Negotiations for Whitney Adirondack Lands Intensify
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12,000-Acre Mellon Tract in Eastern Maine Given to State
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& Introducing

MAINEOPOLY
A Game for Clearcutters & Tree Huggers

(see special pull-out center section)
Start the Revolution Without Me, or, Confessions of a Menshevik

The editor emeritus of this publication, Jamie Sayer, and I frequently exchange and analyze the leading revolutionary events through the lens of the pre-Civil War United States, and pre-Revolutionary Russia. The discussion generally involves questions concerning the nature of Liberalism, Conservatism, Moderation, Radicalism, and Progress. What we both find—perhaps "recognize"—in the spirit of energetics abroad today, is the unfolding of another revolution, or at least a revolutionary dynamism.

Lenin supposedly said that true revolutionaries do not concern themselves with the "day after the revolution." In that case, The Northern Forest Forum, its writers, and the message we have sought to convey, cannot be truly revolutionary. For, collectively, we are indeed less concerned with the over-turn of institutions, the smashing of the ruling paradigm, with destruction, than we are with the basic necessities of a sustainable mode of life here in the forested region of northern New England and New York.

A few years ago, in the glow of a Desert Storm victory, George Bush proclaimed the end of the "Vietnam Syndrome." Bush was, of course, deposed, largely because he was considered patrician, and out-of-touch with the people. Recent events in the region of the Northern Forest do suggest the potential, in fact, for basic rifts in understanding that, for those with memories of Vietnam, are highly reminiscent of a society out of touch with itself.

In August, here in the North Country of New Hampshire and Vermont, a gunman decided he'd had enough of various figures of authority. He went on a rampage, killed four of them and wounded more. After his own death in a gun battle with police, his home place was discovered to harbor explosives and bombs sufficient to destroy much more than he did. The man's grievances involved issues of property and the infringement of authority upon property—"infringements" taken as a matter of course, and of self-government, by most citizens of this area.

To some who share this man's hatred of authority, he may become a hero, or pervasively justified in his deeds, glorified for how far he got. However, to those of the area who know the victims of his rage, and know them for their humanity, as well as respecting them for their office, there is no such possibility. He was no hero, and he died for no principle.

We have grown up as a nation with the Lockeian idea that government exists by the consent of the governed; that this contract may be severed. Lincoln, faced with the multiple social ferment of his day, long wrestled with his commitment to democracy and the Constitution. What he arrived at was the conviction that the people, like any individual, must, in expressing their will, ground it in great moral cause. Of those who would raise a violent revolution on the basis of property rights, separate from any consideration of social well-being, the rest of us must wonder, what would life be like in this republic the day after the revolution?

The Chore of Government

It is a curious thing to be involved in saying what government 'ought to do.' It is a frustration to be up against government doing what it ought not. It is a complex matter to be pursuing cultural and social good. It is a subject of great debate whether, with respect to logging practices or wilderness and public land, government ought to be involved at all. Complicating the matter is the modern American feeling, here and elsewhere, that the only unpolluted material is "real" wood (and crap), that government is corrupt, money runs the show, and the individual is subject to increasing loss of liberty. Yet if we are to remain a democracy we must, as the Buddhists might put it, act as if we had one.

Of course, when somewhat involved in Vermont's cutting debate, I can add that there is a leaning of anger, rage, and conspiracy-paranoia to modern discourse. For moderates, there is no comfort, especially when they know that most of our problems are not addressed radically, at the root, but symptomatically—how to palliate the people while not endangering the accumulation of wealth.

However, ignored problems multiply. Extremists do not make revolutions. The intransigence of power does.

We use a democracy, committed to a Constitution, and committed to our historical directive of government of, by, and for the people. We are dedicated to somehow plucking any individual and group from the blessings of liberty. Surely these must include, for the sake of the individual and society, a sustainable, biologically rich economy, a connection to the land, a celebration of wilderness. At the very least we ought to be able to discuss them so that we can achieve them in a democratically-acceptable manner.

As Americans, we are doomed to optimism. Playwright Arthur Miller once wrote an essay comparing the Revolution of the 1930s with that of the 1960s. Among his many excellent points, he concludes:

"By 1949, a thirties man would never have thought there had existed, but a few years before, a movement for social justice in full and so pervasive—the word society itself had become suspect by 1949. But in ten years more justice was the issue again, and the blacks this time were awake. It was simply that the invention of the thirties had been absorbed, and it is the same process now, when the country has been rejected and digested the ideas and that may be why, in my case anyway, a return from abroad to this country is always a painfully surprising experience of hope. It does keep changing here, it does go on with the blind, blundering search, which is not the case in most other, completed places. Evidently, we are not fated to be wise, to be still in a contemplation of our executive repetitions, but must spawn new generations that refuse the past absolutely and set out again for that space where evil and conflict are no more.

It will not come and it is coming.

—Andrew Whittaker

Illustration Credits

Elye Alexander—page 8
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Rachel O'Meara—Matt, pages 9, 10
Pam Proctor—pages 6, 7
Sue Swed—pages 5, 12
Sally Wellborn—Back Cover
In Memory of Janet Engle Cormier

Janet Cormier's cancer ended a wonderful trip she and her husband Dave were taking to Alaska. Instead, she had to come home to face hospitals and invasive therapies. She died of cancer, but she faced her cancer passively, she initiated her own changes in diet and lifestyle to fight the disease from the inside. The result was that she was having ups and downs in health and energy. Some of her lows were very scary—but then she would miraculously rebound.

When we planned the May 3rd conference on Low Impact Forestry in Ellsworth, we knew we could not plan to have Janet. We all felt that she, as a scientist who had done recent research on Best Management Practices, would be a perfect speaker at the conference. However, news of her death came just days before the conference. Janet was the best presentation of the conference. Participants in their comments gave her high marks. Dana Marble, a logging contractor for several decades, told me her was the best presentation for him. He learned new and useful information—something she did not expect from a conference. Janet's information was practical and understandable. Not all scientists have such a knack of communicating their work.

Several days after the conference Sue and I got an enthusiastic letter from Janet. She said she was thrilled to have gone to the conference, but now she was now feeling weak. Her doctors were concerned about her liver. But she was determined to keep fighting.

Little did we know that this was a down from which she would not bounce back. While she still had hope, she fought for life. When the cancer entered her liver, she realized that the cancer had won. She accepted the inevitable and ceased treatments. She died at home, on June 23rd, just seven weeks after the conference.

Janet's classmates from high school wondered what they could do in her name. At Janet's request, they are contributing to a fund going to the Low Impact Forestry Project. Janet's participation has made us all much more aware of the importance of protecting soil and water from severe impacts. In our intention to put that awareness into practice. We have, unfortunately, lost our teacher on the subject—our teacher and our friend.

The Low Impact Forestry Project extends its sympathies to Dave, to Janet's Family, and all her friends.

—Mitch Lansk

Lowell Krasner Memorial Forest Gathering September 25-28

Lowell Krasner was the heart and soul of the Sierra Club New Hampshire Forest Campaign and the Vermont chapter of the Sierra Club. Lowell was the "activist's activist." His clear insight and understanding of the process and the political game made it easy for others to understand the big picture and follow his leadership. Chris Ballantyne, long-time friend and fellow activist said that "Lowell was known for his uncanny ability to pull together activists around kitchen tables and hammer out creative strategies for land and forest protection." He was just as effective in the "Vermont kitchen table campaigns" as he was in the halls of Congress, fighting for the Northeast wilderness that he so dearly loved. His many successes include: the Vermont Wilderness Act of 1984, the Sierra Club intervention in Appalachian Trail/Killington Ski Area issues, and being the Sierra Club voice for the original Green Mountain National Forest Plan.

This Forest Gathering is in the spirit of Lowell Krasner. . . . We will focus on two major issues in the Northern Forest: Air pollution impacts on the Northern Forest and proposed wildfires within the Forest. We hope to educate and train you, our concerned forest activists and leaders, to have a passion for right and wrong, a sincere commitment to creativity and doing your homework, too. Finally and most importantly, we want to appeal to our sense of humor to keep us all sane in the long haul to protect the Northern Forest!

Lowell, we miss you! Thank you for your guidance.

The Lowell Krasner gathering includes field trips, talks by local activists and technical experts, and opportunities to visit. The full weekend costs only $100; workshops are $25/day. For more information call Baret or Chris at the Sierra Club Regional office: 518-387-9166.

Wolf Recovery Workshop Offered by Antioch Oct. 25

The Antioch New England Graduate School of Keene, NH is hosting a wolf recovery workshop on October 25, 1997, in celebration of the second annual New Hampshire Wolf Awareness Week. (The first Wolf Awareness Week was established by proclamation of New Hampshire Governor Shaheen on February 13, 1996. The Governor Shaheen will sign a similar proclamation on September 1, 1997.)

Sponsored by Wild Canines Unlimited and Antioch, the day long conference features keynote speaker and wolf researcher Dr. Fred Harrington; panels and presentations addressing wolf re-introduction, natural recovery, and wolf advocacy, with particular reference to the Northern Forest region. An evening of art, music and theater centered on the wolf will also feature wolf biologist Mike Jimenez, photography by Jim Brandenburg, and performance by Heather Henson, daughter of the muppeteer Jim Henson, as well as a live appearance by MissionWolf. The full conference costs only $45 but registration must be completed by October 1st; seating is limited.

For registration information please contact Conference Director Wendy Van de Poll (also of Wild Canines Unlimited) at Antioch New England Graduate School, 40 Amos St., Keene, NH 03431-3516 Tel. 603-357-3122 ext.249 E-mail wvandepoll@anti- ochne.edu. Wolf conference website: www.antiocne.edu/NHWolf/
Historic Forest Protection Legislation Advances in the U.S. House & Senate

This summer, Robert Torricelli (D-NJ) introduced in the Senate the most comprehensive forest protection legislation in the United States' history, The Act to Save America's Forests (S. 977) would protect forest biodiversity by banning clearcutting on federal lands and ending logging on millions of acres of core forest areas nationwide.

"This Senate's going to have a very clear choice," said Torricelli, "Twenty years of clearcutting forests can end with a simple vote in the United States Senate."

Earlier this year in the House of Representatives, Anna Eshoo (D-CA) and Carolyn Maloney (D-NY) introduced a companion bill (H.R. 1376) which already has more than 60 co-sponsors.

The Act to Save America's Forests is "the first federal legislation in history that would halt and reverse deforestation in the United States," said Carl Russ, director of the Save America's Forests coalition. After centuries of logging, less than 5% of this country's billion acres of original forests remain standing, with only 1% of the original forests remaining in large blocks in the lower 48 states. "This is the last chance to save these forests," said Rep. Maloney.

The introduction of S. 977 comes at a critical time for the forest protection movement, since Senator Larry Craig (R-ID) supports legislation which would suspend environmental laws on the national forests. Craig was the leader of a group of pro-timber members of Congress who succeeded in passing the "timber sale veto," an amendment to the 1994 appropriations bill which suspended all environmental laws on the National Forests for nearly two years. Craig's new bill would make the terms of the salvage rider permanent.

Torricelli's bill serves as the environmental alternative to Craig's. "For the first time we have a leader in the Senate who is willing to challenge Craig head on," said Save America's Forests co-director Mark Winston. Torricelli has promised to bring S. 977 to the floor of the Senate for a vote, forcing each Senator to take a position for the record.

"The Act to Save America's Forests represents a 180-degree turn from the federal government's current approach to managing federal forests," said Rep. Eshoo. "Instead of encouraging federal agencies to continue looking for ways to sell off this nation's natural heritage at below-market prices, it requires them to preserve and enhance forested areas for future generations."

Green Mountain Forest Watch Challenges Clearcuts On Remote Areas of Green Mountain National Forest

The Brattleboro, VT based conservation organization Green Mountain Forest Watch is challenging what it calls "violent and illegal" clearcutting by the US Forest Service in areas of the Green Mountain National Forest set aside in the Forest Plan to protect their unique remote character. According to the Forest Plan for the Green Mountain National Forest, these areas of the Forest were designated as Management Area 6.2a in order to provide "semi-primitive recreation", an opportunity for solitude and a feeling of "closeness to nature" and, "for animals which are intolerant of the sights and sounds of people."

But according to Mathew Jacobson, Executive Director of Forest Watch, "since the signing of the Plan, the Forest Service has been systematically logging these remote areas, using clearcutting and shelterwood clearcutting (clearcutting in two stages), in complete disregard for the wishes of the public, the agreements made in the Forest Plan, and the laws which mandate that the Forest Service honor those agreements."

"Management Area 6.2a is just about the highest level of protection given to any areas in the Forest Plan. These areas were often designated as buffer areas around Wilderness and to protect other remote areas for solitude, a feeling of closeness with nature, primitive recreation, and wildlife species intolerant of human disturbance. Now the Forest Service is clearcutting the areas they promised to protect, closing down trails and destroying remote habitat. Once again the Forest Service is demonstrating that they have no regard for the law, the land, or the public they supposedly serve."

According to Green Mountain Forest Watch, "We're still working on the exact figures, but it appears the Forest Service has clearcutted thousands of acres of these lands."

The most recent clearcutting proposal in MA 6.2a are:

- The Moss Glen Timber Sale near Rochester, Vermont, with cuts adjacent to the Breadloaf Wilderness
- The Burnt Hill Timber Sale near Middlebury, Vermont, also with cuts adjacent to the Breadloaf Wilderness
- The Uvay Brook Timber Sale, near Peru, Landgrove and Londonderry, Vermont, with cuts adjacent to the Peru Peaks Wilderness.
- According to Forest Watch, while some logging in MA 6.2a is clearly permitted by the plan, it must be "in harmony" with the greater objectives of the area. This industrial scale clearcutting directly contradicts the promises of the Plan.

On Thursday, August 7, Forest Watch appealed the Moss Glen Timber Sale, which included 87 acres of shelterwood clearcuts adjacent to the Breadloaf Wilderness on the Rochester District of the Forest.

According to Economic Report of the President this year, recreation on our National Forests accounts for 89% of the Forest Service contribution to the gross domestic product, and generates more than seven times the income and employment of all extractive pursuits on the National Forests (timber harvesting, grazing, and mining) combined.

Based on the principles of conservation biology, the Act to Save America's Forests places "core areas" of biological diversity off limits to logging and roadbuilding and only allows ecologically sustainable "selection logging" outside the protected areas.

Four clearcutting proposals by the bill are the Ancient Forests of the Pacific Northwest, where thousand-year-old trees are home to the endangered spotted owl and where streams provide habitat for declining salmon stocks. These are also areas that many jobs have been lost due to some logging under Clinton's forest plan, but the sal- vage rider forced even more cutting in these areas, placing many species in danger of extinction.

The bill also protects roadless areas that are greater than 5000 acres in size in the West and those greater than 1500 acres in size in the East. Having experienced relatively little human impact, these areas represent some of the last places in this country that are truly wild. They are key habitats for numerous species of animals and plants.

Finally, the bill ends logging in more than 100 "core areas protected by the bill are in the Green Mountain National Forest: the Robert Frost Forest, Lamb Brook, and Glenispy Forest, with a total of 49,000 acres. They provide important habitat for sensitive species such as mountain lion, black bear, pine marten and interior dependent species of songbird.

On all national forests, the bill makes protection and restoration of native biodiversity the primary goal of federal forest management practices. It outlines the planting of tree farms and requires the Forest Service to either actively restore native species or allow natural succession to re-establish native ecosystems.

Scientists and activists have been waiting for years for legislation that scientifically valid, ecologi- cally comprehensive, and politically achievable," said Save America's Forests legislative coordinator Eric Goldsmith. "That legislation has finally arrived."

According to The Economic Impact of our National Forests, a study commissioned by the Natural Resource Commissioners of Maine, New Hampshire, New York, and Vermont, the economic benefits of the National Forests are created in Vermont by forest-based recreation than by wood-based extraction and manufacturing, and the State of Vermont generates fifty-four times more revenues from forest visitor expendi- dures than from timber receipts.

The Forest service isn't creating jobs with its logging, the primary goal is for more jobs standing than on the back of a logging truck. This is not a case of the economy vs. the econ- omy - this is a case where the Forest Service is sacrificing both in order to pad their own budget."
Preserving Family Forests or Pursuing Corporate Tax Breaks?
by Brian S. Dunkel

While reflecting over a long push for the inclusion of tax laws that would benefit the environment as part of the federal budget reconciliation bills, some information that might interest the readers of the Northern Forest Forum was brought to my attention. During the budget debate on taxes, there were several occasions when tax lawmakers in the Senate referred to the tax provisions contained in the Family Forest Preservation Tax Act of 1997 (FFPTA)—Senators Leahy and Gregg are co-sponsors. The legislation is based upon recommendations made by the Northern Forest Land Use Council.

FFPTA seeks to use favorable tax laws to provide incentives and assistance to timber growers either to maintain land in timber ownership (rather than develop it) or to preserve it as unharvested forest by permanently protecting it with a conservation easement. The bill’s components include favorable estate, capital gains and income tax treatment for private landowners.

The Congressional Research Service (CRS), a non-partisan research service for lawmakers, reviewed the legislation, and came to some frightening conclusions. The CRS review is outlined in a January 29, 1997 memorandum, and its conclusions ought to concern those interested in protecting the Northern Forest from unsustainable logging.

The CRS memorandum concludes: [The bill] implies several perhaps insurmountable goals. Two sections (201 and 202) serve to reward owners who take timber out of production: two (102 and 203) could serve to reduce taxes for owners and their families who continue growing, although not necessarily harvesting timber; and one section (201) by far the most important in reducing tax revenue, the harvesting of timber... But since the largest incentives by far in the bill is for cutting timber, it could possibly serve as more of an incentive for immediate harvesting of current forests than for the creation or preservation of future forests.

For full disclosure, Friends of the Earth has supported variations of this bill, including using estate, capital gains and income tax breaks to reward landowners for permanently protecting land, especially land that has imperiled, threatened and endangered species habitat. However, our support for pro-environment tax incentives stops before they amount to little more than handouts to wealthy corporations. The FFPTA, as the CRS memorandum indicates, is overwhelmingly a huge potential tax handout to large corporate timberland owners.

FFPTA, Section 201 is where the huge taxpayer giveaway originates. Section 201 provides for a sliding scale taxable income exclusion for capital gains from the sale of timber. In other words, it rewards cutting and selling of timber by allowing sellers to keep more of their proceeds. This might be acceptable if sellers were cutting their own timber, and not timber on public land. Under Internal Revenue Code definition of capital gains, timber companies would benefit greatly from this tax break even when they do not grow their own trees because capital gains include timber harvested on contract from national and state forests. That's correct, the FFPTA would extend the favorable tax treatment to sales of timber cut on our nation’s public lands thereby further rewarding the unsustainable stewardship of national forests. This giveaway could be largely avoided by limiting the availability of the capital gains tax break to small operators of family holdings.

The cost of this tax legislation in the form of lost revenue to the federal government has been partially researched by the Joint Committee on Taxation (JCT). Interestingly, JCT has been only able to put a price tag on the provisions that would benefit smaller landowners, and has been unable to provide estimates for the more expensive tax breaks which largely benefit the large corporations.

It is promising to see more consideration given tax laws as a tool to protect the environment. But because most conservation organizations have relatively little experience with and credibility on tax policy we ought to proceed with caution. Certainly before the conservation community backs a tax law some basic questions ought to be asked, such as:

- Who benefits from the tax law? How much does it cost?
- What incentives does the tax law create?
- Are these incentives consistent with long and short-term environmental goals?
- How long does the tax break last? Once a tax break is enacted, it often

difficult to eliminate. The billions of dollars in tax breaks for wealthy oil and gas corporations enacted decades ago is proof of this fact.

- Is the tax incentive an effective method at accomplishing its intended purpose? Are more effective tools available to achieve that purpose?

Brian S. Dunkel, an environmental attorney, works for Friends of the Earth in Shoreline. Vermont.

Perspective on the Federal Tax Initiatives

The [recently enacted federal tax] bill could have included tax reductions for the voluntary protection of endangered species habitat by private landowners; thereby rewarding environmental stewardship with favorable tax treatment.

But even the bipartisan recommendations by Senators Kent Housham (R-ID), Chafee (R-RI), Bauson (D-MT) and Reid (D-NV) to ease the burden on private landowners conducting proper management of endangered species habitat was not included in the final bill, in part because it was not supported by the Clinton Administration.

The signal this law will send to investors in the energy sector highlights its serious anti-environmental consequences.

Passed by the Senate, negotiators had an opportunity to extend a tax credit for the production of electricity by wind. The tax credit extension for the renewable source of energy which

does not emit greenhouse gasses was ultimately not included in the final bill because of vigorous lobbying by utilities heavily invested in more polluting energy production methods.

Nonetheless, this tax legislation, characterized by some as forward looking, contains yet another subsidy for the production of fossil fuels like oil and gas. This is particularly troubling because it comes only weeks after United Nations "Rio +5" meetings and a new effort to educate the public about the potential dangers of global climate change by the President Clinton.

Such an unwise allocation of limited government fiscal resources calls into serious question the commitment lawmakers and the Clinton Administration have to protecting the environment for future generations.

Sincerely,
Brian S. Dunkel, Director, Tax Project, Friends of the Earth
“Let the Rivers Run Free”

Federal Officials Recommend Removal of Edwards Dam

In an almost unprecedented action, staff of the Federal Energy Regulatory Commission (FERC) have recommended that the 160-year-old Edwards Dam in Augusta, Maine be removed in order to benefit the habitat and spawning potential of nine migratory fish species that use the Kennebec River. This staff recommendation and its analysis of other options will be addressed by FERC commissioners when they meet in September. Owner of the dam, Edwards Manufacturing, has promised an appeal of a license denial, asserting that FERC does not have the authority to order removal.

FERC’s final environmental impact statement (FEIS), released July 28, states: “We recommend retirement of the Edwards Project and complete removal of the dam.” This is the first time in history that FERC has recommended removal of an operating dam seeking license renewal. (The Clyde Dam decision in Vermont involved FERC’s first recommendation that a licensed, but breached, dam be removed in the interest of restoring a fishery.)

Today’s announcement was applauded by members of The Kennebec Coalition who have been waging a decade-long campaign to restore the Kennebec by removing the dam. The Coalition includes American Rivers, the Atlantic Salmon Federation, Natural Resources Council of Maine, Trout Unlimited and its Kennebec chapter.

Peter Dilisibem of NRCC stated, “This is great news for the fish of the Kennebec. Once the dam is gone, migrating fish once again will have access to 17 miles of vital spawning habitat that have been beyond their reach since 1837—when the dam was built.”

Among the species expected to benefit are Atlantic salmon, shortnose sturgeon, striped bass and alewife. FERC’s final Environmental Impact Statement also mentions positive impact for wetlands and wetlands habitat with dam removal.

Maine’s major daily newspapers, Maine Times and even The New York Times editorialized in support of the FERC recommendation, adding to the river restoration constituency, which includes the state of Maine and agencies of the federal government. The Bangor Daily News editorial stated, “FERC’s recommendation is a reminder [however] that Maine has a much larger decision to make about energy and the environment. Whether it is storage of nuclear waste, rights-of-way for gas lines, dirty air from oil-fired plants or windmills whacking-songbirds, there is an environmental consequence to flapping on a light switch.” The Portland Press Herald suggested that a final decision to remove Edwards Dam will re-establish Maine as “the nation’s environmental leader.”

Compiled from a Kennebec Coalition news release and press reports.

Maine Energy Path A Riddle Wrapped Inside An Enigma

by Pamela Prodan

The confluence of pending electric utility restructuring with two recent developments has raised numerous yet unanswerable questions. On July 28, the staff of the Federal Energy Regulatory Commission (FERC) recommended decommissioning and removing Edwards Dam on the Kennebec River in Augusta. On August 8, Maine Yankee officials announced the permanent shutdown of the Winnebago nuclear power plant. While Maine Yankee at one time supplied about 27% of the total electricity consumed in Maine, Edwards Dam is a 3.5 MW facility that contributes less than 1% of Maine’s hydroelectric power. It is the first time FERC staff has recommended that a functioning hydroelectric dam be decommissioned and removed.

Despite being a low-present cost source of power when operating, Maine Yankee’s reliability was marred in recent years by lengthy down-time for repairs. Nonetheless, there is widespread speculation about what impacts the permanent closure will have on Maine’s economy, electric industry, and environment:

• Does the closure make Maine utilities more or less vulnerable to corporate take-overs?
• Will air pollution increase?
• Will pressure increase on already-threatened wildlands for new wind, hydro and biomass plants, all of which create less air pollution than nuclear or fossil fuels, but can also have severe impacts on land and natural resources?

The Edwards Dam removal evokes perennial questions:

• Is a sustainable future with decentralized and locally-controlled energy resources closer or farther away than ever before?
• When will policy makers get serious about energy efficiency and conservation?

Greedy Market Poised to Feed Energy Appetites

Giant energy companies like Enron and Hydro-Quebec will take advantage of the Maine Yankee shutdown and deregulation to promote new gas, hydro and wind plants. Hydro-Quebec already is salivating across the border at the thought of increasing exports. Without any public debate within the province, HQ has announced new plans for river diversions into existing reservoirs. Hydro-Quebec is also exploring purchasing equity positions in companies that own U.S. transmission lines and possibly acquiring natural gas power stations in the U.S. After electric deregulation, the region might end up with a handful of unregulated multinational monopolies instead of hundreds of relatively free-market withers.

Meanwhile, U.S. policy makers continue to ignore energy avoidance strategies. Congress has delayed implementation of efficiency standards for refrigerators, the biggest user of household electricity. The average American consumer still uses as much energy as 100 Kenyans. Under deregulation, utilities will have no incentives to reinvent conservation programs.

Consumers Beware

Until we radically reexamine the demand forces at play in each of the components of energy consumption-demand, production and use—and assess their tradoffs, we will blindly struggle to make an affordable system work. And, until there is widespread recognition that appropriately sized and scaled energy technology is intimately linked to sustainable community development and environmental justice, utilities will have a field day marketing their so-called “green power” to unsophisticated consumers. Ironically, despite all the hoopla about “customer choice,” we may find we have to own our own supply in order to be sure it’s truly green.

Group Continues to Oppose Wind Plant

On June 26, the board of directors of Friends of the Boundary Mountains issued a statement that it will oppose efforts of Zood Development Corporation to build a wind plant in the Boundary Mountains of western Maine. Zond, a subsidiary of Enron Corporation, recently acquired the Boundary Mountains wind development rights from now bankrupt Kenetech Winpower.

“The mission of Friends of the Boundary Mountains is to safeguard the Boundary Mountains from development and to conserve this area for traditional uses of recreation and forestry. Wind power development is plainly incompatible with keeping the Boundary Mountains free from development,” said the statement.

Pamela Prodan, attorney for Friends of the Boundary Mountains, said, “The Boundary Mountains have value as a recreation area and they cannot be restored if lost to development. We will oppose efforts of the new owner to use the deregulation of the electric utility industry as an opportunity to greenwash this wind power project.”

—Pamela Prodan
The U.S. Fish and Wildlife Service (USFWS) announced in August that it will consider Endangered Species Act protection for populations of the Harlequin duck in eastern North America. This includes Maine's population which is the last significant population of the species remaining in the region. It presently numbers 1,000 individuals.

The decision by the USFWS is in response to a lawsuit by RESTORE, the North Woods, the Coastal Waters Project, Biodiversity Link, Federation of Maine River Rockies Biodiversity Project. As reported in the Summer Solstice issue (v.5, #4) of the Northern Forest Forum, (p.3) the suit came after several years of petitioning the USFWS. The groups contend that a timely full review and determination of "threatened" or "endangered" status. The harlequin is a bird of both inland, mountain streams, where it nests, and coastal waters. Much of the Maine population winters along islands offshore of Acadia National Park.

The deadline for public comment is at the USFWS in October 1st, contact RESTORE at 508-287-0320 or visit www.restore.org for more information.

US Fish & Wildlife Service Responds to Earthlaw Suit to Protect Harlequin Duck

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Maine Forest Compact: Endorsing Mediocrity?

After last year's contentious vote on the forestry referendum, many voters in Maine wish the issue would just go away. This fall, however, we get to vote on the Compact (a 28-page compromise between some environmental groups and the 15 largest landowners) again. Maine's governor, Angus King, will soon be telling us again about the significant reductions in clearcutting that the Compact will bring. Paper industry advertisements on television and radio are already braying that the companies have agreed to clearcut less than 1% of their land a year.

One percent seems insignificant. And this number only applies to landowners who plant and thin. Without such practices, the maximum percent of ownership that can be clearcut is 0.25%. Compact supporters have not been averse to letting people believe that these two numbers require 100 or 400 year rotations. But clearcutting is not the only form of cutting. Indeed, less than 10% of all acres cut each year are clearcut (as defined by the state). Landowners can cut stands on 40-year rotations if they want to.

How significant a change would the Compact force on the participating large landowners? According to data released by the Maine Department of Conservation this spring, not much. In 1994, before the Compact was dreamed of, eight of the 15 large landowners clearcut less than 0.25% of their land that year, and only two clearcut more than 1%—1.19% and 1.18%. Although the data are scrambled, the amount of planting and thinning by the top practitioners would allow clearcutting to the limit. By 1995, only one landowner cut more than 1%—this time 1.01%. Ten of the 15 landowners cut less than 0.25% of their land. In 1996, once again, only one landowner cut more than 1%.

It appears that as a result of the intense negotiations between environmentalists and landowners, the landowners agreed to abide by standards they were already following. The one landowner cutting above the limit by a small fraction of 1% could cut nearly as heavily by switching to more "overstory removals" (cuts that remove all mature trees but leave advanced regeneration over five feet high). Such a concession is a rather dubious achievement—one landowner will have to make insignificant changes.

One wonders why we need a statewide vote to decide if landowners will continue to do as they please. Or why we need a statewide vote to decide to do more studies. Or why environmentalists

claimed that recent reductions in clearcutting were because of, rather than in spite of, the EPA. The EPA, while it allows better management, does not require it. In the short-term, it looks as though the Compact does little to raise the bottom hurdle either. If the Compact passes, the legislature will probably reject all significant forestry legislation for the next five years, just as it did with the EPA. Significant legislation (such as LD 1200, which would require minimum standards for landowners to qualify for the Tree Growth Tax) is on the table, ready to be debated if the Compact loses. The Compact, therefore, should be rejected.

—Mitch Landry

1995 Clearcut/Herbicide Factoids

| Acreage clearcut by top 7 clearcutters | 30,714 |
| Total acreage clearcut | 39,295 |
| % of total clearcut by top 7 clearcutters | 78% |
| Acres herbicide sprayed by top 7 sprayers | 40,695 |
| Total acres sprayed | 40,806 |
| % of total sprayed by top 7 sprayers | 99.7% |

Source: Maine Forest Service - April 23, 1997

Vermont's POST campaign seeks to close land to recreation and force repeal of a cutting law that establishes review of clearcuts over 40 acres in size. Drawing © Elvie Alexander.
This installment of the Adirondack Park Report focuses on the several important events in New York over the past three months. Though four months late, New York State finally has a state budget (and a bond rating tied with Louisiana and 49th in the country), but also managed to announce a deal to purchase a 3,600-acre conservation easement over the Massawepie Mine.

In other news, Mary Lou Whitney had nightmares that, in the mind of the public, the Queen of Saratoga was about to metamorphose into the Hatchet Lady of the Adirondacks and cooled her development plans. Landmark acid rain legislation died in the cemetery of good ideas in New York call the New York State Legislature and the anti-environmental crowd took to their ATV's to protest against wilderness. In a haul of pork unseen in recent years Adirondack state senator Ronald Stafford bagged a $132 million maximum security prison for Tupper Lake.

Mirror Mirror on the Wall Will I Still be the Fairest of Them All if I Develop Little Tupper Lake? This and other questions were posed by millionaire socialite Mary Lou Whitney as her plans to build forty mansions around one of the jewels of the Adirondacks, Little Tupper Lake, were shelved, perhaps for good. Until the first few days of August, Mary Lou Whitney (age 72, net worth roughly $100 million) and her fiancee and development project manager John Hendrickson (age 52, net worth roughly $18,000) played hard ball with the State of New York. Hendrickson cut his political teeth as an aide to former Alaska Governor Wally Hickel, whose claim to fame is opening Alaska’s north shore to oil exploration.

First Whitney and Hendrickson complained incessantly about the project’s review by the Adirondack Park Agency (APA), referring publicly to the APA as “Gestapo,” “communists” and “tyrants.” Then they threatened to sue the APA for requesting too much information in the primary stages of the project review. Then they leveled an existing complaint the states of Little Tupper Lake (one of three at Camp on the Point), and commissioned blueprints for a grandiose model mansion they were going to build in its place. Third, they sold an option for Camp Bliss, a modest camp on the west end of Little Tupper Lake, which was unenforceable and would be a permanent private inheritance; higher bids by both the State of New York and Nature Conservancy were dismissed by the Whitney. "They are off the track," Hendrickson also continued to assert that the state was not bargaining in good faith and that Little Tupper Lake was worth as much as $40 million.

Then things began to change. The waters of the 15,000-acre Little Tupper Lake tract has been appraised as between $500 and $1,000 an acre, far below the $6,000 per acre Whitney was offering. The message was the press broadened from “Governor Patarka has to do the right thing” to a consideration of Mary Lou Whitney’s responsibilities as well. (Why would somebody with $100 million want to gouge a hole in the middle of the Adirondack Park?) When Camp on the Point was leveled, the construction debris was illegal disposed. The Adirondack Council exposed this and urged the APA to impose fines and suspend project review until the matter was resolved. A press conference was held on the shores of Little Tupper Lake highlighting facts about how the trees and wilderness of the Whitney Estate had been subsidizing the Whitney’s extravagant lifestyle and not vice-versa. A country-western station in Albany aired a parody called “Mary Lou Mary Lou, Good Bye Park” that featured solos of screaming chain saws. The Sierra Club chartered an airplane with a trailer reading “Governor: Save Whitney Park” to fly over the Saratoga borschtack during the annual Whitney Cup races. The Wilderness Society list the Whitney Estate as one of its 10 most important tracts of land in the U.S. Last, a black tie protest was organized to picket the annual Whitney Ball on August 1st, but was called off at the last minute. (This was actually a good example of various advocacy groups coordinating their special talents to change the course of events.)

Enough was enough; Hendrickson was dispatched to work something out. In the last days of July, the Whitneys struck a deal with the Adirondack Nature Conservancy (ANC). The ANC would purchase an option on Camp Bliss pending its success in purchasing the remaining 15,000 acres. The Whitneys agreed, for the first time in the process, to enter into good faith negotiations through the end of the year with the ANC on the 15,000 acres around Little Tupper Lake, or more (Mary Lou Whitney owns 51,288 acres in New York which she has lowered this announcement, written as a personal letter to Mrs. Whitney urging her to act in the best interests of the Adirondack Park.

Governor Patarka will stay close to the negotiations, but let the ANC take the lead; the ANC has protected over 200,000 acres across the Adirondacks in the last 25 years, often purchasing land and holding it until the state is prepared to purchase it. (In New York there have been upwards of 60 steps are required before the state can send the landowner a check.) Governor Patarka is also working with his political mentor Senator Alfonse D’Amato to get $10 million in federal funding to help New York complete this deal. D’Amato was similarly helpful in protecting the Sterling Forest. The recipe for success for the Sterling Forest is being replicated: non-profit land protection groups take the lead on negotiations; Governor Patarka stays close to the negotiations, but primarily lines up state funding; Senator D’Amato works to get matching federal funding; advocacy groups agitate; important land is protected for the public.

For the first time in years, New York State actually has money to buy land. In the recently passed budget the Environmental Protection Fund provides $36 million for land protection. Additionally, another $20 million is available from the Environmental Quality Bond Act passed last fall.

Down in Flames Earlier this year the Long Island Lighting Company (LILCO) sold thousands of tons of pollution credits through various brokers to utilities in the mid-west. These mid-west utilities are the main source of the particulate matter that forms acid rain which falls on the Adirondack Park. As the first major uplift in the jet stream from the mid-west, the Adirondack Park receives heavy annual rain fall (the western Adirondacks receives the highest rain fall in the East). Much of the particulate matter carried from the mid-west drops onto the Adirondacks in the form of acid rain.

New York State passed a series of laws in the 1990s designed to reduce sulfates and nitrogen-oxide emissions. Mid-western states, many with coal-fired energy plants, lag behind. The 1990 Clean Air Act attempted to reduce these emissions, and lure companies nationwide by creating incentives in the form of pollution allotments. Each company is given its emissions allotment. The company can then sell its full allotment in emissions or use some and sell pollution credits for the unused portion. Companies that exceed their emission limits are forced to purchase credits for every ton they exceed. These pollution credits are sold annually.

While air pollution levels have dropped for the U.S. as a whole, the Adirondacks have continued to receive higher levels of acid rain deposition. Why? Because utilities and companies on the west and east coasts have, by and large, been selling pollution credits to companies in the mid-west. Through the transfer of pollution credits to the mid-west, from outside the Adirondack Park, to within it, acid rain levels in the Adirondacks have been unabated. Over 500 ponds are dead in the western Adirondacks and in high elevations; the problem persists.

New York can do little unilaterally to stop acid rain. It’s a national problem that particularly affects the Adirondack Park. The Adirondack Park Council put together a bill to prevent New York utilities, like LILCO, from selling pollution credits that would return to the state in the form of acid rain. In short, pollution credits would have to be sold outside the Adirondack Park aired. The New York Assembly quickly passed the bill and many people, including all the Adirondack Park Senators co-sponsored a bill in the Senate. The only problem was that Governor Patarka didn’t like the bill. He never offered a coherent reason for opposing it; he made obfuscatory arguments about harming the state’s tourism climate. The Governor asked the Senate not to act on it so he could submit an alternative. His alternative was a joke and couldn’t find a sponsor in the Senate. In the end of the session, Governor Patarka traded favors with the Senate majority leader Joe Bruno so that the bill wouldn’t move. The Continued on next page
Maynard Baker charged the DEC wasn't complying with the American Disabilities Act (ADA) passed by Congress in 1990. (Supervisor Baker punched an environmental activist dur- ing a confrontation over motorized access on a wilderness road in the Adirondacks in 1990.) Herb Doig, appointed Deputy Commissioner of Natural Resources after Gov. Pataki was elected, assumed leadership of the dis- abled issue in 1995. Representing the Adirondack Park Agency (APA) was its Chairman, Gregory Campbell, newly appointed by Pataki.

To help set the stage, earlier, as a board member of the Adirondack Conservation Council (ACC), Mr. Campbell had voted yes on a resolution calling for the opening of all state land for unlimited motorized use by everybody, disabled or not. (Dirt bikes, ATVs, 4-wheelers etc. for use on all roads, trails, ponds, lakes.) Mr. Doig of DEC was popular at the ACC and was known to have similar sentiments about unlimited motorized access in the Adirondacks.

The policy for motorized access on state lands is set by the State Land Master Plan (SLMP). It can be revised and updated. This is the legal way to increase motorized disabled access in areas that are now off limits to motori- ized vehicles. Under the present plan, no motorized vehicles are allowed on what are classified as "trails" in the Adirondacks. The disabled access com- mittee was committed to work within the parameters of present state law.

In a November 29, 1995, letter from Charles Scrafford (Supervisor of Regional Planning at the APA) to Robert Batrack, Director, Division of Lands and Forests for DEC, Mr. Scrafford pointed out that the SLMP was not in conflict with the ADA. But, he pointed out, allowing even specially permed motorized disabled access to areas where park rules make motorized access not allowed is "in opposition" to the SLMP. (The APA is a watchdog over the SLMP.) On Dec. 1, 1995, Mr. Campbell faxed a copy of Mr. Scrafford's letter to Sandra LeBaron, who is the Special Assistant to the DEC Commissioner on Adirondack Affairs (at that time, Mr. Zegada was DEC Commissioner). She was also on the committee.

When this letter was brought up at a disabled access committee meeting, Mr. Campbell declared the letter was not an official position of the APA that he represented the APA and he did not want the letter included in the commit- tete's materials to be used on, Herb Doig, Gregory Campbell and Sandra LeBaron knew about a potential legal

Adirondack Park Report
Continued from preceding page

Senators who supported the bill were too busy scratching for their own park and couldn't force a vote. A key state Senator, Ronald Stafford, who has two thirds of the Adirondack Park in his district, has served as the gate- keeper on Adirondack legislation during his 32-year career — worked feverishly to get a new $132 million maximum secu- rity state prison in his district and sacrificed this bill in the process to the ideological whims of the Senate majority leader.

The New York Attorney General has commenced a lawsuit against the federal Environmental Protection Agency for failing to reduce air pol- lution in New York, which under the 1990 Clean Air Act it is required to do. Attorney General Vacco is hoping this suit will close the loophole through which acid rain pours into the Adirondacks. In the meantime, with the death of the pollution credits bill, New York's authority to claim any moral leadership on this issue or as holding a great concern for its own ecology has been notably weakened.

Massawepie Mire Protected
This spring New York State announced its plans to purchase a 3,600-acre conservation easement over the Massawepie Mire tract in the Town of Piercefield. This tract is located in the western Adirondack Great Owesatchie Forest area. It contains 12 lakes and ponds, and an important canoe route from Massawepie lake to the Grasse River; all told connecting over 30 miles of canoe routes. It also contains 1,000-acre Massawepie Mire, one of the most important peatland bogs in the eastern U.S.

The deal was struck between the Adirondack Nature Conservancy (ANC) and the Boy Scouts. All develop- ment rights have been purchased and will be extinguished. The Boy Scouts will continue to maintain a summer scout camp complex that includes bar- racks, ball fields, dining halls, and other structures. About 200 acres in the northern section of the tract. Public access will be provided. All roads, trails, ponds, lakes.)

The Northern Forest Forum Autumn Equinox 1997

Adirondack ATVers protest that wilderness discriminates against the handicapped Photo © Tom Parsons.
The so-called disabled access protest of June 14th, 1997, in Newcomb, New York

Janet Zeller, Equal Public Opportunity Program Manager, Eastern Division USDA Forest Service. Managing the Civil Rights program, she says the disabled have "the laws and regulations related to the accessibility including the American Disabilities Act (ADA)."

Zeller is a quid pro quo and uses a motorized wheelchair. She explains the ADA requires that the disabled shall not "be excluded from participation in or be denied benefit of the services, programs or activities of a public entity." In explaining programs, Janet says the ADA makes it "clearly that there is to be no fundamental alteration to the program in order to provide access for persons with disabilities." The "program" is the reason people visit the site. She explains, "For example, the program at a visitor's center is gathering information: the program at a scenic overlook is viewing the scene; the program in wilderness is likely to be solitude and self-reflection. How one reaches the area is not in the program -- the program is defined by why the majority of people (with and without disabilities) do or do not go to that area." She argues "careful deliberation of the areas in which motorized vehicles can be used under the permit system." As an example she says, "Motorized trails, where all people expect to encounter motor vehicles occasionally, would be easily appropriate." According to Ms. Zeller, damage to the resource by motorized use must be taken into account when deciding appropriate access sites.

As far as opening up all state lands for motorized access this is what Janet Zeller has to say: The integration of all recreationists, with and without disabilities, is the key to the ADA, as well to the program experience for all people. The program impact of providing a special program for persons with disabilities must be managed with the rights of all recreationists in mind. For example the rights an individual -- with or without a disability -- to experience a quiet area after spending several hours or days of effort to reach that area, should not be infringe by a vehicle whizbing by. Care must be taken in the division of areas. (The demand to open up wilderness areas to motorized access, is in fact not the intent of the ADA.)

In areas that are classified non-motorized access, the ADA (and the DEC) allows for, among other things like horses and canoes, the use of motorized electrically-propelled wheelchairs. At a trailhead, any "barrier" that is less than .30 wide that you have to go through would not conform to the ADA. According to Ms. Zeller, the ADA definition of an accessible wheelchair is a wheelchair that can be easily moved by a mobility-impaired person for locomotion, that is suitable for use in an industrial pedestrian area."

I think it is time that the entire county decide whether or not to support the proposal to open up all state lands to motorized access. It is ironic that is it a proposal that is in the interest of the county. The county needs to take into account the needs of the whole and not just a few.

Thoughts

I am troubled by the prominent use of "disabled veterans" or "veterans" in the protesters' literature. This is not a veteran issue. It should be a disabled issue, veteran or not. It's bad enough that it has been turned into a veteran issue.

Less time should be spent on the patriotic politics and more time on pointing out exactly where the DEC policy conflicts with even more upsetting if veterans are being duped into protesting under false pretenses. This veteran (enlisted U.S. Army 1967) is not going to be intimidated by questioning my patriotism. I served for honor principles like equality, free speech and freedom of conscience, not to gain deference or preferential status. It was a privilege to serve, but the thought of being accorded such status by the people I'm in the eyes, are equals as citizens. Veterans served to protect the right to disagree and debate in the marketplace of ideas that is so important in a constitutional democracy.

My brother Ted (Warrensburg Central School 1981) was killed in a training accident while serving in the Army at 18 years of age. So my family knows something about sacrifice for our country. I remember his love of the wilderness and the hiking and backpacking he loved, especially in the Adirondack High Peaks. He planned to make a career as a trail officer and told me about coming home during leave and getting back into the wilderness. I don't believe he would be thrilled with the demise of wilderness sought by Mr. Baker and his supporters, veterans or not.

Wilderness is a great part of the Adirondack heritage. You would expect Adirondackers, especially those who hike and backpack, would support the effort to maintain a portion of the harsh environment which our forefathers managed to live and thrive in. It helped shape our character and culture and should be a legacy for future generations to explore and cherish as well as to be challenged by. To some there is an important spiritual aspect that shouldn't be belittled. There is very little wilderness left on the east coast, and yes, the exact condition of wilderness is subjective, but I am thankful I live where we can still at least debate the issue. Consider that that many of the ten million annual visitors to the Adirondacks also value wilderness and many of us profit from their visits, we also need to recognize the importance of wilderness to the economy of the Adirondacks.

The Northern Forest Forum
The Maine Woods is the greatest remaining woodland east of the Rockies. However, today this region is under siege. Maine Woods Watch is devoted to documenting the good, the bad, and the ugly affecting the Maine Woods, with an emphasis on opportunities for citizen action to protect and restore the essence of the region, its wilderness.

Good Dirt: In 1989, the Richard K. Mellon Foundation, working through the Conservation Fund, bought 12,000 acres of forestland in eastern Maine from the Hearst Corp. About 2,000 acres were given huge credit for their land to the Land for Maine’s Future program. This summer Mellon generously donated most of the remaining 10,000 acres to the state. That is the second largest gift of land to the state, after Percival Baxter’s 202,000 acre park. The Maine Coast Heritage Trust, which had been overseeing the property, purchased the gift. The Maine Bureau of Parks & Lands will manage the area. To offset the cost, the towns of Cults and Whiting will split the annual income from a $200,000 endowment.

The LMF program also has acquired conservation easements on superlative lands in western Maine. 3.5 miles of frontage on the Rapid River, 6,450 feet on the Rangely River and over 4,000 feet on Mooselookmegus and Cupachus Lakes. The Maine Dept. of Inland Fish & Wildlife and the Rangely Lakes Heritage Trust did much of the legwork.

More than fifteen years ago I helped negotiate the donation by Great Northern Paper to the State of Maine of conservation easements assuring that most of the West Branch Penobscot River would remain undeveloped. But there were a few gaps where the company was not ready to give up development rights. Now, several ownership changes later, GNP has donated new easements to fill in the holes on Lobster Lake and says it will give three more parcels along the river below Rippleson Dam. Last year 6,000 campers and 21,640 rafters used the Penobscot waterway.

These are spectacular gains for conservation in the Maine Woods and the payments will no doubt also help credit for their good deeds. Still, in the big picture Maine remains near the bottom of the list of states in percentage of public conservation land. That is one reason Gov. Angus King created a Land Acquisition Priority (LAP) Advisory Committee last year. Following hearings last spring, the LAP committee has come up with a draft long range goal: double the amount of conservation land in Maine by the year 2020. Not bad, but not enough. Better would be a 2020 Clear Vision Program with a goal of increasing public conservation land in Maine to 20% of 100,000 acres by the year 2020. This would increase the state’s wildlife habitat and secure public lands for all.

The idea of the committee has also endorsed a shorter-term goal proposed by the Maine Economic Growth Council of increasing conservation lands in Maine by 10% (10,000 acres) by the year 2000. However, no one had said how that would be achieved. The Nature Conservancy announced in full-page ads in the state’s major newspapers this summer that “Maine’s business community has set its sights on adding 100,000 acres to our state’s public lands.” Forty member companies of TNC’s Corporate Conservation Council of Maine are poised “to protect unique Maine habitat and secure productive public lands where we can stretch our legs and renew our spirits.” Leading the pack are L.L. Bean and MBNA New England.

There has been far too much complaining the past couple of years about the few crowded spots in our national parks and far too little attention given the magnificent natural and cultural treasures our national parks safeguard. For a refresher course on why the national parks are the best idea America ever had, don’t miss a photo exhibit by that title on display through September in the Maine Woods Visitor Center in Bar Harbor. (Contact MWC, 160 Main Street, Bar Harbor, ME 04609.)

The concept of conducting a feasibility on what could become America’s next great national park continues to gain legitimacy. The Millinocket Inn & Feather Club got a bill introduced in the Maine Legislature recently to head off the idea of creating a Maine Woods National Park & Preserve. To their credit, the Agriculture, Conservation and Forestry Committee voted to kill the bill and send a letter to the state’s congressional delegation asking to be kept informed of any hearings on the park study. (Contact RESTORE, 7 N. Chestnut Street, Augusta, ME 04330.)

A revised Northern Forest Stewardship Act (S.546 and HR-971) has been reintroduced in Congress. According to the Northern Forest Alliance (NFA), the bill would create a federal-state partnership for land protection. Ironically, the far right has targeted the Stewardship Act as a federal land grab, even though all the major industry and forest owner groups are backing it. Indeed, Steve Schuyler, head of Finger Lakes and former president of the Maine Forest Products Council, worked with Senator Olympia Snowe to break the bill so that it is not binding on national and federal rights. (Contact NFA, 271 State Street, Augusta, ME 04330.)

You may want to catch a few upcoming newspaper and TV pieces that promise to be interesting. The Maine Sunday Telegram will run a three-part series on Thoreau and the Maine Woods beginning in September. WCMG-TV will do a companion series at the same time. The September 13 public television episode of the Anglesea Wild program will be on whitewater canoeing in Maine.

Chills, Thrills & Shills: The failure of any of the forestry options (2A, the Bar Clearcutting Referendum, 2B, the Forest Compact; or C,作りする) to get a majority of votes last fall means that Maine voters will cast ballots again this November on the Forest Compact. Favored by industry, government, mainstream environmental leaders. However, the Compact is in trouble. While there is little energy and incentive by last year’s supporters of the Compact for another major push, opponents are fired up to do battle. Polls suggest public support is at best on the fence. If opponents make harder than do proponents, the vote on the Compact is likely to tip into the no column. One July poll indicated the Compact had solid support from no more than a third of the likely voters.

It is not what they are saying publicly, but now that the forest industry has run the anti-clearcutting referendum off the track, they would be happy to let the Compact quietly roll into the breakdown lane and rust. Jim Robbins of Robbins Lumber helped lead the charge against the Compact last time. The Maine Forest Products Council led the charge for it. Now Robbins is president of the MFPC and he has been working to change the group's strategy: That is not difficult. The major landowners do not want to spend big bucks and major political capital again to convince voters to impose more regulations on their forest practices. (One sound bite you will not hear: "Please hit us again, harder this time.") So the landowners, through the MFPC and Maine Pulp & Paper Association, have devised an alternative: convince the voters that the Stewardship Act is a federal land grab, even though all the major industry and forest owner groups are backing it. Indeed, Steve Schuyler, head of Finger Lakes and former president of the Maine Forest Products Council, worked with Senator Olympia Snowe to break the bill so that it is not binding on national and federal rights. (Contact NFA, 271 State Street, Augusta, ME 04330.)

The industry kicked off their new approach in June with a three part program. First, they hired popular Maine humorist Tim Sample, for an undis-cussions and an open forum with news tellers in the Maine Woods, Paid newspaper and magazine advertising supplement broadcast ads. Second, they scheduled summer and fall tours at six papermills and eight forestry operations where they could tell people face to face that good things are happening in the Maine Woods. Third, they are stumping the state to get stories and editorials which tell people, through the voices of reporters and editors, that good things are happening in the Maine Woods. The underlying message in each case is that the companies already have their self-policed Sustainable Forestry Initiative and they plan to abide by the spirit of the Compact even if it doesn’t pass, so there is no reason to pass it.

What about the other Compact supporters? Gov. King is still popular, but his positions on a variety of issues have made more voters distrust him than last year. It is doubtful he will offer himself as spokesperson for the Compact again this fall, especially with the credibility new posterboy Tim Sample brings to the campaign. Maine Audubon Society is still exhausted and bruised by the last round. The Natural Resources Council does not want to lose face, but would probably be happy to start the game over. Look for both groups to invest no money and little energy to campaigns for the Compact, especially when they realize their industry partners have essentially bailed.

Meanwhile, at the other end of the field the Compact foes are massing. The weird combination of anti-clearcutting groups and industry groups that denied the Compact a majority last year will be even more powerful this time. The two camps do not even speak to each other, but, for very different reasons, they share the goal of defeating the Compact. They will probably succeed thanks to the industry's reignig.
From Canoe and Camera: A Two Hundred Mile Tour Through the Maine Forests by Thomas Sedgwick Steel, published in 1886.

salmon returning to rivers in Maine increased during the past couple of years to over 2,000. But the count is down in 1997. As of August 1, only 13 fish had been caught in seven eastern Maine rivers. Power, 1,200 had been trapped or captured and caught in the Penobscot. In an act of desperation the Atlantic Salmon Authority banned all salmon fishing in Maine through August. Catches and release salmon fishing resumes in September, but the ASA is considering stopping all fishing in some coastal rivers to prevent angling from accidentally catching a salmon. Meanwhile, federal agencies again delayed a decision on whether to list salmon as a threatened species in seven eastern Maine rivers to allow more public input on a plan submitted by the State of Maine as an alternative to the listing. The plan is considered by many conservationists as deficient in terms of accountability, enforceability, and biological defensibility. Nonetheless, formal acceptance of the state's plan is vitally a done deal. In fact, the same federal agencies that are supposed to decide whether to accept the plan have been part of a group writing the document and have already begun funding its implementation. The major remaining question is whether the states will completely fall in the face of Gov. King's threat to sue and use his national political connections to overturn the decision if the salmon is listed under the Endangered Species Act. Genetic experts working on the state plan have argued that there were no wild fish left in Maine's rivers. In a surprising turn, in August a new report by federal scientists concludes that "Our data do not support the hypothesis that Atlantic salmon have been totally 'homogenized' by migration, stocking, and aquaculture operations." That is a frontal challenge to the underpinnings of the State's effort to head off listing.

The one bit of good news for salmon is that Down East rivers are now being stocked with salmon fry born in the same river. In the short-term, that helps avoid genetic contamination. In the long-term, we are going to have to decide whether we want fish-blocking dams, chemical-intensive fish and berry farms, or water-clinging pear mining and endless, expensive put-and-take salmon stocking or whether we want self-sustaining wild runs of Atlantic salmon. (Contact RESTORE, PO Box 1099, Concord, MA 01742.)

Other fish news is equally equivocal. Lifelong local sporting camp owner Omar Melver of Rockwood says that this is the worst year for fishing at Moosehead Lake he has seen in his lifetime. Moosehead had an international reputation for producing trophy lake trout and landlocked salmon. In the past decade the lake's legendary fishery has crashed and the tourism business in Greenville and Rockwood is suffering mightily. The problems seem myriad, including poor forest practices, lake level management, lack of smelts as prey, overfishing especially in the winter, competition from introduced exotics, too many bears on feeder tributaries, and poisoning by anglers and co-marmotis. Big fish have become rare. At a fishing derby this summer the first place salmon weighed under 2 pounds compared to a 4 pound winner in 1985. The top tugs a dozen years ago tipped the scales at over 10 pounds. This year the largest one was well under 4 1/2 pounds. Three years ago locals formed a Moosehead Lake Fisheries Coalition to help the state do more to recover the fishery. This year the group is stocking 2,500 foot-long brook trout, cleaning up tributary streams to encourage speck spawning, and funding a study of the impact of myxid shrimp in the lake. However, some folks have run out of patience and pressure is mounting to shift the focus from the slow process of studying and restoring the fishery to recreating immediate opportunities to catch landlocked trout by dumping hatchery raised, trophy size fish into the lake. In July, an even more desperate anglers wrung the necks of 39 common otters on a Moosehead island to reduce the competition. If caught the bird killer could face federal charges.

The shortnose sturgeon in the Kennebec River has been protected under the federal Endangered Species Act for more than 20 years. Now their cousin, the Atlantic sturgeon may join them. The Biodiversity Legal Foundation has filed a petition to put Atlantic sturgeon on the endangered species list throughout its entire East Coast range.

Fish & Wildlife Commissioner Bucky Owen left that job at the end of this summer. While on leave from the University of Maine he accepted early retirement, but he plans to volunteer teach there to stay engaged. The King Administration has opened a search to find a new head guide for the wildlife agency and lots of names are being bandied about. The two lobbyists for the King Administration of Maine are both on the list. SAM director Carl Smith is playing hard to get by publicly claiming he would rather keep his current job, but privately he said he was drooling for the position. SAM political strategist and former legislative Fish & Wildlife Committee chair Paul Jacques has covered the seat for years, but is viewed as a loose cannon by the Governor's office.

Eyes on the Wire Guide: When the Evil Empire of Communism crumbled in the late 1980s, conspiracy theorists desperately sought new bogeymen to rally against. Many scapegoats have been nominated, from the politically persecuted seeking escape from other countries and safety in ours to environmentalists seeking to preserve the public interest in our natural heritage. The common thread in each case has been a clear and powerful "them". Politically bankrupt "captains and kings of government, business, and finance" are secretly manipulating world events so they can effect global control to enslaves people across this country and beyond.
According to the mother of all conspir- acy theories, government is not merely cumbersome and inefficient. It is evil. But it is only a front. Behind the front, argue the self-described patriots, is a secret regime (historically the Illuminati, now the New World Order) that seeks to disarm American citizens and subjugate them to a totalitarian one-world government.

One of the subsets of this Master Conspiracy theory is the so-called Wise Use Movement, whose goal is to crush and replace the environmental movement with an ideology of maximum pri-

vatization and exploitation of natural resources. The anti-government fervor that swept the country in the early 1990s brought great hope to the leaders of the brown brigades. With incendiary rhetoric they stirred up considerable public concern that every birdwatcher was an unidicted, if unwitting, ecocri

sinor in some page-mindin pushed to prevent maximization of private profit. Now, however, the WUM is fast becoming frustrated and fractured. The movement's congressional agenda has been crashing into walls left and right since passage of the Endangered Species Act. The di-


manders, Chuck Cushman, head of the American Land Rights Association, is openly biting some of the hands that have been gaining him.

None of this means the movement has fizzled in Maine. In fact, Maine continues to be a national beachhead for the Wise Use Movement. Increased public pressure is becoming an international center for nervous extremists who decry action to preserve the common good. Witness a few recent cases:

Tax opponent, private property rights zealot, and self-described edu-


cational activist housewife, Mary Adams has morphed once more, this time into Common Sense for Maine Forests. With her trademark aw shucks persona Adams is leading a motley group of property-right-Singers, anti-government "patriots" and generic libertarians in an effort to defeat the Forest Compact. (Contact Common Sense, PO box 10, Garland, ME 04939).

George Smith, executive director of the Sportsmen's Alliance of Maine (SAM) and political string-puller extra-


ordinaire, continues relentlessly to push his special interest legislative agenda. In the June-July issue of Field & Stream, Smith gloated that "It was nice, as I approached my fourth year of lobbying, to know that more than five dozen legislators got elected with the political endorsement of SAMs Political Action Committee." Not surprisingly, SAM got its way on nearly every bill it supported or opposed in the Legislature this year. In the same newsletter, an article asserting that "SAM continues to oppose the creation of the North Woods (sic) National Park.

The Millinocket-based Fin & Feather Club has again gone on the attack against the Baxter State Park Director Buzz Caverly. According to F&P spokeswoman Jimmy Busque, Caverly's offensive time was this to pub-


licity suggest that the Katahdin region has enormous potential as a destination area for tourists seeking a wildlands experience. He had the audacity to state the obvious, namely that people would rather come to the Maine Woods "to see a moose, to see a loon, to hunt, to canoe, to camp, and, yes, to maybe even hear the call of a wolf," than to see a declining industrial landscape and econ-


omy. Busque has also taken on Nancy Oden for her effort to get a referendum vote on banning aerial spraying of pesti-

cides. He says environmentalists "have a problem with anything that benefits people, and, in my case, is, to the best of my knowledge, the only way to get to know the Rally of Baxter-Paurostask, one of the towns in transition on the fringe of the Maine Woods. Voight says "the real purpose" of a recent grant to the town from the Department of Housing and Urban Development "is to limit growth of the community, control energy use, control the citizen and minimize the use of the natural resources. The sustainable community is a slave's ball and chain, not a free man's freedom." Voight likes local control only when local decisions precisely fit his vision of a community fighting to "protect our forests from the onslaught of statist concepts." (Contact in MECRI, PO box 220, Lubec, ME 04652). 

Mike Coffman, Voight's partner in peregrination at MECRI, has started another gazelle group" in a series to push the theme that environmentalists are pagan nature worshipers in cabots with the UN to form an eco-world order. Coffman donned his Sovereignty International chapeau recently to tour the country with his read show promoting to expose how environmentalists are working to implement "worldwide police state measures in the name of ecological preservation...to provide justification for the global slave--state." One of his key themes lately is that national parks are the essential unifying core for a new world order and the UN is going to turn them into "human exurb zones." The John Birch Society sponsored the tour. When Coffman learned that LURC has opened an office in Moscow (Maine) he will have proof of collusion between the lumber land use cops and the Marxists. (Contact Mike Coffman, 1229 Congress St., Suite 313, Bangor, ME 04401).

Robbie McKay lives in Kingman Township. She and a few friends bund-


tzed together because they were the only Unionized Territories United. She read some of Mike Coffman's silly mus-


ings and swallowed it hook, line and sinker. McKay has been using her 15 minutes of fame to try to persuade legis-


laters, news media and anyone else who will listen about how the Audubon Society and other "sweet-sounding" environmental groups actually have an agenda "to destroy the character of life" and "keep a conservative type of politician out," such as attorney, Dr. Coffman, who invests a new organization every six months or so to try to confuse his critics, she is now starting another group called Traditional Maine Sportman. (Contact R. McKay, UTU, HC 62 Box 458, Kingman, ME 04451, 207-765-2202).

If you wish to read some of the ideas these folks believe, drop them a card or get a copy of Fishery Notes, Farming For Future Tool (HCR 32 Box 0, Sullivan, ME 04664). Caution: read-


ing this stuff could cause permanent brain damage.

WMNF Recreation User Fees Subsidize Special Interests

To the editor:

Last year, more than seven million people visited the White Mountain National Forest (WMNF). Many of those visitors were citizens of New Hampshire. This coming spring, those visitors [have been] required to pay up to $20 to enjoy that same experience.

The U.S. Forest Service has proposed a program that charges users a fee in the WMNF. According to the Forest Service, its budget has declined and the agency needs addi-


tional money to pay for the manage-


ment and maintenance of recreation facilities. On the surface, this request seems fair. But scratch the surface and suddenly you will find that taxpayers may just be paying for special deals that benefit special interests.

The Forest Service logs about 4,000 acres a year in the WMNF, and loses a significant amount of money in the process. The U.S. General Accounting Office (GAO) and Forest Service figures show the WMNF losing program costs tax payer's is the $1 million a year. Under the current Forest Service proposal, income from the proposed recreation fee would be used to offset the costs of the below-


cost logging program. The Forest Service also allows other commercial interests to use the WMNF at bargain rates. For example, Loon Mountain Ski Area oper-


ates on the WMNF. According to Forest Service docu-


ments, the ski area has income of over $10 million, yet pays about 10% of that income—in fees to the Forest Service. In fact, it takes just one Saturday's day lift fees to equal the revenue the Forest Service collects from all users of our public lands. By law, the fee should be based on fair market value, but this is obviously not the case.

The continued operation and maintenance of the WMNF recreational facilities certainly should be adequately


funded. But before taxpayers are charged twice to use the WMNF—once through taxes and again through a direct fee—the Forest Service should charge special interests the same rates. Only then, should the agency consider charging the public a user fee.

Sincerely,

David Carle

Associate Executive Director

RESTORE: the North Woods

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The Northern Forest Forum

Autumn Equinox 1997

Fall Wilderness Roundtable Convenes Near Adirondack High Peaks Wilderness Area

Registration is now open for a Wilderness Roundtable II, a special forum and technical event, to take place September 26-27-28, 1997 at the Ausable Club and Adirondack High Peaks Wilderness Area, spon-


sored by the Adirondack Roundtable for the Protection of the Adirondacks. The purpose of the Roundtable is to examine current and emerging trends and programs for Wilderness public lands education, research and management training in New York State and elsewhere in North America and Europe.

For an agenda and for registra-


tion information, please contact the Association for the Protection of the Adirondacks at POB 951, Schenectady, NY 12301 or call 518-377-1452.

The Association for the Protection of the Adirondacks was founded in 1901 as a non-profit and membership organization dedicated to the protection and enhancement of both the natural and human val-


ues of the New York State Forest Preserve in the Adirondack and Catskill Parks.
MAINEopoly is a board game in which players compete in determining possible futures for Maine’s North Woods. On the next four pages, you will find all you need to entertain your family, community group, dorm, government agency, board of directors, or cell block on a rainy afternoon, or toiven up a dull party or stockholder meeting. Just follow the instructions below (or use your own creativity to make the rules more realistic or fun). Maine is on the move, so get going!

INTRODUCTION

During the 19th century, timber barons amassed vast forest holdings in the legendary Maine Woods. They sent virgin logs to hundreds of sawmills on Maine’s mighty rivers, transforming the state into the lumber capital of the world. But in the 20th century, most timber barons were replaced by huge multinational corporations which acquired control of millions of acres of forest. Many of these companies also employed tens of thousands of workers to build and run gigantic pulp and paper mills. Today, Maine has the largest amount of industrial and the greatest proportion of foreign land ownership of any state in the country. The forest products industry represents the biggest economic and political force in Maine. As a result, absentee paper companies, in particular, exert enormous influence on Maine’s environment, economy, and government.

However, the traditional patterns of ownership, use and management in Maine’s so-called “working forest” are changing. In many respects, the old ways no longer serve the natural and human communities very well. Most of Maine’s paper mills are now outdated and at a competitive disadvantage compared to those in other states and countries. The forest industry has been “downsizing” thousands of workers out of jobs. While Maine is statistically the most heavily forested state, in recent years clearcutting and overcutting have degraded thousands of square miles of its forest ecosystems. There is virtually no old-growth forest left. In fact, there are too many small trees, seedlings and saplings crowd each other in an overabundance of immature forest stands. At the same time, demands are increasing for residential, commercial and industrial development in Maine’s wildlands. The future for Maine could be an increasingly impoverished, resource-extractive third world economy with an industrialized landscape dominated by the forest industry.

But there is another possible future. Public pressure to return timber harvesting to sustainable levels is mounting. Equally significant, more and more people recognize that non-timber values are increasingly outweighing the traditional commodity uses of the forest. There is growing recognition that park lands and ecological reserves, large and small, can preserve and restore native biodiversity and natural scenic beauty, safeguard clean water and air, protect essential wildlife habitat, maintain public access to large tracts of unspoiled wildlands for backcountry recreation, and help diversify Maine’s economy.

On the eve of the 21st century, the future of the fabled Maine Woods is up for grabs. MAINEopoly is designed both to entertain and to educate. It is a rough model, but a reasonable facsimile, of a state in transition. What would you do if you could decide the future of the forest in Maine?

OBJECT

There are two ways to “win” the game of MAINEopoly:

(1) Accumulate personal and corporate wealth and power by buying properties, building mills, malls and second homes, cutting forests unsustainably, exporting raw logs, basturing unions, and dominating government and public agencies, in order to become rich, reduce taxes, minimize environmental regulations, and pass corporate welfare legislation.

OR

(2) Become richest in spirit, celebrate the natural and cultural heritage of the Maine Woods, and leave a great public legacy by permanently protecting conservation lands (to preserve fragile soils, waters, forests, wildlife, recreation, and aesthetics and to encourage economic diversification), as well as by ensuring that future activities on harvested forest lands are ecologically sound, socially responsible, and sustainable.

Of course, in the real world a balance of approaches is necessary. As you play MAINEopoly, think about what you believe would be the ideal mix of private and public ownership, of managed and wild lands, of consumptive and nonconsumptive recreation, of young and old-growth forests.

PREPARATION

(1) Photocopy Properties from the board (use as deeds) and Stakeholders, paste onto old manila folders and cut out.

(2) Photocopy Risk! cards onto red paper and Community Values cards onto green paper and cut out.

(3) Make 20 copies of each So-called Improvement and Public Investment. Cut out and assemble.

(4) Make 20 copies of each denomination of FleeceBank buck for each Stakeholder playing.

(5) Give each Stakeholder 10 of each type of FleeceBank buck to start. Put remaining money in bank.

(6) Designate Stakeholders to serve as CEO of the FleeceBank (to handle the cash) and President of the SurReal Estate Agency (to handle the deeds).

(7) Borrow a pair of dice.

PLAY

(1) Each player chooses a Stakeholder. Take turns throwing the dice and moving the Stakeholders clockwise around the board.

(2) Stakeholders may purchase any Property they land on by paying the price to the FleeceBank.

(3) Players may add one So-called Improvement or one Public Investment to each Property they acquire. Pay cost to FleeceBank. For the purposes of this game, So-called Improvements may be placed on conservation lands and Public Investments may be placed on private lands.

(4) When you land on another Stakeholder’s Property, pay the owner a use fee of $5 million if it is on Tool-Lost Road, $10 million if it is on Harsh Reality Road, $15 million if it is on Buzzsaw Road, or $20 million if it is on Golden Road. If there is a So-called Improvement on the property, pay an additional fee of $1 million for a second home, $5 million for a Wall-to-Wall-Mart, or $10 million for a mill. (There is no additional payment for Public Investments.)

(5) For each doubles rolled take another turn. Three doubles in a row puts you in the slammer. Roll doubles (3 tries) or pay $10 million fine to get out of the slammer.

(6) Put $100 million in the Maine Outdoor Heretics Lotto to start and each time it is won. Pay all penalties, fees and fines to the MOH Lotto.

(7) You may form ad hoc alliances, coalitions, councils and affinity groups. However, you are not required to stick with any particular team for the whole game.

(8) If you get into a jam make up your own rules.

STAKEHOLDERS

Multinational Company Exec

Politician

“Wise Use” Extremist

Preservationist

Moose

Happy Campers
**RISK IT!**

You are appointed paper corporation CEO and immediately dismantle company out of existence.

Illegally lobby land use commission to water down wildlands comprehensive plan. Activists claim it is a hostile takeover of agency, but you get away with it.

Advance to S.D. Warnin'.
If owned, you may acquire the company in a bargain sale financed with junk bonds. (It would not be the first time.)

Pay $350 million.

Purchase "green certification" for your family forests, you sly dog. Claim win-win.

(Next you can lobby for an even bigger estate tax break.)

Because you manage your cash well, happily donate $20 million to each Stakeholder.

Spread toxic paper mill sludge near remote camps and important deer yard.

Contaminate ground water.

Get each Stakeholder $10 million to settle infamous "pulp friction" law suit.

State and local officials offer you income, property tax breaks to relocate your firm to a third world country.

Collect $50 million for successful corporate blackmail.

Join Unorganized Territories Disorganized "wise use" group. Hysterically claim violation of private property rights and government "takeings."

Collect $20 million from each Stakeholder and stop whining for 15 minutes (or else refund cash).

Endow Autobahn Society during emergency fund-raising drive. Get your name carved into an old-growth pine and a lifetime supply of "Working Forest Forever" T-shirts.

To keep logging wages of American wood workers depressed, import Canadian crews to harvest trees on your company's forests.

Collect $10 million profit, but loose turn while studying a foreign language.

Get caught disturbing a rare mayfly protected by ESA in a LURC P-W zone with your PWC while not wearing your PFD. Fail to convince IFW you were looking for your lost GPS.

Go to slammer ASAP.

Get elected governor of the Sovereign Republic of Maine. Streamline environmental regulations and create generous new business tax breaks.

Give each player $10 million.

Dixon discharges from your paper mill create a "cancer valley." Public television does an expose, but then is too nervous to air the program.

Win Paul Bunyan Forest Masling & Hauling Award from Pulpmakers' Resources Council for timber trespass into wilderness area.

Give them big ups and roll again.

Claim global competition as justification to break union and reduce wages in paper mill. Get caught violating governor's "Minimum None" employment program.

Pay $50 million fine, but get appointed to labor relations board.

Get elected to legislative Commission on Forestry, Sprawl & Conversation. Fall asleep during public hearing on bill to allow sale of special "black fly" motor vehicle license plates.

Selects and skip a turn to call on you.

Win first place in U.N. Environmental photo essay contest. You are named "Conservationist of the Year" for saving an exemplary stand of rare old-growth white pine trees in a unique roadless area.

Collect $25 million award from Natural Areas Alliance. Roll again.

**COMMUNITY VALUES**

List imperiled Atlantic salmon under Endangered Species Act. Wild fish are inspired to spawn prolifically.

Pass to contemplate the ages of these majestic fish leaping upstream, then roll again.

Create a win-win situation by lobbying from high-impact logging, which damages fragile soil and seedlings, to low-impact forestry.

Good work.

Collect $10 million bonus.

You have been named Conservationist of the Year for saving an exemplary stand of rare old-growth white pine trees in a unique roadless area.

Collect $25 million award from Natural Areas Alliance. Roll again.

Set up a new value-added furniture factory to stem the export of high-quality logs and to employ skilled local workers.

Collect $50 million in first year profits.

Proposed Big Z and Basic Mills Dams would block critical fish migration.

Give your group, MAD and Against the Madness) successfully blocks both dam licenses. Take a bow and another turn.

You convince the governor to set a goal of having 25% of the state in conservation lands by 2002.

He appoints you to lead a campaign to pass a bond issue for public purchase of the new lands.

Collect $15 million for your excellent efforts.

**List imperiled Atlantic salmon under Endangered Species Act. Wild fish are inspired to spawn prolifically.**

**Pause to contemplate the ages of these majestic fish leaping upstream, then roll again.**

**Create a win-win situation by lobbying from high-impact logging, which damages fragile soil and seedlings, to low-impact forestry.**

**Good work.**

**Collect $10 million bonus.**

**You have been named Conservationist of the Year for saving an exemplary stand of rare old-growth white pine trees in a unique roadless area.**

**Collect $25 million award from Natural Areas Alliance. Roll again.**

**Proposed Big Z and Basic Mills Dams would block critical fish migration.**

**Your group, MAD and Against the Madness) successfully blocks both dam licenses.**

**Take a bow and another turn.**

You are hired by ski moguls Les Olsen to build a mountain out of the old railroad line for his expanded resort, Someday River.

**Collect $10 million in salary and stock options.**

You have been named Conservationist of the Year for saving an exemplary stand of rare old-growth white pine trees in a unique roadless area.

Collect $25 million award from Natural Areas Alliance. Roll again.

**Propose watershed-based, deep green conservation system to save critical habitat of the threatened pulpwood turtle.**

**Designate another Stakeholder to host a tour for making fun of turtles.**

**Congratulations!**
You've been elected president of the Maine Wolf Growers Association.

**Collect $5 million, howl in delight, and roll again.**
State Gives $4 Million Support to Industry to Plan to Chip 300,000-Plus Acres of Northern Maine Hardwood Forests
by Ron Huber

High volume wood chipping of large areas of northern Maine hardwoods may commence in October, following a recent decision by the Finance Authority of Maine (FAME) to approve the town of Millicent’s proposal to float a 4.1 million dollar bond to pay a local contractor to build and operate a high-volume hardwood chip mill on a 40 acre tract on the edge of town on land leased from industrial forest owner J.M. Huber Corporation (JMH).

JMH, whose 300,000+ acre holdings span 14 townships and stretch from the eastern border of Baxter State Park north to Fort Kent, will be the initial supplier of trees for the chipmill. The company simultaneously received permits from the Maine Dept. of Environmental Protection for three wetlands and a stream at the chipmill site.

While noting that “two letters were submitted in opposition to the Project” [Julian Holmes & Ron Huber], FAME approved the bond issue based on four “determinations and findings of fact”:

(a) The Project will make a significant contribution to the economic growth of the State, the control of pollution and the State and the betterment of the welfare of the inhabitants of the State.

This would be achieved by providing 12 jobs, and reducing paper mill chlorine use by supplying mills with “clean” (barkless) woodchips, which, FAME stated “require less chemical processing than chips contaminated with bark, leaves, dirt or other matter, allowing Maine paper mills to operate more efficiently.”

Further, FAME noted, “because the paper companies using the chips produced by the company will use less chlorine in the paper manufacturing process, the project will indirectly result in the lessening of pollution from the paper making process, further contribution to cleaner environments.”

In addition, FAME said, JMH’s ‘optimist sawmill’ will attract secondary hardwood users, including furniture makers, to the Millicent area.

(b) The Project will not result in a substantial adverse effect on existing businesses in the State.” FAME found that their receiving no opposition to the chipmill project from sawmill companies in the region.

(c) Adequate provision is being made to meet any increased demand upon public facilities that might result from the Project.” The certificate states that log trucks would enter the chip mill via JMH’s private haul roads and not on public roads. Outgoing woodchips will depart the site on rail cars via a spur line leading to the Bangor & Aroostook Railroad.

(d) The Department of Environmental Protection has certified to the Authority that all licenses required by the Department with respect to the Project have been issued or that none are required based on a certificate issued by the Department to the Authority dated 7/21/77.

As noted above, Maine DEP has issued permits under the Natural Resource Protection Act, giving permission to fill wetlands on the mill construction site, and has certified that the project will produce no water or air pollution.

At public hearings held in Millicent and Augusta, supporters of the chipmill said it would create 12 jobs turning “an abundance of low quality hardwoods” into “clean high quality wood chips.”

Recipient of the bond money will be Gardner Chipmills Millicent LLC, owned by longtime logging and trucking contractor William Gardner of Millicent. Gardner, who plans to de-bark and grind a minimum of 100,000 cords of hardwood trees into chips per year, said that declines in softwood were reducing his business. By creating a hardwoodchip mill, he would gain new business for his truck fleet.

Gardner said his chipper will obtain wood from JMH’s holdings and other unidentified forest holders in the region. Gardner also said the primary buyer of his company’s woodchips will be papermaker Georgia-Pacific. At present, however, he has deals set for only 50% of the woodchips he expects to create.

In testimony at the public hearing in Augusta, Jonathan Foed, JMH Hubertown manager, said, “You have got a vast area out there millions of acres of under-utilized hardwoods and, traditionally, these lands have been so-called high-priced. You go in and take the best...you left the rest.”

Ford described his company’s plan to construct an ‘optimist’, a high tech hardwood sawmill, adjacent to Gardner’s chipmill. As JMH cleans their hardwood forests, sawn timber sized logs will be directed to the optimizer, while smaller logs will be delivered to Gardner chipmill. The two mills would process all hardwood wood species available with the exception of poplar.

While supporters of the project say that the two mills will be bring economic diversification into job-poor Millicent which has lost more than 2,000 paper mill jobs in the last decade, critics note that with an average yield of 20 cords of hardwood/acre, the paired mills will in effect require the clearcutting of at least 10,000 acres per year.

(Notably, at the FAME hearing in Augusta, several chipmill supporters testified that the Ban Clearcutting Initiative, if enacted, would have prevented the level of logging needed to make the chipmill profitable.)

Critics also fear that chiping of hardwood trees too small for the sawmill will deplete the growing stock, leaving the cutover areas unproductive. Because many of the areas that will be cleared will not support softwoods, these areas will require an 80 year rotation for hardwood pulp, and a 140 year rotation for logs.

It was also noted that, as the JMH Huber ‘optimist’ mill exists solely on the drawing boards, with no date given for actual construction, all hardwoods harvested on JMH Huber lands will end up as woodchips for the foreseeable future, regardless of site and quality.

Another critic, Green forestry activist Tom Foed, says that Gardner’s high volume woodchipper will dump a huge amount of chips into the market, likely driving down the price of pulpwood paid to small woodlot owners of the region. In addition, he said, the drop in hardwoods will impact wildlife by reducing forest complexity, sharply dropping the yield of wild nuts and seeds that many wildlife species feed on, and destroying deeryards and nesting trees.

Opponents also wonder whether the half of Gardner’s 100,000 ton/year woodchip production for which he has no identified buyer will be slated for export from Maine. A JMH Huber official told the Bangor Daily News in June that the product of the two mills could be loaded onto railcars on a new spur to the Bangor & Aroostook RR and sent, depending on the buyer, north by rail to Canada or south to a marine terminal at Searsport. However, Gardner Chipmills’ attorney told the writer that Gardner has no export plans at present, though he wouldn’t rule it out if market conditions were favorable.

Two opponents of the project, Ron Huber of the Coastal Waters Project and Maine Green Julian Holmes, urged FAME to deny Millicent permission to float the 4.1 million dollar industrial bond, or at least delay the decision until the agency reviewed a similar JMH Huber/local chipmiller deal that was turned down by the state of Kentucky last year.

Kentucky’s Forest Product Council requires logging companies that want public subsidies to show that their operations will not reduce the long-term productivity of forest resources and will not harm watersheds. JMH Huber was not able to demonstrate that its proposed chipping operations would meet these requirements.

While Maine has issued the permits for the operation to commence, a number of Maine forest activists intend to file an appeal of the project to the Maine Board of Environmental Protection in Augusta, saying that the state Department of Environmental Protection failed to study the affore ecological impacts of the project on Maine’s forest ecosystem before granting its permit.

For more information, contact Ron Huber at P.O.B 44, Limestone ME 04659 Tel. (207) 789-5309 or by email: oorawoit@acadia.net. Ron Huber is not a member of the JMH Huber family.
Calming Troubled Waters: An International Peace Park in the Gulf of Maine
by Martin Willson

Popular advocacy in the 1930s led to the world’s first international peace park, a combination of Glacier and Waterton Lakes national parks. By proclaiming this park, the governments of the United States and Canada not only acknowledged the friendship of neighbors, but also recognized that wildlife is immune to political boundaries. Earth’s wildest remaining places are now in the oceans, which cover two thirds of the globe, but there are also areas of summertime sea that have not yet been protected, safe sanctuaries for the breeding and rearing of fish and other sea life.

While the concept of protecting specific areas of land as a cornerstone of conservation policy, this idea has been little used in the ocean realm, particularly in North America. In the oceans, conservation is generally geared toward catching quotas, a tactic which is successful only when environmental conditions are stable and fishery/industry cooperatives. Quota systems do nothing for the health and survival of ocean wildlife, many of which are obscure even to specialists. Hundreds of thousands of sea creatures with few friends are crushed to death by the billion- ton ocean floor is plowed by otter trawls and scallop dredges. For these species, some conservation tactic other than quotas is required. Protection of a diversity of habitat types is the simple and obvious answer.

Reserve Theory & Practice

In Nova Scotia, my home province in Canada, most mussel bunds are bordered by the boundary of Cape Breton Highlands National Park. The park provides a sanctuary for a core population of moose, and the mussel bed is conserved as a result of this provision of protected habitat. Although the park was not established to provide moose hunting, certainly the moose would not wander out of the park, it works that way. Several scientists have wondered whether this group might also provide for conservation, with the idea being to allow exploitation of marine species of commercial interest that migrate out from protected wilderness areas. The idea that marine protected areas might be a strategy for sustainable fisheries has just begun to be tried in a few parts of the world.

Unfortunately, the traditional concept that the ocean is a commons, owned by no one and open to all for exploitation, has made it difficult to experiment properly with the concept of the marine protected area. In the United States, for example, the National Marine Sanctuary Program (administered by the National Oceanic and Atmospheric Administration) regulates fishing in only one per cent of the area protected by this program, despite its being the most significant non-fishery marine conservation program in the United States. Ninety- nine percent of the sanctuary area, fishing by any method is treated as a benign activity. This is not because most of these practices are benign, it is simply that the current exploited population. At current fishing pressure, scallops barely make it to reproductive age before they are scooped off Georges Bank. Furthermore, mature scallops are far more valuable than reproduction than small ones. There is a logical relationship between scallop size and fecundity.

Most of the scallops caught in the Gulf of Maine are four to six years old, yet a scallop will normally live for at least fifteen or twenty years. In the prime scalloping grounds, there are virtually no scallops older than eight years, most are less than five years old. A single fifteen-year old female scallop produces a dazzling three hundred million eggs per year, which is about three hundred times the number of eggs produced by a five-year old (i.e. a thirty thousand percent improvement in productivity).

Rick’s work is of an ecological analysis of the Georges Bank scallop fishery, and he found that it was regulated by the relationship between fishing effort and scallop fecundity. When the fishing effort is high, not enough scallop eggs are produced to replenish stocks; when the fishing effort is low, the egg supply increases and the stock increases. It creates a fishery with a classic economically-destructive boom and bust cycle. If we can get the effort down, we should be able to produce a healthier, more stable economic situation.

We can do this most effectively by working to set the egg supply before the system, and we can achieve this by keeping some of those big old scallops. On average, the entire scallop-bearing region of Georges Bank is raked by a scallop dredge twice a year, so it is no surprise that the prolific egg suppliers are hard to find.

Academic & Grassroots Support

While it was relatively easy to come up with a marine protected area model to protect the scallop fishery, it was less easy to think of an effective strategy to get them. Both the United States and Canada have scallopers who exploit the rich Georges Bank scallop beds, and scallopers will not give up even a small part of their livelihood. When the model was developed, it happened, I backed out by being a talkative kind of person.

I ran into a Nova Scotia fisherman, Kirk MacGillis, who, like many scallopers, is a marine ecologist without the bellow and whistles of scientific jargon. Kirk immediately recognized the potential of the idea of protecting a small part of the scallop stock. Really excited, Kirk said something along the line of, “you could do this on the Hauge Line, it’s the only place, they hate it on both sides.”

Jim Bohnsack, a National Marine Fisheries scientist at the Southeast Fisheries Science Center (in Miami, Florida), has written that marine protected areas “enhance fisheries, reduce conflicts and protect resources”. Conflict resolution is critical politically. New England scallopers are mad as heck when they get hauled into a Canadian court for staying a few feet beyond the Hauge Line, but it continues to happen, so a protected buffer on both sides of the line would literally create a “peace park” in an area where the present fishing would be reduced by a small amount (5% should suffice for scallops in theo-

Eggs spawned by a typical female scallop (recruited at age 2) as a function of age, considering mortality and emigration, for the case of exploited and protected populations. The area under each graph represents the lifetime eggs produced by an average individual in exploited and protected populations.
ALL AHEAD SLOW: Gulf of Maine Marine Wilderness Designation Process Incremental, But On Course

by Ron Huber

How best to control humankind's impacts on the vast ecosystem found within the expanse of water and submerged lands making up the Gulf of Maine and Georges Bank? The search for answers to this question is bringing into sharper focus the need for decision-makers to dare to adopt what should be the most fundamental element of any natural resource management plan—the setting aside of large areas as undisturbed "control" areas, against which manipulative management techniques applied elsewhere can be judged.

More examination of this most basic notion of using unmanaged control areas as part of a resource management process has brought to the fore hitherto largely submerged differences in the vision of the Gulf of Maine's future and "ownership" by a wide spectrum of "marine stakeholders". But the impending creation of a formal marine protected areas research program at a prestigious New England marine laboratory bodes well for resolving these differences and for putting marine wilderness designation on a fast track in the region.

During its current 1996-1998 funding cycle, the Woods Hole Oceanographic Institution's Sea Grant Program will support a "new marine policy initiative" effort aimed at creating a blueprint for a comprehensive Gulf of Maine Marine Protected Areas program.

At press time, details on the Woods Hole marine protected areas study were unavailable, beyond the fact that Sam Brody, who spearheaded Maine's marine protected areas study for the State Planning office, will be leaving Maine to direct the Woods Hole project. However, typical work products from Woods Hole marine policy research included outreach materials (i.e. articles, books, maps, fact sheets, and pamphlets), workshops and lectures.

As such public information materials become available, the challenge then will be to marshal public opinion in support of marine wilderness, because wilderness designation—be it in the Northern Forest or offshore—is ultimately a political decision. As we have seen in terrestrial park designation campaigns, the political class is notoriously hard of hearing unless the call for marine wilderness designation is a near-drowning chorus.

Maine's Marine Protected Areas Project

One tool in developing this chorus is an offshoot of the April 24-25 workshop, "Marine Protected Areas In the Gulf of Maine." Workshop participants created a three-tiered Marine Protected Areas Project, consisting of an MPA Committee, a Management committee and an advisory committee.

The 29 member MPA Committee "will be expected to make major decisions on substantive issues, respond to pertinent questions, provide input and comment on work products and contribute some level of time and/or resources when necessary." A 4-member Management Committee will keep on top of the project's financial and operational infrastructure, while the 23 member Advisory Committee will be kept apprised of the other two committees and will provide opportunity for input into the work products of the Project. [Note: NARP's Coastal Waters Project is on the Advisory Committee].

The Marine Protected Areas Project has published its list of twelve actions it intends to carry out:

1. Review of existing data on the Gulf of Maine ecosystem and identification of information gaps;
2. Creation of an electronic database on MPAs in the Gulf of Maine;
3. Compilation and analysis of existing laws, programs and legal mechanisms relating to marine protected areas;
4. Production of a GIS map displaying existing MPAs in the Gulf;
5. Investigation and recommendation
Continued on page 22

From THE-OLDER-1-GET-THE-LESS-I-KNOW DEPT.

"Drudging along with force over considerable areas of marine bottom, it tears away, precociously, hosts of the inferior beings there resident, bringing destruction on the multitudes of smaller fishes; the whole of which, he is observed, are the appointed diet of those ablest species sought as human food."

—James Bellamy, 1842

size classes, thus increasing recruitment to harvested populations."

Conclusion

Just how wide the peace park might be is a matter for detailed calculation and, ultimately, negotiation at the diplomatic level, but Rick and I suggested 5 km on each side of the boundary. Others have preferred five nautical miles on each side because we need a broad enough buffer that "accidental" cross border fishing forays from either nation would no longer be believable.

There is bound to be speculation about the U.S. or Canadian side getting more of the benefit, of course, but Georges Bank has an answer for that. As the tide moves in and out of the Gulf of Maine, it creates a huge swithing motion, known as the Georges Bank gyre, in the water over the bank. This gyre distributes suspended eggs and larvae of marine organisms around Georges Bank, an area roughly the size of the State of Maine. Thus a relatively small protected area would benefit a much larger region.

While there will undoubtedly be those who say "no way" to the idea of protecting a suite of habitats representative of the Gulf of Maine by establishing a marine peace park along the international marine boundary between the United States and Canada. The area deserves a fair hearing. Designating a marine peace park will take complex cooperation and negotiation, but clearly the long-term benefits of a marine peace park are substantial—for marine organisms and for coastal communities alike. Let's face it, the Gulf of Maine marine management policies of the past have got us to a sorry state, with one of the world's richest fishing grounds closed to several types of fishing for want of fish. It is time to radically rethink the way we manage the Gulf of Maine.

Marvin Willison is Professor of Biology and Environmental Studies, Dalhousie University, Nova Scotia, Canada.


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Autumn Equinox 1997

The Northern Forest Forum
of a nomination process for MPA candidate sites which builds on existing programs;
6. Exploration of existing lots for candidate MPA sites;
7. Building on existing programs to develop selection criteria for MPAs in the Gulf of Maine and conducting a study to test their effectiveness.
8. Development and publication of a case study of Stellwagen Bank National Marine Sanctuary that demonstrates its effectiveness in conserving scientific understanding of a marine protected area;
9. Development of interactive education programs that articulate the need for and value of Marine Protected Areas in the Gulf of Maine;
10. Evaluation and recommendation of methods to ensure the full participation, representation and involvement of stakeholders in the development of MPAs.
11. Press releases, community presentations, and meetings with editorial boards to disseminate the concept of MPAs;
12. Raise funds to support activities and projects relating to Marine Protected Areas in the Gulf of Maine.

Most of these proposed actions are important but routine consolidations of existing information from databases scattered around the region and the world. Actions 5, 7, and 10 are different, however, in that they would collectively develop marine protected area nomination and site evaluation processes.

Implementation Difficulties

Once such processes are developed, implementation will follow, provided advocates are vocal enough. Difficulties are likely to arise however. The nomination and evaluation processes are built on existing programs' with 'the full participation, representation and involvement of stakeholders'.

As far as existing programs are concerned, on the federal level, neither the US National Marine Sanctuaries nor the National Estuarine Reserve systems, restrict or even regulate commercial or recreational exploitation of marine life within protected area boundaries.

Canada's new 'Oceans Act', on the other hand, gives the Minister of Fisheries and Oceans discretion over the status of protected areas within Canadian waters to conserve exploited species, unique areas, areas of high productivity or biodiversity, or to conserve threatened or endangered species. The Oceans Act only became law in December 1996. DFO is conducting a program to establish marine protected areas but it is unclear whether the political will exists to move beyond actual designations. Northeast of the Gulf of Maine, however, World Wildlife Fund (Canada) is committing considerable effort to promote a protected area designation for "Gulf," a large submarine canyon cutting through the Scotian shelf near the proposed Sable Island drilling area.

On the State and Provincial levels, Maine, New Hampshire, Nova Scotia and New Brunswick's protected areas programs are limited to terrestrial protected areas above the high tide mark, while the Massachusetts Ocean Sanctuary program has no control over living marine resource exploitation. Building on the existing programs will be difficult. The reasons why the above laws do not protect marine life is that a vigorous lobbying effort by commercial and recreational fishing interests made sure it was so. With fish and shellfish populations far lower than these laws were enacted, there is little likelihood that these self-same interests will acquiesce to genuinely protected areas in the Gulf of Maine unless they can clearly see that to do so will serve their interests. If the Marine Protected Areas Program were to proceed by consensus, it may well be doomed to failure.

New Zealand's Experience

Perhaps cognizant of the likelihood that discord among stakeholders will hold planning and development of the nomination and site evaluation processes to a glacial pace, the MPA Project's guidelines note that "policy makers should take full advantage of opportunities which arise independent of a planned approach to locate and protect significant areas in the Gulf of Maine." What such "opportunities" are remains sketchy; a companion piece to this article reviews a proposal for a transboundary non-extractive marine reserve spanning the US/Canada Atlantic Ocean border. In this case, decision making would take place at diplomatic levels. At least one other national marine sanctuary, in Hawaiian waters, was designated by federal legislation, without passing through the lengthy National Marine Sanctuaries Program site evaluation process. Any member of the New England Congressional delegation could act similarly.

University of Auckland (New Zealand) biologist Bill Ballantyne, a member of the MPAP Advisory Committee, has noted that in his nation, the government proceeded in the face of industry opposition in the 1970s with designating its first completely non-extractive marine reserve. The resulting gains in habitat complexity and in fish and shellfish productivity, captured the public's imagination. Similar in size to the Gulf of Maine watershed region, New Zealand now has 12 non-extractive marine reserves, with 24 more in various stages of discussion and designation. The fishing industry there, noting the gains in regional productivity in the waters outside the boundaries of marine reserves, is now one of its strongest supporters.

Will it take a similar designation-by-deal for the Gulf of Maine region to jumpstart the marine wilderness process in the Gulf of Maine region? Time will tell.

Sable Island Natural Gas Review Concludes: Corporate Lawyers Win Out

The Nova Scotia Anti-Pipeline Group has issued a "final report on the legal issues" by the Joint Public Review Panel for the Sable Offshore Energy Project and the Maritimes and Northeast Pipeline Project, which ended on July 14, in Halifax, is:

- Corporate lawyers ran the discussions, with the public's participation having been fiascopically low. The hearings turned out to be an opportunity for big corporations to jockey for business advantage. These were environmentally regulatory hearings.
- There was open corporate bullying of the main earner, the pipeline companies, by Mobil, Shell, Westcoast Energy and also by TransCanada Pipelines. The five-member Joint Review Panel was perceived by some as being biased.
- One was more devoting than the example of the subcommittee of this bearing the brunt of the Sable Island hearing. The Panel "ruled against the request for an independent environmental assessment of the proposed pipeline route and delaying the hearings until this had been undertaken. Instead, corporate documents by those with vested financial interest in pushing the Sable project—documents alleging "no significant effect"—shaped the main boundaries within which discussions took place.
- There was no attempt by the Nova Scotia government to defend environmental or wildlife interests, either around Sable Island or along the Pipeline Corridor. There also was no attempt to seriously examine the contribution of the Sable gas project to global warming and climate instability.
- There was no attempt by the NS. government to defend the health and safety concerns of rural people who could be forced by shut-down sales, or through outright appropriation, to live in the vicinity of high pressure natural gas or gas liquids pipelines.
- The NS. government's only claim to fame in the hearings was its changes of the pipeline policy and its concession of substantive interests in Sable Island gas, including the manner in which it is conveyed to market. The token last minute tolling rate changes sought by the new Liberal premier of Nova Scotia, are insignificant in the larger context of Sable gas giveaways by the province.
- There are now three options for conveying Sable gas to (mainly) American markets: The Maritimes and Northeast Pipeline Project, the TransMaritimes Pipeline Project via Quebec, and the recent Tatah Oshoffre sub-sea proposal. We expect, given its track record, (and past panels on Venture and Georges Bank, that the Joint Public Review Panel will give the go-ahead for the offshore Sable gas project, but defer the decision for further consideration on how the gas will be conveyed.

Preliminary work by both offshore pipeline companies is now being carried out along their proposed routes, causing significant environmental destruction. The Anti-Pipeline Group strongly protests this, and demands that all so-called preliminary work be terminated.

The Nova Scotia Anti-Pipeline Group is totally against the extraction of fossil fuel for American markets. The Sable gas project is presented as a "doze deal" by governments and corporations, but this is only if the public stays uninvolved. A stand has to be taken now.

We will continue to be a focus for resistance and opposition to all aspects of the Sable gas project.
Good Forestry in the Granite State - A Guide to Sustainable Forestry

by Jamie Sayen

This spring, after two years of intensive deliberations, a group representing a broad cross-section of the New Hampshire forest community released a very important book (in notebook form) that was created in response to a recommendation by the Northern Forest Lands Council. I had the privilege of serving on FSSWT.

Good Forestry is a new publication that addresses many of the concerns that New Hampshire forestry faces: economics, environmental impacts, and sustainability. Its recommendations are voluntary (although, some practices, especially regarding wetlands, are required by state law). No new regulations have been established by this effort. Due to the voluntary nature of the recommendations, Good Forestry provides guidance for sustainable forestry; however, it in no way prevents abusive forest management practices. Therefore, there is a need for strict minimal regulations to prevent the most unacceptable and ecologically degrading practices of large clear-cuts, roadside spraying, and over-browsing.

Good Forestry has introductory sections on "Economic Aspects of Forest Management!" and "Your Land & The Larger Landscape!" - "New Hampshire Forest Types!". It then offers six chapters on: Soil productivity, Water Quality, Wetlands, & Riparian Areas; Habitat, Unique & Fragile Areas; Timber Quality/Flow; and Aesthetics & Visual Quality/Recreational.

Appended to the main body of the book is a glossary, an information directory of public forest consultants, a list of related organizations and higher streams in NH, and a copy of Best Management Practices for erosion control.

Good Forestry deals with both traditional and less well-known issues confronted by timber operators. Among the more traditional issues dealt with are: erosion control, wetlands, deer wintering areas, regeneration, forest structure, controlling logging damage, clearcutting, insects, diseases, & wind damage, trout roads & skid trails, landings, slash disposal, and recreational concerns. This section, indeed, all sections in Good Forestry—adhere to the following format: an issue statement and discussion of the issue; a objective statement; considerations; recommended practices; cross references to other related sections and literature cited in that section. The recommended practices are short, clear statements of ways to accomplish a goal with the least damage to the stand and the logs.

What makes Good Forestry such an important contribution to the evolving discourse on ecologically sustainable forestry is its attention to issues that traditionally have not often received adequate attention. These include: soil nutrients; beaver-created openings; mast, cavity trees, dens, & snags dead; and down woody debris; and a chapter on "Unique and Fragile Areas!" that has sections on: rare plants & natural communities; vernal pools; seeps; woodland rangelands; next to the eagle & osprey nests; bald eagle winter roosts; old-growth forests; and high elevation forests. It is the sensitive treatment of these critical ecological issues that makes Good Forestry such a special book.

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Response to Good Forestry has been overwhelmingly positive both within and outside New Hampshire, and within and outside the forest industry. Producing it was a marathon exercise; every chapter was gone over by the entire group with a fine-tooth comb at least three or four or more times. The group spent at least seven or eight full work days on this often numbing, but incredibly useful task. Nearly all disagreements were resolved amicably and by consensus. (Note: I am no fan of "consensus" as a tool to gloss over differences and marginalize dissident voices; however, when consensus is achieved by hard work, grappling with the thorniest issues, and careful consideration of all points of view, it can produce extremely valuable results. Good Forestry is an example. No group fan the timber industry alone, nor from the environmental community alone could have come up with such a valuable product).

The greatest controversy, in fact the only issue over which cooly threatened to break down, was the issue of clearcutting. Due to pressure from proponents of clearcutting, some important statements were deleted at the last minute, even though the group had gathered much with the group on earlier reviews and had been endorsed by public review and comments. Among the last minute deletions were references to pre-settlement forests; increased forest fragmentation; and soil productivity. However, the first recommended practice in the clearcutting section states: "Due to ecological and social concerns, clearcutting should be used only where other silvicultural methods will not meet landowner objectives." In other words, to practice good forestry, avoid clearcutting.

One other issue is not addressed in Good Forestry: herbicide use. There is a simple explanation: herbicides unlikely use is not good forestry, and, as such, there was no need to describe the ecologically sound way of poisoning forest ecosystems for profit.

The thankless task of riding herd over the FSSWT committee fell upon Susan Francher of the NH Division of Forests & Lands and Tamara van Ryn of the Society for the Protection of NH Forests. Not only did they have to facilitate the often lively discussions, they also had to incorporate the editorship of the group in our endless rounds of revision and rewriting. Susan and Tamara did a fantastic job, and the finished product is a special testament to their dedicated and talented work.

Unfortunately for New Hampshire forests, Tamara took another job in another state this summer, and her knowledge, expertise, dedication, intelligence, and good humor have been removed from the ongoing NH forestry debates just as we begin to tackle the issue of ecologically degrading logging practices. I, for one, hope she returns to NH forestry issues soon. We already miss her; the respectful collaboration that has characterized Good Forestry and the 1995 Forest Resources Plan, is breaking down.

Copies of Good Forestry are available from Jane Gillin, Society for the Protection of New Hampshire Forests, 54 Portsmouth St, Concord, NH 03301, tel. 603 224-9945. Price is $15 plus $.50 for shipping and handling.

Sustaining New Hampshire Forests

The New Hampshire Forest Sustainability Standards Work Group continues to conduct workshops based on its Recommended Voluntary Management Practices for New Hampshire. The workshops are a cooperative effort by the Society for the Protection of New Hampshire Forests, the New Hampshire Timberland Owners Association, the Division of Forests and Lands, Fish and Game Department. Workshops are $10 a session; four NH forester licensing credits available for each workshop; call 603-224-9945 to register or for more information.

• Friday, September 26, 8:30am-4pm Protecting Unique and Fragile Areas at The Williams Family Forest in Washington

• Friday, November 7, 8:30am-4pm Preventing Erosion and Soil Damage at the Hubbard Brook Experiment Station in Thornton.
Logging, Soil, & Water Quality: Are Best Management Practices Working in Maine?

by Mitch Lansky

The Maine Woods does not consist merely of trees. It is laced with streams, rivers, ponds, lakes, and wetlands. In the unorganized territories alone there are 3,000 lakes and ponds and over 16,000 miles of rivers and streams. These waters are essential to the region's wildlife, recreation, and beauty. Rivers, streams, and lakes were the major transportation routes in pre-settlement and early settler times. Indeed, it is hard to imagine the Maine woods without seeing some water body.

It is well known that unorganized forests yield the highest quality of water. Tree leaves break the impact of falling water, and forest duff and topsoil act as a natural filter. When trees are cleared away and the soil is bare, eroded, or compacted, water flows over the surface, taking nutrients with it. Where large areas of forest have been cleared for development and agriculture, water quality has suffered from siltation, nutrient leaching, and chemical pollution.

Maine has nearly 9/10ths of its land classified as forest. But this forest is hardly "untouched." In the unorganized territories, since 1972, nine times as many acres of forest have been converted by logging roads as by house lots. And millions of acres have been heavily logged. What does forest disturbance from logging do to water quality, and what is Maine doing to reduce the impacts?

By Federal Law, all states with commercial forests must have some rules or guidelines designed to minimize non-point source pollution (NPSP) to surface waters. In around half of these states, including Maine, these guidelines are followed voluntarily. Maine's guidelines, called "Best Management Practices" (BMPs), relate mostly to construction of roads, woods trails, landings, and stream crossings. They are designed to minimize or eliminate movement of soil from the forest to streams where the sedimentation can have adverse impacts to fish. The loss of soil can also have adverse impacts to forest productivity.

Maine's BMPs have been developed by the Department of Environmental Protection (DEP) and the Department of Conservation (DOC) with with aid from FORAT—a Forest Advisory Team. The FORAT is composed of around a dozen members from various government agencies and public interest groups (see side bar). In 1995, the University of Maine established a research project to answer questions raised by the FORAT.

- Do landowners and contractors know about BMPs?
- Are BMPs being followed?
- Are BMPs effective when used?

What documented impacts on water quality are occurring in Maine without and with BMPs?

The researchers broke the state into four regions to track a consistent problem, and looked at the unorganized territories. This was done, in part, to see what difference the rules of the Land Use Regulation Commission (in the unorganized territories) and the DEP (in the organized territories) make. The results were published last year.

Awareness

A survey of landowners indicated that those in the unorganized territories (which has the highest concentration of large industrial and non-industrial owners) were more informed about BMPs than those in the organized territories. But this knowledge did not always get translated into action. Landowners in the unorganized territories were more likely to have more prior knowledge of BMPs (69% vs 53%), more familiarity with BMP guidelines (67% vs 45%), more requirements for logger compliance (63% vs. 45%), and more advice from professional foresters (75% vs. 65%).

Ironically, there was a slightly higher rate of compliance to BMPs, though not statistically meaningful, in the organized territories. Neither FORAT nor the authors of the study had an explanation of why landowners less aware of BMPs followed the standards as well as those more aware. The researchers concluded the lack of information was a major problem for contractors in the application of BMPs, even though awareness alone does not seem sufficient for implementation. Compliance

Compliance varied widely, depending on the specific BMP. The group defined a landowner as "compliant" if there were minor or no departures from a given BMP. Gross neglect or major departures were rated as "non-compliant." The rate of compliance for given BMPs ranged from 25% (for removal of stream drainages) to 100% (for appropriate use of win.

Some of the BMPs showed that there is great room for improvement. Of the 60 BMPs, 36% scored "F", but 22% scored an "A." The majority (53%) scored "D" or below. Some of the lowest scores were for BMPs that have the most direct impact on water quality. Sixty-three percent of the BMPs for streams crossing a "D" or lower. All of the BMPs for stream management zones scored "C" or lower. Some of these streamside violations were frustrated. For example, on six sites, loggers used stream beds as skid trails, leading to major sedimentation problems in 80% of these sites. Scores were also low for BMPs dealing with diversion of water from trails, roads, and landings. These are critical for avoiding erosion and sedimentation.

BMPs dealing with putting sites to bed are important for lesser long-term impacts. None of the BMPs in this group scored an "A." Seventy-six percent scored "D" or lower. These BMPs included placement of water bars, revegetation of stream bed sections, and removal of culverts. Cross drainage culverts were removed on only 25% of sites where this action was appropriate. Over time these culverts become obstructed, contributing to erosion of nearby road banks.

Compliance was also very low (14%) for stabilizing drainage ditches—another BMP with long-term consequences. Evidence of Sedimentation

Compliance with BMPs made a big difference in reducing erosion. Compliance, however, did not solve all problems. In some individual cases, compliance still resulted in major sedimentation (delivery of sediment to surface waters), though to a lower degree than non-compliant sites. For example, around one fourth of compliant sites that followed the BMP for right-angle stream crossings and one third for hard bottom stream foods had major sediment movement. In contrast, 95-100% of non-compliant sites for these BMPs had major sediment movement. In some cases, attempts to follow BMPs were unsuccessful. For example, half of the sediment barriers put in to stop erosion failed.

For some BMPs, there was a large percentage of minor sedimentation (movement of sediment but no delivery to surface waters). Having been crossing and cut, having adequate cross drain culvert spacing, having water flow unimpaired, still led to half the sites having minor problems. Road grading and minor sedimentation in three-fourths of the sites. In every case, however, non-compliance led to more problems and often more severe problems.

Other Considerations

Janet Cormier, a soil scientist who did all the field studies, wrote a supplemental to the BMP study. Her observations were based on her extensive field notes and interactions with landowners, foresters, loggers, logging contractors, and land use planners. Her photographs and text are useful for those who want to better understand what can go wrong and how to prevent it.

Janet pointed out why BMPs are not always sufficient for halting sedimentation problems. Although the BMPs do factor in slope, they do not deal with soil type (texture drainage, erosibility, depth to limiting factors, etc.) nor with watershed characteristics (size, runoff or seepage amounts and patterns, location of within a watershed, etc.). Some sites, she argued, may require other considerations. Some BMPs, moreover, may be unnecessarily strict if certain BMPs are followed to the letter. Logging disturbance that exposes mineral soil, for example, are not covered by BMPs, but can cause erosion and sedimentation. Even on well-crowded road surfaces, Janet found that erosion can occur on long slopes, especially in the deeper deposits of ponds and wetlands. Stream crossings, she concluded were problematic and needed further refinements. Certain highly erodible soils (especially that is wet and does not form deep roots, and steep hardwater sites) are not well protected by BMPs. Janet found skidder runs on steep, wet slopes that became new stream beds.

Steve Kahl, of the Water Research Institute at the University of Maine, presented further critiques of Maine's BMPs in a literature review he did of the effects of logging on water quality. Like Cormier, Kahl pointed out that BMPs do not deal with compaction, rutting, forest soil disturbance, and destruction of the organic pool during logging. But Kahl further pointed out that the intensity of cutting can also have major impacts on water quality.

Large, intense cuts (especially whole-tree clearcuts) can cause an increase in water flow. This can lead to more severe fluctuations of water levels, more erosion of stream banks, and more erosion of forest floors. To the degree there is little vegetation on the ground (so this can happen to the 75 foot 350 foot clearcut that can be damaging to cold-water fish species), increased breakdown of organic matter, increased nitrification (leading to acidification of the soil), increased leaching of calcium and magnesium (soaked up in bedrock), and higher proportions of aluminum to calcium (which can affect plant growth and the survival of fish).

Kahl cited research showing severe losses of the organic pool from some clearcuts. This can lower forest productivity and decrease the viability of softwood seedlings. It may take more than a century for some of these sites to recover. Both Kahl and Cormier expressed concern over whole-tree logging where slash is not left on the site, but is instead left in huge piles roadside, creating problems in both cases. Kahl concluded that BMPs neither adequately protect waters from short-term problems nor do they enhance forest sustainability.

In this case was very concerned over the lack of protection for small tributaries and headwater streams. These are the most vulnerable to impacts from temperature change, increased water flow, sedimentation, and chemical change, yet receive the least documentation. Stream crossings, in general, create sedimentation. But studies have shown that no cross-related sedimentation problems affect large boulder, buffer zones on streams. Kahl suggested that because of their greater sensitivity, smaller streams actually need larger buffers than larger streams and rivers.
Although current BMPs are effective in most cases, the new research shows that some require refinement. The FORAT ought to closely examine the University of Maine document and Janet Cormier's addendum to find if local needs are weak and suggest ways to improve them. In refining the BMPs, the FORAT should consider widening criteria to include recommendations based on season, soil type, and watershed characteristics.

The research of Cormier and Kahl also suggests that BMPs do not go far enough at protecting water quality. More BMPs should be developed that take into account the intensity of crops, the width and distribution of skid trails and yards, and the degree of soil disturbances the destroy the organic pad. The width of filter strips for small streams should be expanded due to their higher sensitivity to disturbance. Some states protect intermittent streams (which can also be sensitive to disturbance) by law. This should be state policy in Maine as well.

If the major causes of erosion/siltation problems are roads, skid trails, and yards, then low-impact forestry, which reduces the size and distribution of these soil insults, should reduce the degree of erosion and siltation. Low-impact forestry also reduces soil disturbance problems by keeping machinery on trails instead of letting them wander (though the woods) and by having forwarders carry short-wood loads, rather than have grapple skidders drag whole trees. Researchers should compare low-impact versus more standard, mechanized operations. If the low-impact methods indeed have merit, public policy should reflect this fact.

One final recommendation: the phrase "Best Management Practices" should be changed. Vermont's term "Acceptable Management Practices," implies a floor below which you should not go, whereas Maine's term "Best Management Practices," implies a ceiling. After all, nothing can be better than the best. But it is possible for landowners to exceed Maine's BMPs. Some already do—and I hope they all do soon.

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Supreme Court Upholds Loon Mountain Decision

On June 27, 1997, the U.S. Supreme Court issued an important decision in RESTORE's effort to halt the ill-conceived expansion of Loon Mountain ski area. Loon Mountain Recreation Corporation (LMRC), the ski area's parent company, had appealed to the high court a ruling of the U.S. First Circuit Court of Appeals which found that LMRC had not obtained necessary permits and that the U.S. Forest Service had not properly included the public in its study of the proposed expansion.

For the last five years, RESTORE has opposed the proposed expansion, which would clear new ski runs, increase snowmaking capacity, and allow for the construction of new lodges and other buildings. This includes development on additional White Mountain National Forest (WMNF) lands, and the use of water from Lincoln and the East Branch of the Pemigewasset River.

In an ironic twist, the Forest Service sided with RESTORE's opposition to the appeal to the Supreme Court. Their decision upheld the U.S. Appeals Court ruling, which sets the important precedent that ski areas may now be required by the Forest Service's Intermountain Agency to monitor water pollution caused by water skiing. The town of Lincoln, NH draws drinking water from Loon Pond.
DECONSTRUCTING THE USFS MAINE FOREST INVENTORY

by William Butler

With the hope of some resolution of the forest controversy, we greeted the US Forest Service's Forest Statistics for Maine, 1995 on its emergence late last year. This long-anticipated set of tables follows the 1982 resurvey, as these efforts are known. In the study spans of 14 or 15 years, cutting in the industrial forest that the USFS formerly termed "liquidation" destroyed much of the woods as we knew it. Possibly as many feared exposure of their mismanagement as hoped to see numbers confirming the evidence on the ground and of aerial and satellite images.

With the computer as oracle, we tend to accept the information offered as beyond questioning. Perhaps it is only human to expect this inventory, as it is also called, to tell us the state of the forest now and to quantify the changes. The authors warn at once that this hoped-for definition is not at hand. Because of changes in procedures or definitions since 1982, direct comparision of some of the current estimates with those of 1982 is "inappropriate." Furthermore, 1982 area, sawtimber and growing-stock volumes, measured as you might want to compare with the 1995 results, have been produced by subtracting growth estimates from the current (1995) volumes—circumstantial reasoning. This disclaimer leads some to ask why we do it this way? "It was not our intention to analyze temporal data in this publication," is stated up front.

We are promised later an analytical report on "the salient changes in the forest resource since the previous inventory..." This is to focus on changes in the character of the timberland base, in inventory volume, composition and structure, in cutting, mortality, and net growth. These will yield "coarse measures of forest sustainability and health," so the discussion warns.

Having been told what the present study does not afford, one is tempted to ask what good is it? What is the resolution of a "coarse measure" in purging the grail (or weasel-word) of sustainability? Let us have a look at how the present study was designed, to help us see what is lacking, and to assess our chance for enlightenment.

Praying at a Wall of Numbers
Told that the Maine data were available for private study, I asked the USFS people in Radnor, PA for some numbers. These arrive on a CD, with a descriptive manual. This is called the Eastwide Data Base, a reduced set of the Maine data. The structure of this source (and of later data sets) is shown in Figure 1. The idea is to sample some 3000 plots to assess the forest conditions. Some of these points at which measurements are taken are new for this survey, some are points previously surveyed and now re-measured. The re-measured plots are modified by increasing the area surveyed, a bit of a complication.

Other than the state, county, and unit designations, 33 data fields are recorded for each plot-owner, forest type, land use, site and stand description, longevity, and approximate latitude. Factors to expand the plot data to the appropriate number of acres statewide are given. It will be seen that these essential factors are artifacts of the photo-interpreter's skill.

The next (and far larger) record is of each tree on the 1/5 acre plot, recordings on five 1/100-acre plots, and seedlings at least 1 foot tall on five 1/1000-acre plots. There can be as many as a hundred records on one plot, or, rarely, only one. The sum is 160,959 tree descriptions in 24 megsbytes, the real basis of the forest inventory. More than 20 factors are measured for each tree with a diameter (dbh) over 4.9 inches.

When this one big file is assimilated into the computer, one sees a wall of numbers. Is there any flaw? One place to pry a bit was with the volume and growth numbers. Subtracting the growth since the last survey from the current volume should equal the previous volume of the particular tree. Often it did, but not always — some of the trees had grown from a negative volume to their present sizes. Why? This is even faster growth than David Smith at Yale promises. When I mentioned this to Thomas Friiswryk, Radnor, PA, in charge of the study, he explained that there was some "fudging" involved, and he would send me the data set of the real Maine numbers. The reason given for the data on mass was the necessity of making Maine data congruent with those from other states using differing procedures.

Sampling & Methods
Let me admit to only a primitive acquaintance with statistics and sampling. The question of bias in the sample, or in the method, both are a first, common-sense defense against fraud. I raised this point after the previous survey when, miraculously, the totals for spruce and fir, the principal softwoods, showed no change from 1971 to 1982. I knew that some paper company foresters had avoided cutting on their permanent growth plot, which were part of the USFS inventory process. This pads the inventory, but led Ken Stratton, then state forest commissioner and me both to tell Joe Barnard who ran the USFS resurvey that the spruce-fir volume he showed wasn't there; Barnard told Stratton, "Our numbers say it is." Since 1959 we find that the Forest Service has repeatedly reconstituted the sampling base — the forest plots. Table 1 shows the changes; some older plots dropped, many hundreds of new plots created, switching in 1971 to a sampling method disconded by 1982, plot dimensions (simultaneously of 1/5, 1/10, 1/6, and 1/12 acres. Only in 1995 were the latter adjusted to a uniform 1/5-acre plot. The effective date of these revisions is the next time they are re-massed, not 1995.

How the repeated sloughing of thousands of established survey points affects or limits the information which can be derived from a survey is a concern not addressed in the several publications. How would new plots compare with these? When the survey is called sampling-with-replacement, such as in drawing from a box of red and blue balls, there is no random process. But, we are told repeatedly that before plots are located, stratification is applied. Here, aerial photographs are classified (by people) by categories of cubic-foot volumes per acre. This might be remeasured subjectively; certainly it says plot assignment greatly pre-determines the survey's conclusions. Not only is the number of plots assigned affected, but also the area expansion factor for the plot data. The photo-interparation data are one of the fields not given. Few plots contain as much as 3500 cuf. of volume/acre (40 cords) might tell more than we are meant to know.

Talking to Washington
Each of the studies (1972,1982,1995) warns us not to compare it with its predecessor. Indeed, Tom Friiswryk told me early in our conversations that this inventory was not a "(Continuing) F(orest) I(nventory)." Asked why not, he said that decision comes from "on high," from USFS people who may be doing a PhD dissertation on design of the resurvey. The report says: "Improving the efficiency of the inventory requires procedural changes. This seems to frustrate the supposed purpose of forest inventory and analysis." One of those "on high" is in Washington — William "Bud" Smith, acting chief of the Forest division. Listening to him is to be exposed to a torrent of information; he has been there for some twenty years, and is obviously interested in the history of these studies. A good part of our conversation was that other agencies intrude in forest inventories, such as bureau, EPA, and, recently, a DOD technical group offering their latest satellite data to make ground plots (and USFS) unnecessary. When asked how plots could be "lost," has been said, Smith says that this is usually denial of access by landowners, and is mostly in western states. There have been fewer in the Midwest.

A diagram revealed the flaw in the abortive deployment of 1587 variable-radius plots in 1971. Briefly, this scheme uses an optical sieve to determine which trees at a point are to count. In the survey, and how much they represent. (The authority I trust says, "Thus, when one 6-diameter tree is tallied, it is tacitly assumed that there are 51.02 such trees per acre (for a 10-factor prism.)" Tacit

### Table 1. Anatomy of a Shell Game

<table>
<thead>
<tr>
<th>SURVEY YEAR</th>
<th>NO. OF PLOTS</th>
<th>PLOT TYPES</th>
</tr>
</thead>
<tbody>
<tr>
<td>1959</td>
<td>2,267</td>
<td>1/5 acre - fixed radius new ground</td>
</tr>
</tbody>
</table>
| 1971        | 902          | 1/5 acre - fixed radius remeasured  
|             | 1,587        | 10 point - variable radius new ground |
| 1982        | 673          | 1/5 acre - fixed radius remeasured  
|             | 352          | 10 point - variable radius remeasured  
|             | 2,489        | 1/6 acre - fixed radius new ground |
| 1995        | 838          | 1/5 acre - fixed radius remeasured  
|             | 1,560        | 1/6 acre - fixed radius remeasured (1/5 acre overlaid) |
|             | 3,002        | 1/5 acre - fixed radius new ground |

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assumptions or not, Smith admits that the coarse prion, having a factor of 37.5% often tallied two trees or fewers per point. This was labor-saving, but bluntly the point of the survey. He also agrees that prism sampling doesn't count stumps. Here, I think, is a condoning of the uncertainty inherent in sampling a population; further sampling of the samples, with a bias for larger trees.

Asked if landowners had assisted in designing a survey, Smith referred to a "star-crossed, blue ribbon advisory panel," comprising forest industry and environmental groups. A closer look shows that of twenty members, including the chairman, are Weyerhaeuser, two from IP, one Potlatch, three from industry fronts, excluding Society of American Foresters, one university, all the rest but one from government. Strongest in this company is Art Lucier of the National Council of the Paper Industry and its Stream Improvement, possibly the ultimate-asymmetry. I expect that Mr. Lucier was more than a match for Jeff Olson of the Wilderness Society, industry has their smartest people at NCFPAS, certainly not in their forestry departments. These are the crooks — who did the books?

Concluding Remarks
At the management conference in Oroko, Dale Solomon, a respected Forest Service analyst told me he was part of the group doing the reconstruction grouping, and mortality that is promised, and that the mechanism is a computer model, PIFE. So, the more given another version (version 3.0) computer simulation, but not what we paid for in money and lost time-value of information. (Had Maine votes seen an honest audit before the referendum, the Green initiative might have prevailed.) It may be so that we don't have to do these many inventory in the field — we can model it all. I am reminded of a USFS genetecst spotting at Oregon long back in time that by 2000, all the wood would be cut by computers, chipped at the stump, and blown through ballast-supported pipelines to the mill—a scenario even more preposterous than modeling presumptuous. Related to this "hindsight" post mortem, Melvin Williams, with a family pine sawmill, tells me he is now asked to report where every log grew. But do you believe Champion International will tell how much wood it can for paper mill and big wood-burning boiler and when it was cut (if they know)?

It may be evident that I think the Reserve is a deliberate failure, along with those that preceded it. I may expect more from USFS than they can deliver, given political and organizational constraints. The Bankers, Martin Mayer comments on accountants and accounting, saying ideally, accountants will begin to do the job people have always thought they were doing, that accounting is supposed to be a way to tell the truth, and that the latter idea died in the 1978-1979 era of the '80s. The wood industry, works the same way; recall that forestry is 10% trees and 90% politics (Newhall).

The usual collusion between forest industry and a government agency typified in the Blue Ribbon Advisory panel, in the 1960s, given another version (version 3.0) computer simulation, but not what we paid for in money and lost time-value of information. (Had Maine votes seen an honest audit before the referendum, the Green initiative might have prevailed.) It may be so that we don't have to do these many inventory in the field — we can model it all. I am reminded of a USFS genetecst spotting at Oregon long back in time that by 2000, all the wood would be cut by computers, chipped at the stump, and blown through ballast-supported pipelines to the mill—a scenario even more preposterous than modeling presumptuous. Related to this "hindsight" post mortem, Melvin Williams, with a family pine sawmill, tells me he is now asked to report where every log grew. But do you believe Champion International will tell how much wood it can for paper mill and big wood-burning boiler and when it was cut (if they know)?

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A Conversation With Russell Barnes - An Independent Logging Contractor

Russell Barnes is a "woods philosopher" and independent logging contractor working in the Upper Valley of New Hampshire and Vermont. With over twenty-five years of experience, Russell has established a well deserved reputation as an exceptional logger with real concern for ecological and silvicultural issues. Russell sits on the LEAP steering committee and is a member of the Vermont Sustainable Forestry Initiative consortium. He is the former director of the Northeast Loggers Association.

He is currently working to lower the accident rate among loggers and bring down workers compensation costs through the formation of a regional logger safety group. The project is being organized through the Northern Vermont Resource Conservation and Development Office in Barre, VT.

—Jim Hourdequin

Jim Hourdequin (JH): Why did you become a logger?

Russell Barnes (RB): Something I always wanted to do. From when I was four years old, I wanted to go cut wood.

JH: How did you become a logger?

RB: I started out 27 or 28 years ago doing residential tree work outside of Boston. Then I went off to college and studied geology for three and a half years. On a field trip out west in the last semester of my senior year, I was working in a big desert and I was miserable. Then we took a little trip up to the Yellowstone where it was green, and blue, and I had a revelation. I had a revelation that said, "go do forestry".

JH: What do you like about logging?

RB: I like working with the trees. I like growing trees. I don't really get a big thrill out of a field of stumps. I get a big thrill out of a nice stand of trees.

JH: How would you describe the type of logging that you do?

RB: I like to take maximum care of what's left. What concerns me most is what I leave behind. Now, the problem is that it's difficult to make a living focused only on what you leave behind. So, there has to be some good wood to work with. I have to make some money to eat, and I have to try to grow good trees behind to satisfy my own needs, my psychological needs.

JH: How much wood do you cut?

RB: Well, I'd like to think we could cut a million feet a year. But, every year seems to be different. It's hard to say what you really do—sometimes breaks or sometimes we do more TSI [Timber Stand Improvement] work.

JH: How many people?

RB: Two.

JH: What type of equipment do you use?

RB: We do chainsaws. And a six-wheel, ten ton forwarder.

JH: Why do you use a forwarder?

RB: Because I think it has the least negative impact on the residual forest. In terms of damaged trees, tearing off bark, and also damaging roots. They work well for keeping nice neat landings. The forwarder also allows me to do all the processing of the tree at the stump so it's not spread between the woods and the landing.

JH: How does it compare to a skidder?

RB: A forwarder produces less residual damage to crop trees. With the forwarder I can achieve residual damage levels of 5% or sometimes even less. It's very difficult to get those levels with the skidder because the skidder is so much bigger. When it's loaded, a skidder could be over 100 feet long—the machine plus the dragging logs. A loaded forwarder is only 30 feet long. And it can go forwards and backwards, and turn right corners without rubbing the stems into the trees.

I also think I can avoid much mud with the forwarder because I can fill mud holes more easily. I also do less falling damage because I'm not forced to fell all the trees in one direction. If you are heading tree length, you've got to fell them all basically parallel to where they're headed out. So, you only have only one falling direction. With the forwarder, I'm not forced to put down trees where they really shouldn't go. I have more options.

JH: What type of equipment have you considered?

RB: Well, I've thought about mechanized cut-to-length systems, but I don't work in the right kind of trees. I would need to be in conifers. They don't work yet in hardwoods. But that's just to mechanize, and I'm not sure. I talked to one operator who said that once you start sitting in a cab you lose contact with the forest. That was one of his complaints.

JH: What distinguishes a good logging operation from a bad one?

RB: The degree of residual stand damage to crop trees. A good job should have less than 5% damage to residual crop trees. The soil should be protected and there shouldn't be a lot of erosion. The most important thing is to protect the future growing capacity of the site. If you compromise that, then the site's being degraded.

JH: Do you think loggers are doing a better job now than they were ten years ago?

RB: I think loggers are doing a better job. I think there's a different group of loggers, and they're doing a better job. I'm not sure that many people have changed. I just think that there's been turnover and some of the newer loggers are doing better work.

JH: What evidence have you seen of that?

RB: Well, there's a lot of guys who have gotten into logging with at least an associates degree in forestry. They seem to be more concerned; they look at this as something that they chose rather than something they had no other choice to do. Though there's still a long way to go. We all could be better. There are still crews that just don't know when to call it quits when the ground conditions get bad.

JH: What are your thoughts on logger certification and logger training programs?

RB: I think logger training is always important. Learning is important. I think certification programs would be good but I haven't seen anything yet that is shooting for high enough standards. It seems like we want to be certified—or we want to say we're certified—but we're most concerned about meeting the minimum standards for certification. And there doesn't seem to be any benefit right now from being certified.

JH: There's no demand for certified loggers?

RB: No, there's no market for certified loggers. The only thing that's going on right now [under the Sustainable Forestry Initiative] is that some paper companies have said that you have to take a minimum amount of training in order to sell them wood. The Sustainable Forestry Initiative is a good first step, but it has a long ways to go.

JH: So, you think that a more rigorous certification program would be effective?

RB: Not necessarily more rigorous, but more accountable. In other words, right now the certification programs have no form of testing. So there's no certification of knowledge. There's only certification that you spent the time to go to the courses. There's nothing that says that you weren't asleep for the entire time.

There also needs to be a concerted marketing effort to promote the concept of what a certified logger does. The consuming public needs to feel that this is important. There needs to be brand identification. Certified loggers have to be advertised; and the benefits of having certified loggers need to be advertised constantly.

The basic relationship between the logger and the landowner should be one of trust. And that has to be established first. They have to trust that one isn't going to steal from the other.

JH: Does that happen a lot?

RB: Yes, a lot of theft.

JH: How much?

RB: I don't know. I think there's a lot of theft out there. There were 700 some odd complaints in the state of Maine in one year over people not getting paid for wood. A lot of it's not intentional theft. A lot of it is just bad business practices where people just don't pay for things. Loggers are undercapitalized. And they've got to feed themselves before they write checks. But I would say that most people mean well. The work is too hard to be a thief.

JH: Do you think that they are ways that foresters could meet the needs of both landowners and loggers at the same time?

RB: Well, first they need to move from an adversarial relationship into a collaborative relationship. And they truly

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They're unwilling to invest. People don't have the faith that trees can make them money. They think that trees grow for free. And they do. But if you can't tell the difference between a good tree of high economic value, and a tree of low economic value, then you can't see the need to do anything.

What are the ecological issues that concern you the most?

The major ecological issue that I see is nutrient depletion from over-harvesting. Whole tree harvesting is a problem. Every time we remove wood from the forest, part of the nutrient capital is depleted. Nutrient inputs from rock weathering and deposition are balanced by leaching; there’s no gain in nutrient inputs. Therefore, anything we take out is removing nutrient capital.

I also think high-grading is a problem. High grading slowly degrades our forests. It is one of those things that no one says they’re going to do, but they end up doing it anyway. They cut the good wood.

If nutrients are being depleted in need to grow the high quality trees. Therefore we should remove as little wood as possible and only remove wood that is profitable.

So is it not profitable to cut pulpwood?

Often it’s not profitable in the type of work that I do. The costs of bringing low quality wood to the landing and then trucking it to the mill exceed the volumes generated, so we just can’t make economic sense. In a lot of operations, the good sawlogs are subsidizing the removal of non-profitable material. Just because someone will buy the pulpwood doesn’t mean that you can make money selling it.

Why do loggers continue to sell so much poor quality wood for such low prices?

Many of us are not good business people. We don’t have a good handle on what price they pay for a particular product. If loggers don’t know their costs they’re going to produce things that don’t make them any money. And if they don’t know their costs, they’re not in a very good position to negotiate with the people who sell them the wood.

Why haven’t loggers done more to figure out costs?

We have very small businesses and we can’t do everything. And the one thing that gets left behind is the record keeping. Keeping track of your business is a full-time job. But we also have to find the wood, cut the wood, truck the wood, and market the wood. And even if we could keep the records, we’re probably not skilled enough to know what to do with those numbers if we had them.

So, how is that playing out in terms of the wood that’s getting cut and sold?

There’s too much low quality wood out there. And we keep creating more of it. Loggers who know their costs understand that there’s no money in low grade wood. When you start to understand what your costs are, you don’t want to cut bad trees. Loggers need to know what the value of every particular piece of wood is. They need to have a better handle on all the money.

Do you think that happens a lot?

I think it happens fairly regularly. I think people don’t plan for the rainy day as much as they should.

What are loggers doing to increase safety?

Because we have a terrible loss record. And until we improve our loss records, our workers’ compensation costs will be high. Unfortunately, the high cost of workers’ compensation means that our money goes out for premiums and is not invested in training to improve the loss record. We’re caught in a vicious cycle. We can’t get better until we have more training. And we’re not going to get more training until we have more money to spend on it.

You’re trying to organize loggers to lower workers compensation rates by forming a safety group.

I’m trying to organize loggers to create a safety program and ultimately a self-insurance group where the premiums will come down based on an improved safety record. The idea is to get losses under control. A safety or self-insurance group would have mandatory training for members and on-site safety inspections.

Do you think there’s an interest in this among loggers?

I think the interest is there. In New York State, there’s a self-insurance group that has lowered their workers’ comp rate to 13% of payroll. So, I think a 20% savings would be of interest. But, it doesn’t come easy. It requires a lot of work, and it can happen only through some sort of organization. Loggers need to work together as professionals to get this done.

Well, buying an expensive piece of equipment is not a problem as long as you know you’re going to have steady work for it. The hard part is the cyclical nature of the work. When you don’t have steady work, you have a high debt load and then you start doing things just to make the payments. You’ll take jobs that you might have taken otherwise. In a problem when you make projections based on the best-case scenarios, and then the best case doesn’t happen. Then you’re in trouble.

Do you think that happens a lot?

I think it happens fairly regularly. I think people don’t plan for the rainy day as much as they should.

What are loggers choosing to mechanize?

I think they feel that they can make more money if the work will be easier. Cutting wood by hand is not the easiest thing to do.

Does the high cost of worker’s compensation insurance make mechanization more attractive?

Yes, the high cost of worker's compensation also pushes people towards mechanization. We pay a very high rate, about 37% of gross wages. That’s a big hit.

Why are workers compensation rates so high?

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NWF Opposes OSHA Snag Rule

Montpelier, VT June 9—The National Wildlife Federation (NWF), the Wildlife Management Institute, the Society for the Protection of New Hampshire Forests, and the Forest Trust are petitioning OSHA (U.S. Occupational Safety and Health Administration) to change a rule involving standing dead trees—snags. The rule requires that for all logging jobs nationwide, every "danger tree" must be "felled, removed or avoided."

"On the face of it, this seems like common sense," said Mark Lorenzo, researcher at NWF's Northeast office. However, the OSHA danger-tree rule mandates so-work zones around snags, irrespective of the actual danger involved.

"This inflexible rule stands in the way of constructive forest practices that benefit people, the economy, and wildlife at the same time," said Lorenzo. The ecosystem role of standing snags is well known to forest observers. Snag and cavity dependent wildlife is in northern New England include the black-backed woodpecker, thrush and pine marten.

Example of residual stand damage from cutting. Not a Russell Barnes job.

RB: I don't have a problem with it one way or the other. It's probably not going to solve the problem that people wanted it to solve. But I also think that it's not going to negatively impact too many loggers. The smart loggers aren't worried about it; they're just figuring out a way to live with it and make money. Adapt. It's a big emotional issue, but, I think the smart ones aren't wasting their time on it.

JH: It doesn't affect you.

RB: It has no affect on me, whatsoever. I have never been involved in that type of a cut.

JH: I want to talk lastly about your vision for forestry. Mitch Lanksy, a NARB activist in Maine, has been promoting what he calls "low impact" forestry. He challenges the idea that jobs depend on highly mechanized industrial forestry. And he argues that mechanization, and industrial forestry have had a serious impact on the forest and have resulted in the loss of many jobs. First of all, what is your view of technology in forestry?

RB: The trend will be towards more machines. We need to be more productive as people—whether it's through machines, more knowledge, or better use of computers in managing our businesses.

JH: Is there a point, though, when greater efficiencies end up taking something away? You were talking before about losing contact with the forest. Is there a point where we should back off?

RB: Well, in Sweden the harvesting crews also have the forester's role of laying out the sale. They take the measurements, do the inventory, and are responsible for cost. So, they're not just a bunch of machine operators. They operate a machine, but they also do ground work. The follow up with measurements on spacing and stand damage. So, there's less specialization. And that's what will happen here with a more professional work force. They will blend the role of the field forester and the logger into one. That's what's going to happen.

JH: Right. You envision more mechanization but less specialization on the individual level?

DB: Yes, less specialization for individuals. Running a machine every day, day after day, is boring and also physically dangerous. These machines are stressful and create some really serious problems—back problems and muscle problems. We need to get the people out of the machines for a certain portion of the day. If the person is only qualified to run the machine, then he's going to be stuck in that machine. In the future, the logger is going to have more input in forest management.

JH: That sounds like a new vision for logging and forestry.

RB: That's where it's headed. I think we're going to get to that point where loggers and foresters will be making decisions together. The logger will make the more detailed decisions, and the forester will make the more general decisions.

Agronomist Win Way's View of Forest Practices

Clear-cutting, hardwood spraying and whole tree harvest of forests do irreparable damage to Vermont's most precious asset. The leaching of potassium as well as other plant nutrients cannot ever be compensated. Bare soil areas suffer great losses.

Potassium is especially vulnerable to leaching and its loss is damaging to future growth. Being found mostly in leaves, bark, buds and twigs, it is a nutrient best conserved by continuous cover of trees, especially hardwoods.

Vermont soils were first vandalized when virgin forests, many of which were marginal in potassium, were sacrificed to clear land. Millions of pounds of potash were exported to Europe for the soap and glass industries. Much of the remaining potassium was subsequently lost to leaching, runoff and crop removal.

Potassium deficiencies are common in abandoned farmland, much of which is now what we call forest. Remember that 80% of Vermont forests were devastated by the mid 1800s, primarily for sheep. I have observed deficiencies on mountain soils, in Christmas tree plantations, on many farm crops, on home lawns and in gardens.

Potassium is a nutrient used in large quantities by most plants. It is essential to sugar production, winter hardiness and disease resistance. I believe it is related to the success of Vermont's maple industry, roadside beauty and so-called acid rain damage to mountain forests. It is of paramount importance for the survival of productivity in hardwoods and conifer forests to our landscape.
Forest Resource Advisory Council's Work Group on Rural Economy

by Andrew Whitaker

Vermont's Forest Resource Advisory Council held the last meeting of its current mandate in June. The report of its work group on rural economic development was the feature topic of discussion. Spraying of herbicide and clearcutting had hitherto dominated FRAC's agenda, but the report on economic development reflects a wide-ranging and detailed information gathering process.

Work group members agreed on recommendations addressing log exports from Vermont's public lands and promoting sustainable harvest practices. The work group was chaired by Eric Palota of National Wildlife Federation and Nancy Brook, a financial consultant; members included sawmill operators Fred Burnett, Walter Malmoquist and Gary Carrier. Members hope that the report will do more than gather dust, and assist groups focusing on rural development assess priorities.

The report found that the forest products sector is Vermont's second largest source of manufacturing jobs, and has experienced considerable growth during a period in which log exports have grown significantly as well. The timber inventory, lumber, and well-trained high school graduates were ranked as top priorities, as was a regulatory approach emphasizing assisting rather than punishing mills and workshops toward compliance with pollution and safety standards.

Work group's compensation rates were predictably found to be burdensome. While recent re-entry into Vermont by people in the logging industry and the linkage of logger training to reduced rates are encouraging, the Rural Development group recommended that, in the absence of improved rates, Vermont follow Maine's lead in creating a state-sponsored insurance pool with a tiered-rate structure reflecting safety training and record.

In the area of low impact forestry, the Rural Development group recommended:

- A Vermont Department of Forests and Parks technology transfer program promoting the benefits of low impact systems
- research into timber value losses from reduced stand density and operating costs of low impact systems; impacts of differing harvesting systems

Vermont's Family Forests & Amphibians, Too

On Tuesday, September 16, 1997, at Shelleburne Farms in Shelburne, Vt., the Addison County group Vermont Family Forests will conduct a workshop that "will provide family forest owners and local wood product manufacturers with a chance to learn more about green certification as a link between local family forests and wood product manufacturers." The meeting begins at 4:30 pm.

Vermont Family Forests is promoting sustainable forestry and financial returns by fostering local economy and developing an affordable model for green certification for Vermont woodlot owners. The effort is funded in part by a grant from the Vermont Sustainable Jobs Fund. For more information or to register please contact David Brynn, Addison County forester at RR4 Box 1308, Middlebury, VT 05753; e-mail dbrynn@power.net. Tel. 802-388-4969

Vermont Family Forests and others also host on Saturday, September 27 at Howden Hall in Bristol a morning slide show and field trip on reptile and amphibian life. Jim Andrews, research supervisor in biology at Middlebury College and chair of the Scientific Advisory Group for Reptiles and Amphibians, will address identification, natural history and minimization of impacts on these vulnerable critters. To register please contact UVM Extension RR4 Box 1308 Middlebury, VT 05753 Tel. 802-388-4969.

Key Questions on Log Exports
- What rights do states possess to develop and promulgate log export policies?
- What are the relative policy and legal merits of a state-imposed raw log export tax or cap, compared to outright bans or other more restrictive regulation?
- What is the status of data collection on log export flows? Are there data gaps which prevent full understanding of the scale and impact of unprocessed-log exports?
- What other mechanisms exist for achieving reciprocity with countries such as Canada that restrict exports?

The Rural Economic Development work group also recommended three steps that Vermont can take to discourage exports:
- State economic officials should discourage assistance for raw log exporting businesses, which is the policy in New Hampshire;
- Legislators should require domestic (U.S.) processing of timber harvested on Vermont state lands;
- Legislators should join New Hampshire in passing a resolution calling on Congress to extend the ban on raw log exports from federal forests east of its current 100th meridian boundary.

The work group's discussion of the domestic processing clause sparked some debate between Gary Carrier of Ceresimo Lumber and Conrad Motyka, Commissioner of Forests and Parks. Carrier commented in support of the recommendation, "If you want to enhance the industry, you've got to save the resource, it's that simple." Commissioner Motyka expressed concern over "the unintended consequences of interfering with the marketplace." He also questioned the state's ability to enforce such stipulations. "This recommendation is a significant shift of focus—we can't take it lightly," concluded Motyka.

Andrew Whitaker was a member of the Rural Development work group.

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