Hitchcock as an example) we'll always have an energy problem. Innovations as simple as parking lot tree plantings can reduce demand for air conditioning. Examples abound. Californians have proven that conservation can impact overall demand.

History Would we be damming our rivers for hydropower with such rapacity if we had it to do over? Wouldn't we be valuing Atlantic salmon and such features as 15 Mile Falls as much as peak power kilowatts from dams on the Connecticut? New Hampshire has just closed the last of its big woodchip plants. Ecological and eco-

Kinetic Sculptures Bring Dead Vultures: Another View on Wind

"I do not think that our beloved New England mountaintops are so sacred that we should risk flooding our as-beloved coastlines by prohibiting the development of renewable, carbon-free energy resources. I fear that is the choice we face."

by Alexander Lee

WHEN BOB DYLAN CROONED, "The answer, my friend, is blowing in the wind," did he mean that the answer to our energy woes is the installation of thousands of windmills? This is possibly the meaning assigned by some who would install such towers on every acre of Iowa farmland and ridgeline of New Hampshire wilderness, but many people are having a bird. Literally, thousands of Audubon members thump their wings on behalf of the millions of avian creatures who could face what a Northern Forest Forum cartoon once portrayed as a premature Cuisinart-style death. The trouble with that cartoon, like a lot of visceral political art, is its basic inaccuracy. The now quieter blades of major modern wind farms never move at shredder speed. The realistic and troubling picture might show, in the alternative, a simple collision. It is true, after all, that poor placement of wind towers—in, say, the annual flight path of a migratory bird population—results in a massacre of our fair, feathered friends. Let's face it, though, most people, although they probably should, don't give a rat's donkey about venturing vireos. They want sweeping vistas.

And here, again, a debate rages. The Appalachian Mountain Club (AMC)—the group that recently got permission to retrofit eight above tree-line huts—wants to make sure their visitors have uninterrupted views of pristine peaks. As the largest regional environmental organization in the country, they have influence...as well they should; however, there is a tinge of hypocrisy evident when one rounds a bend on the Appalachian Trail just to find the AMC's Madison Hut. There are all sorts of great arguments for maintaining these huts. For instance, Mount Washington has some of the most dangerous weather in the world and the huts can provide shelter in a storm. An avid hiker myself, whose uncle once sold "genuine volcanic rock" to "goofers" as a hutmaster at the AMC's Lakes in the Clouds, I am an advocate for these man-made intrusions. They are fun. They are useful structures, but they are not particularly more useful than a windmill.

Windmills—or "kinetic sculptures"—could play an important role in our energy future. As Assistant to the Commissioners at the New Hampshire Public Utilities Commission, I am constantly reminded of the fragility of

our electric infrastructure. Although the Independent System Operator (ISO), whose job it is to dispatch electricity, likes to say that we have plenty of generating capacity in New England, it does not take a nuclear physicist to imagine a disaster at Seabrook Nuclear Power Plant. As the source of slightly more than 1000 MW of electricity, such a contingency would leave hundreds of thousands of customers in the dark. One obvious safeguard against this situation is decentralized energy production from wind, solar, diesel generators, fuel cells, or run-of-the-river hydroelectric dams—collectively known as "distributed generation." This, I think, is one of the best arguments for erecting a large number of windmills tomorrow.

So what if we raze a few hundred acres of wilderness or kill a few birds!? We need the energy and it has to come from somewhere. It might as well be windmills, as opposed to nuclear plants. Most of us—I learned from six years at the helm of Project Laundry List—are unwilling to do the things that could really make a difference. Using less electricity is simply not an option. Hanging out clothes is, in the poisonous lingo of the day, "ghetto," not to mention frightfully inconvenient. Forgoing a television is "anti-social." We appreciate that there is one vending machine for every hundred of us. We don't seem to care if our microwave clocks never turn off. The electrons that we so covet must be produced in order to carry on the American way of life and so they might as well spring from distributed generation, right?

We will, of course, want to ask some more questions. For instance, can these sources of energy, albeit all with their own problems, rescue us from the dark in a way that is more sustainable, affordable, and safe than the building of additional large central power plants? What are the economies of scale associated with getting a handful of kilowatts from high on a mountaintop to market? Is it realistic, in re-imagining the grid, to think that we will rip up the 345 kV lines that serve as the backbone of the current system? Just say that we are able to build 1000 MW of wind capacity, how do we plan to feed it to Southwest Connecticut where demand outstrips supply by a frightening margin?

There is finally an ideological issue here, which needs addressing. For nearly forty years, wind and solar power technology has remained the holy grail of the

green energy movement. To suggest that burning finite supplies of fuel in the cleanest available facilities might be better than an array of pathetic little pinwheels and panels is absolutely anathema to the dogma of the environmental movement. If you are not for wind and sun, you are not for Earth. The schismatic who dares to suggest that big power plants are our best option will burn, with George W. Bush, in a coal-fired hell; therefore, I, certainly, am not going to be the one to suggest it.

In fact, there is another reason that I will advocate for well-sited wind turbines, instead of the ludicrous Cheney vision of a major new power plant every week for ten years. Windmills do not threaten to radiate people nor do they emit greenhouse gases, nitrous oxides, sulfur dioxides, or particulate matter. With sea levels climbing as fast as surface temperatures, with dozens dying from asthma-related causes that stem from power plants, how can we fairly advocate for sources of power that pollute? The very views that the AMC seeks to protect will be dull come autumn, if we continue to poison the rain. Birds, with their habitats ruined, will wish that we had allowed them to play turbine-roulette.

There is certainly a point at which "transmission loss"—the juice that seeps from those big power lines when it is forced to travel great distances—becomes so great as to make truly remote projects uneconomic; however, a loose definition of remote that is values driven will serve to exacerbate the current debates. "Remoteness" must be a technical term that connotes a certain measurable distance from a major transmission line or point of interconnection.

I understand "remoteness value" and think Alaska occupies that psychic space for the vast majority of Americans. I do not think that our beloved New England mountaintops are so sacred that we should risk flooding our as-beloved coastlines by prohibiting the development of renewable, carbon-free energy resources. I fear that is the choice we face.

Alexander Lee is Assistant to the Commissioners at the New Hampshire Public Utilities Commission. He is also the Founder and Executive Director of Project Laundry List, which can be found on the web at www.laundrylist.org. The ironies in the situation he describes are not lost on him.

conomic costs of big projects come clear with time; so let's take our time to do it right the first time.

Wind has received a recent gust of laudatory cover stories from alternative media. Environmental opposition has in some cases been dismissed as nimbyist and insubstantial. On the other hand, wind and other renewables have been portrayed as the solution to our problems and the antidote to Bushism. Renewables are being developed and pushed outside government: public policy will probably have to run to catch up, eventually. Part of that catching up will however have to be assessing the downside and optimizing the gains from renewables: industry has less of a stake in that. We shouldn't be 100% comfortable with Big Oil becoming Big Wind or Big Sun; and there is plenty of capital massing in back of renewables to suggest that eventuality.

So here in our region, let's get it right: keep windpower off the mountains and out of the backcountry. At the same time, let's do as much as we can to generate renewable energy close to where it is needed and where the visual clutter it creates can remind us that all our energy use is based in an ugliness of one sort or another.

WINDPOWER BACKGROUND

Windfarms or Tax Farms?

Windpower projects are apparently being developed by large companies with large earnings to shelter from taxes. Independent companies may clear the regulatory hurdles and keep the names of larger concerns in the background, but once projects are off the ground, they will be sold to their real backers.

Who Are the Developers?

Here is a PR Newswire profile of TXU, number four in wind nationally: "With \$42 billion in assets and \$28 billion in annual revenue, TXU is one of the most influential energy services companies in the world. TXU is the No.1 competitive energy retailer in the United States and one of the largest globally, owns or controls extensive competitive generation around the world, and ranks among the top five energy traders globally. TXU, which sells 335 million megawatt hours of electricity and 2.8 trillion cubic feet of natural gas annually, serves 11 million customers worldwide, primarily in the US, Europe and Australia."



Interest in windpower in Vermont is high and potential for 750 megawatts suggested, although no specific projects are proposed. See www.vermontwindenergy.com

GE Wind Energy owns the rights to develop wind energy in Maine's Boundary Mountains. They bought the rights last spring from Enron.

Where are projects being developed?

The U.S. Army Corps of Engineers is now scoping a windpower proposal for Horseshoe Shoals on Nantucket Sound. See <http://www.nae.usace.army.mil/> Project backers also have a website:

www.capewind.org. So do project opponents: www.saveoursound.org

A current project in West Virginia will be spread over 4400 acres, largest in the East. The Backbone Mountain project was developed by Atlantic Renewable Energy and is now owned by FPL Energy, under the name Exelon. FPL is a major player in the renewable energy field. 66 megawatts are anticipated from Backbone; enough to power 13,000 homes according to industry standards.

Connecticut River Watershed Council Commends North Country Land Deals

WHEN THE PEOPLE of a state take on a large expensive land conservation project, there are often disagreements of one kind or another. This is especially true when the project costs money in the present but the real benefits will not accrue until the future. The large Champion and International Paper land deals that are happening in the headwaters reach of the Connecticut River in Vermont and New Hampshire are good examples of getting the big picture right with some small disagreements.

When the paper companies put their properties up for sale, we in the North Country were faced with some hard decisions that had to be made in a relatively short period of time. If speculators interested in development for a quick buck bought the lands, we might have lost long-time access to use those lands. There would be no guarantees of protection for water quality on the tributaries to the Upper Connecticut River. Many of us have had the experience of going to our favorite hunting or fishing spot after land has been sold and found the land newly posted denying us access. If we were going to keep these lands open for traditional uses, the public was going to have to step up to the plate and buy the land to insure access.

Neither NH nor VT had enough money between them to buy and hold the 132,000 acres in VT (total cost 26.5 million dollars) or the 171,000 acres in NH (total cost 39 to 44 million dollars). If our valued public access to these lands and waters was going to be maintained into the future, we needed a really imaginative approach. Through the efforts of local and regional land conservation organizations, The Conservation Fund, a national organization based in Virginia, offered us a window of opportunity. They agreed to step forward and buy all the land outright; taking it off the market while the states put together private, public, foundation and donation resources to repurchase the land from the Conservation Fund. The goal was to maintain timber harvesting and recreational access, and protect critical wildlife habitats.

VT has completed that complicated process with the help of the Freeman and Mellon Foundations,

federal money and state money. Essex Timber, a private company, purchased the bulk of the land. The land donated to Vermont and purchased by the Silvio Conte National Fish & Wildlife Refuge controlled the remaining areas worthy of protection. All of the parcels of the land had one key easement placed on them, insuring perpetual access for traditional recreation uses including hunting, fishing trapping, hiking, bird watching, etc. The list of guaranteed access activities is a full page long.

NH is in the middle of putting together a purchase package and is looking to the same types of resources as VT: private organizations such as The Society for Protection of NH Forests, the federal government, Land and Community Heritage Investment Program, state government, with the Lyme Timber Company prepared to repurchase the bulk of the land. NH plans to place the same perpetual access easement on all the land as has VT.

So what are the disagreements? In VT, some are saying that the "Core Special Treatment Area" was never their understanding of the deal. In NH, some are saying that all of this land in "public ownership" means that the only jobs in the future will be as park rangers.

A couple of facts about both deals might help the discussion. Both states are making great efforts to see that the bulk of all the lands remain in productive logging. VT has gone as far as to require Essex Timber to harvest at least half the annual net growth after they have owned the land for 40 years. Both states will guarantee public access to state and privately held lands for traditional recreational uses forever through easements that will run with the title to the land. Any federally owned land will be managed under standard management goals for federal lands and, except for a small percentage of lands held to protect plants, birds and animals, all federal lands guarantee public access.

NH will retain some 25,000 of the total 171,000 acres for natural resource protection. The balance of the IP land has been repurchased by the Lyme Timber Company for active management with easements that run with the land that guarantee public access for traditional pedestri-

an recreational uses. Vermont was given 22,000 acres purchased by the Mellon Foundation out of the overall 132,000 acres and is planning to use 12,500 of that land for natural resource protection. Both resource areas will have the public access easement in place.

So on the major issues of the economic productivity of the land and the guarantee of public access for hunting, fishing, trapping and other recreational uses, the states and their partners have addressed the two major questions successfully to the satisfaction of virtually everyone. It is around some of the smaller issues facing us that there is disagreement. Should there be natural areas left undisturbed into our future and our children's children future? We at the Connecticut River Watershed Council believe we should have natural reserve areas left alone forever. Why?

Nature needs old growth forest areas, and there are few left anywhere in New England. Maine has the largest block of 4,800 acres owned by the Nature Conservancy. Old growth areas are like no other forest landscape that any of us have ever seen. They foster species diversity through natural mechanisms. Species diversity is the hallmark indicator of a healthy ecosystem. By protecting a small part of the headwaters forest, the state of VT and NH are creating the old growth forest of the future. In 100 years, we will have more acres of old growth forest in the upper valley of the Connecticut River than anywhere else in New England.

The areas proposed to be permanently protected in both states will also protect several headwater tributary streams to the Connecticut River. Because of that protection, they will add their cold, well-oxygenated and unpolluted water to the main River, aiding it in being a healthy ecosystem for aquatic species. And by the way, the fishing will improve both in the tributaries and the main River!

Re-printed from River Currents, newsletter of the Connecticut River Watershed Council. This year, the Council is celebrating its 50th anniversary as a conservation advocate for the Connecticut River and its four-state watershed.

FUND REWARDS NORTHERN FOREST LAND CONSERVATION PROJECTS

NEW YORK, NY - The Open Space Institute (OSI) has announced six grants and loans to four land trusts totaling \$4.2 million to support the purchase of over 245,000 acres of private forestland in the Northern Forest. The forests will be permanently protected from development and managed to ensure long-term production of wood products and protection of wildlife habitat and clean water.

The awards will support the acquisition of conservation easements on 188,000 acres of private forestland, and the purchase of 57,000 acres to create ecological reserves.

The awards represent the second round of funding from the Northern Forest Protection Fund (the Fund), a \$12 million matching capital fund created by the Open Space Conservancy (OSC), the land acquisition affiliate of OSI.

The first of its kind, the Fund was established in response to threats posed by forestland sales in the Northern Forest, totaling almost five million acres in the last three years.

"Our second round of awards reflects the importance the Fund places on the contribution of permanently conserved, privately owned forests to the future of the region," said Joe Martens, President of OSI. "Each of the projects we invested in met rigorous criteria for ensuring that healthy, sustainably-managed forests will be able to produce wood products long into the future while protecting basic ecological functions such as watershed and wildlife protection."

Award Highlights

The largest commitment was to the Trust for Public Land, which in partnership with the State of New Hampshire, The Nature Conservancy New Hampshire Chapter and the Society for the Protection of New Hampshire Forests, purchased 171,500 acres from International Paper (IP) in March 2002.

The \$500,000 grant to the Central and Western New York Chapter of The Nature Conservancy (TNC) for the 45,000-acre Tug Hill Plateau Project will increase the amount of protected land on the plateau to 150,000 acres.

NFPF Award Descriptions

Maine — West Branch Project The Forest Society of Maine (FSM) received a grant of \$400,000 for the purchase of the 4,242-acre Big Spencer Mountain, which harbors an old-growth forest, and six miles of shorefront on Maine's Moosehead Lake. The purchase is the first phase of the 329,000-acre West Branch Project that will protect headwaters of the Penobscot and St. John Rivers. *Contact: Alan Hutchinson, Forest Society of Maine, (207) 945-9200.*

Western Maine High Mountain Project The Appalachian Trail Conference received a grant of \$100,000 for the purchase of approximately 6,400 acres on Mount Abraham and Saddleback Mountain in western Maine near the Rangeley Lakes. The acquisition permanently protects sensitive mountain peaks, old growth forests, and a working forest. Popular hiking trails will also gain protection. The project is adjacent to or near over 51,000 acres of protected lands, including the Appalachian Trail.

Contact: Robert Williams, Appalachian Trail Conference, (304) 535-6331

New Hampshire — Connecticut Lakes Headwaters Project The Trust for Public Land (TPL) received a \$500,000 grant and \$2.5 million loan totaling \$3 million for the purchase of 171,500 acres of forestland in northern New Hampshire from International Paper Company. The land is the largest privately owned tract in the state. Twenty-five thousand acres will be designated as natural areas, which includes a 15,000 acre contiguous tract that allows the area to develop "old growth" and mature ecosystem conditions. The remaining 146,500 acres will be sold to Lyme Timber Co., of Lyme, NH, subject to a conservation easement. Up to \$1.5 million of the \$2.5 million loan may be forgiven if TPL can meet fundraising goals and can develop integrated forest management plans for the property.

VERMONT THROWS IN TOWEL ON RESERVES?

*(from the Connecticut River Joint Commissions June 24 2002 meeting minutes)
Remarks of Scott Johnstone, Secretary VT ANR*

"Scott continued that he was equally pleased that legislation did not pass this year, including the result on the West Mountain issue, the legislative discussion of which he described as contentious and fueled by inaccurate information. The legislature decided to leave the property under the management plan which was developed and already signed. He predicted that in thirty years, Vermont will look back on this property as the jewel of the state's conservation efforts. He described the action by the VT legislature to acquire the land and the public's support of this as visionary. However, he cautioned that the issue had not gone away, and that there is much healing to be done. The next management plan in preparation is for Mt. Mansfield State Forest, the state's largest. Rather than a plan for an ecological reserve, the 20 year plan will call for sustained timber cuts. Scott added that protection of the Connecticut River's headwaters was a key reason to protect West Mountain."

H₂O News & Blues

Information Touristique...

Aluminum Pollution & the Beluga Whale

10 % of world aluminum production is located in the Saguenay region of the St. Lawrence River watershed, and so too are numerous cancers afflicting the human and wild populace. Researchers now believe the prevalence of cancers in beluga whale carcasses found along the shores of the lower St. Lawrence can be attributed to the atmospheric deposition of PAHs, polycyclic aromatic hydrocarbons, into river sediments, which the deep-diving whales then ingest with their food.

This follows research into the unusually high incidence of human cancers in the Lac St. Jean region which zeroed in on drinking water contamination from smelting. Fisheries and Oceans Canada as of 1990 estimated the overall accumulation of PAH pollution in the Saguenay as being at 40,000 tons. Annual release in the river system was thought to be 20 tons.

The beluga whale research was conducted over a period of years at the College of Veterinary Medicine, University of Montreal. Contact: martinea@medvet.umontreal.ca

Wild Trout & Dioxin — Androscoggin Developments

On the Androscoggin, the state of New Hampshire has indemnified Fraser Papers Ltd., the new owner of the mothballed Berlin pulp mill and still-operating Gorham paper plant, from clean-up liability for pollution downstream of the facilities. This was a condition of sale that Fraser insisted on.

NH's Department of Fish & Wildlife is seeking to re-establish a wild trout fishery in the Androscoggin below Gorham and above the state of Maine line. This is part of an initiative to manage more trout streams as catch-and-release, in response to public support for native, self-sustaining fish populations. Other waters proposed include many in the Connecticut headwaters area.

See: (www.wildlife.state.nh.us)

Further downstream in Rumford, Boise Cascade has been given a green light for significant expansion of its pulping facility. Maine's Department of Environmental Conservation passed on the review

with no public input.

Milfoil Toil — Chemicals to Join the Fight?

Lake and campowner associations throughout the region are busily monitoring waters for the presence of eurasian milfoil. *Myriophyllum heterophyllum* is another in the lengthening list of species infamous for their disruptions to native ecology. Milfoil can form dense mats, choking out native aquatic plants, making waters unswimmable for pleasure-seeking humans and depressing real estate values.

New York and New Hampshire have enacted legislation centered on raising the awareness of boaters that their trailers and boats may be vectors of the pesky plant. Maine's Interagency Task Force on Invasive Aquatic Plants and Nuisance Species is now taking comments on a plan to control milfoil and other uninvited guests. Vermont is investigating biological controls for milfoil, while local communities such as Westmore on beautiful Lake Willoughby are employing intrepid divers as plant yankers.

Lake George has had milfoil since 1985. The Adirondack Council is actively opposing a chemical control program there, asserting that natural die-off of milfoil has occurred and that chemicals threaten native species. New York's Department of Environmental Services has put off a decision for one year.

Maine's proposed invasives plan makes no provision for use of chemical controls. Do an internet search on milfoil though and you may be treated to a pop-up advertisement for Diquat.™ How many harried campowners will be initiating control programs of their own? (Maine's website on the subject www.state.me.us/dep has an interesting note: DDT was widely used on tidal flats in the 1940s in a futile effort to control the asian green crab.)

Some of the lakes thus far infested include NH's Lake Sunapee and portions of Lake Winnepesaukee; Sebago Lake and Bryant Pond in Maine; the aforementioned Willoughby in Vermont's Northeast Kingdom as well as Memphremagog.

Nantucket Sound Project Raises Key Questions on Windpower Development

Windpower in Nantucket Sound garners support and opposition, highlighting the absence of appropriate siting standards

By Ron Huber

Proposals for a trio of offshore wind energy complexes in the Nantucket Sound region is drawing the support and opposition of various parts of the Massachusetts state government, conservationists and tourism industry.

Nantucket Sound lies between Martha's Vineyard, Nantucket Island and southern Cape Cod. The scenic area hosts a tourism industry worth more than 1 billion dollars. Cape Wind Associates, a partnership between Energy Management Inc. and Wind Management Inc. has begun a permit review process to allow placement of 170 windmills, each 240 feet high, spread over a 28 square mile area of the Sound, centered on the Horseshoe Shoals. The project also includes an extensive grid of subsurface powerlines and two transmission lines connecting the facility to the mainland.

Two other wind projects loom on the horizon in the same region. Sea Energy Generation of Texas wants to build 20 windmills and wave action turbines (which use the force of ocean waves to generate electricity) some 8 - 20 miles southeast of Nantucket. Winergy Limited Liability Corporation of Long Island, NY proposes 250 wind turbines on a site southeast of Nantucket. At present, however, only the Cape Wind proposal has begun a formal permitting process.

All three power projects would be sited in federal waters, but power cables would of necessity go through Massachusetts state waters to reach the mainland power grid. Decisionmaking on permits for the offshore facilities will be led by the Federal Energy Regulatory Commission, and the US Army Corps of Engineers, but the state of Massachusetts is involved on the powerline portion, and, through the consistency provisions of the federal Coastal Zone Management Act, the review of the offshore facility's permit application as well.

The Massachusetts Office of Coastal Zone Management (CZM) has submitted critical comments on the proposal. The agency, which must approve any federal activity that would impact the Massachusetts coastal zone, prior to issuance of any permits from the Army Corps of Engineers, is especially concerned about the lack of alternatives analysis regarding the project. In an April 5th memo on the proposal, CZM Director Tom Skinner wrote:

"CZM believes it is critical that review of a project of this scope include an evaluation of all feasible alternatives before the focus is narrowed to one particular technology and site. CZM is requesting that the federal EIS and to the extent that it is within its jurisdiction, the state EIR include a full alternatives analysis of current and

future power demands in the New England region. CZM believes it is not appropriate to consider the details of the proposed wind farm at Horseshoe Shoals until such an analysis has been completed."

"CZM will also be concerned about the financial viability of the project, particularly if it proves to be uneconomic to develop or run, or if the project suffers damage. It will be essential that the applicant have the capacity to restore the area to its natural state, should power generation end for any reason."

The conservation community is split, with Conservation Law Foundation supportive of the projects, and the International Wildlife Coalition, the Humane Society and the Ocean Conservancy and area group Save Our Sound in opposition.

In a July 19, 02 *Boston Globe* op-ed, Stephen Burrington, Conservation Law Foundation VP and General Counsel, wrote:

"In CLF's view, the question is not whether New England should have wind farms offshore and in the mountains, but where. Why? Because a look at the options shows that wind energy is one of the best available solutions to the problem of global warming...Wind energy has arrived. Its price has dropped steadily for two decades, and domestic wind energy installations nearly doubled last year. Countries in northern Europe are developing offshore wind farms. A small wind farm recently began operation off Prince Edward Island. The technology keeps improving - a wind farm built today will likely provide even more and cheaper energy in the future.

Admitting that "[t]he visual impact of wind farms stirs much opposition," Burrington warns against "rushing to judgment. Some wind farms actually attract tourists who hail them as beautiful."

However, Save Our Sound, International Wildlife Coalition, the Humane Society and the Ocean Conservancy have a dramatically different view. Their objections to the proposed wind power plants include the inappropriateness of privatizing and industrializing large swathes of the public marine environment with minimal public stakeholder input, the degradation of a pristine view that generates hundreds of millions of dollars annually to the communities surrounding the Nantucket Shoals region, impacts to migratory birds and marine mammals, and the federal decision to begin the permit review process for the offshore wind power projects prior to development of federal siting standards for such projects.

Opponents say that while a number of nations have begun development of offshore windfarms, the projects proposed in Nantucket Sound would not meet the regulatory standards for acceptable environmental, aesthetic and economic impacts developed by those countries.

Wind power, like other forms of non-nuclear, non-fossil fuel energy generation, should be part of the mix of our nation's energy portfolio. But just as has been done for other marine industrial operations, from salmon pen farming to offshore oil and gas exploration, federal siting criteria first need to be developed. A survey of outer continental shelf waters could determine appropriate and inappropriate locations. A more open decisionmaking process governing the private use of public waters needs to be established, before hundreds and ultimately thousands of square miles of public marine lands get transferred to the private sector.

For more information: Cape Wind Associates, LLC www.capewind.org

Alliance to Protect Nantucket Sound www.saveoursound.org

Open Space Institute Funds Projects (Continued)

Contact: David Houghton, Trust for Public Land, (802) 223-1373

Lake Umbagog Project The Trust for Public Land (TPL) received a grant of \$200,000 for the purchase of 6,180 acres that has been added to the Lake Umbagog National Wildlife Refuge in Errol, New Hampshire. The refuge, located on the New Hampshire-Maine border, is known for its aquatic resources, including an exten-

sive network of wetlands that are critical for many species of birds. This is the first phase of the 16,664-acre project that will also include the protection of working forests around the refuge.

Contact: David Houghton, Trust for Public Land

New York — Tug Hill Plateau Project The Central and Western New York Chapter of The Nature Conservancy (TNC) received a grant of \$500,000 for the purchase of 45,000

acres on the Tug Hill Plateau in northwestern New York. The project will protect a biologically unique and relatively roadless forestland at the western end of the Northern Forest. The acquisition establishes ecological reserve on over 14,000 acres and will permanently protect over 30,000 acres of commercially owned forestland through a sustainable forestry conservation easement.

Stellwagen Bank National Marine Sanctuary Management Plan Being Updated

Public input encouraged — Comment Period Ends October 18

By Ron Huber

Like the allowable uses of New England's terrestrial National Parks, National Forests and National Wildlife Refuges, human interaction with birds, mammals, fish and habitats of the submerged terrains of the 842 square mile Stellwagen Bank National Marine Sanctuary — a gigantic sand and gravel bank that serves as the seaward boundary of Massachusetts Bay — is governed via a periodically overhauled federal management plan.

The present management plan for Stellwagen Bank and its prolific assortment of whales, fishes and seabirds came into effect in July 1993, shortly after the formal designation of the sanctuary. The plan bars sand and gravel mining, regulates whalewatching and limits the discharge of pollutants into the waters of the sanctuary. Commercial fishing within the sanctuary remains under the control of the National Marine Fisheries Service.

In December 1998 and January 1999, Sanctuary officials began an overhaul of this management plan, holding scoping meetings to ask the public for comments and suggested revisions to the management of the sanctuary.

Five major concerns emerged; issues that should be very familiar to terrestrial public land conservationists: habitat alteration, impacts to wildlife, water quality, public awareness and effectiveness of law enforcement.

On July 1, 2002, NOAA released the summary and analysis of these scoping meetings' results, and opened a public comment period on the Sanctuary's management plan, that closes October 18, 2002.

From September 24th to October 5th the agency will host a series of public meetings at 9 locations along the New England coast, from Portland, Maine south to Mystic, Connecticut. The agency will also accept emailed or mailed written comments until October 18th.

See NOAA's summary and analysis of these scoping meetings' results, below. The analysis and much more is also available at the sanctuary's website: <http://stellwagen.nos.noaa.gov>

What You Can Do

New England's biggest marine protected area will benefit by your input! It is critical that New England's public lands and wildlife conservation constituencies join in this process of bettering the conservation of the public lands and wildlife of Stellwagen Bank.

Write to:

Stellwagen Bank National Marine Sanctuary
MPR Coordinator
175 Edward Foster Road,
Scituate, MA 02066.
By email: sbnmsplan@noaa.gov

Following the close of public comment on October 18, 2002, the sanctuary staff will review the written and meeting input, work with the Stellwagen Bank Sanctuary Advisory Council (SAC) to prioritize the issues and proposed actions

identified, and develop "action plans". These action plans will serve as the basis of the draft revised management plan. Release of the draft plan should occur during Summer 2003. Following public meetings and comments, the final management plan is expected to be completed during Summer 2004.

NOAA analysis of major issues identified at 1998 — 1999 public scoping meetings on the Stellwagen Bank National Marine Sanctuary management plan.

ISSUE 1: Alteration of Seafloor Habitat and Ecosystem Protection

The alteration of seafloor habitat in the Sanctuary was an issue of particular concern. Comments focused specifically on the growing evidence that fishing effort with certain gear types (mostly bottom trawls and dredges) is having significant and measurable impacts on benthic communities in the Sanctuary. Some argued that these activities might be dramatically changing community compositions and affecting ecosystem processes.

Repeated interest was expressed in the use of marine zoning within the Sanctuary as a means to realize specific management goals. A zoning plan would delineate areas within the Sanctuary that limit or exclude particular activities (such as fishing with mobile gear). Part of a zoning plan might involve no-take marine reserves, areas that exclude fishing activity entirely, for a subset of each major seafloor habitat type. Opportunity exists to work cooperatively with the National Marine Fisheries Service and the New England Fishery Management Council in addressing this issue.

Other areas of concern focused on human impacts to living marine resources from such activities as ghost fishing (lost gear that continues to fish), fiber optic cable installation, ocean dumping, marine debris, off-shore mariculture and coastal run-off. Many argued for increased efforts to better understand Sanctuary biodiversity and impacts of human activity on the site ecosystem, placing greater emphasis on conservation. The need for monitoring ecosystem condition was expressed, as was boundary expansion to include more diverse habitat types.

ISSUE 2: Impacts of Human Activities on Marine Mammals

The need for increased protection of various marine mammals in the Sanctuary was a large concern voiced by scoping participants. To provide better protection, commenters argued, the site needs more information about such things as how marine mammals use the Sanctuary and how their sex, age, maternal lineage, calving history and distribution affect their populations. Habitat requirements, prey bases, interrelationships with other species, and impacts of humans on their behavior were noted as important to know. Within the larger issue of human impacts, three concerns stood out in particular.

The first concern focused on the role of vessels in the harassment, injury and

mortality of Sanctuary marine mammals, particularly the "seen" whale around which vessels congregate. Commenters disagreed about whether densities and proximity of whale watching vessels interfere with feeding activity of whales. It was deemed appropriate that the Sanctuary direct greater effort toward establishing programs to encourage responsible whale watching within its boundaries.

The second concern related to the "unseen" whale. This is a whale that surfaces unexpectedly in the path of a moving vessel or is subsurface, but at a depth at which it could be struck. It was pointed out that an increased number of ship strikes are occurring in areas where whales congregate near shipping lanes or where vessel speed among whale watch vessels and recreational boats could be a factor.

The third concern focused on marine mammal entanglements and the associated risk of mortality. Entanglements often involve fishing gear, derelict or otherwise. Of note, the appearance of an entangled animal in the Sanctuary does not necessarily mean that the animal became entangled in the Sanctuary. Marine mammals are wide ranging and may encounter gear elsewhere and drag it long distances.

General concerns raised by commenters included the impact of vessel noise and other human generated acoustics on marine mammals, a lack of coordination among various regional marine mammal protection agencies, inadequate guidelines for approach distances to whales in the Sanctuary, impacts from off-shore mariculture on marine mammals (e.g., risk of entanglement), and the potential northward extension of the Sanctuary boundary to include additional marine mammal feeding areas on Jeffreys Ledge.

ISSUE 3: Condition of Water Quality

Public concerns over issues of water quality in the Sanctuary were numerous. Many of these concerns were due in large part to the opening of the 9.5-mile long sewage and wastewater discharge pipe operated by the Massachusetts Water Resources Authority. Commenters argued that a clearer understanding of the outfall's effects on the Sanctuary ecosystem is needed, particularly any impacts it could have on the endangered right whale or other marine mammal species in the Sanctuary.

A second concern related to the dumping of graywater and head waste in the Sanctuary. It was commented that the impact of individual and cumulative dumping events on Sanctuary resources could be harmful and significant in the case of endangered species, while the process of dumping was counter to the image of the Sanctuary.

Further concern was raised over the lack of information on the bioaccumulation of toxins and contaminants in various Sanctuary resources. Data on the levels of contaminants of living marine resources in the Sanctuary are limited at best, and



Ron Huber at anchor

almost no information exists to address the effects of pathogens (bacteria, viruses and parasites) on Sanctuary resources. The Sanctuary was urged to identify areas of potential or existing contaminant accumulation, evaluate potential pollutant contributions from various sources (e.g., outfall, disposal sites, atmospheric deposition), and determine the incidence level and impact of contaminants and pathogens on Sanctuary resources.

Concern also was expressed over the potential impact of off-shore mariculture operations on water quality in the Sanctuary. Currently, mariculture activities do not occur there, though the potential for off-shore work in the region has been discussed.

Finally, scoping participants argued that the Sanctuary needs to be better prepared for a hazardous materials (HazMat) spill and be better educated on response. It is incumbent upon the Sanctuary, they stated, to have a plan for cooperating with and supplementing the overarching HazMat plans of various other water quality authorities in the Massachusetts Bay area.

ISSUE 4: Lack of Public Awareness

Many concerns addressed the Sanctuary's limited public visibility. Commenters called for the Sanctuary to increase its name recognition and enhance basic understanding of the Sanctuary and its resources. Scoping participants also called for the Sanctuary to serve as a conduit of information to user groups including researchers, fishermen, scientists and recreational boat owners, and to conduct naturalist training and certification.

ISSUE 5: Effective Enforcement

Many concerns were expressed regarding enforcement in the Sanctuary. Several commenters noted that compliance with laws and regulations was unlikely without an enforcement presence and that enforcement was therefore critical to effective protection of Sanctuary resources. The general sentiment was expressed that existing laws need to be better enforced. Other comments were directed at enforcement of voluntary guidelines associated with whale watching (which can only be encouraged, not legally enforced) and the need to strengthen regulations. Commenters stated that current Sanctuary regulations alone are insufficient to protect Sanctuary resources.

CLF applying MARXAN analysis to Gulf of Maine MPA siting

by Ron Huber

The Conservation Law Foundation has long been in the forefront of Marine Protected Areas efforts in the Gulf of Maine region. CLF's 1978 lawsuit that stopped the federal government from authorizing oil and gas drilling on Georges Bank included a proposal that the US portion of Georges Bank be designated as a National Marine Sanctuary.

The proposal was given serious consideration by the anti-drilling National Oceanographic and Atmospheric Administration, which conducted hearings on designating Georges Bank area as a sanctuary. However, NOAA then withdrew consideration of CLF's plan when the Interior Secretary agreed to the still-ongoing moratorium on oil and gas drilling on Georges Bank.

For the next two decades, Conservation Law Foundation put most of its marine conservation energies into efforts to reform federal commercial fishery management, but in the late 90s again returned to the marine protected areas arena.

In 2000, CLF released a report funded by the North American Fund for Environmental Cooperation entitled "The Wild Sea: Saving Our Marine Heritage", laying out the group's vision and rationale for establishing new MPAs in the Gulf of Maine.

This was followed in 2001 by CLF's release of "Conservation Coast to Coast", a report comparing the MPA efforts of Maine, New Hampshire and Massachusetts with the more active MPA policies of California and Washington. CLF also participated in the 2001 Federal Marine Protected Areas forums held in Bar Harbor and Boston.

CLF's present MPA initiative "Protecting Marine Life in the Gulf of Maine" is an ambitious mapping effort. Carried out in concert with the World Wildlife Fund (Canada), CLF is using GIS to create "Seascape Maps" that detail areas within the Gulf of Maine and on Georges Bank that are "physically and biologically distinctive", including spawning and recruitment areas and coral areas.

CLF has completed extensive data gathering of everything from seafloor sediments and terrain to fish catch statistics, water column chemistry and regional hydrology, and is now beginning to feed this information into the MARXAN computer program to find those areas that best capture these values. First developed for use on the Great Barrier Reef in Australia, MARXAN analyzes the data sets given it and identifies "Conservation Hot Spots", areas that must be protected to reach the desired conservation targets.

CLF expects to complete the ecological portion of the mapping effort later this year, including peer review of the data, and plans to hold a series of small group meetings with fishers and other economic stakeholders in Spring and Summer 2003 to collect socio-economic information to add to the analysis. The final maps will be available to the public for planning process, conservation projects, and fisheries planning exercises.

For more about Conservation Law Foundation's Marine Protected Areas Initiative, contact

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OCEAN CONSERVANCY INVENTORIES GULF OF MAINE MPAs, RECOMMENDS OCEAN WILDERNESS AREAS

By Ron Huber

The Ocean Conservancy, (formerly known as Center for Marine Conservation), has carried out an exhaustive review of the extent and quality of 95 Marine Protected Areas in the US portion of the Gulf of Maine. The study shows that most sorely lacking from the protection mix are any fully and permanently protected subtidal areas. In fact, as the study notes: "The vast majority of the US Gulf of Maine is lacking protected areas of any kind." the report notes.

Funded by the US EPA and philanthropists Thomas and Melinda Haas, TOC's study, "Marine and Coastal Protected Areas in the United States Gulf of Maine Region" reveals wide variation and enormous gaps in the protection of fish and other wildlife in the present day array of "Marine Protected Areas" in that region. The report also contains seven recommendations for designating new Marine Protected Areas and for improving the existing ones. (See below.)

Rating the GOM's MPAs

The Ocean Conservancy scored and rated existing GOM MPAs by 'seasonality', 'protection level' and 'permanence'. Only protected areas with subtidal and/or intertidal components were examined. Scoring was based on a "review of legislation, regulations, protected area program documents and websites, and the personal knowledge of the experts we consulted."

Scoring put each existing marine protected areas into one of eight categories from the highest level of protection "Year-round prohibition of all extractive activities, designation permanent," to the lowest: "Seasonal prohibition, for less than six months, of activities causing high and widespread impacts to benthic habitats, designation temporary or of uncertain duration." Interestingly, none of the surveyed MPAs fit into either of those categories.

According to the OC report, of the 95 sites evaluated, no subtidal areas were "permanently protected and closed to all extractive activities" while six Massachusetts wildlife sanctuaries fully protect their intertidal zones. The vast majority of sites

fell into the category of "permanently protected sites that allow activities causing high and widespread impacts to benthic habitats".

MPAs were ranked as follows:

1. Sites that prohibit all extractive activities year-round, designation permanent. Six Massachusetts Wildlife Sanctuaries: Billingsgate, Carr Island, Eagle Island, Egg Rock, Milk Island and Ram Island, made this category for their protection of intertidal habitats and wildlife.
2. Sites that prohibit activities causing high and widespread impacts to benthic habitats year round, designation permanent. Acadia National Park, Cape Cod National Seashore, New England's coastal National Wildlife Refuges, and Maine's Cutler Coast Ecological Reserve made this category.
3. Sites that prohibit all extractive activities year-round, but designation temporary or of uncertain duration. (None)
4. Sites that prohibit activities causing high and widespread impacts to benthic habitats year-round, but designation temporary or of uncertain duration.

Federal fishery Closed Areas 1 and 2 on Georges Bank, and the Western GOM Closed Area, as well as several Massachusetts and Maine fishery closures made this category.

5. Sites that prohibit some activities year-round, but allow activities causing high and widespread impacts to benthic habitats, designation permanent.

This is by far the most represented category, with 72 MPAs. It includes Stellwagen Bank National Marine Sanctuary, Wells and Great Bay National Estuarine Research Reserves, the Cape Cod Bay and Great South Channel Critical Habitat Areas (right whale protection zones), four Massachusetts Ocean Sanctuaries, 30 state parks and state beaches (six in NH, 16 in ME, 8 in MA), 12 Maine State Wildlife Management Areas, five MA Salt Marsh Properties, ten MA Areas of Critical Environmental Concern, three ME Public Reserved Lands, and three ME Marine Conservation Areas.

6. Sites that prohibit some activities year-round, but allow activities causing high and widespread impacts to benthic habitats, designation temporary or of uncertain duration. Two federal Scallop Exemption Areas (Scallop dredging is allowed in roughly 50% of the federal Closed Areas 1 and 2, Georges Bank, which are otherwise in Category 4, above.)
7. Sites that prohibit, for at least six months, activities causing high and widespread impacts to benthic habitats, designation temporary or of uncertain duration.

Two MA Seasonal fishery closures: a flounder spawning closure and a "mobile gear regulated area".

8. Sites that prohibit, for less than six months, activities causing high and

"Of the 95 sites evaluated, no subtidal areas were permanently protected and closed to all extractive activities."

widespread impacts to benthic habitats, designation temporary or uncertain. (None.)

The Ocean Conservancy aims to redress the relatively lightweight protections given the Gulf of Maine's and Georges Bank's marine habitats. It recently opened a Gulf of Maine center in Portland, and has issued an "Ocean Wilderness Challenge" asking interested persons to join their efforts to "secure true wilderness status for at least 5 percent of U.S. oceans. Our goal is to permanently protect significant ocean areas, special places that contribute immensely to the health and beauty of the oceans."

The Ocean Conservancy's Recommendations

- (1) Work should begin immediately to establish a comprehensive network of effective permanent MPAs throughout the Gulf of Maine, in both coastal and offshore areas.
- (2) The Gulf of Maine MPA network should include a spectrum of types of MPAs, including at least on area of Ocean Wilderness.
3. Existing MPAs should be strengthened, and new MPAs established, to create more sites that provide permanent and comprehensive protection against the full range of adverse effects of human activities.
4. The Gulf of Maine MPA network must include some areas, in both coastal and offshore waters, that are permanently closed to all fishing.
5. Research and monitoring programs should be implemented in as many Gulf of Maine MPAs as possible.
6. A long-term plan for completing a comprehensive network of marine protected areas in the Gulf of Maine is needed to maximize efficiency and effectiveness, but this should not delay the more rapid development and strengthening of its initial building blocks now.
7. Completion of a comprehensive, adequate network of effective MPAs in the Gulf of Maine should involve the active participation of fishermen, scientists, coastal communities, conservationists, governments at all levels, and the full range of other stakeholders with an interest in the Gulf of Maine.

For a copy of the Ocean Conservancy Report, contact them at

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TREES RESPONDING TO A WARMING CLIMATE

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By Matthew Sturdevant

Global warming in the past 100 years is changing the types of trees that grow well in the forests of Saratoga and Washington counties, initial results from a new study suggest.

The study of trees in two area forests—in the towns of Jackson and Greenfield—has found signs of stress in trees that typically grow in forests of the Glens Falls region and places to the north.

At the same time, trees that in the past were more commonly found to the south of the region appear to be thriving in local forests, said Neil Pederson, a graduate student in forest ecology at Columbia University's Lamont-Doherty Earth Observatory in Palisades (Rockland County).

Pederson undertook the study of the local forests as part of his doctoral dissertation at Columbia. He focused on a cluster of white spruce trees in Jackson and a plot of blackgum trees in Greenfield.

The white spruce trees, he found, have been stressed by the increasingly warm temperatures of recent decades. The blackgum trees, conversely, have been growing more rapidly in the warmer climate of the past century, Pederson said.

The findings in the two local forests are based on Pederson's analysis of growth rings in trees that range from 200 to 600 years old.

The trees he studied in Jackson and Greenfield are part of a larger study that will aim to determine whether rising temperatures in the past century have affected the growth of about 20 different tree species at their northernmost or southernmost ranges, Pederson said. The research includes about 20 wooded areas throughout northern New York, but only the results from the Greenfield and Jackson plots have been tallied so far. The final study is expected to be complete in 2004.

Pederson hypothesizes that eventually, if the climate continues to warm, about 20 different species will shift the limits of their range farther north, changing the makeup of area forests to include a different set of trees from what people are used to seeing in New York.

Saratoga, Warren and Washington counties are particularly interesting because the area is a meeting place for trees at their northernmost or southern-

most ranges, Pederson explained. The Hudson River valley also appeals to biologists because it has been a migration corridor throughout history for all sorts of plants and animals, he said.

"I am focusing on this region with the idea that it might be most sensitive to climate change," Pederson said.

At this point, Pederson has final results only from the Greenfield and Jackson plots. But he is collecting samples from dozens of forests throughout New York state, and other studies done by Columbia University researchers have focused on forests on nearly every continent in the northern hemisphere.

There is widespread agreement that temperatures in the region have increased over the past century, although scientists and politicians disagree among themselves about whether the trend will continue—and about whether greenhouse gas emissions or other environmental pollutants have contributed to the change.

The National Weather Service in Albany, for example, recently switched its "normal temperatures" for dates throughout the year to a higher set of numbers, based on averages from 1971-2000. The average temperatures for those years were higher than the averages for 1961-90, climatologist Evan Heller explained.

The weather service's new normal temperatures for January are 1.6 degrees higher, while the average normal temperature for July is 0.7 degrees lower than the previous normal, Heller said. Although average summer temperatures have decreased, that decrease is more than offset by increases in other seasons, he said.

"We're kind of going through a period where we're losing extremes, and it's getting warmer," Heller said.

Pederson stressed that his study will not make predictions about future climate trends. But he said the results of his study so far indicated that, if the warming trend continues, the forests of New York could look a lot different in the decades ahead. The changes could alter everything from logging to eco-tourism, as southern species creep farther north and northern species retreat to Canada.

The trend could one day leave the forests of the southern Adirondacks looking more like the Great Smoky Mountains of North Carolina and Tennessee, he said.

"The Smokies are pretty in the fall, but there's nothing like a New England

autumn," he said.

Most environmental groups attribute the global warming trend to greenhouse gases, like those emitted by the burning of natural gas or petroleum products, and Pederson's findings may be used by some groups to push for tougher emission controls.

David Higby, the projects director for Environmental Advocates of New York, said last week that Pederson's preliminary findings add to mounting evidence that global warming is having effects close to home.

"We are now undergoing a very disturbing pattern that they noticed in Pennsylvania 10 years ago—that is, that native species are hurting," Higby said.

Pederson's study has focused locally on a stand of blackgum trees, also called black tupelo, near Greene, Spier Falls and Locust Grove roads in Greenfield, and on a group of white spruce trees between Fish Hatchery Road and the Batten Kill in Jackson.

At the local sites, and at other sites he's studying across the state, Pederson examines tree growth rings by boring horizontally into the trunks of living trees. He extracts a pencil-like cylinder from the tree, which allows him to examine the growth rings without harming the tree or cutting it down. The samples are then dried, sanded and mounted for study under a microscope.

He's looking at the tallest, old-growth trees. The blackgum trees he's studied in Greenfield, for example, are among the oldest in the state, dating from the 1400s or earlier.

Growth rings naturally get narrower as trees age, but Pederson said he's accounted for that phenomenon by using a "growth index" to track the rate at which older trees would be expected to grow.

What he says he's found is a correlation between growth and temperature change. The blackgum trees, for example, are growing more rapidly than would be expected, given their age.

"These trees are growing faster and faster," Pederson said.

But the white spruce trees in the Eldridge Swamp of Jackson have become "heat stressed" in the past century, he said.

There are many variables that affect tree growth, of course. Roger Dziengeleski, the woodlands manager for paper makers Finch, Pruyn &

Co., has regularly toured forests in the past three decades from Pennsylvania to Canada. But he said it would be impossible for him to say what effect temperature has had on tree growth, because the forest is such a dynamic ecosystem with so many variables.

"I think the changes are so slight over such long periods of time that I wouldn't be able to see them and say empirically if they're temperature-related," Dziengeleski said. "There are so many variables in a forest system, I think it would be difficult to narrow the study to just temperature."

Pederson, however, said he's tried to reduce the influence of other factors in his research by studying a large number of trees -- 20 species, and about 800 to 1,000 trees in total—and by studying species and locations that are considered less susceptible to other environmental problems or to other influences, such as soil conditions or drought, that would affect tree growth.

The tree stands in Greenfield and Jackson, for example, should be less susceptible to acid rain than other trees in the Adirondacks because they're at low elevations and are on the eastern side of the Adirondacks, Pederson explained. Acid rain's effects are most pronounced in the western Adirondacks and at high elevations.

The data from the local tree stands also will be compared with data from other white spruce and blackgum stands in at least four other locations around the state as the study progresses, he said.

"I can't completely rule out acid rain," Pederson said. "But with more data, there could be a stronger argument to say that the trend is caused by climate."

Pederson said his study will include about 20 species from all over the state. In each plot he studies, Pederson said he's examining about 20 trees within each species, with a goal of screening out the influence of other factors that might be specific to one tree or one location.

"I think my saving grace would be getting similar results across several species," Pederson said. "I could pinpoint climate more, because sensitive species would react more dramatically" to acid rain.

Matt Sturdevant:sturdevant@poststar.com

VT WOODNET IS SEEKING NEW MEMBERS

VT WOODNET is a coalition of small-scale woodworkers and wood-related businesses whose mission is to strengthen business opportunities for Vermont wood product businesses. This mission is based upon a commitment to the sustainability of the forest resource.

VT WoodNet was established in 2000 to address the needs of small-scale woodworkers and crafters in Vermont by creating opportunities for joint manufacturing and joint marketing and by increasing access to materials and services.

With members located primarily in the counties of Addison, Chittenden, and Washington, VT WoodNet is seeking to expand membership to all ten northern VT counties this year, and increase to the four southern counties next year.

Individual membership benefits include:

* Building Connections quarterly newsletter

product manufacturers

* strong network & partnerships among members

* notification about events and programs

Business memberships have additional benefits:

* free listing in printed Resource Guide

* free listing in on-line Resource Guide

* free links from WoodNet website to your site

* member recognition with membership card

* member discount at participating stores

* networking for purchasing power

* share knowledge of resources

* outsourcing of shop overloads

* sharing knowledge about business practices

Some of the VT Woodnet projects for 2002 include:

*Publication of the expanded VT WoodNet

Resource Guide for 2002-2003.

* quarterly meetings with other woodcrafters

* contact with other wood

* Continuation of the project of designing and building of a conference table for the Governor's Pavilion Room in the State Office Building.

* Expansion of the WoodNet organization to the northeast region.

* Hosting of quarterly member meetings and provision for more networking, peer training, and education.

* Development of marketing strategies for members, including retail displays and a catalog.

* Forest Stewardship Council certification of 6-8 members.

If you have questions about VT WoodNet, contact VT WoodNet coordinator Judy Howland at PO Box 581, North Concord, VT 05858 or jhowland@sover.net or 802-274-0539.

For more information visit our web site at www.VtWoodNet.org

Beyond the Beauty Strip

Saving What's Left of Our Forests

Mitch Lansky



by Mitch Lansky

TEN YEARS AGO, I published *Beyond the Beauty Strip: Saving What's Left of Our Forests*. I started writing it three years earlier, in 1989—a year when massive, rolling clearcuts were reaching a peak in Maine. Cutting was so heavy that the inventory was starting to decline and experts were predicting shortfalls in the future. It was also a time when the Maine legislature passed the Forest Practices Act, which was supposed to address this heavy cutting. Timber companies were spraying 11 times more acres with herbicides than in the next heavily sprayed northern state, Minnesota. A task force was supposed to address this heavy spraying, but nothing came of it.

Large land sales had also started to take off. The sale of a million acres of Diamond lands in the northern New England and New York had led to the Northern Forest Lands Study, which was supposed to address these large land transfers and their impact on rural stability. As I was writing, Great Northern Nekoosa, the largest landowner in the state, sold its land and mills to Georgia Pacific, which then sold to Bowater. Since then, it has been sold again.

Forest cutting was getting more and more mechanized, and rural communities dependent on logging were losing population. Years earlier, after loggers had gone on strike over low wages, bonded Canadian labor, and one-sided contracts, industry representatives had promised that mechanization would phase out Canadian workers and lead to higher wages. Neither of these predicted outcomes occurred. Wages were going down and Canadian labor was taking up the same percentage of the labor force.

Enormous changes were happening, but I was concerned that the media was not adequately covering these changes and that environmental groups, which should have been giving critiques and enunciating alternatives, were making compromises before the public knew what were the

desired goals. I watched as the industrial viewpoint overwhelmed all other perspectives on the whole range of issues connected with the forest—from wildlife conservation to taxes. I was sitting on top of boxes full of information that, I thought, should be put together in one place, where it might make more sense and spur more people to action.

Mark Melnicove, then editor of Tilbury House Publishers, had seen a short piece I had written earlier that year about forestry "myths." He suggested I could turn it into a book. We figured it could be finished in around six months. Once I got started, however, I researched with an intensity that surprised even me. I uncovered a lot of new material and was continually bom-

barded with new events. The book grew to more than 450 pages after three years—when we decided that enough was enough and finally went to print.

Industrial reaction

I was expecting to be roundly attacked by big landowner representatives. To my surprise and relief, that did not happen. There were no industry publications "correcting" my "misinformation." The only negative review given to the book from an industrial perspective came out of British Columbia, not Maine. Indeed, in Maine, the Society of American Foresters, many of whom were industrial foresters, came in two busloads to my area to check out some sites and discuss what I thought were the problems. Despite my laryngitis on that day, making it difficult to speak or be heard, discussions were civil. Looking at interactions of industry with other critics, I am still impressed at how little flack I got. Of course, the lack of critiques from industry meant less controversy, which meant less public attention, which meant fewer sales. But I do appreciate not having to deal with a smear campaign.

Changes

Since the book was published, the forestry scene in Maine has gone through major changes:

Diamond, Champion, Scott (and even its replacement, Sappi), Great Northern Nekoosa, and Georgia-Pacific are no longer landowners in Maine, and, with the exception of Georgia-Pacific and Sappi, don't even exist any more.

Canadian conglomerate, J.D. Irving, is now the state's biggest landowner.

Timberland investment companies have moved into the state big time. Their time horizons for ownership seem to be ten or fifteen years at most. Some have started selling off land within years of acquiring it.

There have been three forestry referendums. In my book I suggested that such



Industrial forestry in the middle provinces of the old paper colony: former St. Regis/Champion land now owned by the people of Vermont and part of an ecological reserve.

referendums were bound to lose unless they were clear, easily understandable, and based on overwhelming public sentiment that the legislature was not heeding. Apparently those who wrote the various referendums did not read that section of the book. While pitching for the forestry Compact, large landowners and environmental groups finally admitted that the Forest Practices Act (which they had supported) was inadequate—a fact that I had amply documented in my book years before.

Clearcutting (as defined by state law) has gone way down (from nearly half of all cuts to only around 2.5%)—but cutting intensity (average volume removed per acre cut) is still high.

Most cutting is now done with feller bunchers. The chainsaw is no longer on the cutting edge of forest technology.

The state has had a Maine Council on Sustainable Forest Management and a Maine Forest Biodiversity Project (leading to minuscule changes in policy).

RESTORE the North Woods (which was just being formed as the book was published) has become a major source of controversy with its park proposal, with the flames of controversy being whipped higher by property-rights groups.

Mega-easements have been bought or are being proposed for hundreds of thousands of acres—mostly to protect beauty strips from development from seasonal dwellings. A complete ecosystem reserve system, as recommended by the Maine Forest Biodiversity Project has not received either the funding or the attention of easements, which allow logging as usual, with small modifications.

Over 7 million acres in Maine are certified (or on the verge of being certified) by either SFI or FSC. Only around 1% of the certified land is smaller holdings—the rest is owned by big companies who do most of the clearcutting, herbicide spraying, plantations and other "green" activities.

Accident rates as well as workers compensation costs for workers have gone down, but wages have not gone up—despite the money saved. Contractors are finding it difficult to recruit new, young loggers. Desperate Allagash loggers, who have seen jobs displaced by mechanization and Canadians, blockaded the border at the end of the decade. They are still waiting for the government to do something.

Sawmills in Maine are having even more trouble competing with Canadian mills, which still take a significant proportion of the state's saw logs. The US has established duties on Canadian lumber,

except in the Maritimes and on the border with Quebec (big landowners in Maine love that market for their wood and didn't want to lose it).

The "can't-tell-the-players-without-their-hats-on" syndrome is still alive and well. I was writing during the reign of McKernan, who appointed Robert LaBonta (forester for Scott) as head of the Department of Conservation. In sharp contrast, Governor King appointed Ron Lovaglio (of International Paper) the DOC chief. Former Maine Forest Service directors John Cashwell and Chuck Gadzik (both of whom were previously working for large landowners) are now working (again) in the private sector—for Seven Islands and J.D. Irving, respectively.

I changed too

Since the publication of the book, I've been involved in many of the issues listed above. Part of the reason I got invited to so many venues was that I wrote "the book." I was on, for example, the Citizens' Advisory Committee of the Northern Forest Lands Council (NFLC), a review panel of the Maine Council on Sustainable Forest Management, the Maine Forest Biodiversity Project, and the Round Table on economic and labor issues in the Maine woods. I'm not sure if I made much of a difference in changing the direction these initiatives were headed, but at least another perspective was heard. When dealing with a major system with lots of momentum, instant change is not a probable outcome.

I did, however, learn more about both the subjects at hand and the people involved. While I have certainly disagreed with both industrial and environmental representatives, I've always tried to keep the disagreements focused on issues, rather than on personalities. When my house burned down two years ago, some of my environmental and industrial colleagues showed generosity towards helping us recover. Now that I'm back on my feet again, the debates continue—but, more than ever, I see those with whom I debate as people more than symbols.

I eventually decided that setting an agenda is more productive than reacting to someone else's. The Maine Low-Impact Forestry Project, of which I was a founding member, has tried to educate the public about ways to cut wood as if the future mattered. I've learned that to do that requires more than just good cutting, it

Continued Next Page

Beyond the Beauty Strip, continued from previous page

"How can forestry be sustainable, if the society that practices it is not sustainable?"

requires a different approach to economics, labor, and technology, as well as paying attention to the biology of forests. I've just published a new book, *Low-Impact Forestry: Forestry as if the Future Mattered*. In addition to LIF, I've worked to reform logger payment systems and encourage more local value-added processing.

I'M STILL IMPRESSED with the comprehensive nature of *Beyond the Beauty Strip*. I have seen few, if any, environmental books that have gone at a subject from so many angles: economic, social, ecological, silvicultural... Every year, I continue to be invited to give talks at colleges where chapters from the book are required reading. Occasionally I get a letter from someone who has read the book and has been grateful I wrote it. Those letters make me feel that the three year effort was worth it.

When I read the book now, ten years later, I am impressed at how well I organized the material, and how many times I got issues right — at a time when people in power insisted I was wrong. Indeed, with some issues, from dioxin to acid rain, and from the Forest Practices Act to forest biodiversity, it took more than half a decade before the general consensus caught up with my research. I am amused that even though history has confirmed my stances in so many areas, it is often the interest groups that were consistently wrong when I was right who have the credibility. Credibility, apparently, is less connected with accuracy than with power.

Meta-Myths

One source of frustration I have concerning the book is that too many readers got bogged down in details in the middle of the book and never made it to the later chapters—especially the last one. In the last chapter I discussed the "metamyths"—the dominant economic myths that steer our society, and of which the forestry myths are a subset:

- The market is the most efficient means to regulate social welfare.
- Nature and human beings are market commodities.
- Money is a universal measure of value, even of that which is social or ecological.
- The bigger the market, the greater the choices of resources and products and the greater the welfare. Growth leads to Progress.
- The growth of the Gross National Product is a measure of social welfare.
- Free global trade, because it creates the largest possible market with the most players and resources, ensures the greatest benefits.
- There are no limits to industrial growth.

Following this section, I described what I called "Distorted Feedback—Mechanisms." I discussed how many believe that technology, the market, or government will recognize problems in the system and correct these problems so the

system will be able to continue. "As long as feedback mechanisms exist in the context of GIGS [the global industrial growth society]," I wrote, "they will maintain as first priority the course of GIGS. The mechanisms can respond to lower priority goals, such as dealing with environmental or social problems, but these responses are limited to actions that do not disrupt the primary goal, which is maintaining the pace of growth. The result of this hierarchy of priorities is that feedback from the lower priority goals, relating to social and environmental problems, becomes distorted."

Meta-Shifts

I concluded this discussion with a section called "Corrective feedback: Metashifts."

The metashifts are not corrections within the current system of priorities and goals, but rather to the priority and goals. These are shifts in how society is structured and where it is headed. These metashifts are:

- We must begin to treat ecosystems not as the content of the economic system but as the context for society.
- We must recognize that the biological systems upon which we depend have limits, and we must live within those limits (the carrying capacity).
- The scale and organization of society's technology, economy, and government must be changed to be more responsive to corrective environmental and social feedback.

At the beginning of each chapter, I had quotations that were supposed to stimulate thought about the topics which the reader was about to read. For this chapter, (Changing Directions), I had two quotations. The first was from anthropologist Roy Rappaport:

"To regulate a general system such as a society or a forest in accordance with the narrow purposes of one of its sub-systems, such as a business firm or an industry, or even industry as a whole (as suggested by Calvin Coolidge's famous dictum 'The business of America is business'), is to narrow the range of conditions under which the general system can survive."

The second quotation was an ancient Chinese proverb:

"Unless we change our direction, we will wind up where we are headed."

I do not see that these issues that I raised ten years ago are any less relevant. Indeed, despite all the talk about "sustainable forestry," how can forestry be sustainable, if the society that practices it is not sustainable?

You may obtain a copy of **Beyond the Beauty Strip** by sending a check or money order for \$15.95 to The Northern Forest Forum POB 6 Lancaster, NH 03584. These are autographed editions.

Quotations from Beyond the Beauty Strip

(from the introduction)

I wrote this book in response to years of frustration, not only with industrial management of the Maine woods in which I live but also with industrial management of public opinion. (pg. 1)

In this book I ask for whom does industrial-style forest management work and for how long? Does it work for forest ecosystems? Does it work for local communities? Is it profitable to take ecosystems and communities into account? Is the system sustainable? Turned around, these questions reveal the premises which guide my critique: that forestry policy should be ecologically sound, socially responsible, economically viable, and sustainable. (pg. 1)

The beauty strip works somewhat like Lewis Carroll's looking glass. To step beyond the beauty strip is to step into a world of distorted priorities, distorted metaphors, and distorted logic. If what you see looks degraded and ugly, the fault (according to corporate spokespeople) lies with your vision rather than industry's management. Once you learn the proper attitude, it should all look acceptable, if not admirable. (pg. 9)

Beyond the beauty strip, the priorities for the forest are industrial priorities. From the industrial perspective, the forest is not a biological community to which we belong and which we must maintain. It is a resource to exploit. (pg. 9)

Beyond the beauty strip, forest and society are described with industrial metaphors that help to justify industrial actions. The forest becomes a pulpwood factory, a fiber farm, or just biomass. It is a commodity to be bought or sold. Rivers become an energy source or (along with air) a pollution sink. Human beings are labor (to avoid), consumers (to entice), or stockholders (to please). (pg. 9)

Industrial forest myths are intended to establish that, by some extraordinarily happy coincidence, whatever industry does in pursuit of growth and profit just happens to be good for the forest and society. For example, to achieve the goal of a cheap supply of wood for the mills, paper companies dominate the markets, exploit workers, fend off regulations, and extract tax breaks. Myths are employed to help convince the public and legislators that such strategies are to their benefit and should be embraced rather than fought. (pg. 10)

If only one person uses a set of myths and metaphors, it is a delusion. If a small group of people shares a set of myths or metaphors, it is a cult. When a majority of society, including prominent leaders, share a set of myths and metaphors, it is reality. (pg. 10)

One possible line of attack against this book would be to state that some of the things I say are nice in theory but impractical in the "real world." Such a criticism implies an acceptance of the current political/economic framework as a fixed reality. Unfortunately, it is practical and realistic in this framework to pollute the environment, exploit workers, degrade the present, and write off the future. Minor inconveniences of restraint, conservation, or recycling are impractical or unrealistic, even though without them major inconveniences, such as economic collapse, ecological catastrophes, or destructive wars, become inevitable. When reality is such that it becomes practical to commit cultural and ecological suicide, it is time for people to create a new reality. (pg. 24)

Scene below: A log landing above Dennis Pond, Brunswick, VT. The Stratford (NH) peaks in the distance form the bounds of the Bunnell Tract (formerly St. Regis/Champion) and various whacked parcels of land (some with easements on them). The former Diamond, present Ingerson clearcuts lie behind this range and beyond is the Nash Stream State forest, presently in recovery. You can however ride your ATV.



THE PRIVATE FOREST PERIPHERY

Industrial Colonization of the Maine Woods

by Jacob Mentlik

THE SAME EXPLOITATION that increasingly threatens the resources and livelihoods of the developing world, at the hands of the world's most wealthy nations and powerful transnational corporations has already occurred in the Maine Woods. The forests of Maine have been controlled as a colony, for the profitable enterprises of outside powers. Over time, a majority of Maine's vast forestlands have been privatized for the extraction of timber, destroying the local environment and precluding traditional uses of the land. The dominant forest industry has achieved an influential status in the state, manipulating political processes and avoiding regulations on its ventures in the Northern forest region. By expatriating wealth from the forests without a corresponding reinvestment, the prevailing industry has contributed to and perpetuated the underdevelopment of Maine's peripheral area. The communities of the Maine Woods have become dependent on a single prominent industry, leaving the region poor and lacking the quality of life necessary to support vibrant populations. These are precisely the same processes that globalization of the world economy facilitates in developing countries. In the race to the bottom, in which core powers constantly struggle to gain unfettered access to the world's most valuable resources, the Maine Woods have been treated like a third world colony.

Globalization & the Core/Periphery Hierarchy

Globalization of the world economy effectively facilitates the construction of a core/periphery hierarchy. Privatization, deregulation and the liberalization of trade and investment as embodied by international institutions such as the World Trade Organization (WTO), International Monetary Fund (IMF) and the World Bank, have permitted neo-colonial core powers such as the United States and U.S. based transnational corporations to extract valuable raw materials from less developed regions in order to fuel their own capitalist production. Natural resources such as forests in developing, peripheral states are being consumed by core powers, which seek to advance their profitable extractive industries at any environmental and social costs. According to traditional core/periphery theory of world economic zones, in this type of hierarchy peripheral states become dependent upon such purely extractive industries, and usually remain as mere sources of raw materials, with low levels of processing and relative underdevelopment. In turn, core states use their financial power to exert political control over peripheral states and local populations usually receive few if any benefits from their extractive industries.

While such a hierarchy is usually played out on a global scale, similar processes can also occur within borders, as marginal regions are colonized internally to provide a source of natural capital for a wealthy elite. Essentially, the same pattern of domination and exploitation on behalf of core powers that globalization makes possible in the developing world, is evident in domestic peripheries such as the Maine Woods. Maine is not a developing country. In fact, it is within the political boundaries of the world's most powerful core state. However, the core/periphery hierarchy is evident in the Maine Woods. The analogue of the colonial core power state acting in the North Maine Woods is the dominant forest industry. Over time, the Northern forest region has been colonized and dominated by the powerful corporations and institutional investors, which make up Maine's forest industry.

The Maine Woods Periphery

A periphery is technically defined as the outward bounds of something, as distinguished from its internal regions or center. As distinguished from the rest of the state, the northern forest region of Maine is densely forested, undeveloped, and mostly uninhabited. The wealth of natural resources and lack of human populations makes the Maine Woods an incredibly attractive region for an

extractive industry. As a result, over time the region has been privatized and used for the profitable extraction of raw materials by the forest industry, characterizing the Maine Woods as a periphery in line with the traditional core/periphery theory.

With greater than 90% of its landscape covered with forests, Maine is the most forested state, percentage-wise in the nation. More than half of Maine has never been settled or fully developed and roughly two-thirds of the state is comprised of the "Unorganized Territories". An overwhelming majority of the Maine Woods and Unorganized Territories are privately owned. In fact, Maine has the smallest proportion of public land of any similarly forested state in the nation. Approximately 94% of Maine's lands are under private ownership. Furthermore, Maine has the highest concentration of industrial land ownership of any state in the U.S. Tropical forests in developing countries such as Indonesia and Brazil are increasingly being privatized by transnational corporations. In comparison, the prevalence of private and industrial land ownership in the Maine Woods evidence to the colonial status of the forests and their exploitation as a periphery for the extraction of raw materials.

Environmental Degradation and Political Domination

The capitalist enterprises of the forest industry core power acting in the Maine Woods have had a severe effect on the environment, biodiversity and overall quality of the region. Private ownership of the forest allows corporations and other large industrial foresters to exploit the land for profits while destroying ecosystems and wildlife habitats utilizing purely anthropocentric practices such as clearcutting, liquidation harvesting, and extensive herbicide spraying. The public is also stripped of the value of wilderness through the selfish practices of the forest industry. For years the imbalance in private and public land has been justified by the fact that most large industrial landowners allow public access to their lands. However, one can hardly attain a spiritual connection or even recreational enjoyment from the type of industrial wilderness much of the Maine Woods represents. In essence, the forests have become simply private profit centers.

As William Osborn documents in his classic study *The Paper Plantation* (1974), Maine's paper industry has historically monopolized the water and air of the Maine Woods and has often avoided regulation of its polluting ways, with little regard for the effects on surrounding communities. The Industry's political power has increased in recent years with significant representation in government and statewide environmental groups. Furthermore, just as core states use their economic power to influence the policies of global institutions such as the World Bank and the WTO, which regulate their practices in the developing world, the forest industry in Maine converts its financial power into political power in order to maintain its profitable ventures in the state. For instance, the forest industry spent nearly \$3 million on its deceptive "No on 2" campaign in 2000, manipulating Mainers into believing that the referendum was aimed at small woodlot owners, while preserving their corporate profit making strategies. Essentially, Maine's forest industry has preserved its profitable, yet destructive practices, by exerting political control over the forests.

The Underdevelopment of the Periphery

Maine's forest periphery is mainly utilized by a single dominant industry, which extracts wealth at any cost, without a corresponding reinvestment of finances into the area. The core power of the forest industry has restricted the development of their periphery by discouraging the rise of other industries, and has avoided putting money into the region through generous tax breaks and credit systems such as BETR and TIFs, which are essentially forms of Corporate Welfare. The concentration of power and capital has prevented the growth of a diversified economy, leaving the region underdeveloped and poor. Moreover, the forest industry imports a significant amount of labor from abroad using the Canadian bonded-woodsmen program, denying locals the chance at jobs. At the same time Maine's forest industry exports profitable raw logs,



eliminating the need for local processing and subsequent economic diversification and development. These are the same trends that plague developing countries that are dependent upon forest resources.

Just as Maine's core power has exerted influence over the policy-making arena, the forest industry has exercised market control, leaving the peripheral population dependent on its employment. The forest industry has manipulated its dominance over the market for wood and other products using vertical integration and a brutal contracting system, with the intention of raising its own profits, while keeping the wages of the peripheral population low. The constant swapping of ownership of forestlands and increasing mechanization of operations has led to low job security. The result has been a relatively depressed and poor peripheral region, with a high rate of poverty and relative lack of social services, representing a stark contrast to the southern counties of Maine.

A Case For Comparison

In many ways the economy and quality of life in the Maine Woods periphery parallels that of a developing world colony that has been exploited by dominant core powers. The situation in Maine is so drastic that it can be compared to that of Indonesia, which is currently undergoing one of the worst forest crises in history. Transnational corporations and the domestic forest industry elite have utilized the forests of Indonesia as a periphery for the extraction of private profits for decades. Just as the industry in Maine, Indonesia's forest elite has direct ties to the corrupt military government, ensuring that they are free of all environmental and labor regulations. Agreements with the IMF have fueled Indonesia's export of raw logs, and many contractors hire labor from nearby countries such as the Philippines and Malaysia, mirroring the expatriation of profit and lack of local benefits occurring in Maine. Workers on timber plantations in Indonesia are bound by contracts that provide them with low wages, just like the independent loggers in the Maine Woods. These are only a handful of the parallels visible between developing world countries with rich forest resources, and the Maine Woods.

Conclusions

The existence of third world peripheries such as Indonesia actually increases the exploitation of the Maine Woods. Globalization creates ever-cheaper sources of raw materials and labor. In order for the Maine forest industry to remain competitive on a global scale, it must try to match the exploitative practices occurring in the developing world. However, such colonial treatment can and must be reversed in the Maine Woods. Local and environmental interests must be placed over those of the powerful elite. The prevalence of private, industrial forestland, which basically allows the forest industry to govern the area, must be reduced in favor of public lands. Moreover, new economic opportunities must be generated to diversify and strengthen the region. It seems that the creation of a Maine Woods National Park is a strong step in this direction. Perhaps with 3.2 million acres of new public land and plenty of new employment opportunities, the Maine Woods can be transformed from a private profit center, to a livelier region capable of supporting a unique natural heritage and vibrant communities.

Jacob Mentlik is a recent graduate of Colby College. His article is based on a much lengthier research paper.

USFS: Timber production is the top concern

By Jim Northrup

SOME PEOPLE think "science" and the U.S. Forest Service, through its planning process, should determine if more wilderness is appropriate in the Green Mountain National Forest. This would be a good idea if designation of wilderness was purely a scientific question and not also a political one, and if the Forest Service could fairly and impartially analyze proposals to establish wilderness.

Because designating wilderness is a political decision, only Congress can do so on federal land. If the Forest Service were responsible for such decisions, 1 percent of Vermont would not be wilderness today. Each time it was asked, the agency recommended that no new wilderness be established in Vermont. The agency's long-held bias for timber production trumps science, law, stewardship and public will.

A short look back at the national scene is instructive. In the early 1990s, the Forest Service launched a New Perspectives initiative to promote increased environmental sensitivity, or at least the appearance of it, among agency employ-

ees. Jeff DeBonis, a former employee, said many agency staff wondered if the initiative would be the latest in a string of "smoke and mirrors public relations games typical of past Forest Service responses to the public's calls for reform."

Vermont Sen. Patrick Leahy was one of many leaders skeptical of the Forest Service's ability to walk the New Perspective talk. At an April 1991 congressional hearing on national forest management, Leahy angrily told the Forest Service, "You cannot have New Perspectives and at the same time have a 66 percent increase in the Green Mountains' timber sale program. That is contradictory and it has to stop."

Contradictions between agency words and deeds continue, and the agency's strong biases for timber production and against wilderness still exist, even in Vermont. Here are some recent examples close to home:

- In spite of assurances that logging would be kinder and gentler, the first new timber sale proposed in the Green Mountain National Forest in four years promotes ecologically damaging logging practices in violation of the agency's own rules on steep, wet, environmentally sensitive areas.

- The Forest Service prejudicially painted all the trees to be cut in this "proposed" timber sale then asked the public to comment on whether any logging should be done there.

- Forest Service employees responsible for evaluating the wilderness proposal write letters to the editor and speak out in public meetings condemning wilderness and scorning wilderness advocates.

- A former timber sale planner, assigned by the Forest Service to inventory roads and trails in the proposed wilderness areas, labeled over two dozen miles of roads and trails as in the wilderness areas when they are actually outside the boundaries.

When University of Michigan researchers asked Forest Service employees to rank the importance of the national forests' five major multiple uses, over 70 percent of them chose wildlife, fish, water or recreation as the most important. When asked which of the five uses seemed most important to the Forest Service as an organization, 70 percent chose timber. Is there an institutional bias for timber cutting? You bet.

When Utah State University researchers asked Forest Service employees to identify the values rewarded most

by the agency, the three top values were: loyalty to the agency, meeting timber and other commodity targets and promoting a good agency image. The three values employees said should be rewarded most were: professional competence, caring for healthy ecosystems and caring for future generations. In other words, the Forest Service rewards employees who serve the organization rather than those who protect ecosystems and serve the public interest.

The Forest Service, as an agency, is incapable of making fair and impartial decisions about proposed wilderness areas or even proposed timber sales—at least right now. It isn't because most agency employees are not good, honest professionals who care about ecosystem health and future generations. It is because leaders in the Bush administration and Forest Service zealously advocate timber production regardless of science, ecological considerations, federal laws, public desires and employee values.

Agency employees do what they are expected to do—keep the log trucks rolling.

Vermonters want more wilderness in their state

by Jim Northrup

Federal and state leaders are faced with legacy-making decisions about wilderness areas and ecological reserves on public lands in Vermont. At stake are 80,000 acres of new wilderness proposed for the Green Mountain National Forest, and the fate of a 12,500-acre ecological reserve in the West Mountain Wildlife Management Area.

Conservation biologists say large wilderness areas, unrestrained by human management, are critical to the protection and restoration of native plants and wildlife.

They are also important to humans for inspiration, for traditional activities like fishing, hunting, hiking, and snowshoeing, and for providing a high quality of life in an ever-suburbanizing Vermont. If federal and state leaders are to make sound decisions about public lands, they must accurately gauge the level and intensity of the public's desire for wilderness.

A public opinion poll conducted in February 2002 by the University of Vermont's (UVM) Center for Rural Studies delivers a strong, clear message:

Vermonters want more wilderness.

Researchers polled a statewide sample of registered voters, along with another sample of individuals living in and around the Green Mountain National Forest.

About 80 percent of respondents in each sample agreed that "National Wildlife Refuges and state-owned lands should be considered for wilderness designation."

About 70 percent in each sample agreed that "more wilderness areas should be established on the Green Mountain National Forest." These results are reliable, unambiguous, and consistent with polls conducted by other reputable researchers over the last decade. Wilderness is not without its opponents, however. Unfortunately, some of them assert myths to obscure reality and protect vested interests. Their unfounded claims must not be allowed to hijack this important public policy discussion.

To set the record straight, here are a few of the myths being told, and the underlying realities.

Myth: If people understood the definition of wilderness most of them would not want more of it in Vermont. **Reality:** Results of the recent UVM poll show that

80 percent of Vermonters favor increasing wilderness areas in the state. The following definition of wilderness was read at the beginning of each interview: "Wilderness is land that is largely free from human disturbance, where natural processes prevail. Designated wilderness areas on federal public lands such as the Green Mountain National Forest are open to recreational uses. Roads, motorized recreation, logging, and most permanent structures are not allowed in wilderness areas. Currently, about 60,000 acres of land in Vermont are in federally designated wilderness areas—this is about 1 percent of all of the land in the state."

Myth: Wilderness is a "class" issue, with wealthy suburbanites supporting wilderness and blue-collar, rural folks opposing wilderness. **Reality:** The poll shows support for wilderness in urban, suburban and rural communities across Vermont. **Myth:** The high turnout and loud voices of wilderness opponents at public hearings reflects widespread opposition to wilderness in Vermont. **Reality:** Policymakers need to distinguish between the strength of feelings about wilderness and how widespread those feelings are. The UVM poll shows that feelings

against wilderness, although strong and loudly expressed, are shared by relatively few Vermonters. **Myth:** Wilderness supporters are extremists, advocating a radical, new position not shared by most Vermonters. **Reality:** The poll shows support for wilderness in Vermont is deep and broad. Respondents to the statewide poll include people who have participated in fishing (50 percent), hunting (30 percent), farming (17 percent), snowmobiling (16 percent) and logging (9 percent). Vermonters want more wilderness, but they won't get it without renewed wilderness leadership in Washington, Montpelier and Waterbury.

For a copy of the report, 2002 Vermont Wilderness Poll, contact UVM's Center for Rural Studies, (802) 656-0892, or download a copy from <http://crs.uvm.edu/wildpoll>.

Jim Northrup is a professional forester, former Forest Service employee and executive director of Forest Watch, a 4,500-member environmental organization based in Montpelier.

Both of these opinion pieces first appeared in the op-ed section of the Burlington Free Press.

FOREST SERVICE WITHDRAWS WHITE MTN NATIONAL FOREST TIMBER SALE

News from Forest Watch July 23, 2002

Forest Service officials decided last week to "withdraw" the Iron Maple timber sale on the White Mountain National Forest. The decision came in response to a lawsuit filed by the Conservation Action Project (CAP) and other organizations. Recognizing that it could not defend itself against the lawsuit, the agency chose to withdraw the project instead.

Among the central issues raised by CAP, was the Forest Service's failure to collect adequate wildlife population data over the past decade, as required by law. This is the same issue raised by Forest Watch regarding several White and Green Mountain NF timber sales.

Courts in other regions of the country have been clear and consistent in their rul-

ings—collecting the data is not optional and must be done before logging (see the Parker Decision: (<http://www.forestwatch.org>))

Withdrawal of the Iron Maple timber sale could mean that all other proposed and planned timber sales on the White and Green Mountain National Forests will be put on hold indefinitely. Collecting the required hard data on wildlife populations could take years to complete.

We'll report more to you on this breaking news as more information becomes known. We hope to have updated information on our website in the next week or two. Stay tuned. This is important news with profound implications for protection and restoration of wilderness and wildlife on New England's national forests.

UVM Poll Shows Vermonters Support New Wilderness on Green Mountain National Forest by 3 to 1 Margin

Support as High Among Residents Living Near National Forest as Statewide

Burlington—The University of Vermont's Center For Rural Studies today [April 22] released the results of a poll it conducted to gauge Vermonters' attitudes toward public land and wilderness. The poll included a statewide sample as well as a sample of residents living near or in the Green Mountain National Forest (GMNF). Key findings include:

- By a margin of 89% to 7%, Vermonters statewide approved of public ownership and management of land (88% to 6% in GMNF towns).

- 73% of Vermont voters statewide agreed that more wilderness areas should be established on the Green Mountain National Forest; 20% disagreed (69% favored to 19% opposed in GMNF towns).

Respondents were told that Vermont now has roughly 1% of its land designated as wilderness. When asked what percentage of land in the state of Vermont should be in wilderness areas, the average response Vermonters statewide gave was 6.5% (7.6% for GMNF towns)

There was no statistically significant difference between statewide respondents and respondents living near or in the Green Mountain National Forest.

"The poll proves beyond a shadow of a doubt that the vast majority of Vermonters want more wilderness on their public lands," said Jim Northup, Executive Director of Forest Watch. "It is time for our public servants to deliver the goods by passing a federal law, establishing more wilderness on the Green Mountain National Forest. There's no better place in Vermont to do it, and no better time than now."

Sample sizes ensured a 95% confidence interval with a 5% margin of error for the state-wide sample (472 registered voters completed interviews), and a 95% confidence interval with a 10% margin of error for the GMNF town sample (112 registered voters completed interviews).

"These results reinforce what we've seen within the Green Mountain Club membership," said Ben Rose, Executive Director of the Green Mountain Club. "We see broad and deep support in Vermont for protecting some additional quiet places on our public lands."

The poll was commissioned by the Vermont Wilderness Association, a coalition of 16 conservation groups calling for more wilderness areas to be designated on the Green Mountain National Forest.

"Most Vermonters supported wilderness in the 1970s and 1980s, but this poll shows the favorable majority is even larger now," said Dick Andrews, a Green Mountain Club member who worked on the Vermont Wilderness Act of 1984.

Designated wilderness areas are places on federal public lands (such as the Green Mountain National Forest) that Congress permanently protects to provide native wildlife habitat, drinking water supplies, and the opportunity to enjoy traditional backcountry activities such as camping, hiking, fishing, hunting, canoeing, and snowshoeing without the sights and sounds of modern society. More intrusive uses, such as logging, motorized recreation, development and roads, cannot occur in these areas.

Added Julie Wormser, Northeast regional director of The Wilderness Society, "We hope that Senators Leahy and Jeffords and Congressman Sanders will work with the public to develop and pass a new Vermont Wilderness Bill through the US Congress."

To obtain additional copies of the Vermont Wilderness Poll, contact Jeremy Sheaffer at 617-350-8866 x3. To speak to the lead pollster at the University of Vermont's Center For Rural Studies, contact Fred Schmidt at (802) 656-8404

WMNF AND PLAN REVISION AS OF JULY 2002

By Thomas Van Vechten

THE FOREST SERVICE (FS) is continuing its multi-year effort to revise the 1986 plan under which the White Mountain National Forest (WMNF) is administered for the intended benefit of the public. Having made a legitimate effort in the past few years to collect citizen comments the Forest Planning Team is now developing a series of alternative draft plans in relative isolation.

There will probably be five of them. I predict that two will have the least amount of Wilderness protection they think they can get away with, two will have the most Wilderness protection they can stomach. One of each of these pairs will allow for the least motorized recreation they think they can get away with and one will allow as much as they think they could possibly cope with. Then there will be a fifth plan representing their preferred balance as a sensible compromise.

The current intention is to finish these plans in the fall or early winter of 2002. Then there will begin another period of public input to review these plans with aim of assembling one draft final plan and Environmental Impact Statement. If money is drained from the Forest's budget to cover the costs of fighting fires in the western US this time line may slip. When these plans are released it is vital that we show the Forest Service the breadth, depth, and scientific soundness of the public's concern for the health of this forest.

RECENT EVENTS

In May a series of public meeting were held in towns around the area (Bartlett, Plymouth, Shelburne, Littleton, and Concord in NH; Augusta ME and Boston MA). At these meetings the FS encouraged people to accept its selection of six principle issues from the list of thirty one that had been discussed at the Local Planning Groups in recent years. These six were: timber management, wildlife management, non-motorized dispersed recreation,

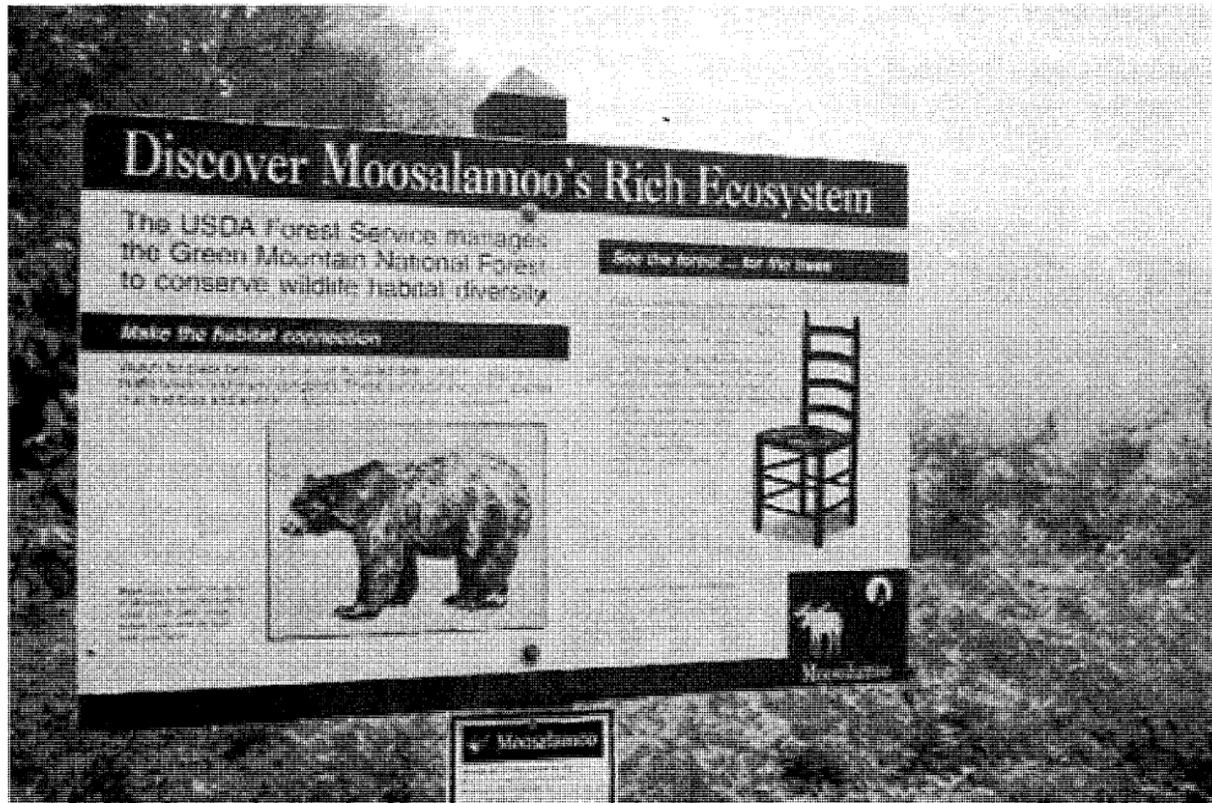
motorized dispersed recreation, roadless and unroaded areas, and Wilderness recommendation. There was public pressure to include socioeconomic effects and education to this list.

In June a final meeting was held in Plymouth, Here the six principle issues were meshed into three "policy driving issues": Vegetation management, Roadless / Wilderness, and Motorized / Non-Motorized Recreation. Public comment tended to focus on the need ensure that the new plan be realistic given the budget resources the Forest can expect. The most disturbing aspect was the suggestion that there would be only a single forest-wide meeting to review the draft proposals. These draft proposals should be accompanied by detailed maps specifying land allocation for every acre of the Forest, and to many participants in the public planning process these details are important. It had been expected in the Local Planning Groups that these maps would be available for the sort of detailed examination the LPGs provide.

NEW FOREST SUPERVISOR:

Tom Wagner, who was acting Forest Supervisor from August to December of 2001, took over the position permanently this June. He had been Deputy Supervisor of the Superior National Forest, having joined the FS in 1980. He was introduced to many of the Forests "stakeholders" at meetings around the area and in Concord. He provides additional energy to finish the Plan Revision quickly, and has so far established a reputation as a straightforward manager.

The White Mountain National Forest is the largest area of federal land in the Northeast, and it should be a model of ecological protection. Careful and energetic review and comment on the draft plans will be needed to make the WMNF a functional core of wild land for New England.



Roadless Protections Falter As Congress Heads Home

The American Lands Alliance spearheads a lobby effort in Washington to protect roadless areas on our National Forests from logging and further road-building. The Alliance reports the failure of the House of Representatives to consider the roadless protections once proposed by the Clinton administration and subsequently undermined by the present administration. An anticipated budget amendment vote was considered "too close to call" but more broadly supported than an actual roadless bill (H.R. 4865).

"Under existing forest plans without the Roadless Conservation Rule, the Forest Service is expected to construct an estimated 1,160 miles of new road and log 1.1 billion board feet over the next five years. Based on historic levels of road construction, it is anticipated that 5% to 10% of inventoried roadless areas are likely to have roads constructed in them over the next 20 years. By 2040, between 18% and 28% of inventoried roadless acres would be roaded with an estimated 16,000 miles of new roads (Roadless Conservation Final EIS)." from an American Lands Alliance Alert

To join the campaign to protect roadless areas on our National Forests contact: demos@americanlands.org

Sandwich Range Proposal Would Add 33,000 acres to White Mountain



Rewilding

By Kevin Coffey

Trudging along, eight or nine miles into the hike now, knees stiff, I let my Limmers lead me on. They are ebony blocks at the bottom of my legs, clunky, but they're hike-all-day boots. The trail snakes up through boulder fields, through bracken bordered flats, then bends back to the many bays of this long, narrow pond. Out to water, back to woods, blisters on my heels shout every step.

I'm halfway back the almost mile long pond, thinking the rest of the afternoon will be downhill. Opened-eyed dozing, my mind is a blank. Ten steps ahead, Luna, my half Yellow Lab half Greyhound, halts a second and looks out into the next little bay, walks forward a few steps, then stops again. I'm musing that Luna sees as much beauty here as I do. Still walking, I look out onto this piece of water. The surface is still, gun metal blue, opaque. Labrador tea runs almost to the pond's edge, then sphagnum mosses, a wet, brilliant green velvet which extends out into the water. My eyes drift over the surface to a dark brown stump fifty feet out. The stump has a big oval coming off of each side at its top where branches had been sawed off. My gaze lingers on the stump. With a jolt I feel the stump looking back at me.

Slowly the stump rises, heaving up heavily, water cascading off. It hobbles up onto its knees, then lifts first one and then the other long front leg, unfolding them out forward, and then back down into the water.

The stump articulates into a cow moose. Snapping Luna onto his lead — there could be a calf close by — we both watch the moose look us over, then turn and splish a couple hundred yards across the pond and head up into the hillside mix of white birch and spruce.

This is Flat Mountain Pond, and it is held in the hollow of three hills. One is unnamed, the second is Flat Mountain, and the third, directly across from it, is named Flat Mountain. Yankee frugality extends to names.

The hike up had commenced with a mile and a half through private timberland, then crossed the Whiteface River which had been running strong, even in July, with its memories of snowmelt. Once over wet boulders, the trail turned left and climbed up, tracking the river. A fiberglass post with the words Wilderness Area spelled out in vertical black letters marked simply what had been a great change in course by the ship of state. Wilderness — is there any more exciting word in the English language? An impulse seized me and I yielded to it. I walked over to the sign and kissed it. I bet I had not been the first to do so.

Hiking uphill is a great time to look at plants. Or is it that plant study provides me with the reason I need to go slow? Botanical rationalization. The spring flowers are no more. Mayflower, Solomon's Seal, and the impostor, False Solomon's Seal, are all bedecked with berries. The yellow flowers of *Clintonia borealis* have been succeeded by a handful of deep blue berries on its single stem. I find one whose three basal leaves were entrapped, though they were full grown, by the decaying framework of a beech leaf. The *Clintonia* had managed to flower, and put forth fruit, despite this handicap. I'm reminded of a story of a trout caught in one of the circles of a plastic six-pack yoke whose body continued to grow until its flesh engulfed the plastic prison, and the sugar maple on the dirt lane that swallows the barbed wire fence.

There are magenta orchids here, and a small, single stemmed plant with half a dozen small white four-petaled bells of flower. It is called Shinleaf. Pale white pipes of a coral fungi push up along the trail. Indeed, the fungus

family is doing well with the daily afternoon thunder-showers of late, along with the fresh organic matter that has become available as early plants senesce. But the most engaging of the green mysteries I encounter has a single slightly hairy foot tall stalk, two rounded oval dark green basal leaves with four ribs running their length, and, sitting atop the stalk, a single tapered two-inch green sheath that resembles, in miniature, the curve of the head and neck of a cobra poised to strike. Hours later, higher up, I see two more examples of this same plant, but this time a shriveled brown skin of a flower hangs from the sheath and I blurt out, "It was a Lady Slipper."

The birds here seem to behave differently. Last time up it was the Black-throated Blue Warblers, a rare sight for me, hopping around at eye level in a flighty frenzy, chipping their call notes, right there, just a few feet away. This time, there is another noisy neighbor, thrush-like, but with the smart red-brown cap bordered on each side with a slim black line that says Ovenbird. The Ovenbird, a large common warbler, is notable for being heard — teacher, teacher, teacher — but not seen. This one flies to a branch close by and chats away at me. And later, as I'm coming back down the mountain, a Red-tailed hawk, with its clear single-note piercing call, "Kieerrr," in a tree top fifty feet from the trail that can't be bothered to fly off until I get almost to the base of its tree.

One historical root for the word wilderness is the Old English word "wildoerness" — the place of the wild beasts. The birds certainly seem to think this place is theirs. Flat Mountain Pond and much of the trail up to it is in the Sandwich Range Wilderness, 25,000 acres that no more will feel the bite of the saw. But the Sandwich Range was almost denied the protection it now has as part of the National Wilderness Preservation System. The original Wilderness Act, passed by Congress in 1964, contained language which defined wilderness as "an area where the earth and its community of life are untrammelled by man, where man himself is a visitor who does not remain." That was laudatory language, but it was used by the Forest Service to limit consideration of lands for wilderness designation to the remaining large tracts of roadless areas in the western U.S. Adopting what came to be known as the "purity standard," the Forest Service, and even some conservation groups, argued that the intention of Congress had been to exclude any area whose timber had been cut from protection as wilderness, or which had otherwise been historically impacted by man.

Part of my hike had been a sidetrack up the drainage of Flat Mountain Pond to another smaller pond and the stream that fed them both. The trail, not shown on my map, turned out to be much wider than the main trail, and nicely graded as it climbed higher. In places, flattened logs of a like size had been set into the soggy ground. Some of these logs sported the heads of iron spikes. But it wasn't until I saw the ten-foot long steel rail that I realized that I had been walking up the long abandoned railroad spur that had taken the timber out of these hills so many years back. So, no, this was not land "untrammelled by man." It had been trammelled pretty hard.

The eastern wilderness advocates eventually prevailed here. And though they protected less land than they set out to, the Sandwich Range Wilderness was established as part of our federal system. In doing so, these advocates also put forth a more hopeful vision of the forest's future and, indeed, our own future. That given enough time the land can heal its wounds, that the rapacious engines of the past can disappear forever into the mud, and that we humans can change how we value a small mountain pond and the life that surrounds it.

The Friends of the Sandwich Range

ness in eight critical areas as des

Sandwich Notch Historic Area

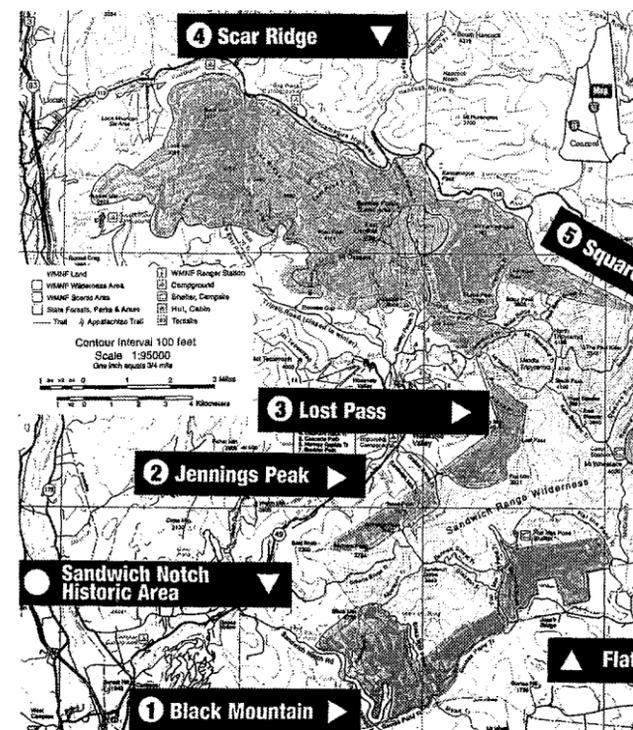
To the many local residents who love Sandwich Notch, logging in the Notch is akin to building on a cemetery. The Friends of Sandwich Range propose extending the Wilderness Area boundary to encompass Wallace Hill and the Old North Road and to make the rest of Sandwich Notch a Historic Area surrounded by recreation lands. By designating the Sandwich Notch a Historic Area it would ensure future interpretation and enjoyment of historic sites such as cellar and barn foundations, mill sites, remains of logging railroads and camps, wells, and other remnants of a community that at its peak in the mid-1940s comprised more than forty homes.

Black Mountain Pond Wilderness Extension

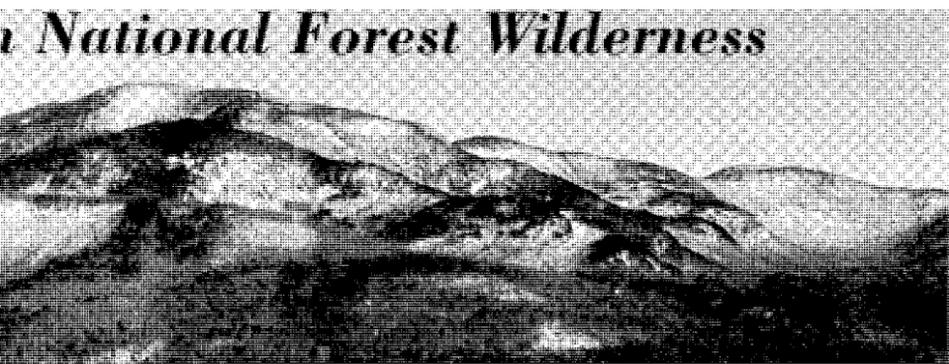
This extension is the keystone of this proposal and contains some of the richest bird habitat in the Sandwich Range. It would increase the current Wilderness protection for Black Mountain Pond which sits just inside the Wilderness boundary. The Algonquin and Black Mountain Pond Trails would be entirely within designated Wilderness.

Jennings Peak Wilderness Extension

This extension would protect fragile sub-alpine habitat and open ledges along the ridge-line. Currently the ridge has no trail, and wilderness protection would increase the likelihood of



Map of Sandwich Range wilderness additions courtesy of the Ap



Wild River Watershed Prime Candidate for Wilderness in WMNF

range proposes to extend the Sandwich Range Wilderness described below, and to designate a new historic area.

From Mountain Treasures: Roadless Areas in the White Mountain National Forest

When the Wild River area was studied for its wilderness potential during RARE II, the Forest Service gave it one of the highest ratings for wilderness attributes in the eastern United States. Originally slated for wilderness designation, Wild River was switched to the "future planning" category, and there it remains. This is the largest roadless area in the White Mountain National Forest not designated as wilderness.

leaving the area undisturbed. It would also add wilderness protection to three trails leading from Waterville Valley into the Sandwich Range Wilderness: the Sandwich Mountain Trail, Drakes Brook Trail and Fletcher's Cascade Trail.

This 70,383-acre roadless area holds an entire watershed within its boundaries. The Wild River itself dominates one of the most remote valleys on the forest. The valley is ringed on three sides by peaks that in places exceed 4,500 feet in elevation, including the Moriabs in the north, the Carters in the west, and Baldface in the south. The area also includes the outer slopes of these ranges, stretching to Route 2 in the north, to Route 16 in the west, and into the headwaters of the Saco and Wildcat Rivers in the south.

Lost Pass Wilderness Extension

An historic, but low-human-use-area of stunning isolation, primarily accessible in winter by skiers and snow walkers. This extension would create a wilderness buffer to the west of Lost Pass, and preserve and enhance unspoiled backcountry for primitive skiing and snowshoeing, providing an alternative to commercially groomed trails such as those in Waterville Valley.

The vast river valley furnishes prime lowland habitat that has been little affected by roads or recent logging. Only in the Pemigewasset Wilderness Area do the variables of remoteness, size, shape, and abundant water converge to create such a bountiful reserve of interior forest habitat.

Scar Ridge Wilderness Extension

At 22,300 acres, this largest of the proposed extensions contains the Greeley Ponds Scenic Area and a remote, trailless ridgeline visible from the Kancamagus highway. This extension nearly doubles the size of the Sandwich Range Wilderness and reduces the gap between it and the Pemigewasset Wilderness to the north, creating a potential north/south wildlife corridor bisected only by the Kancamagus.

Square Ledge Wilderness Extension

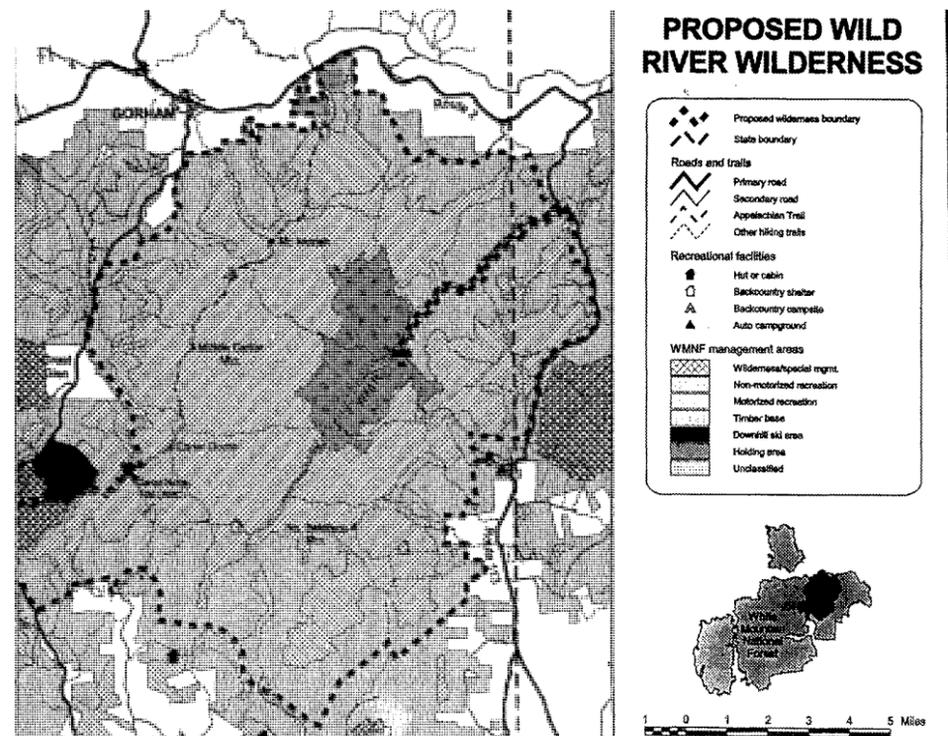
The environs of Square Ledge are home to peregrine falcons, moose, bear, and other reclusive creatures. This extension would add critical protection for wildlife habitat currently outside the wilderness boundary, while preserving the wild character of the Square Ledge Trail between the summit of Mt. Passaconaway and Olivarian Brook, and the prime viewshed from the UNH trail on Mt. Hedgehog.

Mt. Paugus Wilderness Extension

This extension offers a rare opportunity to protect undisturbed wildlife habitat in a remote and trailless area, protect the viewshed to the southeast from the heavily-used UNH trail, and create a northern buffer for Mt. Paugus against encroaching timber harvesting.

Wonalancet Wilderness Extension

This area contains a concentration of historic trails that are "gateways" to the Sandwich Range Wilderness. This extension would protect them from physical and visual damage of logging operations and preserve such natural treasures as the 200-year-old spruces, cascades, flumes and plunge pools along the Kelly Trail, and the environs of the spectacular Big Rock Cave.



Flat Mountain Wilderness Extension

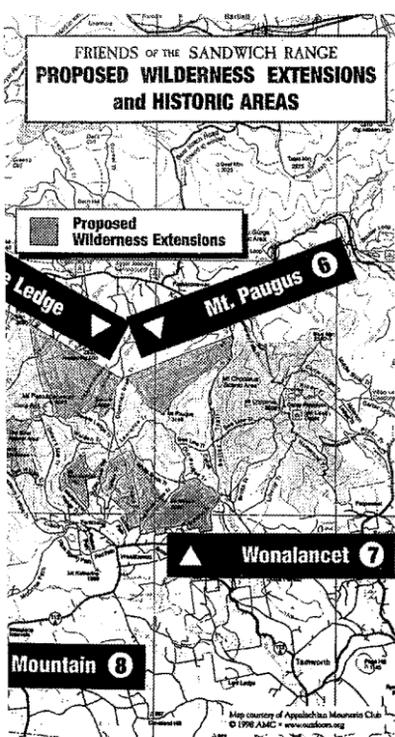
An area historically regarded as wild even during the population crest of the mid-1800s. This extension would create a wilderness relatively accessible from town roads for those unable to hike to more remote areas and would protect the currently unspoiled view sheds of the area from Bennett St., Whiteface Intervale Road, Rt. 113-A, Mt. Israel and Young Mountain.

To Lend Your Support & For Further Information

Now is the perfect time for you to support additional wilderness in the White Mountain National Forest. Learn more about these proposals and how you can promote them by participating in the planning process & contacting your Congressional candidates.

Visit the Friends of the Sandwich Range website: www.whywilderness.org or write them at c/o 407 Diamond Ledge Road Center Sandwich, NH 03227. Contact Friends of Wild River through Dan Yetter: phone 603-893-5429 or email dfyetter@hotmail.com

For information on the WMNF planning process or to request a copy of the excellent resource **Mountain Treasures: Roadless Areas in the White Mountain National Forest**, contact The Wilderness Society at 617-350-8866 ext 4 or email ne@twso.org



Panorama of the Sandwich Range this page based on a scan of an Andy Thompson photograph from the Friends of the Sandwich Range brochure
Thanks to Heather Dowey of the Wilderness Society & Friends of the Sandwich Range for their assistance with these pages.

Allagash Named One of America's Endangered Rivers

State Wanders from Wild Mandate

Washington DC/Augusta, ME — (from a press release) On April 2nd American Rivers named the Allagash Wilderness Waterway as one of the nations' Most Endangered Rivers for 2002, citing willful neglect from the Maine Department of Conservation and an effort in the legislature to strip away the river's federal Wild and Scenic designation.

The Allagash is one of 17 rivers in the National Wild and Scenic Rivers System administered by a state with oversight from a federal agency, and its designation as "wild" is reserved for rivers that are generally accessible only by trail, and "represent vestiges of primitive America." The Maine Department of Conservation (DOC) has chafed at this mandate, and parking lots, boat ramps and other structures have proliferated in this once pristine wilderness. After illegally replacing a dam on the river without proper consultation with its federal partners, the DOC must now repair the damage it has caused or allowed.

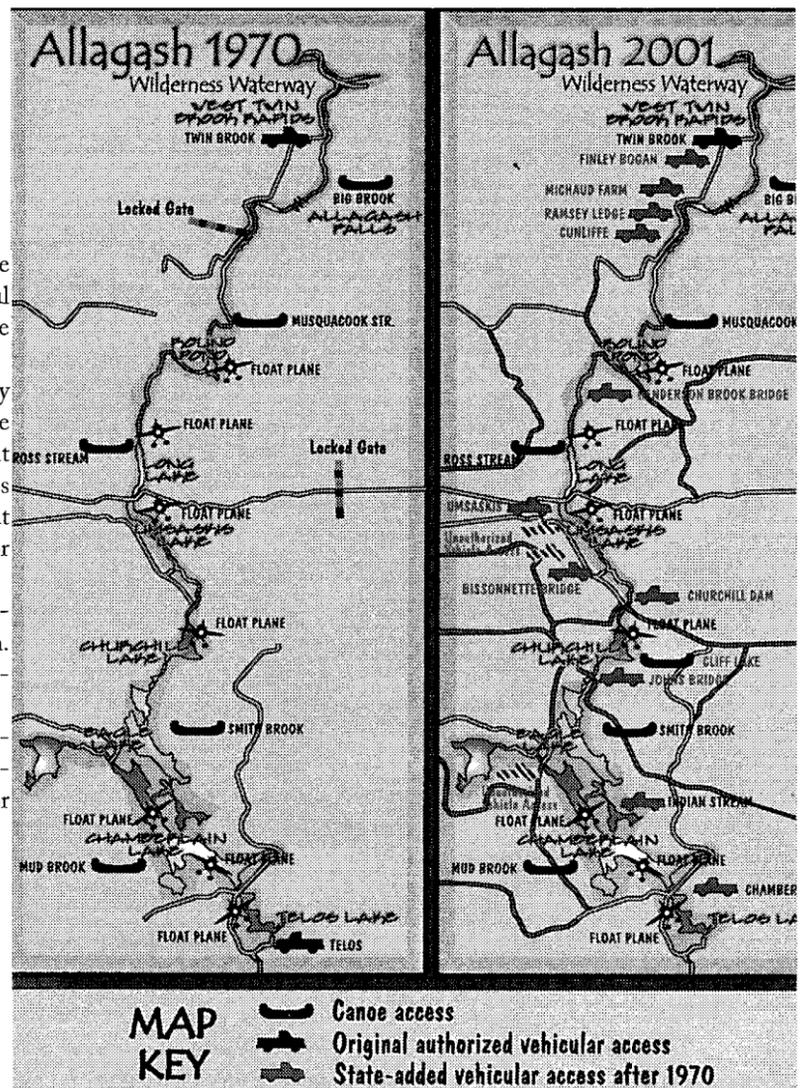
"The recently signed agreement between the state and the National Park Service falls short of protecting the Allagash," said Tim Caverly with Maine Public Employees for Environmental Protection. "It only covers a tenth of the river, allows an additional access point, and has the Department of Conservation regulating itself."

"Maine citizens have repeatedly shown overwhelming support for keeping the Allagash a nationally protected wild and scenic river," said Karen Woodsum with the Maine Sierra Club, which commissioned a poll this year showing 80 percent of the state's residents support wilderness designation for the Allagash.

More information: <http://www.amrivers.org/mostendangered/allagash2002.htm>

Contact: Cathy Johnson Natural Resources Council of Maine (207) 622-3101

Dave Hubley, Allagash Alliance, (207)590-0201 hubley@sacoriver.net



News from SWAN

One of the more gutsy grassroots forest outfits out there, judging by its occasional newsletter, is the Superior Wilderness Action Network, based in Minnesota.

Landscape Conservation: The latest SWAN newsletter reports an initiative similar to that of the Yellowstone to Yukon habitat connectivity (Y to Y) effort. SWAN and other groups promoting the Heart of the Continent vision seek to protect habitat linkages between such wildland forest cores as remain in the upper Midwest and

Manitoba-Ontario. SWAN notes that the government of Ontario is currently promoting a vision of its own: massive clearcuts in its boreal forests.

Certification: Speaking of Ontario, SWAN also notes the expulsion of their representative and several others from the Forest Stewardship Council's Great Lakes Working Group, charged with devising sustainability standards specific to the region. SWAN's objection? The certification of public lands, in the face of continued clearcutting and herbicide use by public land man-

agers.

Ontario provincial lands, as well as some New York and Massachusetts state lands, have received certification from Smartwood, one of several certifiers. FSC is the worldwide certifier of the certifiers whose standards are intended to be met by all. *Forum* readers will recall Charles Restino's articles on the Maritime standards committee, which was at first ignored and then apparently bullied by its Irving International representative.

USFS Masks Losses: SWAN reports on a Government Accounting Office study of last October that revealed the Forest Service had secretly eliminated a timber sales accounting program after years of continued losses. Congress and Taxpayers for Common Sense have investigated.

SWAN contact info:
swan@superiorwild.org www.superior-wild.org POB 677 Sandstone, MN 55072

Blue Atlantic offshore gas pipeline would cross Georges Bank, Gulf of Maine

by Ron Huber

A CONSORTIUM LED BY Texas-based El Paso Corporation has proposed a 990 mile natural gas pipeline from waters near Sable Island east of Nova Scotia to either New York or New Jersey.

The so-called "Blue Atlantic" pipeline would first go ashore to a proposed 'sour gas' processing plant on the southern coast of Nova Scotia, then cross Browns Bank and the Northeast Channel (in the vicinity of the Coral Conservation Area), and travel south either atop or aside Georges Bank, thence to the New Jersey coast.

The company's preferred alternative would apparently follow the 40 fathom contour line along the eastern and southern edge of Georges Bank for the entire length of the bank, crossing the heads of numerous canyons and fishing grounds enroute. It would also go through the newly designated Canadian Coral Conser-

vation Area off between Georges Bank and Browns Bank. See maps and details about the proposed pipeline at <http://www.atlantisforce.org/bluegas.html>

The proposal has stirred up a raft of opposition, including commercial fishermen concerned about impacts for fishing grounds from the pipeline and from increased drilling to supply it, conservationists worried that the 3 to 4 foot high pipe would act as a migration barrier to lobsters, scallops and other bottom dwelling marine life, and residents of southwest Nova Scotia opposed to construction of a pollution-discharging sour gas refinery on their coast. The facility would remove sulfides from the gas before sending it by undersea pipeline to New Jersey.

In early spring of this year, a representative of El Paso Pipeline held preliminary meetings about their proposal with US federal agencies and with state officials

from Maine New Hampshire, Massachusetts, New York and New Jersey. Company officials are now seeking to hold a round of meetings with concerned citizens, fishing organizations and public interest groups. A representative of the New England Fishery Management Council said their organization will likely "vigorously oppose" the proposal, due to loss of fishing grounds and direct and indirect impacts to species they exploit.

At present, the Federal Energy Regulatory Commission, the lead agency in the review of the proposal, is undertaking a "pre-filing NEPA review" of the Blue Atlantic pipeline plan. As part of this process, ENSR International, the environmental consultant for the US portion of the proposed pipeline is carrying out video surveys of the proposed routes through US and US EEZ marine environments.

This "pre-filing" review process is a new initiative by the Commission, according to their press release, the pre-filing review: "allows the applicant and interested stakeholders to identify issues, and attempt to resolve those issues, during the initial stages of developing a project and its route at the 'grassroots' level of the project."

Concerned? Want to be involved in the review of this proposal? Sooner is definitely better than later!

Write to the following agency contacts and:

(1) Ask to be put on the notification list for all updates, public meetings, hearings and other events pertaining to the Blue Atlantic pipeline proposal.

(2) Because of the potential harm the pipeline could have on important fisheries and other natural marine resources, ask that a full Environmental Impact Study be carried out before deciding whether or not to permit the pipeline.

Note: in your letter or email, refer to "FERC Project Docket No. PF02-1-000"

Write to:

J. Mark Robinson, Director Office of Energy Projects Federal Energy Regulatory Commission 888 First Street, N.E. Washington, D.C. 20426-0002 Email: mark.robinson@ferc.fed.us

Send a copy or your letter or email to: Alex Alvarado Minerals Management Service 1201 Elmwood Park Boulevard New Orleans, Louisiana 70123-2394 Email: Alex.Alvarado@mms.gov

Protecting Marine Public Lands off New England and Atlantic Canada: A Review of the Last Two Years

Summary

NARP's Coastal Waters project has undertaken a campaign in conjunction with a Canadian ocean conservation group to increase and publicize marine public lands protection in the Gulf of Maine and Georges Bank region. To date, while some progress has been made, fishing and energy industry opposition, in conjunction with federal and state agency lassitude, has kept activities at a periwinkle's pace.

The region, jointly managed by the United States and Canada, the cold waters of this 30,000 square mile area conceal a rugged 12,000 square mile submerged plateau, topped with submerged sand dune complexes and current-swept gravel plains, and cut by deep canyons. Between the plateau and the shore lies a 18,000 square mile expanse of deep basins laced with glacial moraines and sunken ridges.

The myriad habitats of this region support an immense diversity of marine life:

Canyons and seamounts hosting deep coral forest stands, filled with cod and redfish, surrounded by fields of brittle stars;

Submerged mud lakes lively with worms and other burrowing invertebrates;

Sheer chalky cliffs riddled with tens of thousands of caves and burrows dug over millenia by fishes and crustaceans;

Great sand dunes and shoals roved by herring & mackerel, themselves preyed upon by swordfish, cod, haddock, seabirds and marine mammals;

Rolling gravel plains dotted by millions of sea scallops, sponges and groundfish feasting on living fogs of zooplankton, and forage fishes, especially atlantic herring.

Objectives of CWP

Our key objectives over this time period were:

(1)Bring the US Department of the Interior fully into the federal Marine Protected Areas process, and

(2)Work with our partner organization in Nova Scotia, the Canadian Ocean Habitat Protected Society, to promote creation of Canadian Marine Protected Areas in the Georges Bank region and to raise public and government awareness in Canada of the importance of protecting the wild coral forest stands there.

(3)Introduce candidate Marine Protected Areas for agency review.

We were successful to some degree with all three objectives.

Interior Department and the Marine Protected Area Program

The Interior Department is steward of most of America's marine public lands from three miles beyond the tide line to 200 miles offshore. (The Commerce Department, through its NOAA Sanctuaries and Reserves program, manages roughly 2% of the USA's marine public lands.) In 1983, President Ronald Reagan established the EEZ of the United States

out to 200 miles. Proclamation No. 5030, 3 C.F.R. 22 (1984). (15) The proclamation claimed for the United States, "to the extent permitted by international law.. sovereign rights for the purpose of exploring, exploiting, conserving and managing natural resources, both living and non-living, of the seabed and subsoil and the superjacent waters."

In response to an inquiry from the White House in 2000, the Department of Justice determined that the Antiquities Act authorized the Interior Department to manage offshore marine areas as National Monuments.

While the President may delegate management of such a monument to an agency other than the Department of the Interior, the Department of the Interior must maintain concurrent management of the monument, and must "be consulted on all significant management decisions relating to the national monument



and have the opportunity to bring any issue upon which it disagrees with the other managing agency or agencies to the President or his delegate for resolution."

NOAA's assertion that it had sole authority over marine fish conservation through the Magnuson Stevens Fishery Conservation & Management Act was rejected by the Justice Department, which noted that

"Because the MSFCMA provides that fishery management plans must be consistent with 'any other applicable law,' we think that monument regulations would take precedence over inconsistent fishery management plans developed pursuant to the MSFCMA..."

Despite its authority to exert conservation influence, however, Interior has been totally absent from the federal MPA program in New England, since the program's inception following President Bill Clinton's signing of Executive Order 13158 in April 2000. This despite being designated co-leader, with the Commerce Department, in administering the federal Marine Protected Areas program.

This non participation has been in flagrant violation of the Executive Order which lays out very clear requirements for the Interior Department to take an active role. The Order states that:

"The Department of Commerce and the Department of the Interior, in con-



sultation with the Department of Defense, the Department of State, the United States Agency for International Development, the Department of Transportation, the Environmental Protection Agency, the National Science Foundation, and other pertinent Federal agencies...shall coordinate and share information, tools, and strategies, and provide guidance to enable and encourage the use of the following in the exercise of each agency's respective authorities to further enhance and expand protection of existing MPAs and to establish or recommend new MPAs, as appropriate:

(1)science-based identification and prioritization of natural and cultural resources for additional protection;

(2)integrated assessments of ecological linkages among MPAs, including ecological reserves in which consumptive uses of resources are prohibited, to provide synergistic benefits;

(3)biological assessment of the minimum area where consumptive uses would be prohibited that is necessary to preserve representative habitats in different geographic areas of the marine environment;

(4)an assessment of threats and gaps in levels of protection currently afforded to natural and cultural resources, as appropriate;

(5)practical, science-based criteria and protocols for monitoring and evaluating the effectiveness of MPAs;

(6)identification of emerging threats and user conflicts affecting MPAs and appropriate, practical, and equitable management solutions, including effective enforcement strategies, to eliminate or reduce such threats and conflicts;

(7)assessment of the economic effects of the preferred management solutions; and

(8)identification of opportunities to improve linkages with, and technical assistance to, international marine protected area programs.

Agency Progress must be documented

To ensure that agencies are carrying out their mandated tasks, Section 6 of the executive Order requires each aforementioned agency to:

"prepare and make public annually a concise description of actions taken by it in the previous year to implement the order, including a description of written comments by any person or organization stating that the agency has not complied with this order and a response to such comments by the agency."

This information is to be made available at the federal marine Protected Areas website MPA.GOV. Also mandated by Executive Order 13158, the website was created to enhance public access to feder-

al activities carried out pursuant to the Order.

To date, however, only the Department of Commerce's NOAA has complied, and only halfheartedly. Its report: "Marine Protected Areas: Status of NOAA's Activities under Executive Order 13158" is available online at the MPA.GOV website.

In the report, NOAA states that it has:

Created the website;

Established an "MPA Center";

Compiled an inventory of existing marine protected areas, and

Established a Marine Protected Areas Advisory Committee.

While NOAA has created its website, established the MPA Center, and compiled its inventory of existing marine protected areas, the all important Advisory Committee has languished, victim of interagency miscommunication.

Website

The Executive Order states that:

"The Secretary of Commerce and the Secretary of the Interior shall establish and jointly manage a website for information on MPAs and Federal agency reports required by this order."

The website [HTTP://MPA.GOV](http://MPA.GOV) contains a summary of general information about the federal marine protected areas program. Remarkably it does not include a copy of the Marine Protected Areas executive order, nor, other than NOAA's, does it have any of the required annual progress reports that Interior and other agencies are mandated by law to post there. To its credit it does have a list of existing marine protected areas with maps and contact information for many of them, though the maps and information supplied are generally too low in quality to be of value in determining the success or failures of each protected area in meeting its goals.

There are no publicly available list of upcoming events or other means for the public to get involved, nor any listing of candidate MPAs. Inquiries to the several phone numbers available on the website do not lead to any useful information as well. This is apparently due to the problems associated with the MPA Advisory Committee (see below).

MPA Center. The MPA Center's roles, according to the website, are:

"Collaborating with Federal, state, local, tribal, territorial, non-government organizations, and industry to fulfill the requirements of the Executive Order.

Disseminating information to constituents and providing opportunities for public feedback and participation.

Continued Next Page

Protecting Marine Public Lands ...

The MPA Center is needed, according to text on the website, because:

"There are numerous science and information needs to effectively design, build, and/or strengthen MPAs. The MPA Center will help consolidate information on existing Federal, state, tribal, territorial and local MPAs. In addition, the Center will help prioritize and support efforts to gather new information needed. The information collected will be provided to stakeholders, and managers to help the existing authorities design, implement and evaluate MPAs."

A fine plan and purpose, but those who attempt to use the Center's resources to help "design, implement and evaluate MPAs" will likely find themselves politely but firmly rebuffed and redirected to staffers within the Interior Department and NOAA, who as like as not, will redirect them back to the MPA Center and the MPA Advisory Committee

Advisory Committee

Executive Order 13158 requires that "a marine protected area advisory committee be established to provide expert advice and recommendations to the Secretaries of Commerce and the Interior on the development of a national system of marine protected areas."

The preliminary goal - the vetting of about 350 candidates for membership in the federal Marine Protected Area Program Federal Advisory Committee, has been plagued by delays from its inception to the present. NOAA carried out a candidate search from August - October 2000. Following complaints by the fishing and energy industries, the deadline was extended several more months. Fast forward to the present, and the lengthy process of evaluating the candidates is now again on hold, following the Interior's leadership's belated demand that the federal Marine Protected Areas program go back to square one on this most important preliminary goal, and let Interior review all the candidates as well.

The reason for this delaying action may be that the Interior Department has made Rebecca Watson, Assistant Secretary for Lands and Minerals Management, the agency point of contact regarding MPAs. Watson's background, however, is of representing energy industries. It is unlikely that moving forward with new MPAs is very high on her priorities list.

By contrast, co-lead MPA agency Commerce Department has three experienced NOAA line staffers, as their MPA executive order points of contact:

Joseph Uravitch, POC for the National MPA Center;

Charles Wahle; point of contact for the federal Institute for MPA Science;

Ginger Hinchcliff, point of contact for the federal Institute for MPA Training and Technical Assistance.

The MPA Advisory Committee is effectively the gatekeeper for consideration of enhanced or new candidate federal MPAs, regardless of which federal program they would be designated under. No committee = no consideration of candidate MPAs.

CWP Steps to the Plate

With the federal MPA process more or less on hold, NARP's Coastal Waters

Project carried our marine protected areas campaign directly to the Interior Department, proposing a border marine wilderness, pointing out Interior's unlawful non-participation at federal forums on Marine Protected Areas held in New England, and filing a request with interior for consideration of a research natural areas encompassing a deep ocean canyon on the eastern edge of Georges Bank. as lead co-partner in that program with the Commerce Department to do so. We also argued successfully that the intertidal areas of the Petit Manan, Moosehorn and Rachel Carson National Wildlife Refuges along the Maine coast should formally recognized as 'Marine Protected Areas' by the federal MPA program.

Border Marine Wilderness.

In mid 2000 we submitted for review by the agencies and President Clinton a marine National Monument proposal for the offshore borderlands of the Gulf of Maine and Georges Bank. This MPA would be co-managed by the Interior Department and the Commerce Department's NOAA as a no take area that would act as a spawning reservoir for groundfish and scallops while protecting large representative areas of every type of offshore habitat. As noted above, a US Justice Department analysis of the language of the Antiquities Act and federal fishery laws determined that marine conservation purposes within a marine national monument proclamation would supercede inconsistent fishery management plans.

To move this process forward, NARP's Coastal Waters Project organized a group of American and Canadian conservation organizations, with the support of prominent marine scientists of both nations, in an effort to convince the Clinton and Chretien administrations to establish a 1200 square mile National Monument/Oceans Act joint protection area straddling the Gulf of Maine and Georges Bank border.

Designation would bring full habitat and wildlife protection to a wide variety of species and in habitats representative of the entire marine ecosystem of the Gulf of Maine. Swordfish, cod, flounder, redfish, tilefish and many other finfishes, as well as numerous invertebrates including scallops, lobsters, krill and tree corals. In addition, more than a dozen historic shipwrecks and what is believed to be a significant location of prehistoric (roughly 11,000 years ago) indigenous human community on what was then an 8,000 square mile island.

We were able to bring in the American Oceans Campaign and the Marine Conservation Biology Institute, as organizers for the proposal's Washington DC maneuverings. The Canadian Ocean Habitat Protection Society and the Sea Shepherd Conservation Society led efforts in Canada to move the Canadian half of the proposal forward

Formal letters to President Bill Clinton and Prime Minister Jean Chretien calling on them to jointly designate the protected area were signed by 56 groups and individuals.

Signatories included:

Four prominent Gulf of Maine marine scientists - Peter Auster of the

National Undersea Research Center, Les Watling and Bob Steneck of the Darling Center for Marine Sciences and Martin Willison of Dalhousie University.

Twenty conservation organizations: American Oceans Campaign, Biodiversity Legal Foundation, Canadian Ocean Habitat Protection Society, Cape Arago Audubon Society Coastal Research and Education Society of Long Island, Coastal Waters Project, Defenders of Wildlife, the Ecoforestry School, the Endangered Species Coalition, Fish Forever, Friends of the Earth-U.S., Friends of Nature, Greenpeace-Canada, Greenpeace-USA, Marine Conservation Biology Institute, the National Environmental Trust, Sea Shepherd Conservation Society, Sierra Club-USA, Sierra Club-Canada and T & E Incorporated.

Eleven people from the cultural community, including, Linda Blair, Pierce Brosnan, David Carradine, Cher, Wes Craven, James Cromwell, Richard Donner, Martin Sheen, Edward James Olmos, Rachel Rosenthal and Lauren Schuler-Donner.

Known as the Gulf of Maine International Ocean Wilderness, abbreviated as "GOMIOW", the proposed National Monument/MPA received extensive media coverage around the United States and Canada. The proposal was hampered, however, by political and fishing industry opposition, particularly to its magnitude. Moreover, several significant conservation organizations, including the Conservation Law Foundation, Environmental Defense and the Center for Marine Conservation (now Oceans Conservancy) expressed reservations with the timing and pace of the proposal.

At the request of the White House Council on Environmental Quality, meetings with commercial fishing interests, including the Atlantic Offshore Lobstering Association, Northwest Atlantic Marine Alliance, Downeast Lobstermen's Association, were held. Following those discussions the inshore border of the proposed protected area was shifted fifty miles seaward to eliminate impact to inshore lobstering communities. The industry, however, remained largely opposed to the proposal.

While changes were made to the proposal which the signatory conservationists and scientists felt would dramatically limit impacts to the fishing industry, the Clinton Administration ultimately chose not to follow through with the proposal. According to federal MPA manager Joe Uravitch, now-President Bush is not obligated to consider proposals for presidential proclamations sent to his predecessor.

Uravitch also said that the slow pace of federal agency MPA activities in general was due to Bush Administration delays in appointing critical leadership positions within the NOAA agency and the Interior Department. With most of these appointments now made, however, we expect greater responsiveness to our marine national monument proposal, which we have re-submitted to Interior and will presently resubmit to NOAA and the White House.

Federal Marine Protected Areas Public Forums & Workshops

In September and October and November 2001, NARP's Coastal Waters Project participated in a series of forums and workshops in Maine organized by the

federal Marine Protected Areas program to gather public input on Marine Protected Areas in the Gulf of Maine. Our participation in these events and our subsequent written comments and public outreach following the events ensured that (1) the intertidal areas of three National Wildlife Refuges along the Maine coast received recognition as marine protected areas and (2) that inappropriate areas off New England were removed from the federal list of designated MPAs.

At the September 24, 2001, federal MPA session, held at the College of the Atlantic in Bar Harbor, participants including NARP's Coastal Waters Project and the Conservation Law Foundation both promoted protection of northern corals and designation of undersea wildlands. A no-fishpens MPA was also proposed for Penobscot Bay, to protect the nation's largest remaining runs of wild Atlantic Salmon.

At a following workshop held October 9-10 in Portland, issues raised at the public forums were reviewed. Highlights of that event included strong opposition by Coastal Waters Project to the proposed inclusion of the Boston Outfall and six offshore dumpsites in NOAA's proposed list of "existing Marine Protected Areas". Those would better be described as "marine contamination areas" Those sites were removed from the official MPA list.

In addition we raised concerns that virtually none of the other proposed 'existing marine protected areas' brought up at the meeting met the "lasting protection" standards of MPAs as defined by the federal Executive Order.

The Order defines MPAs as "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." For that reason, we argued, the more than two dozen temporary state and federal fishing closures do not meet the standards for designation as "existing" Marine Protected Areas. Moreover, nearly all fishing closures allow continued exploitation of species other than groundfish. NOAA, however, elected to keep those areas within their existing MPA list.

New Interior MPA Proposals

This year we formally reintroduced the Gulf of Maine International Ocean Wilderness proposal, and also presented the DOI with a proposal for another other Interior-led marine protected area.

The 'No Name Canyon Marine Protected Area' would protect the resources of No Name Canyon. The canyon starts atop the eastern rim of the submerged Georges Bank plateau at approximately 41.05 North, 66.35 West, five miles south of the Canadian border. The canyon proceeds to the southwest about 12 miles and terminates on the continental slope at approximately 41.00 North and 66:10 West.

The No Name Canyon MPA would protect the stands of primnoan and paragorgian corals, 'adobe villages' (tilefish tunnel colonies which also support dozens of other species) and other biogenic habitats of the canyon, as well as dozens of other species present within those habitats and the water column of the canyon.

We requested that the Interior Department consider implementing any

CANADIAN CORAL PROTECTION — SUCCESS!

Romey's Peak coral groves freed from trawls, gillnets

ON JUNE 15 2002, Canada designated its first ever "Coral Conservation Area", a 424 square kilometer marine protected area surrounding Romey's Peak, a rugged seamount within the Northeast Channel that separates Georges Bank and Browns Bank. The designation follows years of efforts by the Canadian Ocean Habitat Protection Society (COHPS) and NARP's Coastal Waters Project, along with a host of academic and government scientists.

COHPS is a grassroots organization made up primarily of commercial hook fishermen and their families and supporters in southern Nova Scotia. Established in 1999, COHPS seeks to protect the deep ocean corals found at depths of 100 fathoms and more in the region as important groundfish habitats.

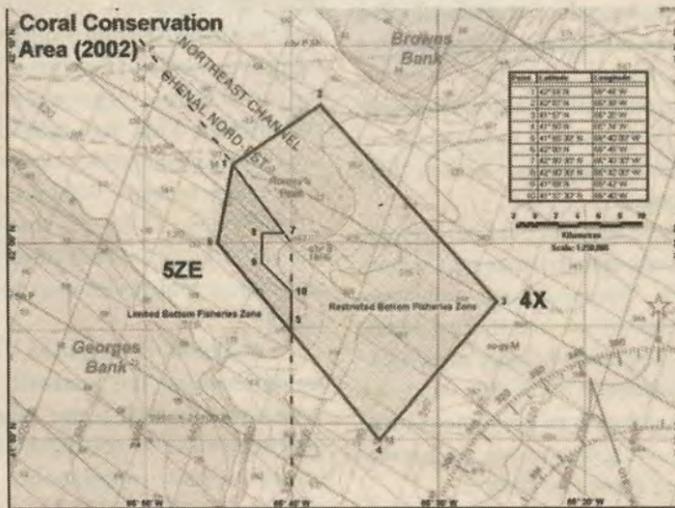
THE PROCESS

Three years ago, NARP's Coastal Waters Project established a website for the COHPS, featuring more than a hundred images of deep ocean corals collected inadvertently from the region's depths by commercial groundfishing boats and brought ashore. The website also features COHPS' proposal to protect extensive groves of Primnoan coral on the floor and slopes of the "Hell Hole", where powerful currents flow over Romey's Peak, a seamount in the middle of the Northeast Channel. This Channel runs between Georges Bank and Browns Bank, connecting the Gulf of Maine with the greater North Atlantic.

Support for protection increased following extensive media coverage of the results of a Fall 2001 submersible ROV exploration of the Romey's Peak area. The ROV videotaped and gathered samples from hundreds of stands

of primnoan coral "trees" in the seamount complex. Each coral grove was rich with animal life, from slowgrowing Acadian Redfish and Atlantic Cod to swarms of krill, sea-worms, shrimps, basket stars and other species.

After seeing images from this expedition on the COHPS website the Canadian postal service "Canada Post" designed and released a special run of Canadian Corals postage stamps, that were jointly unveiled by the agency and COHPS at a ceremony near the Nova Scotia coast on May 21 2002. The COHPS online Canadian coral galleries also helped stimulate an important Canadian magazine, "Canada Geographic", to run a story in its May-June 2002 edition, detailing the struggle by COHPS to protect Atlantic Canada's wild corals.



The Canadian Department of Fisheries and Oceans took notice, and, following extensive consultation with regional fishing industry leaders designated the Coral Conservation Area.

MANAGEMENT PLAN

Under the management plan, the Romey's Peak conservation area is closed entirely to bottom trawlers and gillnetters. A small portion, roughly 15%, is still open to hook fishers, provided that there are government observers onboard the the vessels to watch for possible coral interactions.

Unlike other MPAs, however, the Romey's Peak Coral Conservation Area was designated under the Canadian Fisheries Act, as a form of groundfishery management. Under this act, the protection area must be reenacted each time the Canadian groundfish management plan for that area is reauthorized.

Moreover, a disturbing email from a DFO official to a staffer at the New England Fishery Management Council,

suggests that parts of the protected area may be reopened to druggers and gillnetters "...if they can demonstrate that their gear would not impact coral."

The DFO official, Jorgen Hansen, "Senior Advisor, Groundfish, Maritimes Region Fisheries and Oceans Canada" made the above statement in an email sent to the New England Fishery Management Council.

Scientists and conservationists are expressing umbrage at DFO's notion that bottom druggers might not impact the Canadian corals they run over, and that sink gillnets might not uproot the corals they get entangled with.

One of the purposes of the hookfishing-only area is to determine the impact of bottom hookfishing on the corals. Nova Scotia hookfishers believe that they have fished around the corals for several centuries without harming them, while the dragger and sink gillnet fleets have devastated them in a fairly short time. Researchers fear that if the other gears (trawling and gillnetting) are allowed in, there will be no way to differentiate coral damage from one gear type from damage by another. This would eliminate the research value of the limited use area.

"For DFO to let them into the coral conservation area would be like readmitting bulls to a china shop to see if they'll be better behaved this time." one conservationist said.

FUTURE OPTIONS

Coral conservation advocates are proposing to nominate the coral conservation area for candidacy under the Canadian Oceans Act as a permanent Marine Protected Area. This would end the need to annually reauthorize the conservation area.

WHAT YOU CAN DO

Contact Les Burke regional director of DFO's policy branch, and Derek Fenton of the Oceans Act Coordination Office. Tell them to (1) keep trawlers and gillnetters out of the Coral Conservation Area, and (2) permanently protect the Coral Conservation Area through designation as a Marine Protected Area under the Oceans Act.

Les Burke Regional Director, Policy and Economics Branch Department of Fisheries and Oceans Maritimes Region Marine House (see mailing address, below)

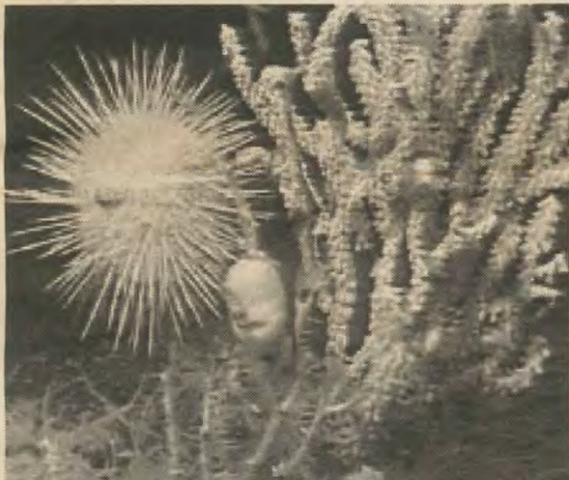
Telephone (902) 426-9962

Email: burkel@mar.dfo-mpo.gc.ca

Derek Fenton Oceans Act Coordination Office Mail Stn. B500, 5th Floor, Polaris Bldg. Bedford Institute of Oceanography 1 Challenger Drive, P.O. Box 1006 Dartmouth, NS B2Y 4A2 Fax: (902) 426-3855

Email: FentonD@mar.dfo-mpo.gc.ca

To contact COHPS see end of article, left.



of three conservation programs to protect the canyon's wildlife and habitat:

(1)Interior Department managed "National Outstanding Natural Area". DOI definition of a N.O.N.A.: "An area either designated administratively by an agency or by Congress, to preserve exceptional, rare, or unusual natural characteristics and to provide for the protection and/or enhancement of natural, educational, or scientific values. The area is protected by allowing physical and biological processes to operate, usually without direct human intervention."

(2)Interior Department managed "Research Natural Area"

DOI definition of a Research Natural Area (RNA) "An area designated or set aside by Congress or a public or private agency to preserve and protect typical or unusual ecological communities, associations, phenomena, characteristic, or natural features or processes for scientific and educational purposes. They are estab-

lished and managed to protect ecological processes, conserve their biological diversity, and provide opportunities for observational activities associated with research and education."

(3)Interior managed "National Natural Landmark. DOI Definition of a NNL: "An area of national significance (a site which exemplifies one of a natural region's characteristic biotic or geologic features having been evaluated as one of the best examples of that known feature) located within the boundaries of the United States or on the Continental Shelf and designated by either the Secretary of the Interior or Agriculture."

The canyons has been the subject of exploration by submersible vessels and/or remotely operated vehicles, with extensive video and photographic documenting of the terrains and inhabitants. Samples of sediments, rock, and organisms have been collected for analysis from No-Name Canyon

With both Canadian and American Coast Guards regularly patrolling these offshore border waters by air and sea during licensed commercial fishing seasons, the No Name Canyon MPA area is easily monitored to inhibit poaching or other unauthorized activities.

For more information about NARP's efforts to establish marine protected areas, contact Ron Huber, Task Force Atlantis, 418 Main Street, Rockland Maine 04841 email penbay@justice.com Website <http://www.atlantisforce.org> For more information about the Canadian effort to establish coral forest reserves, contact: Derek Jones Canadian Ocean Habitat Protection Society, Box 13, Newellton, Nova Scotia, BOW 1PO Canada Telephone: (902)745-2950 Email dkpjones@klis.com website <http://cohps.atlantisforce.org>



Nova Scotian schoolchildren with northern coral species collected by Derek Jones and the Canadian Oceans Habitat Protection Society. The collection was featured in a Northern Forest Forum story in volume 9 # 1, Fall 2001. It is a mobile display available for presentation by contacting Derek Jones (contact information at left).

Recent coral developments include a proposed reserve area in Canadian waters (story above) and dubious reaction by the fishermen that COHPS has sought to mobilize in support of conservation (story page 24). The reason, according to COHPS's Derek Jones, is the questionable motivations of Canadian government and what many see as a deliberate policy to eliminate the small boat fisherman.

FISHY BUSINESS: AQUACULTURE REFORM FLAMES OUT IN MAINE

Opinion & analysis by Ron Huber,
Penobscot Bay Watch

The state's aquaculture reform bill gets put on ice — (AGAIN!)

As illustrated by a trio of emails from the Maine Legislature's Marine Resources Committee clerk Tiffany Leonard, (below) the legislature's Marine Resources Committee met in late March and decided not to decide on the state's aquaculture reform bill, effectively blocking it from consideration by the full legislature.

Word that the marine resources committee had put the bill in a time capsule for re-introduction next year, gave reform supporters a bad case of *deja vu*: This present aquaculture reform bill is itself a holdover bill from the PREVIOUS legislative session. What good a third go round will do is problematic, as the multinational fish-pen industry has already shown that it will use the next nine months before the Maine legislature meets again to deepen its grip on the state's political leadership and fill ever more coves with marine feedlots.

Already, new applications for more fishpen operations have come in, including two in Passamaquoddy Bay, two in Blue Hill Bay and two off Jonesport. All of them are from multinationals, including Norwegian firm Fjord Seafood. Fjord has now opted to merge with transnational feed company Cermaq, to further centralize the industry.

WHAT HAPPENED?

Until the afternoon of March 26th, reform advocates were confident that the enormous groundswell of support for reform, from conservationists to fishermen to coastal town officials, had guaranteed movement of the now-approved bill from the committee to the full legislature. There, a public outpouring of support from virtually every coastal sector would have strengthened wavering legislators into passing the bill.

The most important reform proposed would have granted coastal towns which opted to pass a municipal aquaculture ordinance the authority to rule on whether to permit an aquaculture in their waters. That section of the bill stated:

"In any municipality with an adopted aquaculture lease siting ordinance initiated by a municipal officer, the commissioner may not, without the consent of the municipal officers, lease any area within 2,500 feet of the mean high water mark unless the area is outside the boundaries of the municipality."

MANY REFORM SUPPORTERS

There were dozens of groups favoring reform, including seafood dealers, the Conservation Law Foundation, the Atlantic salmon Federation, the Friends of Blue Hill Bay, the Downeast Lobstermen's Association and the Maine Municipal Association

One of the most prominent supporters of the reform language was Seafood dealer Rob Bauer of Blue Hill.

"Doesn't our state motto say, 'Maine: the way life should be' Bauer reminded the legislators. "We reflect the value of small towns, town meetings, and local control over what happens. That's what people

think about when they think of Maine."

"The present permitting process is 180 degrees to that. There's no local control. That adjudicatory hearing is a joke. You come in there, you can't cross back and forth. You can't debate, just say it and that's it. Move on. There's no democracy involved in an adjudicatory hearing, and there is in our town meetings at Blue Hill, believe you me. I've been there trying to get ordinances passed. It doesn't happen unless you've got enough people there."

Bauer also noted that state and federal subsidies were allowing fishpen operators to sell their product at artificially low prices, undercutting sales of wild fish at a time when Maine's groundfishermen are struggling to survive. He also warned that opening up Maine waters to foreign based multinationals would have serious long term consequences:

"Chapter Eleven of NAFTA is going to come back to bite the state on the butt. Bauer said. "Because these companies have got a right to sue the state of Maine if they lose their leases because of environmental regulations. The only way you should keep going, is to get some guarantees they're not going to sue us, because they see a big goose egg there."

Twelve of Maine's marine trades businesses, including boatbuilders and coastal construction firms sent a letter to the committee stating:

"We, the undersigned, are associated with the recreational boating industry and the home construction industry in coastal Hancock, Waldo and Knox Counties. Our businesses depend on recreational users for client base. A large component of recreational value is simple appearance; the pleasure of looking at nature's unspoiled beauty. We believe that proliferation of finfish aquaculture as exemplified by the salmon industry will diminish the character and quality of the coastal waters for recreational purposes.

"Mid-Coast Maine is recognized world wide as a recreational jewel. This area is ranked with the great locations of the world for the deftness of Nature's hand and for our respect and preservation of her work. The strength of our economy reflects both facts. If the coast becomes more industrial in appearance, fewer will come. We recognize that there may be sound environmental issues with large scale aquaculture, but that is not our expertise. We have all built thriving businesses by knowing our market and our customers. They come because of the quality of our work and also because of the special quality of our location. Loss of quality in either category means loss of business."

Another prominent reform supporter was Jane McCloskey of the Eastern Penobscot Bay Environmental Alliance.

Describing the reaction to a petition circulated to local towns concerning the reforms, McCloskey told the committee: "In Little Deer Isle, Stonington, and Brooksville, people supported a tightening of environmental and other controls on aquaculture by a margin of about 25 to one."

"The aquaculture industry and the Department of Marine Resources have characterized the opposition to aquaculture as coming mostly from shorefront property owners from away, and from environmentalists" McCloskey said. "Our petition has shown that opposition comes

from all kinds of people. On Little Deer Isle, people signing the petition included carpenters, lobstermen, crabpickers, teachers, artists, restaurant owners, cleaning ladies, florists, caretakers, housewives, retirees and beekeepers... In other words, environmentalists are not a few marginal people the State doesn't need to worry about. If you call concern about clean water environmentalism, then almost all of us are environmentalists."

REFORM OPPONENTS STRIKE BACK

Key participants in the industrial passion play that squelched aquaculture reform include the aquaculture industry itself, and fishpen-enthralled Department of Marine Resources, whose "Aquaculture Coordinator" Andrew Fisk, and assistant commissioner Penn Estabrook, took the side of aquaculture industry lobbyists opposed to a key element of the bill that formalized the authority of municipalities to rule on aquaculture proposals within coastal towns waters.

Estabrook complained that towns would examine the aesthetic impact of aquaculture on their scenic values - a very important value for the hundreds of bed & breakfasts and windjammer operators along the coast.

Estabrook told the committee "It would be a subjective opinion... which in our view we would be placed in a position where in any case where there was testimony on those points, questioning the effect on the beauty or effect on my enjoyment, we would have no way to consider it....We're concerned then that for some number of applications that are received, we would not have an opportunity to be part of our growth mix."

Marine Resources Committee co-chair Senator Lemont, and committee member Debra McNeil, state representative for the town of Rockland, maintained a steady opposition to aquaculture reform, instead supporting DMR's proposal to strip coastal towns of their rights to have any substantive say in the aquaculture leasing process whatsoever.

The duo never budged from a "its all state jurisdiction, not town jurisdiction" position, a legal fiction despite claims being bruited about by Aquaculture Coordinator Fisk that DMR reigns supreme over Maine's subtidal waters. (As the Maine Harbormaster Law notes: "Nothing in this subchapter may be construed to be a limitation on the authority of municipalities to enact ordinances to regulate the assignment or placement of moorings and other activities in their harbors.") The definition of "harbor" is left up to coastal towns; most of which exercise mooring permit decisions out to three miles from shore (the limits of state jurisdiction) or less depending on the borders of adjacent towns.

Another bad apple in the reform barrel was the unstinting opposition of independent senator Jill Goldthwaite, who represents Bar Harbor and Deer Isle. While not a member of the marine resources committee, Goldthwaite chairs a powerful appropriations committee, and exerted all her political influence to do everything to stopper up the reform bill and generally fight its passage out of the committee, (To the great anger of her local constituents in the wild seafood industry.) Lemont's McNeils and Goldthwaite's

indifference to their electorate led them to ignore what the people of Maine wanted.

A further flop in the process was the disappointing inaction of the Maine Coast Heritage Trust and many of the state's other coastal land trust non-profits. Despite repeated urgings, by the owners of many of the islands and shorefronts that the MCHT and other trusts 'steward', that the trusts should to come out in favor of aquaculture reform, this vast and important sector of Maine's conservation community kept largely silent during the entire fray.

Given MCHT's refusal to follow the lead of the Maine coast's National Wildlife Refuges which have barred the cutting of rockweed from their intertidal zones, they and other coastal land trusts have begun to appear as not quite 'trust-worthy' when it comes to protecting the immediate waters and intertidal areas of the lands they manage.

END GAME

Following the narrow committee vote approving the bill, reform supporters were told there would be no further meetings on the bill, which in ordinary circumstances would be sent off to the full legislature for vote. Instead, at 2 pm Tuesday March 26th, while the committee was actually abruptly meeting to decide the fate of the bill, Leonard sent word out - by email only - that the committee was doing so. This of course, made it impossible for reform advocates from around the state to get to the meeting for a last ditch effort to keep the bill on track.

As committee clerk Leonard wrote that evening:

"The final word (on the final day of committee hearings) is that Aquaculture (having never technically left committee) is indefinitely postponed due to lack of agreement, lack of time and lack of in-depth studies on this issue."

Evidently three years of study, two public hearings and six legislative work sessions weren't enough! (?)

Leonard wrote that the committee iced the bill with the intention:

"of creating a bill that will not only be in the best interest of the industry and the workers, but that can be supported by the committee and the Department."

In actuality, political maneuvering by reform opponents kept the aquaculture reform bill from getting a "Legislative Document Number" in the weeks since it received its final vote by the committee. See the bill at www.penbay.org/aqreform-bill.html (there is also a "minority report" version of the bill).

Refusing to give the bill an LD# effectively kept it from proceeding along the normal legislative process of going to the full legislature for a vote. In effect, after passing the bill, along with a minority report, the Marine Resources Committee then pre-emptively blocked it from getting to the full legislature, letting the status quo's present highly controversial and flawed version of aquaculture industry management continue.

NOW WHAT?

The last minute flameout by the Marine Resources Committee leaves reformers with little choice but litigation and citizen-initiated rulemaking to try to tame the lease-hungry, rapidly expanding absentee-owned multinational aquaculture industry

Three Emails Profiling the Demise of the Aquaculture Reform Bill

Email # 1 from the Marine Resources Committee Clerk

From: "Leonard, Tiffany"
Date: Fri Mar 22 13:38:37 2002
To: Alfred Zacharias , Bangor Daily , Chris Davis , Chris Hamilton , Daniel Amory , David Pecci , Denise Gilbert , "Estabrook, Penn" , Herring Gut Learning Center , Jake Ward , John Knutson , Karen Plank , Kirsten Herbert , Laurie Schreiber , mac1 , Maggie Williams , Maine Sierra Club , "Mary Anne Clancy @ Bangor Daily" , Naomi Schalit , Rhonda Cook , Roger Fleming , Ron Huber , Sally McCloskey , Sebastian Belle , Steve Rappaport , Teresa Savoy , The Quoddy Tides , Tom Hodges , Vivian Newman
Subject: Marine Resources Committee

The weekend is upon us and there is still no word from the powers that be as to where Aquaculture stands.

We currently have no schedule for next week for the Marine Resources Committee. I know I may have mentioned to some of you who stopped by the committee room that we were hoping to meet next week on Aquaculture, well that hope is dead...for now. But who knows what Monday morning will bring!

I promise to keep all of you updated..when I get updated! But as it stands, I have no solid information, just contradictory rumours.

Have a great weekend! And hopefully you'll hear from me next week.

Tiffany Leonard
Committee Clerk
Joint Standing Committee on Marine Resources
100 State House Station
Augusta, Maine 04333
(207) 287-1337

Email # 2

From: "Leonard, Tiffany"
Date: Tue Mar 26 14:02:53 2002
To: (same email list)
Subject: Aquaculture

Sorry to get this to everyone so late, but I was just now able to confirm that the Marine Resources Committee will be recalling aquaculture to review in committee today...actually right now. It still has no LD #, it never actually became a bill, it just stayed as a proposed bill. I'm sorry that I wasn't able to get word to everyone sooner, but it was very last minute.

Today is the last day for committee's to meet, so today we will have an answer as to what is actually happening to this proposed aquaculture bill.

I will send out an email when we have final word.

Tiffany Leonard

Email # 3

From: "Leonard, Tiffany"
Date: Tue Mar 26 17:12:20 2002
To: (same email list as above)
Subject: Aquaculture - The Final Word

That's it, it's Done! The final word (on the final day of committee hearings) is that Aquaculture (having never technically left committee) is indefinitely postponed due to lack of agreement, lack of time and lack of in-depth studies on this issue.

However.... This Proposed Bill is Not Going Away!!

The committee has reserved its right to revisit it this summer, do some studies and maybe bring it back in the 121st Legislature (in January).

Senate Chair Lemont, Representative McNeil, the Department of Marine Resources and the Maine Aquaculture Association all expressed their opinions as having supported the minority report, while Representative Volenik (in representing his constituents) expressed his support of the majority report.

The majority of the members of the Marine Resources Committee agreed that this proposed bill needs more work, with the intention of creating a bill that will not only be in the best interest of the industry and the workers, but that can be supported by the committee and the Department.

The Joint Standing Committee on Marine Resources wishes to thank everyone for all of their input and concern with this issue, and they are sorry that they could not have come up with definitive legislation that could be supported by all.

So until the 121st...I hope you all have a wonderful and prosperous next 9 months and hopefully I will be coming back here in January as Marine's Clerk!

If anyone does have any questions, I believe that I will still be here for the next 2 weeks...hopefully. There has been no notice of the Clerks final day. If you do not get an answer here (or a return phone call from a message left on voice mail) after next week, I would ask that you call the Legislative Information Office (287-1692) and they might be able to help you or redirect your call.

Tiffany Leonard

JUDGE APPROVES LANDMARK SETTLEMENT OF CLEAN WATER ACT LAWSUIT AGAINST HERITAGE SALMON, INC.

Consent Decree Sets Precedent for Pending Cases Against Atlantic Salmon of Maine and Stolt Sea Farm

July 29, 2002 PORTLAND, ME: United States District Judge Gene Carter today formally approved the settlement of a Clean Water Act lawsuit brought by the United States Public Interest Research Group (U.S. PIRG) and two Maine residents against Heritage Salmon, Inc.

On June 4, the parties had submitted a detailed Consent Decree to Judge Carter under which Heritage agreed to implement precedent-setting salmon farm practices designed to reduce the impact of its operations on the nearly extinct wild Atlantic salmon and on water quality. By law, Judge Carter was required to wait 45 days to allow the federal government time to review the proposed settlement. The U.S. Department of Justice informed the Court last Friday that it had no objections to the settlement.

"Today's action by Judge Carter sets the Maine salmon farming industry firmly on the path to environmental responsibility and sustainability," said Josh Kratka, senior attorney for the National Environmental Law Center, which represents the plaintiffs. "We will ask Judge Carter to impose similar requirements on Maine's other major salmon growers, Atlantic Salmon of Maine and Stolt Sea Farm, at trial in October."

U.S. PIRG sued Heritage, Stolt and Atlantic Salmon of Maine in July 2000 for illegally discharging pollutants into the ocean without Clean Water Act discharge permits. The Stolt and Atlantic Salmon of Maine cases are set for trial on October 7. Heritage is a subsidiary of George Weston, Ltd., a Canadian food conglomerate that makes Thomas's English muffins, Girl Scout Cookies and Entenmann's baked goods.

In approving the settlement, Judge Carter also today rejected an attempt by the Biotechnology Industry Organization, a lobbying group, to delete the provision of the settlement which prohibits Heritage from growing genetically modified salmon in Maine. Judge Carter ruled that the biotech industry's special interest in the growing of transgenic fish does not "justify further delay in the resolution of this case of extreme significance to the public interest." Under the Consent Decree, a binding, judicially enforceable agreement between the parties resolving the lawsuit:

•Heritage will not grow European salmon. Escaping European fish can cross-breed with wild North American salmon; their

less fit offspring could hasten the demise of the wild salmon.

•Heritage will not grow genetically modified salmon.

•Heritage will take strong measures to prevent fish escapes. Heritage must employ fully functional marine containment systems designed, constructed and operated so that fish do not escape to open water from any of its farms.

Heritage will also mark its fish as specified by the federal wildlife services, so that any escapees can be traced.

•Heritage will follow its farm sites. Following reduces the chance of disease outbreaks, such as infectious salmon anemia, and also allows the sea floor beneath the sea cages to recover from fish farm wastes.

•Heritage will limit the number of fish it grows by capping the "stocking density" of its cages at the time when fish are most susceptible to disease.

•Heritage will not discharge toxic substances in concentrations identified by the state as toxic to aquatic organisms, and sediments may not contain toxic substances originating from Heritage's farms at levels likely to have an adverse impact on marine life.

•Prophylactic antibiotic use is prohibited, and Heritage must test for antibiotic residues in local fish and shellfish. Also, detailed information about any antibiotic use will be made publicly available.

•Heritage will not use experimental drugs and medicines without a prior review and approval by an environmental agency.

•Heritage will not expand its operations to Penobscot Bay during the life of the Consent Decree.

Many other husbandry practices and disease control measures are specified in the consent decree, as are enhanced monitoring and public reporting requirements.

Heritage is also paying \$375,000 to fund wild Atlantic salmon restoration efforts in Washington County, where most salmon farms in Maine are located. The U.S. government put Atlantic salmon on the Endangered Species List in November 2000.

U.S. PIRG was represented in the lawsuit by the National Environmental Law Center, which is headquartered in Boston, and Portland attorney Bruce Merrill. U.S. PIRG is a nationwide public interest advocacy group with approximately 1,000 members in Maine. The National Environmental Law Center is a non-profit, non-partisan organization that represents citizens and citizen groups in environmental enforcement suits.

For more information: Joshua R. Kratka
National Environmental Law Center (617) 422-0880

AQUACULTURE FLAMEOUT

into a more eco-friendly, community-friendly form. Both of these are being pursued.

Aside from litigation and rulemaking, the direction that reform efforts should head is to help coastal towns enact ordinances that will let them carry out yes-or-no decisions on aquaculture lease applications, regardless of the state's desire to turn their town waters into a morass of absentee-owned marine feedlots. Several towns

have already taken this bold step. Their efforts need to be analyzed and made into a 'model ordinance' for all coastal towns to consider adopting.

MORAL OF THIS SORDID STORY?

While there is considerable support for protecting Maine's coastal waters from unbridled aquaculture encroachment, the political impotence of the Maine legislature and the coastal land trusts in the face of big money means that ultimate control

over the uses and biological quality of inshore Maine waters needs to rest firmly with the actual affected civic communities of interest - the residents of the coastal towns themselves. Otherwise more and more of Maine's public waters and marine public lands will disappear into the amorphous transnational murk now so beloved by retiring Maine DMR's officials.

Local communities being able to say "NO" are the best and most natural balance to the marine public land-grabbing aquaculture feedlot corporations, and

against the tendency of state marine bureaucrats to consider themselves corporate servants instead of the public servants they actually are. Towns can embrace this authority if they have to nerve to stand up. It remains to be seen if they do.

For more information on aquaculture in Maine, visit the Penobscot Bay Watch website <http://www.penbay.org>

Ron Huber

Canadian hook fleet concerned by coral closure

By Ron Huber (from Canadian Ocean Habitat Protection Society reports)

It's all you hear about at wharf after wharf along the southern Nova Scotia coast - the coral closure.

Nova Scotia commercial hookfishers face a rising tide of legal problems and government interference stemming in part from the June 2002 designation by the Canadian Department of Fisheries and Oceans (DFO) of the Romey's Peak Coral Conservation Area off Nova Scotia.

Ninety percent of the 424 square kilometer area, centered around the Romey's Peak seamount in the North East Channel, is barred to all groundfishing; the other ten percent is open to hook groundfishing boats with government observers on board. The zone was established as part of DFO's groundfish management plan for the region, to both protect extensive northern coral groves there from the impacts of commercial groundfishing gear, and to assess the impacts of a single gear type (longlines) on the coral.

Dubbed "The Hell Hole" because of its turbulent currents, the Romey's Peak area is also an important fishing area for southwest Nova Scotia's considerable hookfishing fleet, which is made up primarily of family-owned and operated independent vessels.

The size and location of the closed area has come as a shock to that community, which is also fighting multinational energy companies seeking to both drill for natural gas off Nova Scotia and to build a new offshore gas pipeline from that area to New Jersey. Many believe that the size and location of the closure, along with rising harassment of hook fishers by the DFO's enforcement arm, are part of a plan by the Canadian Government to quash opposition to energy exploitation of the area.

"Everyone knows that displacing people from their traditional grounds without any support is just using the work to destroy the fleet that is holding back the oil development," said fishing activist Derek Jones, of the Canadian Ocean Habitat Protection Society.

Many small hook and line vessels report being boarded repeatedly by DFO agents. Dubbed "commandos" because of their military garb, the DFO agents have boarded small boat hook fishers as often as five times per trip. Calling it "a feeding frenzy", one fisheries activist said "DFO is really active when a hook and line vessels approaches. Most everyone I know has been charged with trivial but devastating offences that will see the courts tied up for years."

In early August, the Canadian Department of Fisheries and Oceans (DFO) charged a Nova Scotian groundfish longline boat "Thundercat" with fishing in the newly designated coral conservation area. DFO agents boarded the vessel at sea. The DFO allegedly said that a large amount of coral was seized as the vessel's longline was hauled up from the seafloor with the agents on board. The captain of the Thundercat has apparently said he didn't know he was inside the closed area. No video or photo was taken by witnesses of the seizure onboard or dockside, "...as DFO seizes cameras taking pictures of their actions," according to an eyewitness.

DFO's agents were criticized for not returning to the sea the small corals that were still attached to rocks to the sea. Hookfishermen say that when they do pull up a coral tree, they release it, and believe there is a high survival rate for the returned corals.

In addition, Canadian hookfishers face new costs for DFO approved monitors and observers, in addition to rises in quota brokers, license fees, license condition fees and other government required fees.

ONLINE:

Maps of the Coral Conservation Area and images of deep sea corals from the area. <http://www.atlantisforce.org/coraldfo.html>

Maps and info about proposed undersea gas pipeline between Nova Scotia & New Jersey <http://www.atlantisforce.org/bluegas.html>

Canadian Ocean Habitat Protection Society
<http://cohps.atlantisforce.org>

Special Report: ACERCA Delegation to Nicaragua Documents Resistance to Mega-Development Schemes



"Free" Trade, Illegal Logging, and Indigenous Resistance Escalate on Nicaragua's Caribbean Coast

Throughout the following report ACERCA has refrained from printing the names of certain individuals and groups providing information to the delegation in order to protect their safety and the safety of their communities.

by Jason Ford

FROM MARCH 4 -18TH, ACERCA led a fact-finding delegation to Nicaragua's Northern Atlantic Autonomous Region (RAAN) to investigate rampant illegal logging in the region near the Bosawas Reserve (the largest tropical rainforest north of the Amazon), and a port mega-expansion in Bilwi-Puerto Cabezas. The 13 member Marsha Burnette Brigade, named after our long time friend and comrade, and co-sponsored by the Nicaragua Network Environmental Committee, examined the impacts that globalization will have on Nicaragua as a result of the Plan Puebla Panama (PPP), FTAA (Free Trade Area of the Americas), and now CAFTA (the Central American Free Trade Agreement), all of which, if instituted, will have repercussions on the land of peoples of the Northern Forest as well.

The Bosawas Reserve, the RAAN and the indigenous communities and cultures living within are threatened by the construction of a coast-to-coast highway, the dredging and enlarging of Bilwi's harbor,

and the creation of a 20 acre "Free Trade Zone" of maquiladoras (sweatshops) for assembly and export in Bilwi.

In the face of these looming juggernauts stand the people of Nicaragua, who are organizing on both coasts against the FTAA and development schemes related to Plan Puebla Panama (PPP), the latter being a massive regional development scheme currently being foisted by Mexican President Vincente Fox, with US President George W. Bush's help, on the Central American region.

The PPP is essentially an industrial corridor stretching from Puebla, Mexico south to Panama, featuring superhighways between "Free Trade Zones" and maquiladoras (sweatshops), industrial tree plantations (suspected to be genetically engineered in the future), and shrimp farms, among others. The Central American region will then be criss-crossed by dry canal projects, high speed rail, in order to facilitate container ship trade between countries in east and south Asia and the ports of Eastern North America and Western Europe.

Plan Puebla Panama is another example of corporate globalization's effect on areas the world around rich in both natural and human resources, which it views as cheap commodities and labor, whether in Nicaragua or the Northern Forest.

But indigenous resistance to

these schemes on the Caribbean coast is alive and well; the Sumu-Mayangna indigenous community organization SUKAWALA is actively organizing against the PPP, and the Nation of Mosquitia's Consejo de Ancianos (Council of Elders) in Bilwi/Puerto Cabezas have rejected the new road construction and port mega-expansion. On the Pacific coast coalitions like the Alternative Table to the FTAA, whose members include labor unions spearheaded by the Sandinista Party's Confederation of Union Workers (CST), university students, Non-Governmental Organizations (NGOs), and grassroots, community-based groups as well are organizing both resistance and proactive, sustainable visions to the Northern free trade agenda.

Neoliberal "Loan" Agenda Worsens Economic Downturn

Since 2000, economic conditions in Nicaragua have worsened, due largely to the country's now US \$6.1 billion + debt to the World Bank (ACERCA 11). Structural Adjustment Programs (SAPs), have led to the privatization of energy and communications, contributed to displacing roughly 1,000,000 Nicaraguans, and encouraged rogue activity by both domestic and international corporations and investors (CST interview). SAPs are economic austerity measures that require indebt-

Researchers discover coral forests off Maine

Undersea explorers at the University of Maine and the National Undersea Research Center have discovered hitherto unknown stands of thousands of northern coral "trees" off the Maine coast.

The corals were found during the seafloor deployment earlier this year of a submersible Remotely Operated Vehicle (ROV) off Mt. Desert Rock, a tiny island east of Maine, and along the southwestern edge of Jordan Basin. The research team included University of Maine marine scientists Les Watling, and Kevin Eckelbarger and Peter Auster of the National Undersea

Research Center.

The find marks the first time scientists have documented extensive stands of corals in the inner Gulf of Maine. Previous finds in the region were in the canyons and deep channels edging the submerged Georges Bank plateau more than 150 miles offshore. Researchers said they found eight different coral species in the Jordan Basin, including two Arctic varieties that were not known to live so far south. Only one species was found in the exploration off Mt. Desert Rock.

Plans are underway for additional coral exploration of waters off the downeast Maine coast next year, including the rugged submerged canyonlands between the Schoodic Peninsula and Grand Manan.

ed nations to “adjust” their economies to almost wholly export-oriented ones dependent on either natural resource liquidation and/or cheap labor, while their governments must open their borders to off-shore investment and privatization of public services, such as energy and health care. Dire social effects spiraling from their nation’s debt and resulting SAPs, desperation and hunger, are driving Nicaragua’s poor of the Pacific coast, urban and rural alike, into maquiladoras or into the eastward-expanding agricultural frontier, and is forcing indigenous communities in the RAAN to allow logging companies to decimate their rainforest homeland. (CST interview).

The Brigade began its journey with the knowledge of the contemporary Northern free trade agenda for Nicaragua, and really the entire Central and South American Region, in the form of the Free Trade Area of the Americas (FTAA), Plan Puebla Panama (PPP), and now the Central American Free Trade Agreement, or CAFTA. The latter includes the countries of Guatemala, Honduras, Nicaragua, El Salvador, and Costa Rica, and is being foisted by US President George W. Bush, who traveled to the region on the heels of the Brigade in March.

A former member of a Nicaraguan NGO aptly described the regional economic climate in the following way: “free trade agreements are the sacred word for everything (former NGO member interview).”

Reports from an ACERCA research affiliate in the area of the Mining Triangle region, in the northeast of Nicaragua, reports a rise in both “legal” and illegal logging in and around the Bosawas Reserve. The Bosawas is critical in the hemisphere, and globally, as being the largest remaining tropical rainforest north of the Amazon Basin, and one of the most biodiverse in the world.

Currently, one of the major players logging in the RAAN is PRADA, the Nicaraguan-based timber company infamous for having moved in on the SOLCARSA (Sol de Caribe, SA) concession during the latter’s late-nineties pull-out. Concerns have been raised that company’s Nicaraguan “owner,” Pedro Blandon Moreno — known as the “Roofing King” of Nicaragua — is simply a domestic front for a Korea-based owner. Forest activists in Nicaragua and the US have been alarmed to hear that the company is attempting to obtain Forest Stewardship Council (FSC) certification for their operations (Agroforester interview). Although by no means perfect, FSC certification is considered internationally as being one of the most progressive and “sustainable” certification systems in effect at present.

ACERCA’s work on Nicaragua’s Caribbean coast began in 1997 when it was brought to our attention that the rogue corporation, a subsidiary of the Korean multi-national clothing manufacturer Kim Kyung, was illegally logging on Sumu/Mayangna land in the Bosawas region. Upon receiving a direct request for assistance from affected communities on the land, ACERCA helped organize a international campaign, pressuring both SOLCARSA to end their activities and the Nicaraguan government to investigate them and enforce the country’s forestry laws. What was then the beginning of this international and regional struggle resolved after an International Day of Action during which Native Forest Network activists hung a banner off the Nicaraguan Embassy in Washington, DC, which forced the government to recognize SOLCARSA’s illegal and greedy activities in the Bosawas region and declare their logging concession null and void. SOLCARSA pulled its logging operations and mills out of the RAAN.

The main stumbling block to combating illegal logging and exportation in the Bosawas region is the lack of concrete, verifiable information about who the real players are, how much, and of what species, of timber is being cut, and where exactly it is going once it is exported — this last point being applicable to raw log exports/imports in the Northern Forest, to the world over.

On the export end — the World Bank’s economic

“solution” to predatory economic “lending” — of Nicaragua’s environmental degradation lies the Caribbean city of Bilwi-Puerto Cabezas. Bilwi is to be the site of a massive — the most efficient in the Caribbean coastal region — deep water port expansion.

Bilwi’s small pier and harbor, traditionally utilized for subsistence fishing, but these years playing host to hordes of commercial fishing and lobster boats (most owned by either Honduran or Colombian business people and selling to such US companies as Gulf King), has just been leased by a joint venture between the Delaware-based multi-national DELASA and New Orleans maritime engineering firm Prescott Follett and Associates (PFA) for the next twenty-five years (ACERCA Research Affiliate interview). This massive development plan includes: the paving of the Managua-Bilwi road — the only road of its kind in Nicaragua and a relatively new oddity in the roadless indigenous rain forest lands of the Caribbean coast — connecting the two coasts to



Bilwi’s expanded port; the overhauling of the current port to deep water status, so that it is able to take in the largest ocean-going container ship trade; and lastly, the establishment of yet another dreaded “Free Trade Zone” in Bilwi, housing offshore investors’ maquiladora assembly plants for exporting goods to the North American and European markets.

Although this overview may seem a rather dark analysis of Nicaragua and the Central American region, ACERCA would be remiss to not stress the inspirational forms of resistance — in addition to the tapestry of history, cultures, peoples, and spirit that exists everyday in the country — taking place against the Northern free trade agenda, against illegal logging, and against the proposed port expansion and free trade zone (Zona Franca) in Bilwi/Puerto Cabezas.

In a meeting with the CST in Managua, ACERCA and Nicaragua Network received invitations to the summer strategy session on the Plan Puebla Panama in Managua, where national and regional coalitions will be meeting to talk strategy, which will certainly include analysis of both the FTAA, and now CAFTA. ACERCA and Nicaragua Network, as well as the Oakland-based solidarity group NICCA, will be supporting travel for representatives from the indigenous organizations SUKAWALA and the Miskito Council of Elders to attend the meeting, and meet with indigenous representatives from UCIZONI, a Mexican network of indige-

nous community organizations.

Resistance is fertile against free trade in Nicaragua, with labor, students, grassroots communities, anti-globalization activists, and environmentalists, among others, working together on strategy, international solidarity and networking, and proactive, sustainable solutions.

Logging in the Bosawas Reserve Region

Shortly after flying into the “Mining Triangle” area town of Siuna, the region taking its place name from the legacy of gold and other minerals being mined from its mountains just southwest of the Bosawas Reserve region, the Brigade met with Centro Humboldt (CA) at the Nicaraguan-based NGO’s office and monitoring station for logging in the area. CA was able to give ACERCA a general overview of the status of the massive illegal logging problem on the Coast.

Centro Humboldt has established a monitoring project to gather information about what kind of trees are being cut and where, who is doing the cutting, and who is buying the timber. Since the Siuna office has only one full time staffer, and that the project is similarly short-staffed in other logging regions, Centro Humboldt works with local indigenous community leaders and trains them to record logging data in their towns. In addition to a lack of people involved in monitoring, a number of other challenges have presented themselves to the project, the foremost being that most of the information that Centro Humboldt is able to gather is so-called “legal” logging (many times corrupt officials can sign over a logging concession — that is, the rights to the timber on a given area of land — on

paper, without going through any official channels), while it appears that the bulk of logs being cut for export may be illegal. In addition, armed groups operating in the region are funding their activities through the illegal log trade, so any kind of overtly environmentalist work is potentially dangerous. Centro Humboldt’s representative informed us that the NGO is currently lobbying members of the national government in Managua about the illegal logging issue, but stressed the need for an overall timber inventory and more effective monitoring infrastructure, including aerial overflights and photography and satellite imagery, as essential in order to begin to assess the amount of illegal logging.

In the days following our meeting with CA, the extent of the illegal logging occurring in the region became painfully clear when the

Brigade met with representatives from SUKAWALA, a network of Sumu/Mayangna indigenous communities, and the Sumu Indigenous Women’s Organization in Rosita. SUKAWALA communities have been involved in blockades against logging concessions on their lands in the past, and stand ready to defend the forests in the future.

The major timber player in the Bosawas region is undoubtedly PRADA, the buyer (13 Sumu/Mayangna communities are currently selling to PRADA in the region) and exporter of rainforest hardwoods. In addition to possessing the sketchy SOLCARSA concession from the late-nineties, most forest management plans utilized by concession holders in the area were described by SUKAWALA reps. in the following way: “management plans are not done in the field, they are done at the table.” PRADA also hedges its own concessions on indigenous-owned lands with many private lands of its own, a common practice in the multi-national timber industry.

ACERCA, guided by SUKAWALA reps. visited the indigenous communities of Wasakin and Fenicia, PRADA has a sawmill in the latter village, which in 2001 was almost destroyed by dynamite during a workers’ struggle. The road through the village has also been sabotaged at times in order to slow the speed of vehicles, especially the damage of log trucks, on the road. We were

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ACERCA Delegation to Nicaragua . . .

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treated to a long litany of broken and unfulfilled promises stemming from the company's behavior, from empty statements about building new community buildings and providing services and jobs, to driving villagers further into debt by tricking people into agreeing to purchase materials from the "company store. (Fencia interview)"

However, when we met with government officials, we heard quite another story. Joaquín Ramírez, of the National Forestry Institute (INAFOR) in Rosita, reported that the primary money making trees of concern to INAFOR are mahogany (which has recently experienced a downturn in value on the international market due to tariffs), cedro madro or white cedar, and ceiba, a tree of national — and regional — cultural importance, which PRADA is cutting for plywood manufacturing. He reported that major export destinations for "legal" Nicaraguan timber were Miami and the Dominican Republic (it has also been reported to delegation members that Cuba may be another destination).

Describing the illegal logging "problem" on the Coast as minimal at its worst, Ramírez claimed that a mere "1%" of logs being exported off the Coast were illegally obtained. Ramírez did state that, when INAFOR actually does seize illegally logged timber, that it is auctioned off, but there are no regulations on who can purchase it — like the same company who did the illegal logging.

Ramírez admitted that INAFOR has been accused in the past of being in league with logging corporations, but described the allegations as being unfair, as INAFOR doesn't have the proper funding or infrastructure to address the illegal logging that occurs. This seemed to contradict Ramírez's claim that INAFOR has a handle on illegal logging.

Road Building, Deep Port Construction, & Dry Canal Megaproject Loom Over Bilwi/Puerto Cabezas

Bilwi-Puerto Cabezas is to be the site of what is being touted as the most efficient port in the Caribbean. Bilwi's small pier and harbor, traditionally utilized for subsistence fishing, but currently playing host to commercial fishing and lobster boats (most owned by either Honduran or Colombian business people and selling to such U.S. companies as Gulf King), has just been leased as part of a joint venture between Delaware-based multinational DELASA, and New Orleans-based maritime engineer Prescott Follett and Associates (PFA), for the next twenty-five years (ACERCA).

DELASA and PFA are moving ahead with a \$100 million, three part business plan that threatens to irrevocably alter the entire region by enlarging and paving the new Managua-to-Bilwi road and reinforcing the existing pier, dredging the port to a depth of 45 feet in order to accommodate ocean-going container ship trade (and potentially destroying local fisheries in the process); and applying for a "free trade zone" in order to attract offshore investors to build maquiladoras for assembly and export (Giraldez-Benard online posting). DELASA's port is being touted as the largest and most efficient in the Caribbean. This, coupled with the distinct future possibility of the port being merely a component of a massive cross-country dry canal megaproject linking Bilwi to the Pacific port of Corinto, is a cause of great concern for the indigenous peoples of the entire Caribbean coast.

In Managua we met with Alvaro Peralta, legal representative for DELASA. One of Peralta's most important statements was that a paved highway between the coasts and the DELASA mega-project was likely to preempt the dry canal project planned to cross southern Nicaragua. The main exports coming through DELASA's mega-project would be lumber, coffee, and beef. This information inextricably linked the construction of the port to the destruction of the rain forest via logging and the expansion of the agricultural frontier.

When asked if he was aware of the PPP, and/or if DELASA had been involved in formal discussions about how the port expansion would fit into the PPP, Peralta answered that he was familiar with it, though no formal negotiations involving the project had yet occurred. Peralta added that he thought the port expansion "fit very

well" into the PPP, remarking that "we believe that with a good port in the Atlantic, we will have a good canal."

Peralta's comments are closer to the truth than he may want to admit, as it is known that Michael Conwell, Hibernia National Bank's international banking manager, has been working with DELASA/PFA to secure funding for the project from such financial institutions as the Inter-American Development Bank — a major funding and loan player in the PPP.

When confronted with questions about social impacts of the project, Peralta replied that DELASA estimates that as many as 10,000 people will be employed in the Zona Franca, or Free Trade Zone maquiladoras. Peralta claimed that DELASA will attempt to employ the local populace; however, he stated that many people in Bilwi are traditional fishing peoples who would not want to work in the maquiladoras, and thus investors would look for employees from the Pacific coast's mestizo populace. Additionally, Bilwi's entire Barrio del Muelle will have to be relocated to make room for the expansion.

When asked if DELASA had conducted environ-



mental impact studies, and if so, what the results of the studies had been, Peralta was nothing short of vague, stating that one domestic and one international third party consulting business would be handling it, as should the Nicaraguan government and Navy.

"I'm sure the engineers took that into consideration," was Peralta's answer to queries about projected impacts of pier improvement on marine fisheries and coastal ecosystems, and the discharge of maquiladora waste.

When asked about community involvement in the decision-making process around the port expansion — the indigenous community of Karata owns the land of the port — Peralta told us that he traveled to Bilwi every week to meet with the Regional Council about the decision. Days later in the delegation, as the Brigade met with Rudolfo Spear, Karata community Sindico (leader) and Atlantic Biological Corridor (part of the Meso-American Biological Corridor — a series of reserves stretching throughout Central America) representative, it was obvious that Alvaro Peralta and DELASA are doing a poor job, if any, involving any affected communities other than Regional Council members in the decision.

Although Spear did acknowledge that people needed the jobs promised by the port and Zona Franca, he expressed concerns about his community not being contacted, and said that if DELASA's project kept moving forward, they would have to be stopped. Spear also admitted that there is an apparent contradiction between the dock project and east-west expanded road building, and the north-south Meso-American Biological Corridor. DELASA's Alvaro Peralta admitted that his superiors are less than pleased that Karata owns the land that their project is on.

As we walked to the Barrio del Muelle in Bilwi, we passed a DELASA office, roughly a 10 minute walk from the community. While talking with community members, it became clear that opposition against the relocation of the community would be intense and widespread. The community elders said that they would not move

from their homes, seeing DELASA and the Regional Council's proposal as "signifying that we have no rights." It seems that Alvaro Peralta has only been meeting with key power players in the region and not the people whose lives will be dramatically altered by his company's business deals.

In one of our most inspiring meetings, the Brigade spent a late morning with the Consejo de Ancianos, the Miskitu Council of Elders, in Bilwi. The Council recently dissolved their 1894 political annexation to the Republic of Nicaragua because the Nicaraguan government has lived up to only one of the eleven points of the original convention. A parallel government has been called for. The Council also voted that ex-President Ernesto Aleman is now *persona non grata* in the region. The Council made it clear they oppose the entire DELASA/PFA road paving, and feel that it directly threatens their cultural autonomy and the sanctity of their Coastal home.

Speaking for the Consejo, Legal Representative Oscar Hodgson made it clear that Miskito people are ready to defend their land if need be, but that they are presently committed to non-violent solutions. However, if fighting were to happen, he described Miskito resistance as struggling to defend life. Ottes Lam Hoppington, President of the Council stated, "economics should be based on the idea of happiness and well-being."

Orin Langelle of ACERCA and Nicaragua Network's Suzanne Baker and Paul Baker (no relation), as well as a known Nicaraguan journalist and activist, were interviewed on Bilwi's local television station about the port expansion, taking another important first step in alerting a community being kept in the dark about what is in store for them. ACERCA will be editing the videotaped DELASA interview with Peralta for distribution in Managua and Bilwi, to further provide information to the communities.

One thing was generally agreed upon by all groups, communities, and individuals that the Brigade spoke with about the port expansion in Bilwi: DELASA/PFA's expansion of the port and subsequent Free Trade Zone development will cause a mass domestic migration that has not been seen since the war years of the 1980s, and will lead to large-scale environmental degradation to forest, soil, and ocean coast alike, inextricably changing the face of community and ecology on Nicaragua's Caribbean coast.

For more information on the issues addressed in this article, contact ACERCA/Action for Social and Ecological Justice's (ASEJ — formerly the Native Forest Network-ENA (NFN-ENA)) Northeast Links Program Coordinator, Jason Ford, at (802) 863-0571, or via email at links@asej.org.

The Northeast Links Program is founded in the near decade long regional and international forest protection, indigenous solidarity, and anti-globalization work done through the campaigns of NFN-ENA. The program analyzes how corporate globalization is affecting the environment, indigenous and traditional working communities of the Northern Forest, and links their struggles with parallel communities in the Central American region and Global South via its ACERCA program, and also incorporates the ASEJ campaign against genetically engineered trees.

ACERCA will be publishing a short briefing paper on the delegation with more analysis and in-depth information gleaned from the trip later this summer. ACERCA will attend the anti-PPP strategy session in Managua in mid-summer, and will help facilitate travel for an indigenous-to-indigenous exchange between SUKAWALA, the Consejo de Ancianos, and UCIZONI representatives from Mexico around PPP and free trade-related issues. ACERCA, Nicaragua Network, and other US NGOs involved in the domestic anti-PPP coalition are working to coordinate research on corporate investment in the PPP, and will follow up on DELASA, PFA, PRADA, and other multi-nationals involved in the Bilwi port expansion as we find out about them. Look out for breaking news on a potential corporate campaign against the port expansion project stemming from this research later this year.



Within the Beauty Strip:

Maine's Shorelands Harvesting Regulations

By Mitch Lansky

Riparian zones protect water from siltation and temperature extremes. They also provide wildlife habitat and a scenic curtain that shields recreationists from heavily cut timberlands. While thin, sparsely timbered buffers might meet some of the functions of riparian zones for some water bodies, wide well-stocked forests meet all the functions for all water bodies. Complex shoreland cutting regulations are a response to landowners who want the option to cut more heavily than is optimal.

Maine has two sets of regulations for timber harvesting in shorelands around streams, rivers, lakes, and wetlands; one for organized towns (regulated by the Department of Environmental Protection, or DEP), the other for unorganized townships (regulated by the Land Use Regulation Commission, or LURC). These two standards have been in effect since the early 1970s. While there are similarities between the two sets of regulations, there are also differences regarding:

- *stream definitions,
- *stream size (as trigger for different regulations),
- *shade and tree retention standards (especially for smaller streams),
- *allowable sediment discharges, and buffer sizes for different sized water bodies.

Neither set of regulations gives much protection to small streams. Headwater streams (in some ways, the most sensitive to disturbance) that drain less than 300 acres get almost no protection. Streams that drain more than 300 acres need 75 foot buffers, but for LURC, the vegetation requirement for these buffers is "shade," a term that is not defined. Both rivers and lakes require 250 foot buffers where landowners cannot remove more than 40% of the basal area in a ten year period.

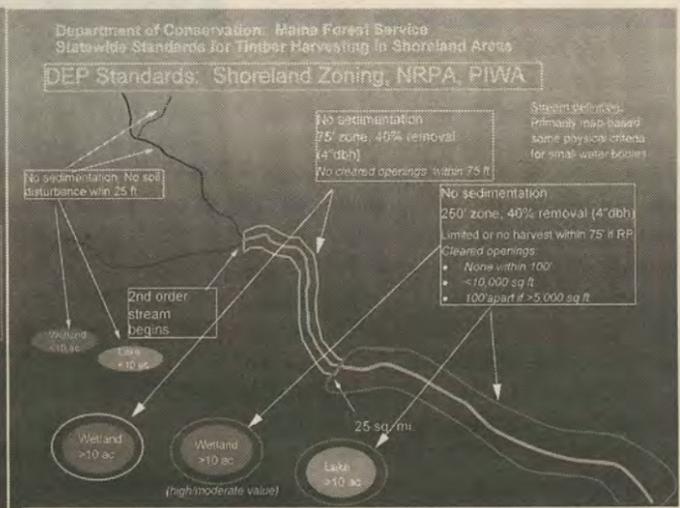
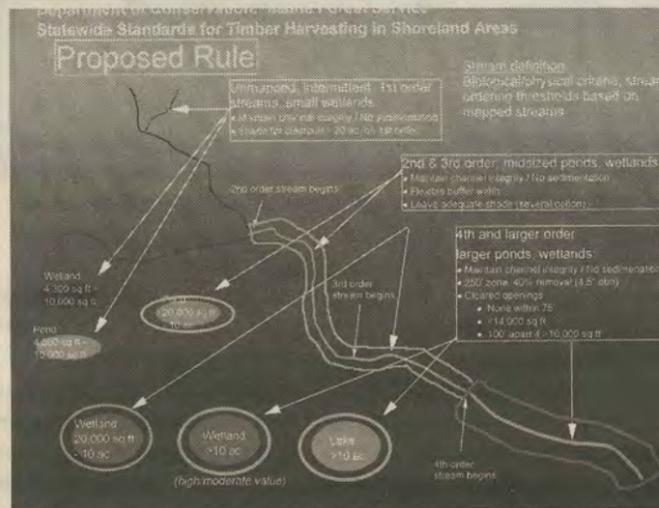
In 1995, Governor Angus King created a panel of experts, the Maine Council on Sustainable Forest Management (MCSFM), whose job was to set criteria, indicators, and benchmarks for sustainable forest management. In 1996, the MCSFM released its final report, which included the recommendation that by 1998, there be uniform riparian zone timber harvesting standards for the state. The MCSFM recommended that these combined standards be no less stringent than the combined standards and that all 1st and 2nd order streams mapped on US Geological Survey 7.5-minute quadrangles have 65-70% canopy closure within the first 75 feet (with no clearcutting in a 250 foot buffer). For 3rd and higher order streams, the MCSFM recommended maintaining 65-70% of canopy closure for 250 feet. These proposals sat on the shelf past the 1998 deadline.

In 2000, the Maine legislature directed the Maine Forest Service (MFS) to establish uniform standards in a way that would "provide the maximum opportunity for flexibility..." The enabling legislation mentioned a broad range of benefits, including water quality, bird and wildlife

Maine Audubon

Summary Analysis of Provisional MFS Statewide Standards for Harvesting in Shoreland Areas (March '03)

Stream Order	% of Total Stream Miles (1)	Impact of Proposed Rules Compared with Current Standards			Comments
		LURC	DEP	Net Change in Protection	
1st Order & Unmapped	48.4%	Significant Loss. Shading requirement eliminated except for Category 2 and 3 clearcuts (roughly 2%-3% of harvest acres)	Marginal Improvement. Shading requirement added for roughly 0.5% of harvest acres	Significant Loss. Shading requirement eliminated on more than 25% of stream miles in Maine (roughly 50% of the land is in the LURC jurisdiction and shading requirement eliminated on roughly 50% of stream miles)	For landowners over 100,000 acres (who make up most of the LURC jurisdiction), 5.5% of their harvest acres were clearcuts. They had an average clearcut size of 24 acres. Assuming 50% were less than 20 acres (thus exempt from new shading rules) leaves about 2%-3% of annual harvest acres potentially subject to the rules. For 97%-98% of harvests, including heavy partial cuts and overstory removal harvests, and clearcuts less than 20 acres, no shading would be required.
2nd & 3rd Order	37.9%				
Watershed <25 sq. mi.		Moderate Improvement. Shading now required across full width of 75 ft. zone instead of just along stream.	Similar	Moderate Improvement	Improvement in LURC largely associated with travel corridor values (shade and sediment protection are already required).
Watershed 25-50 sq. mi.		Moderate Improvement. Shading now required across full width of 75 ft. zone instead of just along stream.	Significant Loss. Protection zone decreased from 250 ft. to 75 ft.	Moderate Loss.	Change in DEP protection a major concern where timber harvesting precedes development. Harvesters can now clearcut to 75 ft. and then sell to developers, resulting in permanent loss of shoreland buffer from 75 to 250 ft.
Third order > 50 sq. mi.		Significant Loss. Protection zone decreased from 250 ft. to 75 ft.	Significant Loss. Protection zone decreased from 250 ft. to 75 ft.	Significant Loss.	Change in DEP protection a major concern where timber harvesting precedes development. Harvesters can now clearcut to 75 ft. and then sell to developers, resulting in permanent loss of shoreland buffer from 75 to 250 ft.
4th Order and Larger	13.7%	Similar	Similar	Similar	



habitat, ecological and natural values, natural beauty, and outdoor recreational activities, that made it clear the intent was not merely to protect water from just siltation and temperature changes.

The MFS set up a technical working group that helped the agency come up with proposed rule changes. To give flexibility, the proposed rules offered a number of options for shade and tree retention:

- An average residual basal area within a flexible width streamside management area;
- A percentage volume removal limit within a fixed buffer width (similar to existing standards);
- The opportunity for landowners to apply to the department with a proposal to provide equal or better protection of the water bodies and associated riparian forests;
- An exemption for lands with independent third party certification;
- On larger water bodies, the opportunity to create larger cleared openings if the forest has a easement to prevent development.

After a public hearing and receipt of public comments, the MFS eliminated the exemption for certified land. It appeared that large landowners were not pleased that the exemption was tied to a requirement for public accountability. Some environmental commenters wondered why certified landowners, who are supposed to be doing exemplary management, and landowners with publicly funded easements, which are supposed to protect public values, should be exempt from minimum standards to protect water bodies.

The revised rules were submitted as legislation in February of 2002. The reaction at the hearing for the legislation in March was mixed, but mostly negative. Most large landowners testified against,

except for International Paper, which testified neither for nor against. The companies complained that the proposed rules added more regulations that would hurt business and lower the landowner's ability to cut wood. Indeed, one landowner representative, from Plum Creek, gave exact figures for how much the company's timber supply would be lost.

Landowner representatives also claimed that the current regulations are working; there are no problems. Some suggested that any new regulations should wait until after a study on riparian zones, currently being done by John Hagan of Manomet, is completed. The implication is that the many previous studies, done over many decades, are somehow inadequate. The new studies will, presumably, show that well-stocked wider buffers are, somehow, not necessary.

The vehemence with which some industry representatives railed against the rules seemed odd, since the rules, by allowing landowners to choose which option could lead to the heaviest cut, could, in many cases, let landowners cut more wood in protection zones than they currently can. The minimum basal area requirement, for example, is 60 square feet per acre. For a well-stocked, mature softwood stand, which might have 180 square feet of basal area, this would allow the landowner to remove 2/3 of the wood. Current regulations only allow removal of 40% in a ten



year period.

Some environmental groups, such as the Natural Resources Council of Maine, testified in favor, because they perceived that the new rules can give more protection to smaller streams (which, currently, have little protection at all) by defining what is meant by "shade." The new rules also get rid of the 300 acre exemption and require landowners to retain channel and bank integrity. Other groups, such as Maine Audubon Society, testified against because the protection offered would be inadequate and, in some cases, would be less stringent than current standards. For example, the buffer zone requirements for small streams only kick in for clearcuts over 20 acres. Only a small fraction of cuts (less than 3%) in Maine are technically called "clearcuts." (see Maine Audubon chart).

Because of the strong opposition to the legislation, the proposed rules are now in limbo. The legislature has not given up on the project, but is giving the Maine Forest Service more time to bring the two standards together.

The Wise Use Bears

“Logging, mining, and other land altering industrial activities, when done to modern standards, have little negative impact on bears.”

Review by David Orton

Bear Attacks II: Myth & Reality, by James Gary Shelton, Pallister Publishing, Hagensborg, British Columbia, 2001, paperback, ISBN 0-9698099-2-1

I HAVE A PERSONAL, as well as a theoretical, interest in a book on bear attacks. I consider myself a friend and a defender of the interests of bears. Where I live in Nova Scotia - an old abandoned hill farm which has reverted to woods - occasionally one sees sign that black bears are in the vicinity. Particularly in the fall, we see large piles of scat at the base of apple trees, and notice broken apple branches which bears have pulled down to access the apples. Bears, like coyotes, seem to love blueberries. The scat of both these animals is dark blue in blueberry season, and we see it quite often. When walking through the woods, sometimes there are overturned boulders, which bears have moved while foraging for insects. Sometimes we convince ourselves that we can smell bears, a quite distinctive odour. But we usually do not SEE bears. This past summer, though, we did see bears on two occasions close to our house. When walking in the woods or cycling on back roads near home, we carry cans of what we call “bear spray,” really pepper spray. (On such rides, it is dogs, not bears, which are the usual problem.) Generally I am thrilled to share habitat with bears. While mainly avoidance is to be expected in a bear encounter, at the back of my mind there is the thought that this might not be the case. I need to know, like others who live or who travel in bear country, what to do if there is a close encounter. “Playing dead” has never appealed to me as a survival tactic.

Bear Attacks II: Myth & Reality was recommended to me by a friend, who also likes bears. He felt it brought some needed realism into possible bear attack discussions. As can be seen from his comments in this book, James Shelton gives many workshops and talks on bear attacks to forestry, fishery, government workers and others. This means the views in this book are being widely propagated in rural British Columbia, the home base of the author, and also, we are told, in Alberta and the Western United States. His basic views differ greatly from my own and those who have a non-human centered philosophy towards wildlife and Nature.

Bears are considered a “resource,” part of that wildlife which is allegedly managed for hunting/trapping and fishing, in the interests of a diminishing minority of the general population. In Nova Scotia, as elsewhere in Canada, the simplistic message given by various government wildlife departments, is that we co-exist with wildlife by killing it in more or less regulated seasons. If we do it well, we are told, we only take a “surplus”. If we did not exercise our taken-for-granted anthropocentric ‘rights’, we would be overrun with “problem” wildlife, including bears,



“Bear Baiting” courtesy of the artist, Janice Kasper, Belfast, Maine.

which do not fear humans. So hunting is good and, moreover, in the interests of the hunted animals, as well as humans! This is also one of the messages in Shelton’s book.

In Nova Scotia, bears can only legally be hunted over bait sites in the fall, or snared using an aldrich-type foot snare. A few years ago, the provincial government made the mistake (for those who hunt), of opening up a public discussion on a spring bear hunt. The ethics of such hunting became subject to public scrutiny and debate. At this supposed hunt, hungry female bears not long emerged from hibernation, often with cubs, are “mistakenly” shot after being lured to bait sites. (That bait sites condition bears to human garbage never seems to be raised for discussion. Rural residents in bear country are usually told not to lure bears with careless garbage disposal practices.) The publicly expressed sentiment was overwhelmingly against a spring bear hunt. Spring bear hunts are defended by Shelton. The general policy drift with federal and provincial governments in Canada is still to extend all forms of hunting, not curtail them, and to say nothing about ongoing forest habitat destruction. Wildlife is seen by so-called decision makers as not having intrinsic value, but only economic value. The industrial paradigm of consuming wildlife hangs on, despite a welcome shift in public sentiment away from hunting and trapping.

Overview

While the book **Bear Attacks II: Myth and Reality** deals with a real problem and gives practical help on dealing with bear encounters (referring to over 30 first-hand reports of bear attacks), it also promotes a reactionary and rightist philosophy. This philosophy, among radical environmentalists, has come to be known as Wise Use. (There is not much wisdom, but a justification of the ongoing industrial use of Nature.) The author speaks of himself as a “conservationist” and a defender of “rural culture.” This culture, for Shelton, includes the hunting and guiding industry - which he has been a part of - and industrial logging and mining. The author claims over

the last 35 years to have “killed many bears at close range” (p. 173) and to have “walked up on hundreds of bears that didn’t know I was there.” (p. 127) Rural culture, we are told, is under attack by “preservationists” who are city people. A flavour of this Wise Use philosophy, which particularly targets deep ecology, is conveyed in the three following quotes:

“The last ten years of research by mainstream bear biologists have clearly demonstrated that logging, mining, and other land altering industrial activities, when done to modern standards, have little negative impact on bears.” p. 204

“As the Soviet Empire collapsed, neo-socialists in Europe and North America are directed their dislike for the free-enterprise system, and ‘deep ecology’ was established. In the late 1980s, this powerful new force was welcomed into the major environmental groups, and the preservationist movement was born. We’ve been in the age of neo-pantheism every since.” p. 262

“The federal government of Canada has become a surrogate for the United Nations, and it’s no secret that both are working towards a plan to disarm all world citizens.” p. 273

Bear attack lessons

The author discusses grizzly and black bear attacks. While he unbelievably claims that “Black and grizzly bear populations are healthy in Canada and increasing in most areas” (p. 219), I do agree with the following four points about bear attacks:

1. Bears can stalk humans, particularly grizzly bears.

2. Anyone in bear territory needs to avoid stumbling into a bear kill zone. Bears can defend their wildlife kills (or the remains of kills from hunters) very aggressively.

3. Playing dead is not a good survival strategy if attacked by a bear. Avoidance is of course to be preferred. But, if attacked, a person should defend him- or herself vigorously. Pepper spray can be very effective. If the encounter becomes close and personal, fight back with whatever is at hand, including tree branches or a hunting

knife.

4. Having a well trained dog along in bear country can be very helpful if attacked, because a dog can seriously distract an aggressive bear.

For Shelton, it seems, a gun should always be used if a bear attacks: “Let me make one thing crystal clear: My bear hazard safety program is a safety program for people first and bears second.” (p. 175) He does not believe in warning shots. For him, of course, a human life is always more important than that of a bear’s. A basic belief is that “we are over-protecting bears to the detriment of people and our economy.” (p. 8) The main factor in threats to human safety from bears, is a “rapid increase in bear populations.” (p. 219)

A confused and dangerous book

The strength of the book as a teaching tool is that it is based on accounts of many first-hand bear attacks which were sought out and reported to the author. There are also some quite graphic photos of humans attacked by bears. (An Epilogue deals in a cursory manner with cougar attacks.) It deals with a real problem, with a focus on grizzly bears, and there is something to learn from this book, but there is lots of repetition and overlap. It seems to have escaped any significant editing.

There is in this book a dangerous confusion and mixing up of ideas. The principal damnation term is “Postmodernism” which is defined in a very broad, inclusive and contradictory manner. It includes, for example, deep ecology, Marxism, socialist science, eco-feminism, preservationism, neo-pantheism and political correctness, like the statement “Aboriginals lived in harmony with nature.” Preservationist biologists, we are informed, “are postmodernists who are actually anti-science.” (p. 266) It is written by a committed ideologue, who feels his whole way of life is under attack by “preservationists” - some of whom are also part of the rural culture which Shelton claims to be a spokesperson for. However, there is hope that not all is lost: “The election of George W. Bush will derail postmodernism in the U.S. and at the U.N. for at least four years and possibly much longer.” (p. 27)

Although I am not a bear biologist, I believe the author of **Bear Attacks II** seriously misrepresents the threats grizzly and black bears face, in order to justify his own activities and to portray the forestry and mining status quo as ecologically sound in Canada. For example, clearcutting, which has a commercial advantage, becomes justified because it supposedly results in increased bear populations: “If logging slashes are continuously available for bears in an area, the bear population will be higher than in areas with no logging.” (p. 212) Yet we are also told that black bears damage “forest resources” in Northern California, Oregon, Washington and Southern British Columbia “at an ever increasing rate” by feeding in the spring on the cambium bark of, presumably industry spoken for, forests. (p. 219) The author also claims that grizzlies are not a “keystone” or “indicator” species. (p. 14)

Throughout the book, Shelton makes the distinction between “conservationism” and “preservationism.” This distinction also occurs in Wise Use literature. There is nothing wrong with the term conservationism or conservationist, as far as I am concerned. But, as used in this book, the

IS THIS DEMOCRACY?

A preferred means of dealing with citizens raising obstacles to mega-development is to dismiss them as Nimbyist. One environmental activist recommends that democracy belongs in everyone's backyard.
*nimby: not-in-my-backyard

The following letter was sent to the **Rutland Herald** but never printed, in response to an editorial about corporate accountability. The writer, Annette Smith, is director of *Vermonters for a Clean Environment (VCE)*, a membership organization which has been active in questioning the expansion plans of Omya, the multi-national mining company. Omya seeks to open a 24 acre calcium carbonate quarry in Danby and Tinmouth. VCE has also been monitoring the issue of factory farms in Vermont.

In response to your editorial, "Under suspicion," [<http://rutlandherald.nybo.com/Archive/Articles/Article/49905>, July 13, 2002], the question of how we can trust the President to correct corporate abuses could go further to ask how we can expect Congress to facilitate change since they, too, are beholden to those same corporate interests.

Closer to home, we have seen the open door policy for corporations while Vermont's Governor refuses to even consider the concerns of citizens affected by those same corporations. I had heard that the governor wouldn't meet with the citizens of Sheffield who were concerned about what a South African corporation was doing to their community and didn't want to believe it. During the last gubernatorial campaign, Governor Howard Dean agreed to meet with me after the election. I waited, and when I heard that he said in public that he would be meeting with the North American head of OMYA, I asked for equal time. Governor

Dean refused my request for a meeting.

Governor Dean has consistently made devastating comments about the concerns of citizens dealing with corporations trying to do developments that are out of scale for Vermont. In the case of the Highgate Egg Factory's proposed expansion by a Canadian millionaire, Governor Dean likened the situation to a neighbor putting up a fence and said it wasn't the business of the Governor.

Most recently, Governor Dean had this to say about OMYA: "Everybody has local opposition. I've been traveling all over the country for the last year and a half. You pick up any local section of the paper and somebody has a lawyer that's suing somebody else because they don't want something in their backyard. That happens everywhere in the country. The question is how you moderate through that process." [for more of Governor Dean's comments on OMYA, see: <http://www.vce.org/deanomya.html>].

Governor Dean seems to think it is wrong for people to be concerned about what goes on in their community. This strikes at the core of what we thought we had in Vermont that is no longer a component of much of America — a sense of community.

Two and a half years after OMYA's announcement of their intention to open a new mine in Danby, the community has turned into an ugly place where people are either for or against, with no middle ground. The community of Highgate is similarly divided. The community of

Sheffield was literally destroyed by the granite quarry which turned out just as the neighbors' experts had predicted—the granite deposit was no good and the quarry has since closed. The process totally fails our communities.

Equally problematic is the complete lack of communication with our elected officials. From Senators Jeffords and Leahy to Governor Dean to local Representatives and Senators, they have maintained an invisibility from citizens concerned about corporate development to an extent that is not only baffling but infuriating and, ultimately, insulting.

The jobs that are created by corporations are important. But while the Rutland Economic Development Corporation promotes the idea of "balance", we find there is none. Vermont citizens dealing with large corporate development projects, whether in Highgate or Sheffield or Danby, have learned the deeply painful truth that we are alone. Our government has failed us.

Where do we turn for guidance? Perhaps a look at this country's history will provide some enlightenment. First we learn that the situation 150 years ago was not that different:

"We may congratulate ourselves that this cruel war is nearing its end. It has cost a vast amount of treasure and blood....It has indeed been a trying hour for the Republic; but I see in the near future a crisis approaching that unnerves me and causes me to tremble for the safety of my country. As a result of the war, corporations have been enthroned and an era of corruption in high places will follow, and the money power of the country will endeavor to prolong its reign by working upon the prejudices of the people until all wealth is aggregated in a few hands and the Republic is destroyed. I feel at this moment more anxiety for the safety of my country than ever before, even in the midst of

war."—Abraham Lincoln, letter to William F. Elkins, Nov. 21, 1864. Archer H. Shaw, ed., *The Lincoln Encyclopedia* 40 (1950)

And so we look further back to our founding fathers who offered this in their Declaration of Independence:

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.—That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, —That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience hath shewn, that mankind are more disposed to suffer, while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security."

Are we in such desperate times yet? Time will tell.

Editor's Note: Vermont's Governor Dean wants to be President.

The Wise Use Bears

term tries to seek the legitimacy of environmentalism and then perverts it into endorsing and legitimating the ongoing consumption of Nature by industrial society. When Wise Use ideas were first being floated in Nova Scotia in the 1980s, the largest pulp and paper company ran a series of graphic advertisements in newspapers, under the heading "The Working Environmentalists." The implication was that "preservationists" do not work for a living. I do not mind the use of the term "preservationist," meaning to preserve. But for Wise Use followers like Shelton (he does not use the expression Wise Use), preservationism combines "environmentalism and socialism." I only wish it were true, but it cannot be true because socialism supports the same industrial paradigm of values which destroys Nature, as does capitalism. There is, however, a tendency in deep ecology called left biocentrism, which is addressing this. But Shelton does not understand any of it: "The preservationist movement which extends the tenants (sic) of Marxist socialism to man's relationship with nature." (p. 272)

Preservationism also aims, says the author, to prevent humans from "using large areas of the world's surface." (p. ix) What the author did get right is that many preservationists believe "we must create equality between humans and animals." (p. 269) And he got it right, that we believe

there need to be large areas set aside for wildlife and for undisturbed ecosystems, essentially off-limits to industrial exploitation.

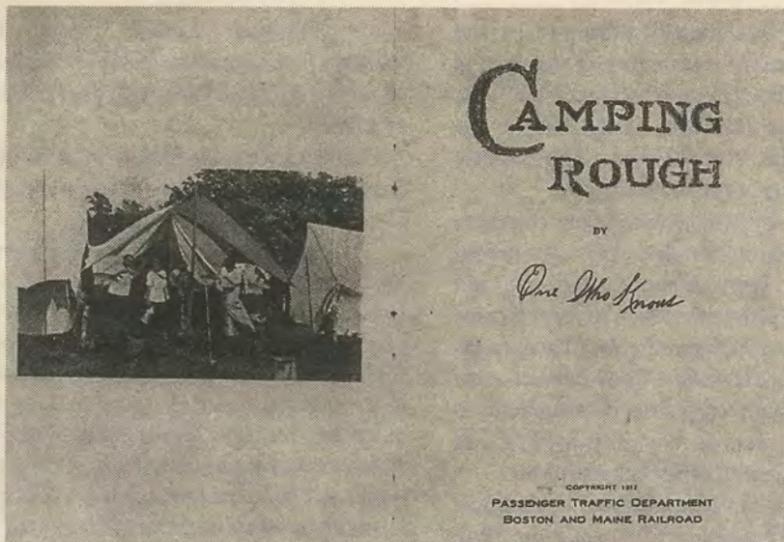
This book can be seen mainly as a "Wise Use" manifesto hitched to a real possible problem, and not as a helpful guide in seeing how to deal with bear attacks. In the context of the term "Wise Use," all of Nature becomes available for human and corporate use, and human access to "resources" like bears or forests must always have priority. This book, with its half-truths, contributes to demonization in language of those of us who value wildlife and Nature for its own sake. In British Columbia particularly, the Wise Use movement has shown itself ready to demonize, scapegoat and, if necessary, use violence and intimidation against ecocentric environmentalists and their supporters. The struggle between "conservationists" and "preservationists" (as defined by James Gary Shelton), over what little wild Nature remains and whether it is going to be left alone or put to "use," does need theoretical clarity. **Bear Attacks II**, with its paranoia, misinformation and confusion, does not provide this.

October 20, 2001



One of the smaller, non-inventoried roadless areas in the White Mountain National Forest is Moat Mountain, pictured here in a postcard scene from early in the last century. Situated west of North Conway, 9,723 acres are designated as motorized recreation lands. Adding 2,195 acres from the timber base could help create a roadless area of close to 12,000 acres. *Source: Mountain treasures Roadless Areas in the White Mountain National Forest.* For several Wilderness proposals in the WMNF, see pages 16-17.

While 10 year planning processes on the White and Green Mountain National Forests are on-going and provide a forum for public discussion of management issues, it will take action from Congress to permanently protect and restore roadless areas, particularly through Wilderness designations. See *Northern Forest Forum* volume 9 # 2 Winter 2002 for a description of Wilderness proposals of the Vermont Wilderness Association (www.vermontwilderness.org).



Excerpts from *Camping Rough* — By *One Who Knows*, dug from the archives by Elderberry Youngmann
© 1917 Boston & Maine Railroad Promotional Booklet

Note: Original spellings have been maintained and original typography approximated. Hence the unconventional spelling of Nulhegan.

A GLANCE at a map of the State of Vermont will show Essex County located in the northeast corner, bounded by the Canadian line on the north and on the east by the Connecticut River. It will show the Nulhegan River with its five branches extending northwest through Bloomfield, Averill, Warren Grant and Avery's Gore emptying into the Connecticut about twenty miles south of the Canadian line, but it will not show what most delights the heart of the sportsman. The towns bordering on the Connecticut River are only settled on the easterly side, and to the west, lies a solid block of woods comprising several unorganized towns. The map probably will not show that this block of woods contains several mountains 2000 feet, or more, in height, and, in addition to the five branches of the Nulhegan, many smaller streams which help to feed these branches. The map may show near the Canadian line three ponds, or small lakes, but does not tell that these lakes and streams have abounded in trout ever since they were discovered and that taken altogether this section comprises one of the best hunting, fishing and camping grounds in New England.

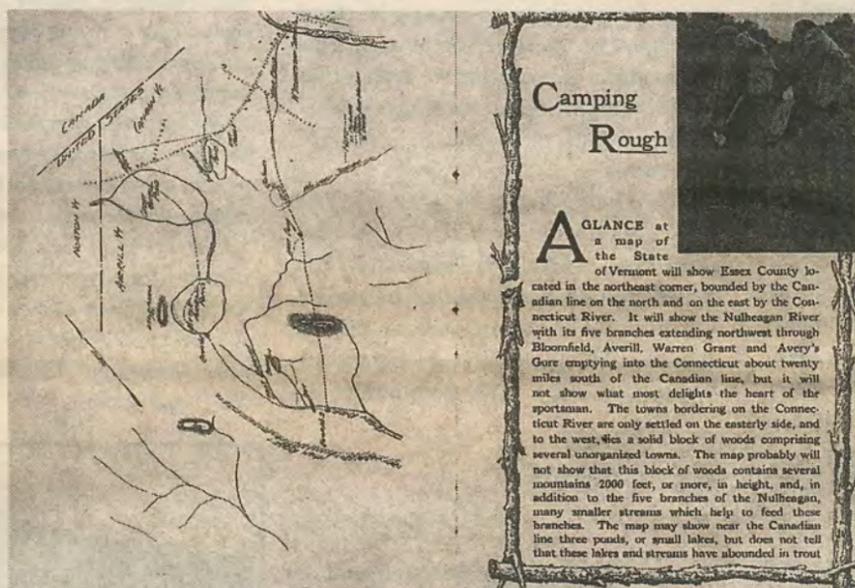
Forty years ago it was my custom to traverse this section with lines of trap in quest of mink, sable, fisher cats and an occasional bear. At that time the ground was covered by a heavy growth of spruce timber. The growth on the ridges and mountains, however, was beech, maple and birch. The spruce timber has been cut into pulpwood and floated down the stream to the paper mills, the timber growth replaced by a thick second growth which is hard to tramp through. My trapping has given place to an annual camping and fishing trip with the boys, which is here described.

We like to camp rough, so we select only such things for our trip as can be carried in a knapsack — a shelter tent of balloon silk, a blanket, pork, beans, flour (self-raising), rice, raisins, sugar, salt, tea and coffee with a few aluminum cooking utensils, making a pack of about fifty pounds to a man.

We leave the train at West Stewartstown, N.H., from which a drive of over five miles over the hills in a

westerly direction brings us to the last settlement.

Another mile through the woods and we reach Leach Pond, a large, round pond with a muddy bottom having a record as a trout pond which extends as far back as the memory of man. The oldest inhabitant will tell many interesting and probably true stories of "the big ones he used to catch just as the ice was breaking up in the spring."



This pond is kept well stocked with square-tailed trout. There is a comfortable, and even luxurious summer camp on the shore for the accommodation of those who like to fish and take things easy. There are also small camps which may be rented. As we are going to camp rough, this point attracts us only long enough to think of the fishing we used to have here before the pond could be reached by automobiles. We take a long look to the south and see the top of "Heagan" Mountain, altitude 2640 feet, across the top of which our course lies.

One more mile in the automobile and we come to the shore of Great Averill Pond, some four miles across. This pond has a sandy bottom and sandy shores, and is kept stocked with trout. Good hotel and camp accommodations may be had here. We have now reached the height of land, or the great divide, between the north and the south. The altitude of this pond and Leach Pond is about the same, they being separated by a high ridge. The inlets to both ponds are from the south and at one point are only a few yards

apart. The outlet of Leach Pond is, however, to the Connecticut River and Long Island Sound, while the outlet of Averill Pond is the Coaticook River and the Gulf of St. Lawrence. The top of "Heagan" Mountain is our landmark for crossing this lake, and procuring a boat at the hotel, we bid farewell to all signs of civilization, pack our dunnage into the boat and start across the lake where our camping trip really begins.

A row of about three miles and we are at the southerly shore, where, for the first time, we have to shoulder our knapsacks and tramp for about a mile and a half in a southerly direction to Little Averill Pond.

The trail is good, however, so this carry is quickly passed. We find a boat, which, by bailing out and patching up a little, will carry us across Little Averill; but there are no paddles to be found, so we split out what will answer the purpose from an old cedar log found on the shore. After rowing about a mile in a southerly direction we come to our first camping place. Little Averill Pond, as the name

indicates, does not cover so great an area as its big brother to whom it contributes water, but situated as it is, in a basin between two mountains, it is very deep. By tying fish lines together we have sounded, but have never been able to find bottom in some places.

As we row across the lake we are watching for the

particular point of land which marks our trail to the headwaters of the east branch of the Nulhegan River.

By skirting the shore we are soon able to discover the point and find the old tent poles used last year, so our tent is pitched in the same old place, on a little knoll just high enough to shed water when it rains, and near enough to see the lake through the bushes, but far enough away so the bushes will break the wind in case of a gale.

We are tired and hot, but the tent must be pitched, wood cut for the fire, and spruce boughs picked for the bed before we can think of rest. All is ready for supper just as the sun is setting. A swim in the lake is the next thing. The peculiar softness of this water makes a swim well worth the tramp to the lake at any time, but at the close of a hot, tiresome day a plunge into this lake is something which cannot be described to one who has never experienced it, and needs no description to one who has. We return to the shore and our first camp just as the twilight is deepening.

A fire is quickly kindled, the tea-kettle set where it will soon boil, and as we have little time, we decide to use our only can of beans for supper — a quart can is o.k., but it is heavy to carry. It is pitch dark when supper is finished. The blankets are spread on the bed of boughs, and those who smoke, enjoy the pipe, while those who do not lie in the tent and watch the sparks as they go straight up (for there is no wind) and study the pictures made by the smoke. Real luxury after a hard day.

At daylight we are awakened by the birds. Far out in the lake an occasional trout comes to the surface for a fly. Always some one wants to fish, and while the others are preparing breakfast and packing up for the day's tramp, the fisherman tries his luck. In this case it proved to be "fisherman's luck," something wrong with the bait or the fly, and he returned empty handed but cheerful. There is something in the smell of hot coffee, fried bacon and hot biscuit which makes one cheerful even under adverse circumstances.

The day is clear and promises to be hot, and as we are anxious to get to the stream, we take an early start.

After a tramp of about a mile across a timbered ridge on the south side of the pond, we come to the meadows. These meadows were formerly grown up to alders, but they have disappeared and the ground is covered with a variety of grass known as Blue Joint, of rank growth, four or five feet high.

A heavy dew has made the grass as wet as though there had been a hard shower. Before many minutes we are

continue on to the site of the second camp.

The location of this camp is such that we can fish both up and down stream. At this point we can also cross the ridge to the west and fish the other streams, if we wish.

[Editor's Note: The boys make camp here for several days, and start in on refinements: they dig out a spring, construct a dam for a swimming hole, build a Dutch oven from stones banked with earth, and bake beans in a bean hole. They catch plenty of trout. One dismal rainy day they discuss Ernest Thompson Seton's smoke signal system and decide to try compassing back to camp, where two smoky fires burn 100' feet apart. Now, after drying out, it is time to strike for home, heading northeast toward the headwaters of Willard Stream. Reaching this point, they camp one night and start off the next day.]

Here the undergrowth was exceedingly thick and we had to fight our way through the bushes, and consult the compass every few minutes in order to keep our course. Tom noticed that Bert did not have the axe and asked him what he had done with it. He replied, "I must have left it where we crossed the stream on the log." He immediately threw off his pack and started on the run for the stream. We shouted to him to stop, but he was out of sight in an instant, having

disappeared through the thick undergrowth. We were now in a quandary. We knew he could not find the place where we had crossed the stream and he would soon realize that he was lost and we could not find him. Our first thought was to build a fire, guessing that he might climb a tree to look for our smoke, but the undergrowth was so thick that we doubted his ability to get to us, even though he saw our smoke, so we decided to wait about half an hour, then climb a tree to see if he had remembered

the experiment of the two smokes.

Within a short time we found a high knoll covered with hardwood growth. Tom climbed a tall tree and looked back in the direction of the brook, but could not discover any smoke. I shouted to him to look in all directions because Bert might have become lost and gone in a circle, and, sure enough, when Tom looked to the northeast — the opposite direction from the brook — he saw the two smokes appearing through the trees

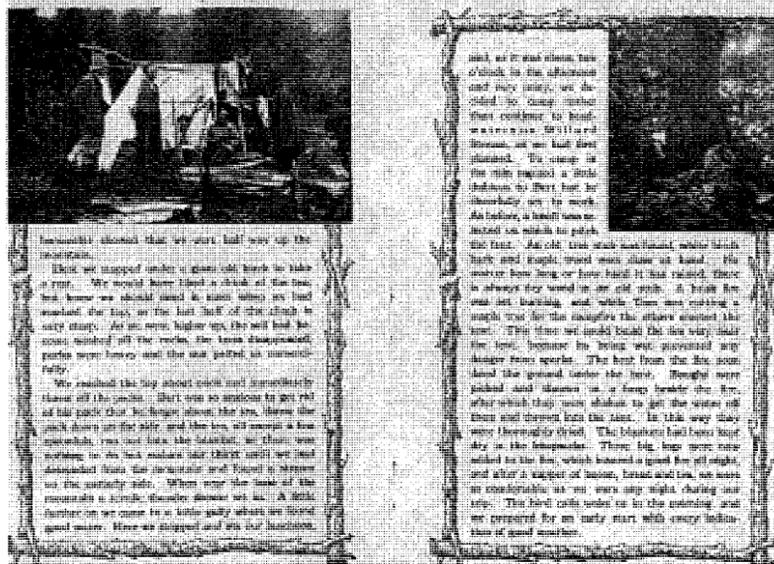


FIGURE 1. A campsite with a tent and a large fire burning in the foreground. The scene is set in a wooded area with trees and a stream visible in the background.

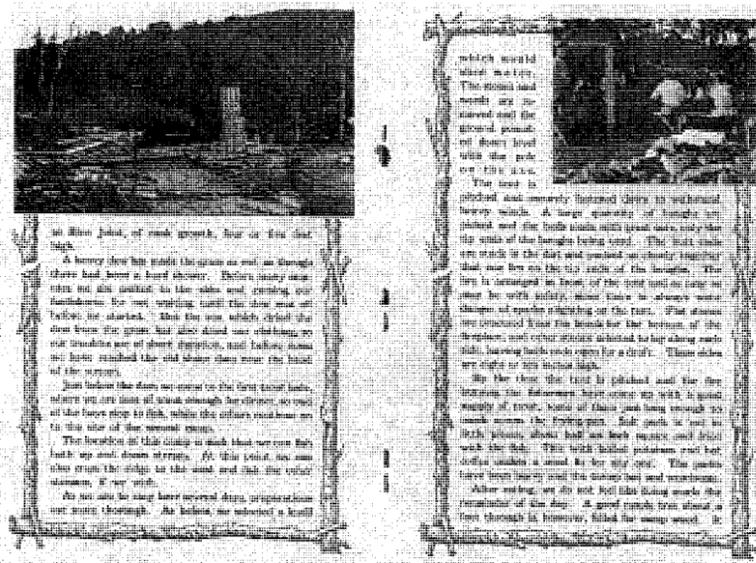


FIGURE 2. A campsite with a tent and a large fire burning in the foreground. The scene is set in a wooded area with trees and a stream visible in the background.

soaked to the skin and cursing our foolishness for not waiting until the dew was off before we started. But the sun which dried the dew from the grass has also dried our clothing, so our troubles are of short duration, and before noon we have reached the old sluice dam near the head of the stream.

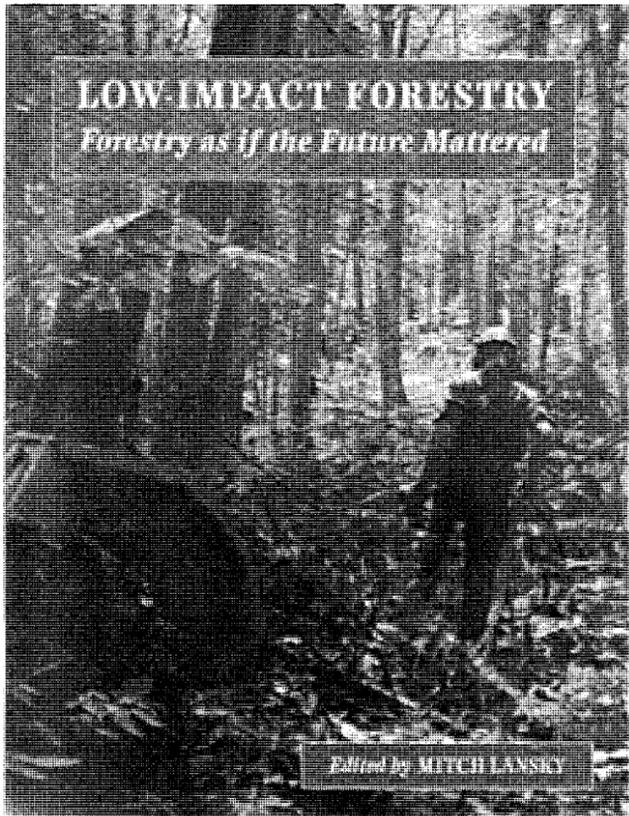
Just below the dam we come to the first trout hole, which we are sure of trout enough for dinner, so two of the boys stop to fish, while the others con-

less than half a mile away. We quickly shouldered our luggage, picked up the pack that Bert had thrown off, and started in the direction of the two smokes. In fifteen or twenty minutes we could hear a peculiar metallic sound and could soon smell smoke. We then proceeded quickly and peering through the bushes saw Bert sitting complacently on a log between his two fires drumming on a tin cup which he had carried strapped to his belt. With a yell like wild Indians we pounced on him, tied him to a tree hand and foot, and told him he would not be released until he had told what happened. He was a little loath to talk about it, so we dissolved some sugar in water as a coxer for the flies, smeared his face and hands, and lacking the traditional brand iron to brand a "D" (deserter) on his chest, we took a brand, none too cool, from the fire and marked a large "D" on his forehead. As the fly coxer began to work, his tongue loosened under the influence of the black flies.

[Bert explains his actions and the rest of the boys split up to locate and retrieve the missing axe. That accomplished, the party reunites and heads to Kiar [Keyer] Brook, and, close to civilization, break for lunch.]

Good food, an hour's rest, and the fact that we were on familiar ground, gave us fresh courage. We soon struck the old tote road that brought us to the opening. Our feet were sore, our hands blistered, our clothes were in need of a valet and our stores about all in; and we agreed this was the worst trip we had taken to the "Heagan."

But listen, and this is always the way it works out: — A warm bath and a good bed dissipated the soreness, and the first topic of conversation after breakfast in the morning was a discussion of plans for next year's trip, in which was mingled pity for those who have never tried getting close to Nature.



Low Impact Forestry: *Forestry As If the Future Mattered*

Mitch Lansky's 1992 book **Beyond the Beauty Strip: Saving What's Left of Our Forests** is widely considered a "must read" for anyone interested in northern forest issues, and has served as the bedrock of the forest protection movement in New England and around the country. If **Beyond the Beauty Strip** is a forestry "how-not-to" manual, then **Low Impact Forestry** could be considered a "how-to" manual.

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*Published with the generous assistance of the Maine Environmental Policy Institute and the Northern Appalachian Restoration Project, 501-c-3 of the **Northern Forest Forum**, where many of the writings first appeared.*

The 172-page book is printed on 100% post-consumer recycled, non-chlorine bleached paper. To order the book visit www.lowimpactforestry.org or call 1-800-639-4099. The Maine Environmental Policy Institute is located in Hallowell, Maine and on the web at www.meepi.org.

*To read Mitch Lansky's 10 year retrospective on the writing of **Beyond the Beauty Strip** see page 11 of this issue of **The Northern Forest Forum**.*

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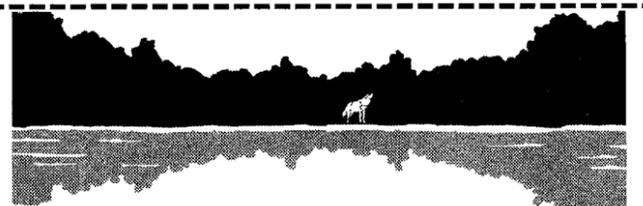
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