MANAGING THE ALLAGASH WILDERNESS WATERWAY

A PEER Review

Crucible of Wilderness Debate

Will the Wild Remain in Wilderness?

(Stories Start Page 14)

Also:
Making FSC Standards Credible p. 6

Biodiversity, Pedogenesis, Fire, & Ice pp. 27-29

Plus: Wilderness Wades Off-Shore — see page 20
Editorial

Wilderness, Economy & Moral Choice

Once I drove an uneconomic distance to procure a truckload of BTUs in the form of red maple, relics of a landscaping job. The house was way up in the woods, almost in Maine. The driveway was tarraced, and twisted its way steeply up past sand barrels placed for icy conditions in winter. The homeowner and I chatted briefly in the yard. We were surveying a clearcut in the distance. He, retired from lucrative work in telecommunications elsewhere in the world, viewed the clearcut and said disgustedly, "Some day we will have to go back to the old way of doing things."

Although I could not disagree, the incongruence of the scene has remained with me as emblematic of the economic dilemma of what we have been calling sustainability. The cycle of wealth seems to begin and terminate in the myth of pastoralism -- the object of accumulating wealth is to insulate oneself from the realities of money-making. A person leaves the farm so that their grandchildren can raise sheep on the Elizabeth Islands. Humanity has left hunting-gathering so that we can collect trophy heads on the walls of our sophisticated dens.

I have subscribed to the idea that those economies which remain closely tied to their resource base are less likely to over-shoot that base, whereas those that choose the path of higher technos-trophic levels are bound to over-shoot that base but at a far broader level -- having raised the population levels which can temporarily feed off Nature. But there are a great number of difficulties with that view.

Students of Adam Smith point out that advocates of laissez-faire economics using Smith's Invisible Hand as justification of the excesses of the marketplace conveniently leave out the context of Smith's world -- that of a moral economy, with businesses arrayed about a Commons, and workers enjoying equal access to information.

In these days of Capitalism triumphant, we presumptively overlook earlier insight into the alienation of the worker from his and her labor. A thoroughly commercialized world attaches no moral content to work -- work is simply a means to morally uninformed consumption. It is immaterial whether the paper you read, by the way, or leave it at your library or a laundromat, to increase its utility.

Of course, this is not so. Work is actually an end, as well as a means to create comfort. Whether it is paper-making or milking or editing, there are choices to be made. Belonging as we do to the vast apparatus of a technological society, the impact of individual decisions is obscured, as is the process of societal decision-making. We have grown to defer to technology as a force, rather than as an entity we inform with the force of moral decision-making.

Here in the Northern Forest, some perceive a conflict between the imperative to preserve land in large blocks of Wilderness, and the region's economic needs. *The Northern Forest Forum* has always taken an especial delight in linking the effort on behalf of restoring true Wilderness to our landscape, and the effort to shift to a forestry that actually employs people, fosters secondary and tertiary manufacturing, and, overall, is the basis of a morally, ecologically-informed society.

Advocates of the Working Forest who view Wilderness as just one more to be held to the standard they hold Wilderness to -- will the money that we are using to shore up the traditional patterns of ownership actually result in the desired effect of more employment and community stability from the forest? Isn't that goal dependent on the moral choices we make along the way? Underpaying loggers, deciding what debt level we are willing to sustain to purchase machines which demand this much wood to service its debt; choosing sub-cultural system over art; slipping inexorably toward fiber plantation with herbicides, genetically modified trees and short rotation; all of this is a matter of choice, and further means of eroding our stated goal, which is the active linking of our human communities to the land.

Correctly, people like Garrett Conover (see page 12) point to development as the common foe about which conservation and preservation efforts can unite. But, in answering the critics of Wilderness who are compelled to portray it as the enemy of traditionalism and human tenure on the land, really, now, aren't there greater forces of alienation at work than the effort to restore the full expression of Nature to our landscape? -- A.W.
West Branch Project
An Inefficient Use of Conservation Funds

by David Lewis

The Federal and State governments are preparing to allocate over $30 million to purchase conservation easements north of Maine's Moosehead Lake, thereby opening the stage to complete Phase II of the West Branch project. Conservation easements are commonly used to protect land from development in areas where there is a threat. While project supporters claim the West Branch easements provide "permanent protection of conservation values" to Maine citizens, there are many questions regarding this project that remain unanswered.

What development pressures really exist north of Moosehead?

How do easements fit into the tree-growth tax program?

Exactly what conservation values are being provided by these easements?

How will the Maine Bureau of Parks and Lands obtain funding for recreation management if they don't hold the timber rights to this land?

What effect will these easements have on my environmental policy in Maine?

A conservation easement is a partial interest in land, as opposed to full fee ownership, and can be an effective tool for regions attempting to preserve small parcels of undeveloped land in the face of high growth. In Orono, the local land trust has successfully and cost-effectively utilized easements to preserve a trail system in a town with constant development pressures.

If conservation easements are to be applied to the region north of Moosehead Lake, the natural question concerns the extent of development pressure in that area. The recent story of John Maloney's purchase of Spencer Lake implies a threat to Maine's north woods. But the focus of Mr. Maloney's purchase was on offshore conservation, not on development. While Phase II of the West Branch project protects some valuable shorelines around Ragged Lake and Fifth St. John Pond, the majority of the land contains no such water bodies. What is the development value in townships such as T6 R18 or T7 R19? This is good-old-fashioned timberland with no shoreline that is far from any paved road and any development threat.

A second question concerns the tree-growth tax program. We've heard a great deal about this program recently, particularly about how it protects against development and is "one of the most effective anti-sprawl tools." Obviously our public officials don't feel too comfortable about its anti-development capabilities if we now have to go ahead and pay forest landowners additional money not to develop their land. Do we still give the West Branch landowners a tree-growth tax break even though we're planning on paying them $30 million not to develop timberland? How many times should we pay a landowner for the same public benefit?

A third question regards the additional "conservation values" project supporters refer to. Do easements really provide for additional values such as one might find in true public lands? Landowners will still be able to harvest timber unsustainably, spray with herbicides and generally continue the declining forestry trends of recent years. Easements preserve the status quo in the Maine woods. They do not offer additional ecosystem protection or conservation values, rather they assure large landowners an even bigger paycheck.

A fourth question concerns the Maine Bureau of Parks and Lands' management of recreation on the West Branch lands. Most of BPL's recreation funding comes from Maine Public Reserve Lands come from timber receipts sold on existing public lands. Where will the funding come from to manage the West Branch lands if BPL's recreation funding is funded from Maine Public Reserve Lands come from timber receipts sold on existing public lands? Will they increase harvests on existing public lands to make up the difference? At some point, the question must be asked: why don't just buy the land? The cost of drafting easements and maintaining recreation may actually be greater than the difference between the easement price and the full fee price.

The final, and perhaps most important question regarding the West Branch project concerns the project's impact on future environmental policy in Maine. Some supporters claim that timber harvest restrictions will be written into these easements to ensure good forestry. If indeed there are harvest guidelines written into the easements, then this sets an interesting precedent by paying a landowner not to harvest responsibly. This has important property rights implications as it essentially says that a landowner has the right to harvest unsustainably and the public must pay the landowner to change their behavior. This is akin to paying a polluter not to pollute. What is it to stop other landowners from demanding conservation or timber easements for sustainable harvesting on their lands? It will be very difficult to set future timber easements regarding sustainability if this sort of precedent is set.

If the government just wants to protect threatened wildlands against development, why not focus the attention on lands with a real threat? Several highly threatened and threatened wildlands come to mind, such as the Rangeley lakes, the Down-East lakes and the Appalachian Trail corridor. These are but a few examples of scenic wildlands close to public roads and electric utilities that have a much more imminent threat from development than the West Branch lands.

To focus so much attention purchasing development rights in a region with relatively little development pressure is an inefficient use of public funds. The uncertainties regarding management costs and unintended policy consequences far outweigh any potential benefits awarded by this project. The West Branch project is a waste of valuable conservation dollars to benefit only a few large landowners.

David Lewis is a graduate student of economics at the University of Maine at Orono. An earlier version of this op-ed ran in the Range Daily News. Lewis prompted some response to which Mr. Lewis has here added further reply.

A Major Obstacle to Connectivity — The Other East-West Highway

Opposition to a major new limited access highway across the spine of the Green Mountains between Interstate 91 and Route 7 has coalesced, much before the project's support has materialized or organized. Over 100 opponents met in Mount Holly on December 13, and took an inventory of resolutions from select and planning boards, businesses, civic groups, environmental organizations, hunting and other outdoor clubs either already on or willing to go on record opposing the East-West Highway.

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December 8 conference at the Vermont Law School on the subject of green taxation. A panel which included Vermont Public Radio commentator Peg Devlin and jurist legislator Gail Symington debated the merits of Chittenden County's Circumnontal Highway and seemed to agree it was a mistake to ever have started the project.

These two disagreed however whether it ought to be completed or terminated. Completion will inevitably bring sprawl to the outer burgs, said Symington, but solve air pollution and housing problems, said Devlin. Schlemelmilch, a visiting member of precedent is set. David Lewis is a graduate student of economics at the University of Maine at Orono. An earlier version of this op-ed which ran in the Range Daily News prompted some response to which Mr. Lewis has here added further reply.

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Roadless Policy to Protect Millions of Acres

Vermont Needs Wilderness Designation

by Jim Northrup

FOllowing several years of study and a contentious effort to involve the public, President Clinton and Michael Donbeck, Chief of the U.S. Forest Service, announced approval of a final "rule" (a federal regulation with the force of law) on national forest roadless area conservation on January 5, 2001. Environmentalists and editors from major newspapers across the nation applauded Clinton's decision as one of the most profound and visionary acts of land protection since Teddy Roosevelt carved the nation's original forest reserves out of the public domain. He kept the land in public hands and exploited by private businesses and individuals.

The final rule is much stronger than what was proposed in the Draft Environmental Impact Statement (EIS) early last year and slightly better than the proposal contained in the Final EIS released last fall. Almost two million public comments were received by the agency in response to the EIS. The draft proposal contained in the Final EIS would have protected 49.2 million acres of land (not including the 9.3 million acres in the Tongass National Forest) in the final rule. The increased acreage is largely due to the inclusion of two categories of land excluded from the draft policy: (1) roadless areas within "specially designated areas," such as National Recreation Areas, and (2) "roadless areas inside "specially inventoried Roadless Areas," totaling approximately 2.8 million acres. A total of 58.5 million acres of inventoried roadless land will be protected from road building and logging once the approved and extant timber sales on the Tongas NF are completed.

"STEWARDSHIP" LOGGING ALLOWED
The final rule prohibits logging except for "stewardship" purposes. The ban on commodity-purpose logging will immediately reduce the amount of timber offered for sale in Roadless Areas from 220 million board feet (mbf) per year to 140 mbf—a 36 percent reduction. After commercial timber sales on the Tongas are completed, annual stewardship logging in Roadless Areas across the nation will amount to only 32 mbf.

The hallmark for stewardship logging could be a significant loophole for environmentally destructive logging. For example, salvage logging is commonly classified as "stewardship" even though Forest Service scientists acknowledge it is often detrimental to forest and stream ecosystems. Indeed, the Forest Service considers logging its current timber sales to be permissible for stewardship purposes. The final EIS states that stewardship logging "must maintain or improve roadless characteristics" and also satisfy at least one of three conditions: (1) improve endangered or sensitive species habitat, (2) reduce the risk of uncharacteristically intense fire, or (3) restore ecological structure, function, processes, or composition.

Congressional Review of Roadless Area Rule
Under the Small Business Regulatory Fairness Act (SBREFA)

Summary
The Small Business Regulatory Enforcement Fairness Act (SBREFA) could play an important role in determining the ultimate fate of the U.S. Forest Service's roadless area conservation rule. The Act allows Congress to review and nullify federal administrative rules for a 60-day period after a rule is adopted, using expedited legislative procedures.

Congress has never used the SBREFA process to overturn a federal rule.

BACKGROUND
Congress enacted SBREFA (commonly announced "sub read it") in 1996 as part of the Contract With America Advancement Act. The overall purpose of the SBREFA was to reduce the impact of new federal regulations on small businesses. The congressional review section of the SBREFA applies to all federal rules, regardless of their impact on small businesses.

On January 5, 2001, the Forest Service adopted a final rule that will protect 38.5 million acres of national forest roadless areas from road building and logging. During the expedited review process, the Forest Service received a record 1.7 million public comments, overwhelmingly supportive of roadless area protection. Some congressional opponents of the roadless rule have threatened to overturn the rule through the expedited review process established by the SBREFA.

Many people are familiar with the SBREFA review procedures because it still has never been used to revoke a rule. On several occasions, members of Congress have threatened to invoke the SBREFA, but the expedited procedures established by the Act remain untested.

SBREFA'S REVIEW AND DISAPPROVAL PROCEDURES
RULES AND MAJOR RULES. The SBREFA review process potentially applies to any federal administrative rule. If the Office of Management and Budget (OMB) determines that the rule will have more than a $100 million annual impact, it is classified as a "major rule" and cannot go into effect until 60 days after the agency submits a report on the final rule to Congress. In addition, the agency adopting a major rule must provide the OMB a cost-benefit analysis of the rule. The OMB has determined that the roadless area rule is a major rule.

Since the Forest Service submitted the report to Congress on January 12, the rule will not take effect until March 13. If one House of Congress votes against a resolution of disapproval, Congress could vote to override the veto with a two-thirds majority in both chambers. If the rule is vetoed, the re-enacted portion of the roadless area rule is a major rule.

CONGRENS REVIEW OF ROADLESS AREA RULE

IN A BOLD and surprising move, Clinton's final rule included the 9.3 million acres of roadless areas in Alaska's Tongass National Forest in the immediate ban on road building and logging. The final rule, however, exempts Tongass timber sales for building and logging in "specially designated areas," such as National Recreation Areas, including much of the land Joseph Battell bequeathed to be forever wild; (2) Glastenbury Mountain; and (3) Lamb Brook. Other sites that should be kept forever wild have not yet been identified.

EPILOGUE
A NEWSPAPER PHOTOGRAPH appeared recently showing an inauguration day protest in Burlington, VT holding up a sign with bold, black capital letters saying "Hail to the rich—sort of like a bizarre Robin Hood."

All preliminary indications are that nothing is safe from Bush's reach—no abortion rights, not endangered species, not wilderness areas, and Wildland Fire funds. I am pretty sure the Bush administration will continue to follow the "all roads lead to roadless area" philosophy and certainly not the 60 million acres of roadless areas that President Clinton left as a legacy for future generations.

Forest Watch and other environmental organizations will be working hard to defend Clinton's roadless area decision and to establish new, permanently protected wildernesses in New Hampshire and Vermont. Please get in touch with us and join these campaigns. We need your help.

FOREST WATCH CONTACT INFORMATION: SEE BACK 28

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Mountain Birdwatch: Monitoring Threatened Birds in the Northeast's High Country

From the cat sleek to Katahdin, high-elevation forests crown the Northeastern landscape with a thick mix of balsam fir, red spruce, paper birch and mountain ash. This tenuous forest community has endured thousands of years of severe weather, plus landslides powerful enough to make toothpicks out of timber. Though resilient to climatic extremes and natural disturbance, our mountain forests have not evolved defenses against acid rain, ski area development, toxic spills from logging roads, and other twenty-first century threats that jeopardize our oldest surviving forest type. Its inhabitants are likewise imperiled.

At greater risk is Bicknell's Thrush, the only bird species endemic to the Northeast, which dwells in the scientific portions of Canada. The breeding habitat of Bicknell's Thrush is limited to montane forests of New York and northern New England, and spruce-fir highlands of Quebec, New Brunswick, and Nova Scotia. Its wintering range is even more restrictive, consisting largely of the Appalachian Mountains. This ranges between 4:30 and 6:30 a.m. on one or two mornings each June. While some participants camp overnight near their 1-km survey route, others watch the sun rise during an early morning ascent.

Participants in the project's pilot year reported inspecting lakes, breath-taking scenery, and close encounters with wildlife, avian and otherwise. Although the density of Bicknell Thrush was greatest in large blocks of high-elevation habitat, a number of small, isolated peaks also supported one or more individuals. Overall, the various monitored species occurred in higher numbers and over a broader range of elevations. When counting songbirds, Mountain Birdwatchers enjoyed glimpses of moose, fisher, snowshoe hares, and owls.

Dozens of volunteers have seized this opportunity to learn bird identification skills and experience nature in a new way, all while contributing to the conservation of mountain ecosystems. The group of Mountain Birdwatchers already includes foresters, amateur naturalists, trail maintenance volunteers, Appalachian Trail "thru-hikers", retirees, and home-schooling families.

If you would like to participate in Mountain Birdwatch or learn more about the project, please visit www.vinsweb.org/conservation/or contact Dan Lambert at (802) 457-2779 or db@vinsweb.org.

CONSERVATION ACTION PROJECT FILES SUIT TO PROTECT ENDEARED CANADA LYNX

NASHUA, NH — The Conservation Action Project, Defenders of Wildlife, and 10 other organizations today filed suit in U.S. District Court in order to gain full protection for the imperiled Canada lynx by correcting fundamental flaws in the U.S. Fish and Wildlife Service (FWS) final rule that lists the species under the Endangered Species Act (ESA).

The suit charges that the FWS's final rule illegally ignores several threats to the lynx, ignores regions in the lower 48 states where lynx are found, and fails to designate habitat areas essential for the species' survival. FWS's laws limit protection to Canada lynx after a court found that the agency had violated federal law by ignoring its own experts. Federal biologists believe lynx are threatened with the possibility of extinction in the lower 48 states.

"The scientific and legal record shows that lynx are threatened with possible extinction," said David Carle, executive director of the Conservation Action Project. "By filing this lawsuit, we hope to gain the necessary protection for lynx that FWS has failed to provide.

"What is very unfortunate is if FWS would obey the law in the first place, we could avoid this horrible waste of energy and money," added Carle.

The lawsuit makes four main charges.

1. FWS failed to recognize the importance of Northeast, Great Lakes, Southern Rockies, Northern Rockies, and Cascades regions to lynx conservation and crippled efforts to protect and restore the species to these areas.

2. Second, the suit ignores the multiple threats to endangered lynx populations. FWS has stated that the species is threatened by intensive logging, roads, clearing of forests for development, ski areas, agriculture, effects of past overexploitation, fire suppression, impacts of competing predators and increasing human disturbance. It failed to acknowledge these issues in the final listing decision.

3. Third, FWS ignored the clear language of the ESA and research of their own experts when it listed the lynx as "threatened".

4. Finally, the plaintiffs charge that FWS failed to designate legally-recognized "critical habitat" for the species, offering instead to identify that habitat at some undefined point in the distant future.

"We are very concerned that the FWS has ignored a number of well-established threats to the species and has apparently made a conscious decision to write-off lynx in the Northeast, Great Lakes and southern Rockies, and on non-federal lands everywhere in the lower 48 states," said Carle. "By filing this lawsuit, we hope to correct the shortsightedness of the FWS, and stop the lynx from sliding to extinction."


Prepared by Mike Anderson, The Wilderness Society, 1/22/01, with assistance from Tim Preso, Earthjustice Legal Defense Fund

The Northern Forest Forum

A SBREFA Threat To Roadless Policy, continued

(see below), the rule will go into effect immediately thereafter.

Timing of Congressional Action. The SBREFA review process begins once the agency submits the final rule and a brief report to each House of Congress. The SBREFA review process lasts for 60 days, excluding any days in which Congress is not in session for more than three consecutive days. Since the Forest Service submitted the final rule to Congress on January 12 and Congress plans to be in recess for several days in the next two months, the SBREFA review will likely continue until the latter half of March.

Resolution of Disapproval. The legislative vehicle for a SBREFA review is called a joint resolution of disapproval, which declares that a particular rule "shall have no force or effect. Any member of Congress can introduce a SBREFA resolution of disapproval. The resolution is referred to the committees in the Senate and House with jurisdiction over the subject matter of the particular rule.

Expanded Review. The SBREFA expedites Congressional consideration of resolutions of disapproval in several ways, primarily by shortening normal Senate procedures such as the opportunity to filibuster. If a Senate committee has not reported a resolution of disapproval for floor action within 20 days after a rule has been submitted, the resolution can still be discharged from the committee if 30 Senators sign a petition requesting such discharge. Once a Senate resolution of disapproval has been reported or discharged, the resolution is subject to a point of order, amendment, motion to postpone, or motion to consider other business. Once the Senate agrees to begin considering a resolution of disapproval, debate on the resolution and any related matters is limited to a maximum of 10 hours.

Once the Senate concludes debate on a resolution of disapproval, the vote on final passage may occur immediately.

The resolution is not referred to committees in the other House. The other House can vote on the resolution originally passed by the first House, thus eliminating the potential need for a House-Senate conference committee.

Effect of Congressional Passage. If a majority of both Houses of Congress passes the resolution of disapproval, it goes to the President to sign or veto, like any other legislation. Once signed by the President, the rule is nullified. Further, the agency cannot subsequently adopt a rule that is "substantially the same" as the nullified rule.

If the House of Representatives or Senate passes a resolution of disapproval, the resolution is not referred to committee in the other House. The other House can vote on the version of the resolution originally passed by the first House, thus eliminating the potential need for a House-Senate conference committee.

Candelmas 2001

Mountain Birdwatch is monitoring the high country. Photo © Kent MacFarland

The rare Bicknell's Thrush © Dan Brady

Dramatic Republic. To provide information that will guide conservation of this vulnerable population and improve stewardship of its breeding and wintering habitats, the Vermont Institute of Natural Science launched Mountain Birdwatch in June of 2000.

Mountain Birdwatch is a long-term monitoring program for Bicknell's Thrush and four other montane forest songbirds: Blackpoll Warbler, Swainson's Thrush, White-throated Sparrow, and Winter Wren. Volunteers from New York, Vermont, New Hampshire, and Maine are trained to survey this suite of species along some of the region's most spectacular mountain trails. Counts are conducted between 4:30 and 6:30 a.m.
Recommendation to FSC-US: Make Forestry Certification More Credible

By Mitch Lowery

INTRODUCTION

Many environmental groups think that forest certification is the best way to encourage companies to practices good forestry. Certification uses market carrots, rather than regulatory sticks, to achieve the array of forestry certification programs available, most environmental groups favor the collaborative-based Forest Stewardship Council (FSC), rather than an industry-based system, such as the Sustainable Forestry Initiative (SFI).

Even though FSC standards are derived through formal collaborations from a broad spectrum of interest groups, there have been a number of certifications lately — both world-wide and in the U.S. — that are viewed by some groups, native groups, and labor groups have protested. These protests seem to be an odd response to practices that are declared by certifying experts to be ecologically sound and socially responsible.

In November of 2000, FSC-US sent out a draft of its National Indicators. I reviewed these indicators, at the request of the Maine Sierra Club (which is appealing a recent FSC certification in the state) to see what was present or missing that would allow certifications that are so controversial to be more credible and lead to more clear results? The following is an edited version of my comments to FSC.

MEASURABLE TARGETS

Some of the proposed DRAFT indicators are unclear as to what particular result is required of the forest manager. The provisions are broadly stated and open to a wide range of interpretation. For example, 5.3.b states that “Harvest is implemented in a way that protects the integrity of the residual stand. Provisions concerning accept­able levels of residual damage are included in operational contracts.” In 6.5.d, the standards state that “Logging damage to regeneration and residual trees is minimized during harvesting operations.” But what is meant by “acceptable levels” and “minimized (or “reduced”)? This is up to interpretation of certifiers who may be looking more at local general practices than at measurable, desir­able outcomes.

The monitoring section, 8.1, does not even suggest monitoring for these very important outcomes. Monitoring for log­ging impacts without some sort of measure­able target would generate data without specifying any way to determine if the operation is in the ballpark or not.

For all the importance of management plans, it is the actual logging operation that leads to results on the ground that is either examples of a well-managed forest (with selective thinning, index cutting, and stand conditions) to measure performance:

5— BY FOREST TYPE, and adjusted for terrain, targets for maximum allowable percentage of land put in roads, trails, and yards (or landings). Roads, yards, and trails not only have impacts on soil and water, they also can: lower productivity, by lowering the percent of land that is actually growing trees; fragment chromophore inter­upts forests, and reduce the number of crop trees suitable for long-term manage­ment. Scandinavian countries have measur­able standards for this, and there is no reason why FSC cannot do the same.

6— BY FOREST TYPE, targets for reduction of undesirable soil distur­bance over logging operations (such as compaction or cutting). For an example of how this can be done, see http://www.acadia .net/hcpc/lifewwwsummer99.html.

7— BY FOREST TYPE, targets for per­cent of moderate to severe logging damage to residual trees and regeneration from a logging operation. For an example of how the ACE (the allowable cut effect) Indicators 5.6 states that rate of harvest shall not exceed levels which can be per­formed without significant the forest

8— BY FOREST TYPE and habitat, stocking targets for partial cuts. Stocking can influence productivity and quality. Poorly-stocked stands can lead to higher rates of blowdown, undesirable branching in trees, and a shift in regeneration to ear­lier successional stages. Poor stocking can also degrade a closed-canopy, forested habitat. For the northeast, for example, US Forest Service has stocking guides for forest type for A-, B-, and C-line stock­ings and habitat guidelines for riparian, and other special habitats, might be differ­ent than stocking only for productivity (this was recognized by the Maine Council on Sustainable Forest Management (appointed by the governor). The FSC draft indicators, for some reason, neglect to focus attention on stocking.

9— BY FOREST CONDITIONS and management plan, meaningful targets need marking by foresters (or forest technicians) of areas to be logged. Some companies leave the decision of what trees to cut up to loggers. These loggers may not be trained as foresters or ecologists to make the best decisions. They might also have an incen­tive to highgrade. They might, even if well-intentioned, not be able to see all the operational details, especially if they are in a machine cab and working on a night shift.

When in some circumstances, cutting decisions are left to the "cause" (or "crew") to decide (clearcut or overstory removal, for exam­ple), for many types of partial cuts, silvi­cultural and ecological decisions are better left to trained foresters than to loggers, who may be more concerned with productivity than quality.

10— TARGETS FOR ACCEPTABILITY OF whole-tree harvesting. I would not suggest that FSC ban any particular type of machine, but I see a need for cautious on some types of logging systems that may make FSC goals difficult. In Maine, fellers/grapple skidders, delimber systems typically require trails 14 or more feet wide and separated by 40 or so feet. This can put 25% of logging area in operations that are damaging whole trees (with tops and branches still attached) in bunches increases likelihood of damage to residual trees along trails. Yards, for storing logs, exhibit what is described, are of relatively large. Slash, even when it is taken from the yard back to the trails, is not evenly distributed back in the forest from where it came. With a company does the majority of its logging with such a system, this weak­ens certification credibility. The claim that other landowners in the region are doing this practices do not justify them as if such practices do not meet the ecological or social goals of FSC.

Measurable targets can also be extended to management plan goals (ones that are important to landowners, take decades to achieve). For example:

11— BY FOREST REGION, long-term management targets for percent of forest ecosystem components important to biodiversity. Examples of these are closed-canopy, late-successional forests, or old-growth-like structures. The regional committee would have to define what is "acceptable for the shape or size of the company’s operations). Some companies think that is acceptable to use riparian zones that are only 250 feet wide to meet these requirements, even though such stands might be more "edge" than "interior." Regional com­mittees will have to make an attempt at setting targets, otherwise such indicators will be up to the discretion of the local ACE (the allowable cut effect) Indicator 5.6 states that rate of harvest shall not exceed levels which can be per­formed without significant the forest
It should not be the purpose of FSC to allow landowners to meet ever-rising short-term demand of wood products by allowing intensive management practices that go against ecological principles. 

- have sprayed with broad-spectrum chemicals pesticides. Using herbicides to encourage fir-dominated overstories can also encourage increased spruce budworm damage. 

The term "avoid" can be interpreted in a way that allows a company to spray, for example, more herbicides than the regional average. The company might claim that it is "avoiding unnecessary use." That raises the question of whether any company would intentionally spray money away on an unnecessary use. It does not change the fact that even reducing use from the recent past, the company is still spraying more than its neighbors who are not doing intensive management.

FSC's lack of attention to this controversial issue has meant that certifiers can, and have, certified companies that are cutting more than growth based on ACE and are spraying more herbicides than is average for the state. This behavior has not helped the cause of transparency or credibility.

**Planted Forests**

**There is a reason why plantations are controversial.** Some types of plantations violate basic principles of ecological management. Unfortunately, the FSC draft document does not define "plantation." One company in my region, and its certifiers, have claimed that a stand that has been clearcut, sprayed with herbicides, and planted to a single species of tree that would not normally dominate the site is not a "plantation," but a "planted forest." They argue that the tree species planted are either found in the region or are related to trees found in the region and the stands have some of the characteristics of a natural forest. This argument fails the straight-face test and does not help the credibility of certification.

FSC recognizes an array of acceptability of various types of plantations (indicators looking at stand diversity, exotic species, or scale and layout of plantation blocks, for example), but it did not organize this array in a way that enables regional committees to make more clear assessments of acceptability. Certifiers, who have an interest to attract paying clients, can thus come up with their own standards.

Here is an example of how to arrange an array of acceptability for plantations (items under bullets go from less acceptable to more acceptable). FSC should recognize that it is possible to manage natural regeneration into plantation-like stands through use of herbicides, pre-commercial thinning and shortcutted rotations. Such stands should be judged under the same criteria. The array recognizes gray areas. It can be turned into a rating system that helps committees decide what is more or less acceptable in planted or intensively-managed stands.

**Plantation Array**
- **Purpose of Plantation**
  - grow fiber fast; 
  - broadcast aerial herbicides; 
  - spot herbicides; 
  - thinning by hand that allows retention of good examples of all species.

**Species Diversity**
- monoculture of exotic species; 
- monoculture of regional-native species that would not normally dominate site; 
- monoculture of native species that would normally dominate site; 
- diversity of native species adapted to site.

**Stand Structure Diversity**
- dead standing and down trees removed, slash removed, uniform, even-aged stands; 
- some retention of dead and larger living trees, but still tends toward uniformity; 
- mimics diversity of natural stand.

**Landscape Context**
- a fraction of biological maturity; 
- trees big enough for small sawlogs, but still biologically immature (mostly juvenile wood); 
- trees large enough for larger sawlogs, stand develops some older characteristics; 
- some trees allowed to get old, stand allowed to develop uneven-aged characteristics.

A plantation to restore a forest on former agricultural land may indeed meet the goal of 10.3 to "promote the protection, restoration, and conservation of natural forests, and not increase pressures on natural forests." Attempts to cut down natural forests and convert to plantations are highly questionable on these grounds, however. The exception would be a highly degraded forest that is planted to restore native species and diversity. If the landowner is clearingcutting a natural forest, spraying herbicides, and planting species that would not naturally dominate the site, certification of such practices would lead to legitimation of a type of forestry long protested by local citizens and environmentalists.

It should not be the purpose of FSC to allow landowners to meet ever-rising short-term demand of wood products by allowing intensive management practices that go against ecological principles. Many of these decisions are for wasteful and frivolous uses, hardly justifying the sacrifice of forest ecosystems. It might be more fruitful to call on society to reduce such wasteful and frivolous demands, rather than call on landowners to meet them with questionable practices. No matter how intensively forests are managed, there are limits to what they can produce. Since it is a given that forests have limits, this implies that society will have to eventually live within those limits. It is far better for society to live within limits that are based on sustainable management of more whole ecosystems than on management systems that hurt ecosystem integrity and may be much harder to sustain over many rotations.

**Social Red Flags**

While the indicators are, rightfully, stated as positives, there are some social negative that certifiers might note as "red flags" indicating a need for closer attention. When an independent observer sees a number of these, it is difficult to take certification in being "socially responsible" seriously.

Some companies, due to their size and location, can have a major influence over local economies (monopoly, oligopoly, monopolony, oligopolony) and political systems (donations, lobbying, and use of economic leverage). Companies with this degree of power have an added obligation to use it in constructive ways. Large companies competing in global markets have a temptation to use their clout to redress costs in ways that can hurt local communities. Certifiers therefore need to ask the following questions:
- Does the company have many mills?
- Does the company leverage its work force to work long hours or have contractors work equipment on nighttime shifts?
- Does the company make use of imported labor working at wages unacceptable to local workers?
- Does the company export a large portion of its raw sawlogs to foreign export markets rather than support local mills?
- Does the company use its power to influence public policy to assure its ability to lower its taxes (shifting taxes to others), ensure cheap labor, protect against reasonable forest policy changes, or prevent regulations that might protect the environment?
- Does the company use its influence over the standards-making process to weaken certification standards and make them more "industry-friendly"?

Some of the above concerns were mentioned under 4.1, yet there are FSC-certified companies in Maine whose practices have raised these red flags for years and have contributed to the decline of local communities. Perhaps FSC needs to find a way to state the positive goals of supporting local economies and paying a fair wage more forcefully so that it is unambiguous to certifiers what this means.

**Who are the Certifiers?**

While certification is touted to be an objective process done by third party "independent" certifiers, the reality may be different. Indeed, there are pressures within the certification system that can, if not checked, lead to weakened standards and default practices.

The Northen Forest Forum

Candlemas 2001

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Certification should be based on a proven track record of meeting measurable outcomes, not based on promises of future performance. They promoted the use of controversial industrial practices such as herbicide spraying or plantations. To what extent does FSC have oversight over certifiers—those who have so much power to interpret FSC standards and influence FSC credibility? While it may not be considered polite to question the motivation or credentials of certifiers, it is hard to deny that there is a potential for conflicts and a need for some kind of oversight. Righteous indignation over such questions does not address this need.

RAPID GROWTH OR STRONG FOUNDATION?
I had the opportunity a number of years ago to witness a debate in the organic farming movement over certification in Maine. Very few farms in Maine were certified, and certainly no large landholdings. As a result, there were just two landowners under certification (or the process of being certified) represent nearly 2.5 million acres of certified land (1.5 million acres of these lands have been certified).

Some landowners being certified has representatives on the regional committee that make the regional standards. To that extent the committees operate by consensus, these companies have veto power over standards that might restrict their certifiability. One of these landowners, who owns land in central Maine, suggested to me in 1998 that FSC be required to list a large forest product industry membership be better represented on the FSC board. Such a demand surely would have been labeled "unfair" and does put pressure on FSC to change policies.

The biggest clients of certifiers are large forest landowners. As much as 96% of land certified worldwide has been industrial and governmental holdings. These large landholdings give an immediate huge boost in certified acreage. In Maine, just two landowners under certification (or in the process of being certified) represent nearly 2.5 million acres of certified land (1.5 million acres of these lands have been certified).

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State Appeals Endangered Atlantic salmon Listing

"A Day Which Will Indeed Live in Infamy"

(From the office of Governor Angus S. King Jr.)

The State has appealed the Federal Government's decision to list the Atlantic salmon in eight Maine rivers on the Endangered Species Act list.

The appeal, filed by Attorney General's Office Thursday morning (December 7) 2000 in U.S. District Court in Portland, cited a number of reasons the State believes the listing was unjustified. Among the arguments:

- Less than two years after determining that salmon was "not likely to become endangered in the foreseeable future," two federal agencies abruptly changed course and decided that salmon under the Endangered Species Act. The State argues the reversal in policy was arbitrary and an abuse of discretion.

- The Federal Government's contention that the salmon in the eight Maine rivers listed constitute a "distinct population segment" is not supported by sound science.

The American Forest & Paper Association, the Environmental Working Group, and others have pointed out the previously observed "should we do this?"

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For the record, FSC differs with the U.S. decision made by the U.S. Secretary of the Interior, which was made on December 7, 2000.

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Candelas 2001
Maine’s Round Table to Study Economic and Labor Issues Relating to the Forest Products Industry

by Mitch Lansky

The Northern Forest Lands Council punted on key labor and economic issues relating to forested communities. It assumed that the “large landowners have served the region well,” and focused on solutions that benefited those same large landowners, such as tax reductions and easements. By NFC logic, what’s good for the large landowners must be good for the region. Therefore, benefiting the large landowners will cause additional benefits to trickle down.

Next came the Maine Council on Sustainable Resource Management. It too punted on these issues, but at least gave an extended statement on the subject: “At its meetings and in public comments, the council has expressed concern about economic and labor issues. Chief among these concerns were: raw log exports, labor imports, workers compensation issues, mechanization of timber harvesting, and their impacts on logging employment; regional shortages of timber harvesting and logging labor; piecework pay rates and their impact on loggers’ safety and incomes; and The impact of current forest practices and corporate decisions on the stability of local, forest-dependent communities.

The council heard these—and many other—concerns loud and clear. It has discussed these issues at length but has come to the conclusion that they lie beyond the council’s mission as given by the Governor, and outside the areas of expertise represented on the council.

In choosing not to deal with these issues at this time, the council does not dismiss them. They are serious issues that must be debated, and, where possible, resolved in the public policy arena. While current economic trends do not offer much solace to out-of-work loggers or declining rural communities, Maine’s quality of life, the future of rural communities, and the future direction of Maine’s economic policy hinge on the outcome of such a debate. This debate should bring to the table as wide a representation of affected stakeholders as possible. It should attempt, at a minimum, to establish a common understanding of the problems, challenges, and barriers to rural prosperity, and, beyond that, general agreement on the policy steps that need to take place.”

In 1997, Representative Paul Violek introduced a bill, LD 2005, that would do all of the above. The bill was lost in the shuffle of other post-referendum forestry bills and was repeatedly tabled. In 1999, loggers had blacked out the Canadian border, bringing these issues to the forefront. Logging contractors also publicly expressed their discomfort over a continued squeeze from landowners. The rate per cord of wood had hardly changed for more than a decade.

The Maine Forest Products Council (MFPC) represents large landowners and paper mills, but it also represents logging contractors and sawmill owners. It could not oppose LD 2005, because some council members supported it. So instead, the MFPC engaged the bill, turning what it perceived as negative statements into positive re- phrasing what would be on the Round Table and who would appoint these members. The bill, which could potentially help the industry and Maine’s rural economy, passed.

The mission of the Round Table, as passed, is to “Study key economic and labor issues related to the forest products industry with the goals of helping to keep more value-added wood processing in the State and make logging a more respected and more attractive profession, thus benefiting the rural Maine economy. Issues studied must include:

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

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

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

The Round Table consists of 19 members:

- a representative of a landowner with more than 1000 acres of woodlands (John Cashwell, Seven Islands), an owner of less than 1000 acres of woodlands (Ancyrl Thurston), a rural sociologist (Roger Merchant), a forest economist (David Field, UMD, a large sawmill representative (Kod Coffin, Irving), a small sawmill owner (Bill Daigle), an independent logger from a region impacted by the bored labor program (Hilton Hafford), a town manager from a town dominated by land under Tree Growth (Steve Brown, Dresden), a paper company representative (Tom Howard, G-P); a logging contractor from northern Maine (Steve Wales), a representative of an environmental group working on forestry issues (Mitch Lansky, LIF), a representative of the Department of Labor (Michael Fett, Bureau of Labor Standards), a representative of the Maine Forest Service (Tony Dusky); four legislators (John Nutting, Roland Sampson, David Truhan, Vinton Cassidy); the dean of the College of Natural Sciences, Forestry and Agriculture at the University of Maine (Bruce Wierenga).

Because of the tremendous scope of the Round Table and the size of the group, the Round Table staff, Christopher Thurston); a rural sociologist (Roger Merchant); a forest economist (David Field, UMD), a large sawmill representative (Kod Coffin, Irving), a small sawmill owner (Bill Daigle), an independent logger from a region impacted by the bored labor program (Hilton Hafford), a town manager from a town dominated by land under Tree Growth (Steve Brown, Dresden), a paper company representative (Tom Howard, G-P); a logging contractor from northern Maine (Steve Wales), a representative of an environmental group working on forestry issues (Mitch Lansky, LIF), a representative of the Department of Labor (Michael Fett, Bureau of Labor Standards), a representative of the Maine Forest Service (Tony Dusky); four legislators (John Nutting, Roland Sampson, David Truhan, Vinton Cassidy); the dean of the College of Natural Sciences, Forestry and Agriculture at the University of Maine (Bruce Wierenga).

For we have been gathering information. We already have accumulated a pile of documents closing in on half a foot deep. We have also had numerous guests (and even a tour or two). And every meeting we have informative and thought-provoking discussions. These will continue until the legislature begins its work in earnest, taking up time from staff and legislators, a representative of the Maine Forest Service (Tony Dusky); four legislators (John Nutting, Roland Sampson, David Truhan, Vinton Cassidy); the dean of the College of Natural Sciences, Forestry and Agriculture at the University of Maine (Bruce Wierenga).

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The mood, so far, has been cooperative, rather than antagonistic. All members seem to realize that there are serious problems out there, that there is a potential to benefit the whole system, and that this will benefit the constituents. Coming up with solutions, however, will not be easy. We have the examples of past commissions and task forces that have found their work being cut off before it could deliver on its promise. We have also had examples of actions that may have benefited a small segment of, but not the whole, industry, and not the whole economy.

We have a challenge to deal with the complexities of forests, workers, companies, communities, and global market forces and come up with realistic options for the Maine legislature. At a minimum, we will certainly inform the public about what we are finding as we delve into the complexities of forestry labor and economic issues.
Managing Your Back 40

Book Reviews


By Pamela Prodan

THE VALUE OF a reference manual for the small woodlot owner lies in its ability to help the owner understand more about his or her woodland and to set the tone for subsequent decisions about caring for the forest. Woodlot manuals have evolved considerably over the past quarter century as the science of forest management has changed. It is now nearly universally agreed that management goals should go beyond the production of wood products and that planning should integrate knowledge of forest ecosystems into everyday management decisions. This review examines a recent manual written by two academic researchers who approach the woodland as an ecosystem, but first takes a look at two older manuals written by foresters. The three take fundamentally different approaches. One thing they all have in common is that the books reviewed for this article emphasize the wisdom of obtaining professional forestry advice, especially before major management decisions are made.

MAKING WOOD PRODUCTS

OVER TWENTY YEARS AGO, we obtained a copy of Woodlands for Profit and Pleasure by Reginald D. Forbes, the American Forestry Association, a mainstream organization with a long history as a source of information about commercial forest management. It is now nearly universally agreed that management goals should go beyond the production of wood products and that planning should integrate knowledge of forest ecosystems into everyday management decisions. This review examines a recent manual written by two academic researchers who approach the woodland as an ecosystem, but first takes a look at two older manuals written by foresters. The three take fundamentally different approaches. One thing they all have in common is that the books reviewed for this article emphasize the wisdom of obtaining professional forestry advice, especially before major management decisions are made.

Woodlands for Profit and Pleasure

A sure and clear message received from the first pages of this manual is the value of a reference manual for the small woodlot owner. A great deal of detailed information is provided about a wide variety of woodlot management topics, and the strength of the book lies in its ability to help the reader understand the information and to make management decisions about his or her woodland. The authors make a strong case for the value of considering the scientific basis for the management decisions made by the landowner. They emphasize the need for a comprehensive approach to forest management, taking into account the complex relationships between multiple uses of the woodland. The book is well-organized and written in a clear, straightforward style. It provides a solid foundation for the reader who is new to woodland management and for those who want to refresh their knowledge of the subject.

One of the most valuable aspects of Woodlands for Profit and Pleasure is its emphasis on the need for a comprehensive approach to forest management. The authors argue that a single-minded focus on timber production is not the best approach to woodland management, and they encourage the reader to consider the many different uses of the woodland, including recreation, wildlife habitat, and aesthetics. They provide a wealth of information on a wide range of topics, from site preparation and silviculture to harvesting and marketing. The book includes numerous tables and figures to help readers understand the information and to apply it to their own woodlots.

In conclusion, Woodlands for Profit and Pleasure is an excellent resource for anyone who is interested in managing a woodlot for multiple purposes. The authors provide a comprehensive and well-researched approach to woodland management, and their book is a valuable addition to the library of anyone who wants to learn more about managing a woodlot.

Working with Your Woodland: A Landowner's Guide

The second book reviewed for this article is Working with Your Woodland: A Landowner's Guide, by Mollie Beattie, Charles Thompson and Lynn Levine. This book is aimed at the small woodlot owner, and it provides a wealth of information on a wide range of topics, from basic woodland management techniques to more advanced topics such as silviculture and wildlife management. The authors emphasize the importance of understanding the natural processes that occur in the woodland and of managing it in a way that supports those processes. They provide a wealth of information on a wide range of topics, from site preparation and silviculture to harvesting and marketing. The book includes numerous tables and figures to help readers understand the information and to apply it to their own woodlots.

In conclusion, Working with Your Woodland: A Landowner's Guide is an excellent resource for anyone who is interested in managing a woodlot for multiple purposes. The authors provide a comprehensive and well-researched approach to woodland management, and their book is a valuable addition to the library of anyone who wants to learn more about managing a woodlot.

The Woodlot Management Handbook

The third book reviewed for this article is The Woodlot Management Handbook, by Stewart Hilts and Peter Mitchell. This book is aimed at the small woodlot owner, and it provides a wealth of information on a wide range of topics, from basic woodland management techniques to more advanced topics such as silviculture and wildlife management. The authors emphasize the importance of understanding the natural processes that occur in the woodland and of managing it in a way that supports those processes. They provide a wealth of information on a wide range of topics, from site preparation and silviculture to harvesting and marketing. The book includes numerous tables and figures to help readers understand the information and to apply it to their own woodlots.

In conclusion, The Woodlot Management Handbook is an excellent resource for anyone who is interested in managing a woodlot for multiple purposes. The authors provide a comprehensive and well-researched approach to woodland management, and their book is a valuable addition to the library of anyone who wants to learn more about managing a woodlot.
"A Dramatic Culmination"  

Department of Conservation Establishes Maine’s First Ecological Reserves

Press Release of the Maine Department of Conservation

AUGUSTA, MAINE — (January 9, 2001) The Department of Conservation’s Bureau of Parks and Lands designated 33 tracts totaling 68,974 acres today as Maine’s first Ecological Reserves. Located statewide on Maine’s Public Reserved Lands, the ecological reserves will protect one or more natural ecosystems that are relatively undisturbed, and retain plant and animal communities native to Maine in their natural condition. These ecological reserves will serve as benchmarks for comparison with managed lands, maintain habitat, and provide opportunities for education, monitoring and research.

The Maine Legislature authorized the establishment of ecological reserves last year with the provision that traditional uses including hunting, hiking and fishing continue. Following today’s designation, the Maine Natural Areas Program, working with the Department of Inland Fisheries and Wildlife and the state’s scientific community, will establish a monitoring plan. Maine is now positioned to protect and study these ecological systems in their natural state, and the research will have applications in a variety of areas including land management and habitat restoration.

“These 13 ecological reserves represent an appropriate use of public lands that will contribute to biological diversity while providing insight into how these ecological systems function,” states Maine Bureau of Parks and Lands Director Thomas Morton.

As part of the Maine Forest Biodiversity Project (MFBP), the natural features within the reserves were identified during a statewide inventory of ecologically significant areas conducted from 1995 to 1998 on public and private conservation land in Maine. The MFBP brought together a diverse group of landowners, conservationists, sportsmen, scientists, public and private land managers, and educators who shared a common goal to maintain biodiversity in Maine. Assessing the opportunity to establish ecological reserves on public lands was one of the Project’s goals, and, in 2000, the Maine State Legislature passed LD 477 that authorized BPL to designate up to 15 percent of Maine’s public lands as ecological reserves.

The ecological reserve legislation allows research, education and non-motorized recreation activities to continue, and permits traditional recreational uses including hunting, fishing, hiking and other compatible activities. Use of existing snowmobile and ATV trails may continue as long as impacts to the ecological values are minimal. Commercial mining, timber harvesting, and commercial sand and gravel extraction are uses that the legislation deemed incompatible with the purposes of the ecological reserves and are not allowed. However, 69% of the reserve areas being designated are not capable of sustained timber harvesting because of elevation, slope or wetlands and water.

“This is a dramatic culmination of years of systematic and thoughtful work to protect Maine’s ecological diversity,” says Dr. Malcolm Hunter, Professor of Wildlife Ecology at the University of Maine. The Maine Outdoor Heritage Fund and two key proponents of ecological reserves, The Nature Conservancy and Natural Resources Council of Maine, will provide funding for the monitoring effort.

“An important next step for these reserves will be the initiation of long-term ecological monitoring,” remarks Natural Areas Program Director Molly Docherty. "We are looking forward to this historic endeavor that will enrich our knowledge base of Maine’s natural communities.”

Book Reviews...

default (otherwise known as lack of management). Unfortunately, much of the activity occurring in the Northern Forest today seems to fall more into the category of default. We now acknowledge that we probably cannot understand the full impact of our management decisions, I do believe that the better informed the landowner, the better the outcome. The forestland owners by Beattie et al. and Hils and Mitchell provide a wealth of information that all small woodland owners should be aware of. Each provides a unique perspective and either would be a valuable addition to the library of any woodland owner who wants to understand the Northern Forest better.


Sierra Club appeals Irving Green Certification

OCTOBER 13, 2000—In response to Governor King’s announcement that state owned timber lands will be applying for Forest Stewardship Council certification, as well as the Forest Product Industry’s Sustainable Forestry Initiative (SFI) certification, Sierra Club calls on Governor King and the State of Maine to look at all the tools available for protecting Maine Forests.

"The State of Maine needs to have the full box of tools to protect Maine’s Forests for future generations," said Carole Haas, Sierra Club conservation chair. "Green certification is just one tool for forest protection. The Sierra Club supports [ed] both Question 2 and SFC certification."

"Barbara the Sierra Club continues to support SFC certification and views it as a valuable tool for forest protection, we have serious concerns about the recent certification of Irving forest lands in the Allagash,” said Haas.

The Sierrra Club has initiated the FSC appeal process based on concerns about Irving’s labor practices, the rate of cut exceeding the rate of growth, unwaranted clearcutting, and the use of herbicides.

The state owned lands that the Governor announced would be applying for private “green” certification are not part of Maine’s Tree Growth Tax Program. They therefore are unaffected by the current forestry referendum, which seeks to require accountability for those landowners receiving a public tax break. "Protecting Maine’s Forest is too important to leave solely to a consumer based, voluntary program" continued Haas. "We need to look at that’s why at a FSC member group we also support new public policies to better protect Maine’s forests including the forest referendum and Land acquisition program."

The Sierra Club is a founding member and long-term supporter of the Forest Stewardship Council and supports the organization’s efforts to offer consumers the opportunity to purchase wood products that meet certain minimal forest practices standards.
ALLAGASH \\
HASH & REHASH

BY GARRETT CONOVER

My mailbox must have a sense of humor, or at least a penchant for ironic twists. I was only gone six days, but in that time a news brief arrived from the Allagash Alliance, Maine Times, and an unmarked folder without a return address containing copies of mailing lists and maps from a recent meeting of BPL personnel regarding snowmobile route proposals on the Allagash Waterway.

My absence was spent in the unpopulated north town of Ely, Minnesota while being a presenter at a "Traditional Winter Travel Conference. I suppose my mailbox didn't want to allow me the natural excitement generated by visiting an area that successfully manages complex user groups and diverse communities. The contrast is dangerous. You either get unrealistically optimistic because of a functioning current example that could be workable here in Maine; or plunged into despair about the hopelessness of ever achieving the best parts of the balance as practiced in Northern Minnesota. After all they have a 75 year head start on the trail to enlightenment, and a full fifty percent of the current wilderness area was pristine to begin with.

IN MAINE

Those who favor quiet, clean and maximization of an area's wild character find blistering fights going on over the remnant scraps of places that are only slightly wild by contrast with areas of no wilderness. Major rafting companies advertise 'Wilderness' trips with a straight face, even though the trips are day trips on dam-controlled rivers next to roads. Heck, although I haven't lied outright, I'm guilty of sleight of semantics myself. My brochure perpetuates the myth of a wild Maine by saying "trips take place in the backcountry." Not true. Both of the big rafting companies advertise that which is right through global mail order catalogs, and attractive storefronts in town. The Piragis Northwoods Co., Wintergreen, and Stier Mukluks each employ thirty or forty people.

While local schools may be what you'd expect in a northern end of the road community, they graduate the usual mix of citizens. Many of the brightest will leave for greater opportunities elsewhere, but the greatest successes may be those who are smart enough, stubborn enough, and inspired enough to choose to stay.

And if you are a snowmobiler, motorboater, or houseboater, turn here then you have full access to the Superior National Forest that buffers the wilderness area, and even parts of nearby Voyaguers National Park (not to mention the rest of the State). Not a single merchant in Ely begrudges the presence of interested visitors that all buy gas, food, and stay at the local motels, resorts, lodges, B & Bs, and frequent the restaurants and galleries that serve each interest. Ely succeeds because it can deliver.

Back in Maine the best hope for any significant preserves is for the extremely wealthy to buy their own inviolate retreats on such a scale that habitat is inadvertently protected. For the rest of us, if we have a bent for sustainable quiet uses and token wilderness, we'll support those organizations that lead in the right direction and actually purchase for salvage the best of what's left. History suggests that the State itself will not respond to quiet usery interests on the very distant economic potential. Perhaps the noise generated by our competitors overwhemls our soft voices and perpetual naiveté that reasonable discourse might arrive at solutions. It is not likely that the current generation of all will benefit directly from a large preserve with Federal Administration that will be immune from the oscillating whims of a state where the history of legislation seems to thrive on deflect to the lowest denominator. The current interest in naturalist productive planning and a willingness to accept the responsibilities of choice and forethought.

Thus we are stuck with our situation as we find it. As immigrants, Alaskans, Elyans, even so small, and we might not be welcome since we originally left as malcontents and seekers of something better. Neither can we move to some symbolic Elyan. Such places are too small, and not where our particular roots are. Solutions to a "tragedy of the commons" problem always requires us accepting that too many want too little. Cooperation, giving a little up for the common good, and segregating ourselves to avoid inosolvent incompatibilities appears to be the only choice. Motor users and quiet users, have not, will not, and can not share terrain. All the well intentioned multiple use concepts have failed because of this. We needn't reinvent this failure here.

As it is 25,000 miles of road lead to or near every lake, river, brook, pond, and ridge in northern Maine. Not many, if any, motor or snowmobiles ever arrive. We can't deliver now, and will be more impoverished in the future.

Yet with equitably divided preserves, an important circumstance, the market could be expanded, and promoted. Not to mention some significant cultural heritage, habitat, and largeness of scale where in time a restored ecosystem could thrive again.

Like most areas with a large land base and low popula- tion, Maine is experiencing "brain drain" as its true heirs depart for better anything in the urbanized areas to the south. Those who stay by default, lack of occupation, or sheer unfair lack of opportunity, are sure to be overwhelmed eventually by the tide of "good lives" from where they tend to be possessed of two important perspectives. They know very clearly what they want, and what they do not want. Most, in comparison to the remaining ecosystems, that attract them, appear aggressive, driven, educated, and quite willing to superimpose their world views on their new surroundings. Change and communi- ty building are seen as goals and opportunities.

Residents of course like things as they were, rarely share the views of new immigrants, and have many real and compelling fears when faced with wave after wave of occupation. The Superior National Forest is a "storehouse" that has inspired them to escape the places they are from.

The interface is dramatic. The language of each party is often unintelligible to the other. It is never as simple as a bunch of provincial, narrow-minded people with simplistic black and white views, encountering a bunch of community over-educated libertarians who eat well, home school their kids, and never learned to share. It is never as simple as a bunch of provincial, narrow-minded people with simplistic black and white views, encountering a bunch of community over-educated libertarians who eat well, home school their kids, and never learned to share.

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Candemias 2001

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LOST PARADISE:
THE ALLAGASH WILDERNESS WATERWAY
UNDER ATTACK

A Special Place—Birth of the Waterway

The crowning jewel of Maine's North Woods, the Allagash Wilderness Waterway is a 92-mile corridor of rivers, streams, lakes and ponds in the Northwestern corner of the state. The Allagash is hailed as a paradise for canoeists, campers and outdoor adventurers, and draws thousands of visitors every year. Along with Baxter State Park, the Allagash is one of only two state lands designated to be managed as wilderness, and it is this wilderness designation that makes the Allagash and its surrounding woodlands a unique, pristine and spiritual treasure.

Retreating glaciers carved this biological paradise 12,000 years ago, cleaving out a path for the Allagash River, which winds through the forested hills in a rare northernly sixty-two-mile course, dropping more than 300 feet before it meets the St. John River. Today there are eight lakes and four ponds along the Allagash and well over 100 tributary brooks and streams that flow into the watercourse. The otherworldly ice caves on Allagash Lake and the chiseled ledges of Seboomook Slate endure as reminders of the region's dramatic, glacial history.

The Allagash is home to widely different ecosystems. The river mirrors hillsides of northern hardwoods, lowlands of conifers, and flood plains of silver maples. As the river flows northward, the terrain becomes covered by red spruce, and later white and black spruce. Blending with this transitional forest is the boreal spruce forest of northern hardwoods, lowlands of conifers, and flood plains of silver maples. As the ice caves on Allagash Lake and the chiseled ledges of Seboomook Slate endure as reminders of the region's dramatic, glacial history.

From page previous

classification culture that made logging an extractive process more like mining, instead of the sustainable prospect so favored by public relations propaganda, could well be the opening for just such a venture.

It may not work. It will be difficult beyond belief. It might also be entirely possible. It is definitely better than doing nothing and hoping for the best. The greed of developers, the motor use lobby, and all other short-term profiteers does not wait on hope. Those interest are poised to jump, they are organized, and already have considerable momentum. Their best opportunity is when situations are in flux, and unprepared to deal with the high stakes of sudden irreversible change.

As such things go, whether a tiny issue on a single watershed, or as a state-wide issue of developers, the motor use lobby, and all other short-term profiteers does not wait on hope. Those interest are poised to jump, they are organized, and already have considerable momentum. Their best opportunity is when situations are in flux, and unprepared to deal with the high stakes of sudden irreversible change.

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As such things go, whether a tiny issue on a single watershed, or as a state-wide proposal, so goes the rest of Maine. Perhaps there is even some good to come of Maine's current unwillingness to favor any form of wilderness and reserved regions. Maybe the flood of accelerated uncontrolled loss of habitat will inspire the most paranoid anti-government forces to eventually see the wisdom of large scale national wilderness areas.

The waters of the Allagash are cold and well-oxygenated, favoring cold water fish species such as trout and whitefish. Allagash Lake is representative of the aquatic biodiversity of the region. The north shore of the lake is shallow and sandy, inviting emergent aquatic plants that provide food and habitat for moose, deer and great blue herons. Along the west shore are ledges of rough, colorful volcanic rock. Islands provide nesting opportunities for Bonaparte's gulls and terns. Allagash Stream, the outlet to the lake, flows through Round Pond and drops 20 feet over an outcrop of Schoomoock Slate to form Little Allagash Falls. The Allagash is an enchanted, diverse aquatic paradise, and a cornerstone of Maine's history and culture.

State vs. Federal Tulip of War

Although quiet and remote, the Allagash Wilderness Waterway has had a turbulent history. From the 19th century lumbering era, when waters were dammed and rivers diverted, through the political debates for protection of the 1960s, to the North Woods land sales in the 1990s, the area has undergone a steady and constant evolution toward increased development.

In the 1960s, a movement to permanently protect the wilderness character of the riverway picked up momentum. At this time, the debate was not whether to preserve the area, but rather who the managing entity should be. Those in favor of federal control envisioned a state-run wilderness area, while others envisioned a state-run wilderness area. In a 1965 statement, former Governor and Senator Edmund Muskie expressed his desire simply for preservation. "I have no final commitment to state or federal authority as to the vehicle for preserving the Allagash. My concern is with the basic question of insuring protection for this unique resource for all time."

Commercial interest groups in Maine, however, staunchly opposed federal control. The Allagash was then among the most valuable wood pulp areas in the country, and paper companies argued that a national wilderness area would mean an economic loss for northern Maine. Canoists, conservationists and biologists, on the other hand feared that the natural landscape was disappearing so quickly that without immediate

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Development and timber operations are prohibited only in the restricted zone.

A quarter-mile zone serves as a buffer from development along the watercourse. The distance is set from the outer boundary of the restricted zone. While most of this land is privately owned, new construction of any type requires approval from the Bureau of Parks and Lands.

In the outer one-mile area landowners are required to notify the Bureau of all planned timber harvests and herbicide treatments. Use restrictions here are limited to designated "visible areas," which make up 14% of the total one-mile area. Visible areas are certain view corridors north of Churchill Dam selected for aesthetic, rather than biological, values. The Bureau may restrict timber operations in this zone.

A Wild and Scenic River

In 1970, four years after the Waterway was established, the Allagash joined the national Wild and Scenic River system. This designation is given to only 2% of the rivers in the country. Designated rivers are recognized for their "outstandingly remarkable scenic, recreational, geologic, fish and wildlife, historic, cultural or other similar values." The Act forbids dam building and restricts streamside development to protect the natural integrity, or "wildness," of the river.

In April that year the Maine State Parks and Recreation Commission released a report to support the federal designation, declaring that "[t]he intent of this legislation sets forth that this watercourse shall forever be maintained and operated in its wild condition to provide a wilderness cannot experience. The state agreed to certain conditions which appear in the Notice of Approval of Inclusion. According to the report that accompanied the federal designation "Existing private roads within the Waterway which have been developed for logging purposes will be closed to public use. Temporary bridges for short term logging purposes may be authorized by the State. Any such crossing is designed to provide minimum impact on the wilderness character of the Waterway."7

The Waterway Loses Political Clout

Even with federal designation, the AWW has experienced significant setbacks. At the time, Bureau officials had regulated each operation through a wilderness corridor. But the time to supervise the Allagash manager, so the duty was shifted down the chain of command. Some employees voiced their support for the Waterway's mission, giving the AWW Manager less authority to make decisions for the Waterway, and setting it up to compete with six other regions for funding and staff.

After an arduous planning process, including an intensive public comment period and the establishment of a 23-member temporary advisory committee, the Bureau of Parks and Lands finally released an updated Allagash management plan in January 1999. Literally hundreds of people shared their opinions and personal stories of the Waterway. While the Allagash Wilderness Waterway Sate has been an integral component of the state's proposal for resources.

The Need for a Plan

The Allagash Wilderness Waterway Sate has been an integral component of the state's proposal for resources.

In 1995 the Allagash Wilderness Waterway was again reduced in stature. For the first time in its history, it became a unit of the state park system, rather than an entity unto itself. The implications were profound. The Waterway's $400,000 annual budget was eliminated. As Bureau Director Tom Mortenson wrote, "the Allagash and the other parks in the Northern Region do not have their own individual budgets. Rather, all of the expenses for the Allagash and the other parks in the Northern Region are paid out of the Northern Region's budget.9 Staff numbers dropped from 19 to 14 employees, and the Waterway now competed with over 40 other parks for resources.

A conceptual management plan was adopted in 1973, six years after the AWW had been created. In the meantime, Bureau officials had regulated each operation within the Allagash on an ad-hoc basis. This management plan, never enjoyed the support of the Bureau leadership. By the time the third Allagash manager came on board in 2001, the plan had been set aside. New management goals and priorities before the Bureau would provide a new blueprint for management strategies of the Allagash.

The Waterway is used as a retirement home for wood ducks, an endangered species. In the outer one-mile area landowners are required to notify the Bureau of all planned timber harvests and herbicide treatments. Use restrictions here are limited to designated "visible areas," which make up 14% of the total one-mile area. Visible areas are certain view corridors north of Churchill Dam selected for aesthetic, rather than biological, values. The Bureau may restrict timber operations in this zone.

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The Wild and Scenic Rivers Act however, includes no mechanism to decertify or delist a river when its management does not live up to a wilderness standard, or when its mandates are ignored. Instead, the Act relies on local political processes to advocate for preservation. At the dedication ceremony at Churchill Dam, Governor Curtis assured citizens that the state would be such an advocate. "An entire river has been forever saved through a wilderness corridor ...Land use will be regulated to insure an appropriate quality of life—appropriate in this case for a wilderness river."8

The Waterway Loses Political Clout

Even with federal designation, the AWW is still completely governed by the state of Maine, leaving it vulnerable to state politics and budgets. Originally the AWW was a unit of the state park system, rather than an entity unto itself. The Allagash manager came on board in 1981, the plan had been set aside. New management goals and priorities before the Bureau would provide a new blueprint for management strategies of the Allagash.

After an arduous planning process, including an intensive public comment period and the establishment of a 23-member temporary advisory committee, the Bureau of Parks and Lands finally released an updated Allagash management plan in January 1999. Literally hundreds of people shared their opinions and personal stories of the Waterway. Once again the voices of Maine citizens were unified: keep the Allagash wild.

In a letter introducing the new Allagash Wilderness Waterway Management Plan, the leaders of the Department of Conservation and the Bureau of Parks and Lands wrote, "the Allagash Wilderness Waterway is one of Maine's most valuable assets. Please join us as stewards to protect and manage those assets into the next century."10

II. A Fragile Resource—The Peril of Encroaching Development

The Allagash Wilderness Waterway today is a narrow band of protected land surrounded by privately owned, largely rural tracts of land. As development pressures increase, so does the strain on the Waterway. Systematic disregard for the defining statutes, legislative loopholes, and lack of enforcement continue to subject the remaining protected land to the negative effects of development pressure.

In 1996 the first Waterway Supervisor Leigh Hoar lamented that AWW management was beheaded. Hoar wrote that "of major concern to me is the sense that the Waterway is drifting from its original purpose. Furthermore there seems to be an objective in parks of making the Waterway adapt to visitor demands, rather than keeping the Waterway to its intended use and controlling use so as to minimize conflict."11
Proliferation of Sporting Camps

Historically used for hunting and fishing groups along the waterway, sporting camps are unique commercial ventures in the Allagash. While the camps and adjacent lands are owned by the Bureau of Parks and Lands, the lodges themselves are leased out to private corporations and individuals for commercial hunting operations. Strictly speaking, these camps inherently conflict with the Allagash Wilderness Waterway Status, which states that "all existing structures must be removed except those determined necessary by the Bureau." (1875) The Bureau of Parks and Lands and local legislators simply deemed the recreational camps to be "necessary." 

In 1984 Representative, and now Speaker of the House, John Martin legalized these businees in the waterway by supporting legislation mandating that "the Bureau may not change the existing type of use of Jalbert's Sporting Camps on Round Pond and Nugent's Sporting Camps on ChabneJnder Lake or destroy or abandon those camps without legislative approval."12 Now, not only are the camps legal, it was actually a crime to "abandon" them.

The Waterway's original supervisor disagreed strongly with the decision. Years later in 1996 he wrote, "I maintain that the original objective was to remove the Jalbert's greater Round Pond complex. Regardless of the current legislation position, we should seek to express the need to remove all commercial so-called camps north of Nugent's, then take it to the legislature for enactment."13

For their part, some camp operators themselves pursued such "necessary" development in the Waterway as jacuzzis for weary sportsmen. In 1990 Jalbert's Sporting Camps in T13R12 installed a hot tub on its site near Round Pond. In order to avoid a dispute, Jalbert, Inc. chose to not inform the Bureau of the installation and subsequently skipped the permitting process altogether. When word got out, the AWWM manager ordered Jalbert to remove the hot tub but was cut off by Speaker Martin. Martin sought to retroactively approve a permit for the tub. In a letter to the Land Use Regulatory Commission, Martin instructed the regulators to amend the permit rules to accommodate the violation.14

A second camp had traditionally been leased by the University of Maine as Fort Kent for their environmental studies program. Located on Long Lake, in T11R13, Page Camp fell into disrepair in the early 1990s as the environmental studies program faded. In 1997, the University tried to reinvigorate the program and contracted with John Martin, who at this point was as a legislator; after a term limits statute forced him out of office.

The costs of repair at Page Camp continued to climb, finally ballooning to three times the original estimates by the summer of 1997. In the fall, with repairs almost completed, the Page camp was destroyed by fire. Martin and his friends in the Bureau leadership immediately used the opportunity to replace it with a newer, modern structure that was closer to his headquarters on the Allagash: Jalbert's Sporting Camps. The new location was to be less than 1000 feet of the state ownership in Round Pond.

The Bureau immediately approved the new location. The former House Speaker pushed a funding bill through the legislature, a whopping $100,000, without a public review. As the Maine Times put it, "[approval for camp construction came in an 11th hour deal with the majority Democrats on the Appropriations Committee; the proposal was not submitted as legislation and received no public hearing]." State Senator Rick Bennett even changed the former Speaker with "unfair tactics" during the appropriation process.15

A local citizen group, the Allagash Alliance, led the opposition to the new Page Camp development site, and they took their case directly to University President Charles Lyons and the University of Maine Trustees. According to the Maine Times, Lyons already had a lease from the Bureau sitting on his desk to sign, but the decision became a no brainer after hearing from the proponents.16 Only through the strength of this citizen-based effort, a new camp location was selected outside of the AWW mile zone.

Not all camps have been trying to ship away at the wilderness character of the AWW. It should be noted that the current owners of Nugent's Camp, among others, have been active proponents of keeping the Allagash wild.

A 'Balanced' Waterway

Development within the Waterway became a central concern again in 1998, as the Bureau of Parks and Lands began to formulate a new management plan for the AWW. Industry groups backed proposals to increase motorized access and development in the AWW. They seemed to have gotten their wish when State Commissioner Ron Lovaglio introduced the concept of "balanced development" inside the protected Waterway. Lovaglio, a former employee of International Paper Company, oversaw the planning process, and ultimately had the authority to approve the final plan.

To defend his position, Lovaglio explained that the AWW was never intended to be a wilderness in the first place. "Wilderness is not defined in the (1966) statute," he wrote, "In reality one could conclude it is not a wilderness."17

They Took Paradise and Put in a Parking Lot—John's Bridge

Among the 'balanced' proposals to develop the wilderness, Lovaglio supported a plan that would allow vehicular access to a closed bridge within the AWW. Conservationists and some state officials feared that opening John's Bridge would be precedent-setting in the ever-increasing definition of state wilderness. It was one more skirmish in the ongoing battle over motorized crossings in the Waterway. The original AWW plan allowed for only two such access points. However, the statute has periodically been changed to allow "just one more" motorized access point to be developed. There are currently four legal access points, and John's Bridge would be the fifth.

John's Bridge had been closed to traffic until 1981, when removal of a gate at Woodman Pond allowed motorized access to a part of Eagle Lake. Until then, the lake had been among the most remote parts of the Allagash Wilderness Waterway.

Despite forceful public opposition, and contrary to the recommendations of his own staff, Commissioner Lovaglio instructed the Bureau of Parks and Lands to open John's Bridge to vehicular access. Further, he directed the Bureau to fund construction of a parking lot and a lakeside foot trail in the management plan. He went so far as to propose that a ranger's cabin be built in the protected area "to monitor use" of the bridge.18

Maine citizens were vocal in their opposition to opening up the bridge. As one letter to Governor Angus King pointed out, the development decision was made without an environmental evaluation. "At no time during the past months of debate has the bureau initiated or developed a comprehensive impact study that addresses such issues as management of sediment and run off from the loop road and parking area, impact on fishery, excess of existing facilities, impact on camping parties versus day use or even the management of the parking lot area and the enforcement of the rules and policies associated with the Waterway. In fact, at the same time, the Bureau is attempting to shirk its enforcement responsibilities onto other agencies."19 Another citizen expressed his "disappointment over Commissioner Lovaglio's unexpected reversal of the staff decision to keep John's Bridge closed to access."20

Despite my disappointment, however, I was willing to take a wait and see approach to let the Bureau prove me wrong that access could be compatible with the AWW Management Plan. However, at the [legislative] work session the other day I heard a description of access that is completely inappropriate and inconsistent with the management plan.20

Timber Bridges

The controversy over crossings does not stop with John's Bridge. Landowners within the Waterway continue to push for increased vehicular access and even

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According to the Maine Times, Irving Forest Products met with the Bureau of Parks and Lands in early 2000 to discuss the construction of a 7th bridge over the Allagash. The company argues that the current bridges are not strong enough to carry the timber volume they expect to haul to sawmills in Ashland.21

Although the bridge would be built in the restricted zone, Deputy Director Herb Hartman implies that the Bureau may not fight the Irving construction. He goes on to explain that the state may not have authority to stop a new bridge because the corporation owns the land on both sides of the corridor.22 In other words, the Bureau may cease regulating activity within the publicly-owned restricted zone if the adjacent corporate landowners oppose the regulation.

A Septic Tank Too Far—the Struggle to Develop Churchill Dam

After returning to the Legislature, Representative Martin became Chair of the Natural Resource Committee. From this position, he introduced two bills in early 1999 in apparent retribution against the AWW Manager, the only person in the Bureau to disagree with Martin’s development interests with the Page Camp. LD 294 would make the AWW Manager a direct political appointment under the governor, therefore not susceptible to political control; LD 855 would move the year round administrative office for the Allagash to remote Churchill Dam, several hours away from publicly maintained roads. The move would separate the manager not only from the visitors to the AWW, but also from his family. The Bangor Daily News termed this political strategy, “Reward your friends and punish your enemies.”23

The Allagash Manager, supported by a coalition of environmental groups in Maine, opposed the legislation both because it was a personal, retaliatory attack, and also because it was environmentally unsound. When the remote residence was built in 1985, LURC approved a septic system only under the stipulation that it be occupied for six months a year, citing poor soil quality and wetland concerns.

The legislation was supported, on the other hand, by Representative Martin’s friends at the Bureau of Parks and Lands.

In October of 1999 Bureau Director Tom Morrison sent an amendment request to LURC which would allow year round use of the Churchill Dam headquarters. LURC eventually approved the Bureau’s request.24

On January 24, 2000, the Bureau of Parks and Lands announced that they had voluntarily moved the manager and the office of the Allagash Wilderness Waterway into the remote region year round, pre-empting legislative action.

Having had his work done for him, Representative Martin killed his bill in committee.

Undermining the Management Plan

With the Creation of the 1999 Allagash Management Plan, The Bureau of Parks and Lands has, for the first time in a quarter of a century, clear guidelines to regulate land use within the waterway. Unfortunately, it already appears that Bureau leaders are determined to turn the plan into a paper tiger, with little real management change on the ground. In fact, one year after the plan was put into effect, staff had not yet been trained to implement it.

The management plan established the Allagash Advisory Council, made up of twelve representatives of groups that have a stake in the future of the Allagash, including environmental groups, nearby landowners and sporting associations. The plan clearly gives the Advisory Council authority over management policy, stating that when “...substantial changes to the plan are warranted, they will be made only after providing an opportunity for Advisory Council participation and, if appropriate, public review.”25 But even before the first advisory meeting, Bureau Director Tom Morrison made it clear that he would not grant the Council any decision-making authority. In an E-mail message to Council member and Allagash Alliance Director Dave Hubble, Morrison wrote, “The function of the council is to provide perspective to the Bureau regarding the implementation of the many strategies presented in the management plan. Ultimately, the Bureau is responsible for all decisions. The Council does not have any administrative or executive powers; nor can it bind the bureau to any particular course of action.”26

Then, at the first advisory meeting, Morrison expressed his reluctance to even consult with the council on development issues within the Allagash. When a committee member requested that the Bureau keep the advisory committee posted on any development in the quarter mile zone, Director Morrison simply stated that he was unwilling to make that commitment.

In the year since the management plan was finalized, the Bureau, under Director Morrison’s guidance, has consistently made operational decisions that violate the plan, and has done so without considering the advice of the Council, including such controversial decisions as:

- Petitioning Land Use Regulatory Commissions to allow year-round use of the Manager’s headquarters at Churchill Dam;
- Increasing the amount of development at John’s Bridge from the original design;
- Initiating construction without proper permits and
- Refusing to provide citizens with direct phone number or mailing address for the AWW manager;

The Bureau installed a parking lot without the required mitigation plan; Building construction occurred, and permits were applied for after the fact;

Waterway staff overlooked siltation to the watercourse;

The Bureau installed privies without consulting the Department.

III. Wilderness is in the Eye of the Beholder: Harvesting the Allagash

While development remains the preeminent threat to the Allagash, extractive businesses also jeopardize the health of this fragile system. Timber harvest is allowed on private lands within the Waterway, but the Allagash Wilderness Waterway Statute regulates the practice. Section 1880 of the Statute establishes guidelines for the Bureau to monitor and manage harvests within the one-mile zone according to specific guidelines, and timber landowners within the Waterway are required to give notice to the Bureau of Parks and Lands when they are set to begin harvesting.

According to waterway employees, however, Bureau Regional Managers create roadblocks to enforcing these guidelines.
Within the one-mile area the resulting wilderness character.

Opportunities Lost

Overdeveloped sporting camps, bridge construction, and timber harvests were never a part of the vision of the Allagash Wilderness Waterway. The thin band of restricted area surrounding the river was actually supposed to grow over time.

The Allagash Wilderness Waterway Statute explicitly mandates that state land "adjacent to the Waterway shall become part of the Waterway," (1877), but this statute has rarely been enforced.

Today there are 32,255 acres of state-owned Reserve Land that abut the restricted zone, but this land is managed by the Lands Division within the Bureau of Parks and Lands. Far from being managed for wilderness character, much of the land is contracted out to timber corporations for logging. The waterway does not receive revenue from the timber sales, even though it bears the environmental brunt of these nearby extractive operations. In ignoring the defining Allagash Statute, the Bureau is effectively magnifying the effects of development.

Further, when harvest plans are reviewed, it is often done by a Bureau forester living in Augusta, five hours away from the center of the Waterway. These foresters do not have the intimate knowledge of the region, nor are they experts in potential environmental damage.

The Bureau's intent to control the Allagash and to disregard the wilderness charter continued, and it was supported by the political micromanagement of Representative John Martin. As Martin commented in the Maine Times, "Wilderness isn't what you say it is. It's in the mind of the beholder."28

Siltation levels are a major mark of a watershed's health. Increased development results in high levels of sediment build-up, which can be deadly for fish populations. To properly assess the effects of the ever-growing development in the AWW, the Bureau is required to address siltation problems, and prevent "erosion, droughts, freshet's and the filling up of waters" in the Waterway. (1871). Unfortunately, it has ignored major siltation build-up in the upper Allagash Stream, McCluskey Brook, Glazier Brook and Manayunk Stream.

In the February 18 letter, Bureau Director Tom Morrison wrote, "Our files do not show any staff training on the subject of monitoring for siltation for 1995 or previous years."30

Even the most basic monitoring procedures were often ignored. In 1999 staff were not instructed to conduct Secchi disk transparency readings for water quality monitoring, nor were these readings taken from Umbagog Lake, Roan Pond and Long Lake. These basins represent 37% of the lakes normally sampled. Without these samples, the health of the Allagash remains unknown.

Not only has this monitoring been erratic and often ignored, but the Bureau initiated the most basic procedures only under pressure from outside groups. Effective April 30, 2000 Morrison finally implemented a siltation monitoring plan for the

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Waterway, but there are still no written procedures in place for taking water transparency readings.

It remains to be seen how aggressively the Bureau pursues this responsibility. Without information on both water quality and siltation, the Bureau must base development decisions on assumptions rather than science.

V. Rules are Meant to be Broken

Monitoring environmental degradation in the Allagash is only one part of the regulatory mandate: enforcement of environmental, safety, and criminal violations is another. Park Rangers are currently charged with enforcing the law in the Waterway, but they are doing so without adequate training or encouragement from the Bureau. The Bureau seems to be caving to pressure from commercial interests to relax restrictions in the waterway.

Bureaucrats receive requests for exemptions from commercial interests. In the interest of political expediency, the exemptions get rubber-stamped. Many commercial ventures couch their profit intentions in envelopes—some groups charge that the 12-person limit for an ever-increasing number of developments, the corporations then challenge the Waterway to its intended purpose and the new sites also become overdeveloped campgrounds within the AWW. Of these enforcement designation from all Park Rangers. 27 The Director of the Bureau started public hearings for the AWW's new management plan. Allagash field staff believed that the Bureau's plan would undermine the wilderness character of the Waterway. When Hoar attempted to enforce the law, his superiors would call the police who may be miles away. The second supervisor resigned in frustration. This position was supported by the Caverly was officially reprimanded by the Bureau for his opinion. 

On May 19, Manager Caverly presented his public testimony, praising the wild value of the Allagash Wilderness Waterway at the third and final public hearing. He called for a plan "that not only appeals a wilderness, but one that preserves it, but for one that also preserves the spirit and the dream." This position was supported by the AWWA’s management plan. Allagash field staff believed that the Bureau’s plan would undermine the wilderness character of the Waterway. Indeed, Bureau Director Herb Hartman told the Maine Times, “I guess we see the Allagash as another State Park.”

In a February 19, 1999 letter from Bureau Director Tom Morrison to state law enforcement agencies, the director admits that while rangers had attended a Conservation Law Academy in 1989 and 1990, in the subsequent 10 years “employees have had very little follow up training and transfers and new employees have not been designated or attended the academy.” 21

Throughout the 1990s law enforcement was simply not a priority, and the neglect showed on the ground. The many aspects of the Allagash Wilderness Waterway Statute that are continuously ignored or openly violated. Some violators stem from a lack of training, while others appear to be a symptom of a larger culture of neglect. For example, the AWW Statute strictly regulates the use of power watercrafts in the AWW. (1876) The Bureau consistently violates this section by approving the use of power boats on Eagle and other lakes specifically designated as wilderness.

In 1998, a reporter from the Maine Times toured the Allagash with a ranger. The ranger spoke openly about refusing to enforce access rules at John’s Bridge. The article described how “[a] rogue ranger spoke openly about refusing to enforce law and does so ‘with his superiors’ support.’” 32

In the wake of such bad publicity, the Bureau of Parks and Lands had the opportunity to jump-start its commitment to law enforcement training. But Director Tom Morrison, along with the advice of the rangers themselves, has been actively working to take away law enforcement designation from all Park Rangers. 27 In an internal memo released by Maine PEER, dated April 4,1999, Director Tom Morrison ordered that by May 1—less than one month later— Bureau employees will no longer be designated as law enforcement officers. The policy change would mean that not a single employee in any state park would have legal authority to enforce environmental regulations, including oversized groups, illegal fires, and vandalism, not to mention criminal activities, from public drunkenness to assault and theft, that occasionally occur. Confronted with criminal behavior, Rangers would only have the option to call the police who may be miles away. As a Maine Times editorial dryly put it, “it’s an odd place.” 33

After challenges from Maine PEER and several managers, Director Morrison quickly backed down and the question of law enforcement status was put on hold. A subsequent legislative oversight committee advised Morrison to consider the view of park managers, recreation agencies and others before implementing policies. To date, no final decision has been made.

In March, 2000, Maine PEER surveyed seasonal and year-round park managers to solicit their opinion on, among other things, Director Morrison’s law enforcement proposal. The results showed that rangers have very definite opinions on law enforcement designation. Eighty-six percent of all respondents felt that full 100% of the year-round respondents, believe that “law enforcement is a necessary part of their work.” At the same time, fewer than 20% of the respondents felt that they receive “clear guidance from the Bureau about how to handle law enforcement problems.” Perhaps most interesting, nearly two out of three feel unsupported or are unsure of support from the Bureau of Parks & Lands “in conducting law enforcement activities.” Notably, while Morrison proclaimed that there were serious environmental and safety issues in Maine Parks, but it is not even supported by the rangers themselves. 34

Results of Maine PEER’s Survey of State Park Managers and Rangers April, 2000

Do you feel there is potential for significant law enforcement problems in Maine State Parks?

(87%) yes (13%) no

Do you feel that law enforcement is a necessary part of your work?

(87%) yes (13%) no
A Summary of Citizen & Conservation Group Actions on the Allagash

CITIZENS FILE LAWSUIT CHARGING MAINE WITH FAILING TO PROTECT ALLAGASH WILDERNESS WATERWAY

(30 November, 2000)

BANGOR — Today, a broad-based coalition of citizens and conservation groups announced that they are filing a lawsuit to appeal a decision by Maine's Land Use Regulation Commission (LURC) which would allow a new boat launch to be built on Churchill Lake. Churchill Lake, combined with Eagle Lakes on the Allagash Wilderness Waterway (AWW), is designated as a National Wild and Scenic River.

The Bureau of Parks and Lands have already closed their door to the citizens of Maine, and have shirked the vision of 1966 and today of a Wild Allagash.

Leaving Paradise was first published in booklet form by Maine PEER — Public Employees for Environmental Responsibility. Former Bureau of Parks and Lands Planner Tom Hoare wrote it for the region. Leaving Paradise was written with the input and support of current and past employees of the Maine Bureau of Parks and Lands.

We are filing a lawsuit today because Maine's Land Use Regulation Commission (LURC) failed to be fiscally and Department of Conservation and Department of Environmental Conservation — has opened itself to litigation by a series of actions that have effectively downgraded the Allagash from "Wild" to "Scenic" or "Recreational" standards.

It is not clear what remedies the people might pursue for the Allagash, which was re-buil at Churchill Lake without review by the Park Service, or a permit from the Army Corps of Engineers, re-building of the dam to resemble the original structure or complete removal is possible — in addition to fines from the EPA under the authority of the Clean Water Act.

MEANWHILE, back at the house, legislation has been written that would grandfather existing points of access along the Allagash — the same access points that conservation groups are trying to control. The Waterway's federal designation. George Smith of the Sportsman's Alliance of Maine and Senator John Martin of Eagle Lake are trying to pass a bill that would, at the same time, remove LURC authority in river management decisions and replace its voice with that of a new management entity supported by the Bureau of Parks and Lands. These issues have also crossed the resumé of Steve Wight to the LURC board; Smith has said that Wight, who voted against John's Bridge, is out of touch with the people of Maine.

Another BDN op-ed piece, by Peter Hubley appearing Dec. 29, expressed the belief that protest over the loss of wilderness character is misplaced. "With regard to the Allagash, these qualities come from the Kanu canoe and the complete interaction with the waterway itself — wood, wind, water. It appears the outdoorsmen and guides view the waterway as a commodity for potential customers who are led to a certain expectation (reinforced by too many Disney movies) which is calculated not to bring clients to the waterway but rather to bring the waterway to the clients on a carefully crafted plane."

Hubley also pointed out that the Allagash Waterway is an artificial creation of dams and that the 1966 bond issue creating a management entity was supported by many in the spirit of anti-federalism.

To keep abreast of these developments and how to get involved, contact: The Allagash Alliance Group, 10 Sanctuary Drive, Blue Hill, ME 04614. hubley@acadianet.net 207-929-8245.

Friends of Acadia W. Kent Olson, exec. dir. P.O.B. 341 Bar Harbor, ME 04609

The Northern Forest Forum Page 19
WILDERNESS Wades Off-Shore

Justice Department okays US Park Service running undersea federal wildlands. But will the party of Teddy Roosevelt rise to the bait? Or will the Commerce Department maintain its bloodthirsty grip on wild Atlantis?

By Ron Huker, Taub Forst Atlantis www.atlantisforce.org

THANKS TO A SEPTEMBER 15, 2000 ruling by the US Justice Department, the federal government can now commence treating our saltwater-breathing brethren, a.k.a. the fishes, shellfishes, plankton, sea cukes, stars, and other marine creatures, as if they were wildlife. It can start to treat some of the muckiest canyons, sheer cliffs, submerged plateaus, bread basins, and all the other spectacular underwater refuges of the Gulf of Maine, as if they were WILDLANDS.

A no-brainer? Guess again! When it comes to marine wildlands, ethics and politics go out the scupper. Full protection of ANY of the immense rugged marine public land areas we so blandly call our continental shelves remains largely verboten. Only now is it even beginning to be considered seriously.

It won't happen for decades, either, if the increasingly corporatized marine ecology community sells to Big Fishstick as completely as many of the big ten forest conservation NGOs have to Big Paper.

Our existing "protected" marine areas, called National Marine Sanctuaries, are all under the thumb of the US Commerce Department, which has made sure that the increasingly corporatized marine ecosystems and the ever-growing eddies of Big Green conservationists are in a binding "coexistence" agreement with the fishing industry. The National Marine Fisheries Service (NMFS), the Commerce Department's ocean protection arm, is effectively the handmaiden of the US fishing industry, which is now able to exploit, conserve, and manage marine resources exactly how it wants to, with a few exceptions. Just like the forest-cutting industry: Both agencies work closely together to protect our wild forest lands, and their recolonization with "super-trees". Commerce's fish managers similarly facilitate the ruination of our continental shelf wildlands, and their replacement with marine feedlots, where the bottom of the ocean is now the pepper pot of Big Green's dream of an "ocean sanctuary".

But while as Commerce might, the Justice Department ruling, that the Park Service's protective regulations would "trump inconsistent fishery management plans" approved by the National Marine Fisheries Service, brings to an end the US Commerce Department's historic and disastrous hegemony over marine life in US waters.

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No moment too soon. For the window of opportunity for protecting critical marine wildlands in our national marine protected areas, "protected" to a 500-foot bubble, remains open just as long as the US/Canada border across the Gulf of Maine remains open, and as our wild fisheries and wild fishes on the inner continental shelf are protected within the bounds of a "sanctuary".

There is more habitat-destructive scallop dredging and otter trawling taking place on the Southern Bight National Marine Sanctuary off Massachusetts, for example, than in the waters and seas floors outside it.

When a certain state of affairs was agreed to by such ocean conservation heavyweights as the Center for Marine Conservation and the Environmental Defense Fund was the 1980s attack by Big Industry on deals with the commercial fishing industry: CMC/EDF would support "sanctuary" designations that precluded protecting marine life, if the fishing industry would stop its marauding and mineral exploitation from these areas.

In the wake of rising public demand for genuine protection of America's marine ecosystems, the two conservation groups are now regretting this Faustian bargain and are belatedly beginning to promote "no-take" areas within these national marine sanctuaries to protect their former marine industry allies in the process.

CALL OF THE (OCEAN) WILD WITH CONGRESS POSITIVE to block creation of further National Marine Sanctuaries for the foreseeable future, and a failed fishing industry likely to block the two conservation groups' efforts to protect the National Marine Sanctuaries; conservationists and scientists are opting to look elsewhere than the Commerce Department for marine wildlife and habitat protection.

Thanks to efforts by two radically different US Presidents — Ronald Reagan and Bill Clinton — they didn't need to look very far.

PROTECT ONE FOR THE GIPPER GENERALLY NOT PERCEIVED as an icon of ecological awareness, President Reagan nonetheless laid the groundwork for offshore marine habitat protection in 1983, when he first asserted American jurisdiction over the three million square mile US EEZ expandable.

In Presidential Proclamation # 5030, Reagan declared that within this EEZ are "America's Wild Seas" and the United States now has "subsequent rights for the purpose of exploring, exploiting, conserving and managing natural resources, both living and non-living, of the ocean floor and subsoil and the superjacent waters."

Reagan's assertion that America could conserve the wild fishes within 200 miles of our coasts came in response to the move by foreign fishing fleets to scrounge away the wild fishes on the inner continental shelf off the United States. Since that time, that has been the "natural" habitat for all of our marine industries: Both agencies work closely together to protect our wild forest lands, and their recolonization with "super-trees". Commerce's fish managers similarly facilitate the ruination of our continental shelf wildlands, and their replacement with marine feedlots, where the bottom of the ocean is now the pepper pot of Big Green's dream of an "ocean sanctuary".

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Continuing the trading floor...

The trading floor is the hub of a trading firm, where orders are matched and trades are executed. It is a high-energy environment where traders and support staff work tirelessly to execute client orders and manage the firm's trading activity. The trading floor is typically divided into several areas, each dedicated to a specific type of trading activity or client. The floor is equipped with state-of-the-art technology and communication systems to facilitate real-time trading and decision-making.

In the image, you can see traders at their workstations, focused on their screens, which display real-time market data. The floor is bustling with activity, with traders shouting commands to their colleagues and using hand signals to communicate crucial information. The atmosphere is one of intensity and focus, as traders strive to execute trades at the best possible prices for their clients.

The trading floor is not just a place of business but also a symbol of the firm's commitment to excellence and client service. It is a testament to the dedication and hard work of the traders and support staff who uphold the firm's reputation for providing superior execution and trading solutions.

In summary, the trading floor is a critical component of a trading firm, where the flow of trading activity is managed, and client orders are executed with precision. It is a dynamic and fast-paced environment that embodies the spirit of the firm and its dedication to excellence.
financially rewarding lotus land where the eco-yuppies, at the urging of their peers in the oil industry, the gas industry, the fishing industry, the mining industry and the aquaculture industry, collectively comb ever-finer conceptual wool in a kind of mass suspended animation, musing over the mysterious and entirely fraudulent question of how to designate the PER-FECT Marine Protected Area that protects all life simultaneously slaking the hunger of the industrialists.

Needless to say, while the eco-yuppies dream away on their self-imposed ten year moratorium on protecting Neptune's children, the aqua-farming, industrial fishing, mining and drilling industries do not feel so constrained, and are plugging ahead full bore in their effort to drain every bit of sellable life or ec-life from Wild Atlantics.

While Georges Bank and the Gulf of Maine are the most extensive public land areas on the eastern side of the United States, not one square foot of those two areas are permanently protected from extractive industries.

NOAA's National Marine Fisheries Service has announced that it is presently designing a "voluntary code of conduct for responsible aquaculture." The code, when complete, will provide guidance to companies considering aquaculture production in U.S. offshore waters, outside of state boundaries.

With their proven history of producing incredible amounts of pollutants and spreading fish diseases, however, the permitting of marine feedlots within a biodiversity-oriented national monument would be unlikely in the extreme.

"Nothing in the [Antiquities Act] precludes the President from declaring a national monument from fish ranches currently managed by an agency under any other statute or applicable law. Nor have we found any provisions in the MFSFMA [ Magnuson-Stevens Fishery Conservation and Management Act] that would preclude the President from designating a monument in waters administered under that statute." Moreover, Justic noted, "The MSFCA provides that "all fishery management plans must be consistent with "national standards... regulations implementing recommendations by international organizations in which the United States participates,... and any other applicable law." On the subject of "whether regulations made applicable to a national monument take precedence over inconsistent MSFMC, Justice determined that "Because the MSFMA provides that fishery management plans must be consistent with "any other applicable law," we think that monument regulations would take precedence over inconsistent fishery management plans developed pursuant to the MSFCA, unless the regulations provide otherwise." In the view of the US Justice Department, therefore, while the Commerce Department's National Oceanographic and Atmospheric Administration, and the industry-dominated New England Fishery Management Council may continue to have a role in stewardship of commercially exploitable organisms living within these protected areas, that role will likely be limited to those consistent with the overall purpose of the National Monument.

In a natural biodiversity-protecting Gulf of Maine & Georges Bank National Monument, the role of NOAA and NEFMC will likely be restricted to carrying out non-injurious research, not extractive commercial or recreational exploitation.

Commerce Department's authority to permit offshore aquaculture operations in an area designated as a marine national monument would also be curtailed.

Maine Lobsters at the Crossroads

By Ron Huber

Airport vs. Lobsters

Fishermen, community, tell Maine's top environmental panel of concerns that airport growth is harming lobstering, aquaculture and Penobscot Bay area quality of life.

Owls Head, Maine. On January 18th, the Owls Head Transportation terminal was packed as the Maine Board of Environmental Protection heard from opponents of a controversial plan to expand the Knox County Regional Airport. The Board, the state's top environmental decisionmaking panel, got an earful. The highlights of the hearing were the presentations by lobster industry leader Dave Coutens of the Maine Lobstermen's Association (MLA) and Dr. Diane F. Cowan of The Lobster Conservancy, a lobster research organization based in Friendship Maine.

The County proposes to divert all stormwater from the airport including machine shops, de-icing areas and runways, away from existing stormwater basins and directly into the Weskeag River, via Ballyhoo Cove. The catch basins would be placed near one to make more paved parking areas for aircraft.

In no uncertain terms, however, the MLA's Coutens made it clear that the lobster industry did not want ANY pollution inputs from airport expansion coming into the Weskeag River, which is the sole estuary of the Muskie River Channel, the nation's richest lobster grounds. In response to a questioner, Coutens said that there were 150 lobstermen using the waters close to the river mouth.

"We want to be assured that there will be no impact to the lobsters," Coutens told the Board.

Coutens was followed by members of local fishing family members and other area residents who described increases in air and water pollution since the airport installed an Instrument Landing System, increasing use of the airport by jet aircraft. From black half-burned jetfuel raining down on the local school, to grime coating buildings and vessels, to arsenic contamination of the groundwater and increased fuel spills from increased fuel transport throughout the area, the community members including Pat Ryan of Owls Head and Ann Dean of South Thomaston, said the area environment has become successively more polluted since the airport began expanding. One speaker complained that testing of her well water, done by a county contractor and cited by Knox County officials as "proof" that water quality was not being harmed, was so badly and incompetently done that she considered the test data useless.

The highlight of the meeting, however, was the electrifying testimony of Dr. Diane Cowan of The Lobster Conservancy. Cowan, an internationally prominent scientist whose organization carries out research on the ecology and biology of the Maine lobster, emphasized the importance of the Muskeg River of Penobscot Bay as the nation's top source of lobsters.

One third of all lobsters harvested in Maine, Cowan said, come from the waters off the coast of Knox County. She explained how her research into the early life stages of lobsters has revealed that the fast-growing crustacean prefers to live in close proximity to shore in its early stages, making it highly susceptible to shore-based impacts, including chemical pollution from airport de-icing compounds, pesticides and oil pollution.

The test results of the controls of contamination of the areas lobegrounds was grim; "Contaminants associated with airport operations such as jet fuel, waste oil, lubricants and deicers pose unacceptable threats to lobster survival in critical nursery habitats," she told the Board.

"When jet engines crash, lubricants and deicers come into contact with critical lobster habitat, they can persist over time," Cowan said. "They are toxic when emulsified in water. They are toxic in the process of evaporation when they rise to the surface and form concentrated sheens on the surface of the water." At all costs, Cowan told the Board of Environmental Protection, "this should be prevented to protect the most valuable commercial fishery in New England." She detailed how lobsters spend critical parts of their lifecycle as floating surface plankton, at which time even a small oil spill spreads a wide lobster-killing sheen across the water surface.

"Research by Cowan discovered that when larval lobsters leave the surface layer and switch to living at the bottom, they first inhabit the shallow intertidal zone, that coastal area that is subject most often then exposed to air twice a day. "When the tide goes out the surface sheen coats..."
"CONTAMINANTS ASSOCIATED WITH STER SURVIVAL IN CRITICAL NURSERY HABITATS."—Dr. Diane Cowan of The Lobster Conservancy

...and its inhabitants. Cowan said, "These physical sheens contaminate and suffocate both the benthos and the sediments."

Adult female lobsters carry their eggs clamped to their abdomen for 9 to 12 months. The eggs are exposed to seawater and to any contaminants, such as de-icing compounds, that might be in it.

Pointing out the similarity of jet fuel to kerosene, Cowan noted that lobsters are known to be attracted to the scent of kerosene in the water. But lobsters that follow a kerosene scent plume to an area of stronger contamination become paralyzed and then die, unable to escape the plume.

"In other words," Cowan told a wide-eyed audience, "jet fuel has the potential to lure lobsters into a death trap."

Cowan's testimony so electrified the audience and impressed the Board that when it was noted that she had continued well past her allotted 5 minutes nearly a dozen hands shot up in the audience as community members that were on the hearing's speaking list voluntarily surrendered their speaking time to her so that she could be heard.

Cowan, who also handed the Board a large stack of information to support her testimony, also urged that an environmental impact study, and if necessary a full environmental impact study, should be done before the county is allowed to move forward on its expansion plan.

"Concerning lobster nursery habitats along the shoreline," Cowan warned the gathering, "could result in a total collapse of our local lobster population."

South Thomaston resident Gregory Hardt was one of the final speakers at the hearing. Hardt told the Board how airport records show that a large underground waste tank built on the site by the Air Force decades ago was apparently never emptied and may be leaking into area groundwater aquifers.

Jauan Head resident Marilyn Horch urged the Board to balance the County's growth needs with the public interest. She also said that the airport advisory committee, set up by the county to facilitate interaction between the community and the airport, was entirely ineffective.

Because of time constraints, the Board of Environmental protection was unable to hear presentations by shellfish aquaculturist Scott Tilston and three other residents who have formally "intervened" in the application. The Board announced that it would hear their testimony at one of its upcoming meetings along with the testimony from the other witnesses.

On January 22, 2001, three of Maine's top lobster scientists issued a joint statement warning that their research showed a sharp decline in the number of juvenile lobsters existing in the waters off Maine and off Rhode Island.

"SIGNALS OF A WIDESPREAD DECLINE IN LANDINGS ARE NOW EVIDENT."

"POTENTIAL SLOWDOWN IN LOBSTER LANDINGS"

The abundance of juvenile lobsters in key lobster producing regions of mid-coast Maine appears to be declining. We expect landings in these regions and possibly elsewhere to decline sometime during the next two to four years. Given that lobsters are the single most valuable species to Maine's fisheries, we think it is important to alert the lobster industry, state managers, policy makers and the general public and officials.

Predicting lobster abundance or landings is no easier than predicting the economy or the weather. While local lobster landings may generally reflect local lobster abundance, measuring abundance is fraught with uncertainty. We can never be sure that we "know" the abundance of any phase in a lobster's life.

However, by going to the same locations and using the same methods over many years, we can detect trends. Since any single measure of abundance may be flawed, we monitored abundance of three distinct stages, each requiring a different method of detection.

Censusing different developmental stages in juvenile lobster populations over time is similar to monitoring the total number of students in elementary schools as an indicator of future high school class sizes. If significant changes occur in the abundance of lobster larvae they should immediately translate to changes in that year-class on the bottom. A couple of years later, changes should be evident in the older juvenile lobsters.

Since 1995 newly settled lobsters on the bottom have been declining in the Boothbay monitoring region. Similar trends were detected in larvae in New Hampshire and new settlers in Rhode Island.

The larval and settlement studies suggest widespread declines at least west of Penobscot Bay (so larval monitoring has been done east of there). Censuses of juvenile lobsters that are 2 to 4 years old (2 to 5 years prior to harvest) have been conducted statewide at nearly 40 sites distributed from York to Jonesport. Most troubling is the consistent decline since 1997 of juvenile lobsters from eastern Muscongus Bay, throughout Penobscot Bay and Hancock County.

This broad swath includes Maine's most-productive lobster-producing regions. While not all of our indicators at all of our study regions are consistent, enough are for us to announce that signals of a widespread decline in landings are now evident.

Many lobstermen will quickly point out that they have seen more egg-bearing lobsters over the past decade than ever before, and we agree. In fact, in the most recent lobster stock assessment there is evidence that the reproductive potential of lobster stocks is currently high. The decrease in larval lobsters and year-classes on the bottom must be the result of other factors, possibly changes in the ocean environment itself which could affect survival or delivery of the larval stages.

However, just as we cannot explain the dramatic increase in lobster abundance and landings over the past two decades throughout the northeast, from Delaware to Newfoundland Canada, we cannot explain the pending decline. Further, larval and young of the year lobsters in Rhode Island and Maine are showing similar patterns of change despite being two oceanographically and reproductively distinct systems separated by Cape Cod. Thus the environmental factor(s) responsible appear to be very wide-spread.

What should be done? This question is best addressed by the lobstering community and state managers. As scientists we feel it's important to alert the public and stakeholders. No one has prior experience with the type of data we have. So we can't be sure how closely the harvest will follow our findings.

However, if the patterns we see turn out to be accurate predictors of declining harvest and are primarily controlled by the environment, then some traditional management actions such as increasing egg production may do little or nothing to reverse the situation. Nevertheless, steps should be taken to preserve existing broodstock. Certainly, a decline in lobster stocks given the large fishing capacity that exists could threaten the reproductive potential of the stock and reduce chances of recovery.

If lobster landings are to decline, it might be a good idea to wait before making large new financial commitments. Nature may still have more surprises for us and this trend could turn around. However, this is an excellent time for industry and managers to discuss the most appropriate actions so that the stocks and the fishermen both survive the fluctuations inherent in nature.

Robert S. Steneck
Richard A. Wahle
Lewis S. Incze

LINKS
The University of Maine School of Marine Sciences
Bigelow Laboratory for Ocean Sciences
Killing Seals to Restore Fisheries:
Anthropocentrism, Theoretical Fatalism, Plain Arrogance

A Comment on the Terms of Reference of the 'Eminent Panel' on Seal Management

"The strength of the deep ecology movement depends upon the willingness and ability of its supporters to force fact-dependent experts who underpin environmental decisions into discussing in terms of values and priorities." - Arne Naess

Dear 'Eminent Panel' on Seal Management (Ian McLaren, Solangra Brault, John Harwood, and David Vardy):

I would like to make some general comments on issues concerning seals and some specific critical comments on the main assumptions of your Panel, as explained in your Terms of Reference and reflected in the Questionnaire on Seal Management in Atlantic Canada, which you have made available. I am responding to the call for input from "stakeholders and interested parties" (deadline November 24, 2000). I note the broad reference, the mandate of your Panel is to provide to the Minister of Fisheries, "advice on a long-term strategy for the management of seal populations in Atlantic Canada." I am writing from the perspective of someone who has felt compelled to speak, as best I may, as a voice for the various seal species in the Atlantic Region since the early 80s. (See for example Green Web Bulletin #31, "The Philosophy And Weakness And Ability Of Its Supporters To "serve" Anthropocentric Values", and other writings on seals listed on our web site: http://greenweb.ca - greenweb/)

These seal species, whatever harbor, gravelly or hooded, have been under continual assault by humankind, in particular by those commercially exploit the oceans in our region of Canada. My concern for the well-being of seals has also been part of a more general concern for the overall ecological health of the oceans and the current destructive industrial-capitalist fisheries model which undermines this ecosystem, and within which the attacks on seals need to be situated. (See the 1995 Green Web Bulletin #5 "Fisheries and Arctic Wildlife, " "Narrative of Excluding Paradox") This also the critique of the proposed Fisheries and Oceans (DFO) model for Marine Protected Areas "Marine Protected Areas: A Human-Centric Concept," both listed on our web site.)

I have come to certain conclusions from my involvement in seal-related issues, which may be partially summarized as follows:

Seals have beauty and intrinsic value independent of any utilitarian value attached. These values are independent of the so-called usefulness of seals for human purposes. This is a deep seated ethical and philosophical belief. Those who subscribe to such beliefs, although seemingly a minority in public discourse in the Atlantic Region, are helping to change our understanding of the intrinsic worths away from an anthropocentric, for-granted human-centeredness, which i.e. which views seals as a "resource" to exploit. Conflicts over seal issues are fundamental and basic value systems in how we are going to relate to the natural world. This fundamental ethical conflict is not reflected in the Terms of Reference of the Seal Management Panel. Instead, the overall unquestioned value orientation is anthropocentric.

I believe that seals play an ecological complex role in marine ecosystems that is some circles the discussion of bottom-up and top-down capacity and the human ecological footprint (economic fallout).

"To develop a strategic harvesting plan for seal populations in Atlantic Canada: To develop a strategic harvesting plan for seal populations in Atlantic Canada.

"The Northern Forest Forum

"Ours are not the problem in the decline of the commercial fishery. We and our non-sustainable, ever-expanding industrial lifestyles are..."

"SEALS ARE NOT THE PROBLEM IN THE DECLINE OF THE COMMERCIAL FISHERY. WE AND OUR NON-SUSTAINABLE, EVER-EXPANDING INDUSTRIAL LIFESTYLES ARE..."

Constitutes a sustainable quality of life for humans and non-human seals alike. There can be in the long term no space for seals, if the commercial fishery, oriented to global market, continually expands.

Personally, I do not oppose the subsistence hunting of seals by aboriginal and non-aboriginal Canadians, if it can be objectively demonstrated that the seal species being hunted are not at risk. I do strongly oppose all commercial killing of seals, or any so-called "call" of seals to supposedly benefit the commercial fishery. Seals are not the problem in the decline of the commercial fishery. We and our non-sustainable, ever-expanding industrial lifestyles are.

RECOMMENDATIONS

THAT THE PANEL: publicly repudiate its terms of reference because of the human-centered bias. The Panel then present an alternative, deeper and non-anthropocentric, ecological frame of reference for a discussion on seal issues. Such a discussion would include advocating the necessity for an Earth-centered spiritual transformation, so that human interests become placed in a context of respect for all other species, including seals. From my perspective, if the four panel members did this, then they can justly be called "eminent."

PLEDGE

I PLEDGE TO WORK WITH ANY ORGANIZATION INSIDE OR OUTSIDE OF CANADA TO IMPLEMENT THE ECOCENTRIC SEAL ETHICS WHICH I HAVE SKETCHED OUT IN THIS COMMENT.

David Orton

November 23, 2000

The above position has also been generally endorsed by the Red Tail Nature Awareness Camp, in St'sebass, Nova Scotia, and by Earth Action, an environmental group in Prince Edward Island. For further information contact Billy MacDonald of the Camp, or for Earth Action, Sharon Labchuk.

Visit the Green Web Home Page at: http://greenweb.ca - greenweb/

Human child in foggy boat & mouse hat: rank consumerism or modern telethon?

Candlemas 2001
Deadly Lessons: Were local school & daycare centers built with contaminated concrete?

NORTHPORT. Children attending the temporary school in MBNA Corporation’s “Point Lookout” complex in this sleepy Maine coastal town, or housed at day care centers built by MBNA in nearby Camden, Rockland and Belfast, may be getting exposed to unsafe levels of vanadium, mercury, arsenic and other toxic chemicals, environmentalists told Maine’s Governor Angus King. The letter follows revelations that sand and gravel used by MBNA’s building contractors was apparently taken from a gravel pit used for decades as a toxic waste dump by a now-defunct Searspoint chemical company. Environmentalists are asking the Governor to order Maine DEP to investigate the matter, and take appropriate actions.

The discovery of MBNA’s apparent use of tainted fill and building materials to build day care centers and other structures follows earlier revelations that some of the company’s projects in the region are causing theigration of important parcels of land, now valued at more than $100 million. Following an admission by Maine Environmental Commissioner Martha Kirkpatrick, that large quantities of vanadium-rich waste were dumped into a gravel pit near the Penobscot River in the early 1980s, environmentalists sent their call for the MBNA Corporation to test dirt and gravel that its contractors obtained from the contaminated “St Clair” gravel pit. Activists also called on King to order proper disposal of the wastes remaining in the gravel pit, and to require the company to dispose of identically wastes in a carefully constructed lined toxic waste landfill. The present Commissioner of Environmental Protection has approved of merely dumping fill dirt atop the waste in the gravel pit.

In mid January, MDEP revealed that according to its records, tons of powdery vanadium-rich waste were dumped into the gravel pit in the last 25 years. Left uncovered and exposed to wind and storm, the highly irritating substance has likely spread throughout the complex of gravel pits along the slopes above Moose Point State Park, and may have infiltrated area groundwater supplies.

The Harvard researchers state that “Vanadium is known to produce adverse health effects, primarily in the respiratory system. Epidemiological studies have shown that exposures to high levels of vanadium through inhalation can result in inflammation of the lungs and other parts of the respiratory tract.” Source: Harvard University’s Superfund Basic Research Program.

In a letter sent January 17, 2001 to Maine Governor Angus King and Maine Department of Environmental Protection Commissioner Martha Kirkpatrick, Penobscot Bay Watch Ron Huber cited the Harvard findings and urged the state to take action.

“Deposition of these materials in a sand & gravel environment is inappropriate.” Bay Watch leader Ron Huber wrote. “Airborne dispersal and respiratory toxicity of vanadium found in these wastes is well documented. Don’t let feet be furthered from the Saint Clair gravel pits that were used as fill for construction and landscaping of schools, daycare centers, and other public buildings along the western Penobscot Bay coast is justified.”

At press time, no word from the Governor on whether he will take action....

Conservation Group to Challenge Pro-Extinction Directive

CONTACT: David Carle, Conservation Action Project (603) 882-6520

Legal Action against FWS is considered by the Conservation Action Project as an effort to protect the critically endangered New England Cottontail. Following an admission by Maine Environmental Commissioner Martha Kirkpatrick, that large quantities of vanadium-rich waste were dumped into a gravel pit near the Penobscot River in the early 1980s, environmentalists sent their call for the MBNA Corporation to test dirt and gravel that its contractors obtained from the contaminated “St Clair” gravel pit. Activists also called on King to order proper disposal of the wastes remaining in the gravel pit, and to require the company to dispose of identically wastes in a carefully constructed lined toxic waste landfill. The present Commissioner of Environmental Protection has approved of merely dumping fill dirt atop the waste in the gravel pit.

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Al Gore's Ideological Limitations: A Commentary on Earth in the Balance

By David Orren

The United States has long been the natural leader of the global community of nations.

Al Gore, Earth in the Balance, p. 171.

This is a commentary on Earth in the Balance by Al Gore (paperback, Penguin Books USA Inc., 1993, ISBN 0-452-26935-0). I have had this book sitting on my bookshelf for several years. I bought it because it was frequently mentioned favorably in some environmental circles. Earning in the Balancing, I read it, and it was one of those "duh" books (about 400 pages), that I felt I should read, but did not have much enthusiasm for. I was also curious and somewhat appalled by the institutional principles (which I knew included particularly a concern for global warming), while serving as the Vice-President of the Clinton administration - an administration marked generally by environmental vacillation within the dominant industrial capitalist paradigm, including on climate change.

What made me finally read Gore's book were the sharp polinomics which erupted within the US environmental community in the recent presidential election of 1992, in which Gore ultimately supported the Democratic candidate, Ralph Nader, ran for the Green Party, and George W. Bush ran for the Republicans. (I am leaning slightly, left, even sharper, but different kind of discussions which arose over the vote-counting in the state of Florida for the presidency, which Gore ultimately supported, and the US Supreme Court ruling. This showed, in my view, that for Gore, under pressure, it was more important to uphold the continuity of our lives and the real connection to the natural world, that our minds are separate from our bodies, and that as disembodied intellects we can manipulate the world in any way we choose. Precisely because there is no connection to the physical world, we trivialize the consequences of our actions. (p. 144)

But he differs from deep ecology in that his is a God-centred "stewardship" view, with humans still at the center, but exercising their "dominion" intelligently with a "seventh generation" perspective and "intergenerational equity" in mind. For him, this is a Christian requirement, because, in the end, the Earth "also belongs to God" (p. 244) not just humankind. Yet any experienced environmental activist knows that those who exercise "dominion" by working the land or sea... e.g. loggers and fishers, usually become vocal exploiters, not environmental defenders - and viciously oppose new woodland-containing parks, or marine protected areas which exclude commercial fishing.

He also states a fundamental organizing principle in Earth in the Balance that deep ecology supporters would also agree with, the "seventh generation" principle which discredits the principle: the "...new 'central organizing principle' of the post-Cold War world - namely, the task of protecting the earth's environment while fostering economic progress." (p. 30)

Gore sees the need for a fundamental spiritual transformation, like most deep ecology supporters, to resolve the global environmental crisis, but unfortunately interprets this in a narrow, sectarian manner.

Many of the ecological and social reforms which Gore proposes in his ecological restoration "Global Marshall Plan" could be supported in themselves, but are undermined by some basic beliefs which are taken for granted. Such beliefs reveal a kind of ideology - and hence become serious obstacles to the new required transformation. The US fixation on economic growth and a consumer lifestyle is, it seems, a given and basic belief, which cannot be touched. "Who is so bold as to say that any developed nation is prepared to abandon industrial and economic growth? Who will proclaim that any wealthy nation will accept serious compromises in consumer levels for the sake of environmental balance?" (p. 279)

The proposed reforms then can be seen as ultimately utopian, while the Earth continues to be destroyed. Moreover, the basic beliefs to which Gore subscribes are also part of the global environmental crisis and hence fail to bring it in. Gore's agreement with these injustices has to be not bold, or deep enough, by far, even if it "balanced" from a shallow ecology perspective.

Ideological Limitations
Some positions in the book which reveal a limitation (which perhaps might be called "bureaucratic liberalism") become apparent.

Gore accepts a modified market economy as the only possible economic system and links free markets, "democracy" and "a just society". "...we must try to design our institutions so that the private company will be an ethical responsibility to protect the environment." (p. 144)

He supports trading in emission rights, is for biotechnology, and says that nuclear weapons "over the long term may prove a blessing" (p. 149). He also acknowledges that the economic/social system he continually celebrates in his book has to be replaced, to resolve the environmental crisis. He ultimately remains, in his thinking, a preserver of his own culture.

For Gore, the US and other countries can have more economic growth, sustainable development is fine, and there are no economic limits to continual growth. He opposes a "simplistic conclusion by some that development itself is inherently un­desirable." (p. 203)

He equates "democracy" with the US political process, and does not acknowledge any systemic corruption. There are also unconscionable, such as any delegation of partial sovereignty to a global UN-type authority in the Earth in the Balance. "The fear that our rights might be jeopardized by the UN is entirely unjustifiable." (p. 270)

There has been an exaggerated, but often typical US view of that country's importance and leadership role in the world today. Gore sees the need to acquire a "deep democratic commitment." (p. 270)

"The old story of God's covenant with both the earth and humankind, and in assignment to human beings of the role of good stewards and faithful servants was... replaced..." (p. 270) This God is not a Christian god.

Christian god is the center of his ethical understanding. Gore advocates a conscious role for humans as stewards of the environment or the Earth. He interprets the biblical "dominion" over the Earth to mean stewardship and in this way, looking after "other creatures". (p. 270)

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CONCLUSION
Al Gore Illustrates in his book what Arne Naess might call the full development of a "shallow" ecology, where the existing industrial capitalist paradigm of economic values is upheld. Gore is a reformer, not a revolutionary. He does not want to see the core beliefs to which he clings - which perhaps might be called "the American way" - undermined. I was surprised by his depth of knowledge of environmental issues, but also by his prejudices. Yet Gore is also an example of a certain style of "American" environmentalism, that is, mainstream, Christian, anti-communist, and seeing the United States as the center of the universe.

I think Gore shows a narrow, sectarian understanding. He is an individual, however informed, trying to change industrial capitalist society, even moderately from within the system, without any mobilized constituency for ecological ideals. Talk or eloquent writing will not overcome corporate and institutional self-interest. It should also be a lesson for some of the so-called "green" and "environmentalist" leaders, who are trying to replace the old electoral dreams. The problem of climate change, expressed so passionately in Gore's book, was not manifestly presented in the Clinton administration or the recent Hague climate conference in the Netherlands, the US - the largest emitter of carbon dioxide.
"We are causing unprecedented extinctions on one end of the biological candle while impeding nature's ability to evolve on the other."

Government and industry resist this idea because of perceived economic conflicts. The clash between the economic community's desire to extract natural resources and the environmental community's need to preserve National Forests as a storehouse of life and a laboratory for biophore restoration needs to be more closely scrutinized.

Aldo Leopold made a good point in his book "A Sand County Almanac" when he wrote, "a system of conservation based solely on economic self-interest is hopeless­ly liquidated. It needs to ignore, and thus eventually to eliminate, many elements in the land community that lack commercial value, but that are (as far as we know) essential to its healthful functioning. It assumes, falsely, I think, that the economic parts of the biotic clock will function without the uneconomic parts...A thing is right when it tends to preserve the integrity, stability, and beauty of the biotic community. It is wrong when it tends otherwise...the fallacy the economic determinists have tied around our collective neck, and which we now need to cast off, is the belief that economies determine all land use."

If the root of economy is profit then the economic community had better do its homework. For instance, according to an independent economics and financial consulting firm, ECONorthwest, the Forest Service loses money to the tune of a billion taxpayer dollars a year harvesting trees in our National Forests.

According to the Forest Service's own accounts, recreation and fish and wildlife activities produce 84.6 percent of the value of goods and services derived from National Forests while timber only provides 2.7 percent. Recreation supports 88 percent of the jobs compared to just 2 percent for logging. Doesn't it stand to reason that not cutting trees in our National Forests is more profitable than harvesting them?

Top of this, economic calculations for tree harvesting are based on board foot value on the revenue side of the balance sheet. Not factored in are the full costs associated with the loss of natural resources. Soil erosion and flooding subject many downstream communities to costly flood control and water purification systems. Citizens ultimately pay the price for insurance claims from flood victims in the way of higher insurance premiums. Many fish populations crash from the silt and pesticide loads caused by lumber activities causing a negative impact on many local economies.

Other harder to measure effects, but more costly to society in the long run, is species loss caused by habitat alteration, the reduction in carbon sequestration, and the loss of the production of pure air that trees provide.

During the leaf bearing months, one mature tree produces $600.00 worth of oxygen. An acre of trees absorbs 13 tons of pollution per year. Trees keep water temperatures stable supporting the larvae of many other species that mature to fill various strands in the web of life.

By the Forest Service's own account, the National Forests trap and hold 72.6 million tons of carbon. Considering the costs we'll bear from the ramifications of global climate change, how much is this place a higher value on trees over the paltry 4 percent of lumber that our National Forests contribute to the economy?

Humans seem to have a foolhardy need to defy death. As with nuclear annihilation, our current pace of environmental destruction will, in the blink of an evolution­ary eye, and most of the life that it took billions of years to establish on this planet. If we fail to succeed in ending this madness, economic pursuit on a barren planet will be a moot point.

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Earth in the Balance...

in the world — as usual led the obstructionists. The carbon sink demands for "carbon credits" were to minimize energy change in the US. (This also applies for those who live well and dominantly (and short-sightedly) off industrial capitalism, are not going to find the fossil fuel economy and quietly 'reform' themselves out of existence. This is a lesson for many environmentalists.

Al Gore, of course, had to be preferred over George W. Bush. But, for both of these persons, like former President Bush senior at the 1992 Rio Earth Summit, at rock bottom, the American destructive consumer lifestyle, so promoted throughout the world, is not on the negotiating table. If I lived in the United States (not someplace I desire) and if I had voted, I would have voted for Ralph Nader. He is someone I can personally admire — someone who seems to live by some Spinozan principles, and a very knowledgable capitalist reformer. But wasn't the Nader candidacy about what the late US/German Green, Perra Kelly, would have called "ecological social democracy"? Is it enough for electoral greenies? How will this assist and not obstruct the needed, fundamental industrial transformation? The Northern Forest Forum December 31, 2000
PEDOGENESIS: THE IMPORTANCE OF DECIDUOUS TREES IN THE FOREST ECOSYSTEM

by Celine Caron

Pedogenesis: The tube-like process, of natural origin, allowing the constitution of soil and maintaining its characteristics inside a certain dynamic.

Deciduous trees appeared on our planet 60 million years ago. We have known for a long time that climax species (oak, maple, yellow birch, linden, walnut, beech, ash, formerly called "noble" trees) and associated vegetation grow on fertile soils. We know now, for a much shorter time, because of the forest with pines and even after three succession stages, that it has been clearcut and replanted with coniferous trees, for a much shorter time, because of the forest with pines and even after three succession stages, that it has been clearcut and replanted with coniferous trees, (Ramial wood is the term used for the wood from trees that are smaller than 7 cm in diameter). A maple stand is a perfect example of a climax forest and of an abundant and sustaining nature. It is a living bank for future generations. We have known for a long time that deciduous trees and their associated vegetation grow on fertile soils. We know now, for a much shorter time, because of the forest with pines and even after three succession stages, that it has been clearcut and replanted with coniferous trees, (Ramial wood is the term used for the wood from trees that are smaller than 7 cm in diameter).

The Ice Storm of '98

The ice storm of '98 made it plain to see. How people were affected by their love of the tree.

Their presence and beauty often taken for granted, "This is so horrible," we raved and we wept.

Why... when it's nature's work does it seem so sad, When the rest of the time we think "it isn't so bad."

Do trees that are bent, snapped, and broken without any grace, Hurt us more than the ones with a neat, clean cut at their base?

The lumber we all use neatly cut, ovend and planed, Seems so different from those trees the ice storm bad maimed.

Newspapers consume many thousands of trees, Yet we read them daily our conscience at ease.

It's easy to ignore when it's done out of sight, It seems Beyond the Beauty Strip's Mitch Laney is right.

Perhaps the ice storm will make us all more aware, And we'll value those trees the forest has to give.

We need to be mindful of the trees we all use, Respect them and honor them, try not to abuse.

Conserving and managing are good things being done, Practicing good forestry should be goal number one.

Let's notchaote Mother Nature for ice storm '98, But examine our own behavior before it's too late.

— Evelyn MacKinnon

The Northern Forest Forum

Instead of hoping [those who think differently and offer new solutions] we continue to improve fighting strategies against erosion, diseases and pests, with physical or chemical techniques that belong to our operations.

The soil is the interface between the trees we shall, with advancing years, have maple trees to tap in the future who will complete the ecosystem? If the longleaf pine is a no parents in the neighborhood, where will the seeds commonly found in a healthy maple bush come from? The same scenario but on a much larger scale awaits us with the soil, because we ignore the mechanisms at the basin of its formation and the elaboration of the elements necessary for life in our beautiful earth.

Those who own agricultural land near a deciduous forest or a maple stand have certainly noticed that the forest soil is different from that of a cultivated field a few feet away. In a maple bush, be it on sand, silt or clay, the soil of a deciduous forest is deep and very dark brown, with a deeper rather shallow leaf litter in the autumn before leaf fall. The natural maple bush has several species of trees, unless they have been suppressed for grazing purposes. From a biological standpoint, the climax forest is more varied and very different from the one in cultivated fields, in which grow weeds that interfere with farming. The structure of such a forest soil is soft and it contains unstable substances that were transformed by microorganisms, the most important of them being the Basidiomycete fungus commonly named mushrooms. These products of living substances that are partly composed of hemic acid and fulvic acid. This woodland soil also contains many microorganisms of which we estimate the weight at two trees per hectare.

Forest soils differ according to which species of trees compose the epigeous system. This relationship evolved over times, as a narrow relationship exists between these trees and the substrate that "nourishes" them. This relationship was established among the ligneous trees and it principally depends on the lignin and derived polyphenolic compounds. The wood is composed of two types of lignin, one more specific to the coniferous trees (guaiacyl lignin) and the other to deciduous trees (syringyl lignin) in a proportion high as 30% (Lemieux 1999). This proportion can increase in the case of small branches because of a higher bark content relative to the whole volume. Such branchess are seen as pollutant by the pulp and paper industry.

This lignin has produced the most productive and fertile soils. Without this fraction and without the action of the Basidiomycetes, stable humification is impossible as it is the formation of aggregates, of soil structure and of the available energy that is the basis of life due to long-lasting polyphenolic action which is very important in the tropics, but also under our temperate climate, where concentrations of nitrogen and phosphorous compounds are difficult to control. Nevertheless, at the level of soil, lignin is the most important component, as it contributes to the creation of water-stable aggregates which conserve the nutrients and most important, to the soil biodiversity, the basis of fertility. These nutrients are made available by microorganisms, among which the mycorrhiza, as the microfauna, as needed by the plants.

The soil is the interface between the trees...
Regeneration of air, water and soil is probably still possible if we make it a life plan and we work at it—all of us in all urgency.

mineral and the plant in the form of a highly complex hypogeous ecosystem well adapted to the conditions that have been established under the forest canopy in the last 60,000,000 years.

The evolution of sciences and economy, rather than facilitate the comprehensive and acquisition of knowledge by scientific method, has rather followed the industrial path in the contrast of liberal economy (Lemieux 1999). Pedogenesis, on which life on earth depends, is in universal evidence. All interventions against desertification, soil degradation, ground-water polliotion—connect with pedogenesis, a process as old as the universe but, before everything, regulated by the biology of the hypogeous ecosystem in interaction with the epigeous.

What has always been considered as garbage which had to be disposed of in the past is the most important and the rich source of the future and the past. It allows the introduction of all the mechanisms inherent to the decisive forest soils to the agricultural soils without the destruction of trees. Another way to say it is that deciduous trees make fertile soil in the temperate climates as well as in the tropics. No deciduous trees, no fertile soil. We now know that the most essential and relevant part of the forest is the lignon, particularly the young or monosteric lignin of dominant deciduous trees, of which the cells are found in European and Quebec experiments. This led us to a new definition of soils as being composed of four elements: 1) mineral, 2) organic, 3) chemical, and 4) biological with its trophic chain, i.e., animal (bacteria, protists), plant (algae, fungi, mycorrhizae) in a polyphenolic matrix (Lemieux 1999). It is high time to give a cold and calm look at what it is, where it comes from, and how it is made. All regulations are about what should be and what are the mechanisms that rule it. This questions the notion of nutrients, green manures and composts, and the organic agriculture depends. Curiously, despite a dazzling advance in scientific knowledge, almost nothing pertinent was found leading the links between plant life and geology of the soil. In these times, all financial supports are oriented toward productivity and the correction of damage at the biological, chemical and geologic level. Nevertheless, answers are of another order and go well beyond "agriculture" (Lemieux 1999). Hence, all soils classified according to their high productivity have a forest origin where are found all necessary conditions for a long durability based on the availability of water and nutrients. As with drinking water, we see the soil, source of life, by staking on false concepts. Water and soils continuously degrade. Instead of helping individuals and groups who think differently about the soil, it comes from and how it can be improved to fighting strategies against erosion, diseases and parasites with physical or chemical techniques that belong to war option. We know the way to soil degradation quickly. The soil (and nature) is the place to find it. Above all, we must see its importance and its need and provide research funds. These funds must sustain grey matter rather than new machines and a more efficient chemistry to "fight the enemies". Let us open our mind to knowledge, discussion and experimentation (Lemieux 1999). It is high time to return to essential matters, the sources of life, and that we heal our planet. Regeneration of air, water and soil is probably still possible if we make it a life plan and we work at it—all of us in all urgency.

GLOSSARY
Aggregates: The whole of particles related to one another by a cement of biological origin, acting as a structural element for the soil, microbiological refuge and food for the microfauna.
Clastic: Adjective that characterizes all phenomena deriving from the climax which is the most stable ecological structure capable of assuring its renewal according to local constraints of climate and conditions.
Desertification: The whole of human and nature actions leading to the formation of biological entities fixed by certain climatic factors, of which water is the most important.
Ecosystem: Biological system allowing beings of different levels to live in harmony according to more or less close cycles.
Epigeous: That which is above; applies to autotrophic plant ecosystems like the forest.
Hypogeous: That which is under, particularly ecosystems inside the soil.
Pedogenesis: The whole process of natural origin, allowing the constitution of soil, and maintaining its characteristics inside a certain dynamic. This allows the control of nutrients necessary to the growth of plants and maintenance of lyophilous and leguminous biological balances.
Polyphenols: The whole of compounds derived from phenol and formed of biogenic conoms.
Trophic chains: Expression by which we designate the whole of plants and animals which participate to the transformation of ecosystems issues and to the transfer of nutrients and energy of the soil towards the plants.

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On Wild Forests and Wild Fires
By Jim Northrup, Executive Director of Forest Watch

proponents of wild, unmanaged and unregulated forests are now facing the flanes of paranoia in the wake of the recent 47,000-acre forest fire in Los Alamos, New Mexico. They are capitalizing shamelessly on this tragedy by claiming that preservation and restoration of wild, natural forests will only recreate the conditions that caused the Los Alamos fire. Nothing could be further from the truth, especially in northern New England's "abandoned" forests where the scientific evidence clearly shows that large forest fires were extremely rare, isolated events in the pre-colonial "wilderness." They also wildly mislead the arid southwest and rest of the nation.

The conditions contributing to and the effects of the Los Alamos fire were principally the result of human actions—past and present. In fact, the area's susceptibility to a major wildfire would have increased significantly if the area was still in the wild natural condition that existed over a century ago. In fact, much of the area around Los Alamos was a huge open meadow with tall grasses and only a small number of well-spaced trees, mostly ponderosa pine.

Scientific studies of tree rings reveal that it was natural for one- to three-foot high fires to occur in the Los Alamos area every few years, quickly burning the grasses but not the treetops. The same studies showed that the number and frequency of these quick, low-lying fires declined sharply during the 20th century when overgrazing by sheep and cattle was accelerated by the US Forest Service allowed ponderosa pines and hot-burning woody vegetation like mesquite to invade the impaired grassland. Human actions, not Nature, created this recipe for ecological disaster.

Unusually dense stands of small, stunted, wildfire prone, trees developed in the area because humans did not allow fires—natural or human-made—to thin them out. Forester report that in some areas of the Jemez Mountains near Los Alamos there were more than 100 trees per acre before the fire; the US Forest Service reported ponderosa pines and hot-burning woody vegetation like mesquite to invade the impaired grassland. Human actions, not Nature, created this recipe for ecological disaster.

Unfortunately, the human-made problems in the area will not stop when the last embers of the fire are extinguished. In fact, the biggest problems may be yet to come. Ponderosa pines, unlike lodgepole pines, are not adapted to the intensely hot fires that recently swept through the Los Alamos region. In fact, lodgepole pine's ability to recover effectively after intense, crown fires. The cones of lodgepole pines fall to the ground and stay closed for 100 to 200 years, depending on the heat from fires to open them and release their seeds to the ground. Ponderosa pine loses fire adapted to regeneration to fire and were burned to a crisp in the Los Alamos fire—seeds and all.

Ecologists worry that the readability of the forest around Los Alamos is ready itself quickly will unjustifiably the population and plant diversity to massive erosion and pollution when the heavy rains come. Without any vegetation to slow and build its base, massive runoff from summer storms is likely to carry deadly vegetation, soil and other debris into the tributaries of the Rio Grande, along with toxic and radioactive wastes dumped by the Los Alamos National Laboratory into nearby canyons during the past fifty years.

The human-made disasters of Los Alamos—recent past and yet-to-come—have much to teach us. One lesson certainly is that the long-term sustainability of this planet depends on our ability to understand natural systems and processes, and adapt human actions to be compatible with them. We need to learn and accept that large, wild, unmanaged areas are essential to the long-term conservation of our planet's diversity of species and processes. We need to find a place to bury the arrogant belief that humans must (and can) regulate every acre of Nature.

Aldo Leopold had it right when he said, "Ability to see the cultural value of wildness boils down to the last analysis, to a question of intellectual humility; a willingness to admit the little-known mindless moderns who have lost his heritage in the land assume that he has discovered what is important...It is only the scholar who appreciates that all history consists of successive excursions from a single starting point, to which man returns again and again to organize and interpret another search for a durable scale of values. It is only the scholar who understands why the raw wilderness gives definition ant meaning to the human enterprise."
BOOK REVIEW

THE RETURN OF THE WOLF

The Return of the Wolf: Reflections on the Future of Wolves in the Northeast

by Andrew Whitaker

I had not wanted to review The Return of the Wolf. My preference had been to have a helpful skeptic, John Harrigan, editor of the Coos County Democrat, perhaps, review it; but realities cavort and a big hole in these pages near (past) deadline intruded. No need to have located a skeptic, however, in that skeptics seem to have written at least three of the four essays that comprise Return, while the fourth offers the merits of passionate advocacy.

All four essays in some manner argue for wolves here in the Northeast — the Northern Forest — and all locate the drive to restore the wolf here in the broad context of wilderness restoration or at least that of habitat quality, integrity and connectivity.

Essays by Bill McKibben and Rick Bass bracket the book with a focus on sociology and human culture. They question this drive to restore a creature extirpated from the landscape — is it just one more expression of a hungry, material civilization? McKibben asks and answers: "Might it be the same species of wilderness restoration or at least that of habitat quality, integrity and connectivity."

DeBoer by Andrew Whittaker

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McKibben suggests that agriculture is dead in New England. I wonder, in a cultural sense, if it isn't more alive than elsewhere in America — in that we have a significant population dedicated to the idea of feeding itself. Go to where big ag thrives in America and you'll eat — factory food.

Theberge: A GRAND OPPORTUNITY FOR GENE POOL SHIFT

Theberge's easy outlines the richly fascinating story of wolf evolution and migration and in so doing identifies a central challenge to any Northeast restoration effort. What are we restoring?

Theberge's encapsulation of wolf genealogy describes several mysteries that animate scientific debate over the identity of our existing wolves. We can only recommend that readers hash through this themselves; the understanding I came to is that we apparently may have wolves, canis lycaon (red wolves and eastern grey wolf) and canis lupus (grey wolf proper), that do and do not inter-breed with coyotes, respectively (with some question as to what the anomalous Minnesotan grey wolves with coyote genes are all about).

A counter theory is that is simply grey wolf that has hybridized with coyote. The evidence largely suggests the presence of coyote genes in lynx, both the red wolf of North America and the Algonquin wolf of Ontario. On the other hand, we have the coyote connection, as Theberge puts it. As has many have pointed out, wolf restoration in White Plains might be appropriate if exacting of the wolf (my niece suggests McKibben's recent neighborhood, near the Mt. Asburn Reserve in Central, Massachusetts, as a former wolf domicile.) "Adirondackers," he notes, "often live in the world that pulses through the satellite dish more fully than the world that surrounds them."

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DeBoer's terms) they thrive or merely survive. That is the question of habitat quality, measured by both extent and integrity. The experiment of the Adirondacks poses the question of co-habitation between over-populating humanity and dispossessed species: can we meet the needs of both? "Small, but complete" is McKibben's human settlement answer. 'Wilderness' is the hope that McKibben notes the Adirondacks offering the world: while lapping at its edges, threatening to submerge all, is the broader cultural context.

The Adirondacks reminds us that his wild place, the Adirondacks, is a place of restored rather than original wilderness. Beaver, bear, moose have come back, by both active reintroduction effort in the first case and natural re-colonization in the latter two. He points out that Park residents opposed moose re-introduction but have loved the mouse that repopulated on their own. This identifies a central problem for the wolf: the essayists in The Return of the Wolf all treat: while politically unpalatable to many — maybe just a few — re-introduction of the wolf may well be necessary if we are to restore the species here. Habitat between here and the next nearest populations is fragmented, while the governments of Ontario (and more so) Quebec betrey little regard for protecting, let alone altering, their remnant wolf packs.

The second big question, wolves make it here on their own or by active effort by humans, is whether (in McKibben's terms) they thrive or merely survive. That is the question of habitat quality, measured by both extent and integrity. The experiment of the Adirondacks poses the question of co-habitation between over-populating humanity and dispossessed species: can we meet the needs of both? "Small, but complete" is McKibben's human settlement answer. 'Wilderness' is the hope that McKibben notes the Adirondacks offering the world: while lapping at its edges, threatening to submerge all, is the broader cultural context.

THERE IS A PARADOX OF OUR TIMES: the wolves' exuberance in the United States is certainly laudable, but the fact that the wolf has reappeared in several areas is also a matter of concern. The return of the wolf to North America is a remarkable achievement, and one that should be celebrated. However, it is also a significant reminder of the fragility of our ecosystems and the importance of conserving them.

The return of the wolf is a symbol of the resilience of nature, and of the power of conservation efforts. It is also a reminder of the need for continued vigilance and effort to ensure the long-term survival of this magnificent species. The return of the wolf is a testament to the success of conservation efforts, and a reminder of the importance of protecting our natural heritage for future generations.
The need for at least three distinct wolf populations in a given region, with allowance for inter-breeding between them, will in-brend in crossing territory, say from an Adirondack-based population, to a Maine-based, to a Quebec-based, wolves will meet and breed with coyotes. What can be done, however, is to secure large areas as "wolf fortresses" where wolves become more wolfish. "Such a goal for species recovery — gene pool shift rather than species reintroduction — is unique, never having been attempted or even contemplated before. The Northeast offers a grand opportunity to try it.

Theger's emphasis on the genetic complexity of the case for wolves is buttressed on the major enemy facing re-introduced or wolves roaming from protected range: killing by humans. The quality of the landscape which wolves might re-occupy will be a major determinant of whether the species can make a comeback in response to human pressure, or ever recover. Nature, or one that exists at the discretion of man, a freak of our political nature. Landscape quality boils down to one great consideration: Roads facilitate the killing of wolves.

DeBoer, the Wilderness Movement & Its Opponents

As is appropriate in an essay written by an advocate, Kristin DeBoer, whose writing on wolves and recovery efforts has appeared regularly in the Forum, offers the reader moral certainty in areas where her fellow essayists find complexity and nuance. "Is it possible that a wolf Recovery? Yes! Reintroduction? Certainly! Big wilderness? Absolutely! As DeBoer herself writes, "That is what it is about..."

"I think this is why Wilderness circles are locally sometimes dismissed as "parks"— beyond that George Wuerthner first proposed a "park" for the Northeast Kingdom: many people see a logged forest as economically self-sustaining, especially when looked for growth rather than immediate yield, whereas a Wilderness Park must needs be maintained, in that our economy and land have been viewed as mutually sustaining, and a withdrawal from this land base must be made up elsewhere."

As to wolves, I sometimes encounter locally people in sympathy with Wilderness debates of efforts to actively restore the wolf. One concern is that the wolf is indeed here already, in the Coyote — why meddle further? When I described the coyote-extrication option to one roomful, recently, they collectively groaned. Hubris! When I noted Theberge's requirement of three sub-populations connecting across the landscape and suggested it would be possible between the Adirondacks, the greater Adirondack region and the Allagash, let's say, again, skepticism that our landscape would allow for that or will, in any sustaining sense, as development continues.

Well, let's look at the bright side of all that: folks are using the word Wilderness, they believe in self-perpetuating landscapes, and they favor giving recovering species all the natural advantages of self-perpetuation. And when they read a book like The Return of the Wolf, they might be the biggest thing since Dobbs met Ozer.

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The Northern Forest Forum


The broader culture: "Wolf recovery is not just about restoring the wolf. It is about beginning to reweave the whole of life. It is about biodiversity and wilderness restoration. It is about how we define our role in nature. It is about our worldview. It is about lifestyles. It is about values."

One of her dreams is inspired by her political engagement on the wolf's behalf: during the New Hampshire debate that led the state to enact a ban on re-introduction. How to reach those whose opposition to the wolf is based on not always rational fear (or, as suggested later by Rich Bass, those who — appropriately — connect the wolf to everything else they hate)? (As in, those government-loving, frappuccino sipping, wilderness freaks want to do what?) At stake is the broadest vision of wolf recovery: one that would see wolves protected not only in remote backcountry, but in towns.

Here, DeBoer anticipates a need for comprehensive change in the mind-set and practices of agriculture, forestry, and habitat management, a more profound frame of compromise between culture and Nature.

Some may read DeBoer's essay as a bit Utopian, particularly in her vision of wolves as an agent of transformation and enlightenment, as the cause of the Wilderness. However, I have witnessed on a local level, here in Vermont's Northeast Kingdom, both aspects of wolf recovery: fearful reaction, in the form of an anti-introduction petition, and well-received educational efforts. Daniel Stahler of Lyndonville is a student of Yellowstone wolf recovery and delivered in a talk and slide show on wolves that probably changed some minds. Likewise, MissionWolf on its trip through the area, did much to reach younger people, particularly Bravos and some of the more!"Rational concerns remain. We read that coyotes are more predatory live stock than wolves, and in northern New England, our wolf-like coyotes have in some cases made it difficult to keep a flock of sheep. Some deep ecologists question whether we can make a concerted effort to convert grass to digestible protein, and fit well with small scale farm rotations (and is there a deep ecologist who can do that)? Information and resources can only help...

Concluision

Will Northern Forest communities develop an ethic that embraces the wolf? A short history of the idea of Wilderness and Parks may illustrate what I see as a dynamism in local thought, an evolving accommodation for predators based on an innate love of the wild.

A frustrated local educator here in Vermont's Northeast Kingdom once made an observation similar to McKibben's, though reaching a different conclusion: noting that his sneaker and jeans students were more tied to the utilitarian cloth of Bass's vision of sustainable forestry will ever be practiced on a more than hobby scale in the spruce/fir region. I would like to think that there are indeed loggers and foresters thinking in terms of a connected resource system, but I'm a Predator, and if they are, they must be mollified.
UP NORTH
(from a poem by Becca Harber)

Today was the coldest day of all
and grandmother was very talkative:
the excavating ropes of a woodpecker feeding,
a few chickadee calls,
the high cry of an unseen bird
in flight through the forest,
and those ravens.

Now, in the night
the hollies of the trees are calling
like a scattered crowd,
popping and cracking ecstatic in the deepening cold.
Some thin and higher-pitched,
some low and hollow,
some like snapping fingers,
others more explosive like gunshot,
but without menace.
They sound out one after another
from all directions,
and if there's a short pause,
a whole chorus of trees snap in rhythmic succession.

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[Image of Two Moose in Snow by Roger Irwin, Maidstone, Vermont.]

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