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America's River

If the plan for Maine's biggest development ever goes through, it could spell disaster for millions of acres of forestland across the northeast.

By Ted Williams

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For 40 years I've been collecting images from Maine's north woods: the unbroken canopy of green flashing past as my crewmates from the old Kennebec Log Drive Company and I floated down the Roach River on our backs, hauling ourselves onto logjams and breaking them up with peaveys; moose draped with lily pads; the fragrance of balsam and sphagnum moss; the tremolos and yodels of loons on a hundred wilderness ponds and New England's biggest lake; wild brook trout with ivory-trimmed fins and flanks the color of the sunset sipping my mayfly and caddis imitations; bats fluttering through twilight; hills and mountains going from green to purple to black; the banter of barred owls; spruce smoke rising into brilliant northern nights undefiled by ambient light. . . .

The north woods haven't changed much in my lifetime, but the Seattle-based Plum Creek Timber Company—the nation's largest private landholder, with 8.5 million acres—is telling me and other reporters how it's going to fix that. April 4, 2006, is a "great day" for Maine, an "exciting day," a "pivotal day." Something "grand" is about to unfold in the East's wildest forests, near its best trout ponds, along the remote headwaters of the Penobscot, Kennebec, Moose, Roach, St. John, and Allagash rivers, on the spectacular, mostly unpeopled shores of 40-mile-long and 12-mile-wide Moosehead Lake. Video cams track the speakers. Tape recorders, including mine, are thrust in their faces. Plum Creek is holding a press conference at the Maine State House in Augusta to announce a development plan whose size dwarfs anything the north country or even the state has ever seen.

Jim Lehner, Plum Creek's regional manager, proclaims that his firm, which abandoned its original plan last January after being pilloried at four public hearings, has heeded the people of Maine: "You spoke. We listened." His case seems weak. There has been scant change in the project's size or footprint, and the number of housing units remains about the same. Flipping through charts, Lehner shows us how the proposed resort at Lily Bay has been scaled back, how a second resort has been expanded but moved to a less remote area near Big Moose Mountain, how one of the four RV Parks has been canceled. But the company has clearly ignored the public's plea that the 10,000 acres of development be centered in and around the existing lakeside communities of Greenville and Rockwood instead of wandering off through the wildest sections of the watershed and thereby degrading thousands more acres with roads, powerlines, traffic, sewage, fertilizers, pets, and all the other blights that drive fish and wildlife from suburbia. From Long Pond, 30 miles north of Greenville on the west side of the lake, to Lily Bay, 15 miles north of Greenville on the east side, there will be 1,725 dwelling units—975 of them house lots, the others connected with the resorts. A conservation easement on 71,000 acres is included in the revised plan, and Plum Creek promises that if its development is approved by the state, it will sell easements on an additional 269,000 acres to nonprofit entities at prices of its choosing.

Plum Creek calls to its podium one George Smith, director of the 14,000-member Sportsman's Alliance of Maine (SAM), who rhapsodizes about how all the guaranteed access makes this massive development a terrific deal for hunters, anglers, and snowmobilers. Other invited speakers extol the economic boom the development will bring. But after Plum Creek's speakers finish, the pillorying resumes. "We're very disappointed," Cathy Johnson of the Natural Resources Council of Maine (NRCM) tells the TV networks. "Plum Creek may have listened, but it didn't hear."

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"As goes Plum Creek so goes the rest of the large landowners and all of that big block of undeveloped forestland. We have one chance here to do it right."

My press packet asserts that Plum Creek has offered a new "legacy for the Moosehead region." Indeed it has. But there's another possible legacy—not just for Moosehead but for the 26-million-acre Northern Forest that embraces it, the last really wild woods and water in the East and a stronghold for Canada lynx, bobcats, pine marten, forest-interior birds, loons, and countless other species we're running out of elsewhere. Plum Creek by itself cannot extinguish all this wildness. But other large landowners, not just in Maine but in New Hampshire, Vermont, and New York, can, and they are watching carefully. "As goes Plum Creek so goes the rest of the large landowners and all of that big block of undeveloped forestland," says Johnson. "We have one chance here to do it right."

Plum Creek cuts and sells pulp and saw timber, but it is also a developer recently reorganized as a real estate investment trust (REIT), an investor-owned company excused from corporate income taxes by paying out at least 90 percent of its taxable profit in dividends—a prescription for land abuse. "Here's Plum Creek's unrelenting MO," declares Bruce Farling, director of Montana Trout Unlimited. "Buy it, log the hell out of it, subdivide it, log it again, and put it on the recreational real estate market. And when the neighbors politely ask the company to ease up, the reply is always: Buy it or else. . . . The company bloats its environmental reputation with ad-agency spin. Meanwhile, many professional foresters quietly ridicule the company's silvicultural practice of whacking the best trees while leaving scraggly, genetically inferior stock for reseeding weed-infested clearcuts that, in a masterful Orwellian broad-brush, the company no longer calls clearcuts. They are 'regeneration cuts,' or 'overstory removals.' "

When I asked Mark Vander Meer, a highly respected independent forester and soil scientist in Montana's Swan Valley, to assess Plum Creek's land stewardship, he said: "About as bad as you can get. Plum Creek is entirely untrustworthy. They'll tell you whatever you want to hear. They kept saying, 'Why would we sell timberlands; we're in the business of growing timber.'" Plum Creek officials repeatedly offered the same assurances when they showed up in Maine eight years ago, and within two years they had announced an 89-lot development on First Roach Pond, pristine trout and landlocked salmon habitat in the Moosehead watershed. "Plum Creek promised us they'd be 'good neighbors,'" says Joan Wisher, president of the First Roach Pond Improvement Association. "Then they took the big hardwoods, destroying our shade canopy, making a permanent dust bowl, and silting the pond. The dust covered everything and gave me prolonged fits of coughing. We went to them as an association and begged them to give us a no-harvest buffer zone; they refused. We begged them not to develop the north inlet, a pristine area where people go to watch moose and where eagles nest; they refused."

Plum Creek responded to criticism of the mess it made at First Roach Pond by professing that no more major development was on the horizon. Then, on December 14, 2004, it announced a plan for the biggest development in the history of the north woods or of Maine.

All that, however, is the nature of REITs, and most straight forest-products companies are no less brutal to fish and wildlife habitat, facts that render Plum Creek's nickname in the West—"the Darth Vader of the timber industry"—unfair. Moreover, I have always thought that environmentalists are wasting their time by criticizing Plum Creek for its cut-out-and-get-out logging and slapdash development. Vader, after all, was habitually lawless; Plum Creek almost always obeys laws. If environmentalists in the West or in Maine don't like what it does to land and water, they need to talk to their legislators, not Plum Creek.

Mainers are no more ready for REITs now than they were eight years ago, when Plum Creek bought 905,000 acres of the state from South African Pulp and Paper International. Before that, paper companies owned most of the 10.5 million acres of northern Maine's "unorganized territory." "They were far from perfect," remarks Kevin Carley, director of Maine Audubon. "But they had a certain level of stewardship because they wanted to ensure sources of fiber for their mills forever. The old owners, the guys who ran the mills, hunted and fished in the north woods; that's where they had their camps. There was a level of connection." Mainers assumed

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there could never be a time when the unorganized territory grew houses instead of trees, so they made little effort to protect it. Few states have a lower percentage of publicly owned land than Maine (6 percent), yet it contains 58 percent of the Northern Forest.

About a decade ago paper companies in northern New England and New York found themselves beset by a largely self-induced crisis. Because they had allowed their mills to become obsolete and dilapidated, because they had "high-graded" their timber (cut the best and left the rest), because they had engaged in massive clearcuts instead of sustainable forestry, and because labor costs were high, they had difficulty competing in the world timber market. The easiest solution was to sell out. Since then about 40 percent of Maine's commercial timberland has changed hands, and today scarcely any Maine forestland is owned by U.S.-based forest-products companies. Virtually everything is in the hands of REITs and pension funds, most of which promise investors 12 percent returns and liquidate about every 10 years.

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The same thing is happening in the rest of the Northern Forest—in fact, in the rest of the nation and world. For example, on the day of Plum Creek's press conference, International Paper announced the sale of 5 million acres of its forestland, mostly in the South but also in Michigan, to various real estate investors for \$6.1 billion. The U.S. Forest Service predicts that, largely due to development pressures, 44 million acres of private forests will be sold over the next 25 years. Forest stewardship doesn't pay fast enough, so—after stripping your timber, of course—you hawk the stump fields for condos, second homes, and resorts, and what sells best and fastest is the shorelines of wild rivers, ponds, and lakes. In one of its more savage abuses of the language, Plum Creek calls this "higher and better use."

Development in Maine's unorganized territory is managed by the Land Use Regulatory Commission (LURC)—a seven-member, independent board appointed by the governor, confirmed by the legislature, and assisted by full-time staff. LURC's mission is to protect the remote character and current uses of these wild woods and waters. Maine—

whose citizens oppose massive development of the Moosehead region by two to one, according to a poll by the Portland, Maine-based research firm Critical Insights—has had eight years to get ready for Plum Creek's proposal. But instead of beefing up LURC, the governor and legislature have consistently slashed its budget and staff. In 2005 a group of citizens, including a former Maine attorney general, Jon Lund, petitioned LURC to consider a moratorium on large-scale developments until it could formulate a new plan for the Moosehead region. Despite the fact that LURC itself had declared it needed a new plan and despite the fact that Plum Creek's application makes anything it had handled in its 35-year history look insignificant, it rejected the petition without serious discussion.

Wild (unstocked) brook trout ponds—virtually nonexistent in other states—are for everyone, but not for everyone all at once. Wild brook trout are as important to Maine as are redwoods to California or grizzlies to Alaska, and because they evolved in sterile water and can't afford to pass up the chance to eat, few if any species are more vulnerable to fishing pressure. Easy access wipes them out. Even more hurtful to hunting and fishing than overkill is habitat destruction and fragmentation. So you'd think that hunters and anglers would worry about north woods sprawl—and maybe they do. But the fact that they allow George Smith to do their talking for them illustrates how unprepared they are for slick, smart REITs.

One of the first things Plum Creek did when it blew into Maine was take Smith on a junket to Montana to view selected and utterly uncharacteristic examples of its forest practices. The company then started pumping money into Smith's Sportsman's Alliance of Maine, and it hired his sister to help organize its media blitz. Even before the company allegedly "listened" to the public and even before SAM's board voted to support Plum Creek's revised plan, Smith was whooping it up for the original plan—the one Plum Creek later rejected on the

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strength of public commentary. "Consider it a wonderful Christmas present—a lasting gift that will never wear out, a gift that will go on giving unto all future generations," he effused in a December 22, 2004, editorial for Maine newspapers. "Our Christmas stocking is filled today with a real plum, a splendid north woods gem wrapped in an effective package of economic development and land and water conservation. . . . What a gift. . . I was privileged to be on the inside as this plan progressed, and it was hard to keep the proposal secret, knowing just how spectacular the final result would be. . . . Hallelujah!"

Jon Lund, an avid and accomplished hunter and angler himself and publisher of the *Maine Sportsman*, New England's largest outdoor periodical, is less sanguine about Plum Creek's proposal. "A glaring omission in the economic planning of this state is that apparently, we have no handle on the economic value of the hunting and fishing and tourist activities in the north woods," he wrote in the November 2005 *Maine Sportsman*. He has urged LURC to "just say no" to Plum Creek. And he is disappointed in SAM for promoting the proposal as well as for opposing an initiative that would offset at least a little of the damage by adding Katahdin Lake and 6,000 acres of de facto wilderness to Baxter State Park. The whole parcel will be open to fishing, but only a third to hunting. That's a higher percentage than Baxter Park itself, but Smith worked tirelessly to sabotage the deal, very nearly succeeding. "George has decided that sportsmen need access to every place for hunting," Lund told me. "Well, I have a theory about that, and it's this: If hunters are going to insist on hunting every place, they're going to end up hunting no place. Hunters are a minority in this state, and the next time a hunting issue comes up for public vote, they're going to be looking for friends. When they ask for help, people in the conservation community are going to be very hard of hearing."

In a masterful Orwellian broad-brush, the company no longer refers to clearcuts. They are "regeneration cuts," or "overstory removals."

At the press conference I sat next to Elizabeth Swain, a trained forester, a former chair of LURC, and now one of the army of PR professionals, lawyers, and lobbyists Plum Creek has hired to promote its development. She described the old and new plans to me as "remarkably innovative" and "extraordinary," respectively. "Find me one other private landowner that is doing this much conservation so voluntarily," she said. "Seventy-one thousand acres conserved at no cost to anybody. . . . Plum Creek could have done most of this development without putting this land in conservation."

But REITs don't do things "voluntarily." Plum Creek's application to LURC is a request for massive development of wildland currently zoned for forestry and primitive recreation. In exchange for zoning variances there's a legal requirement that applicants offer something in return for damaging fish, wildlife, the remote character of the region, and current uses. According to NRCM's Cathy Johnson and Jym St. Pierre, a former staff director of LURC, Plum Creek cannot proceed sans conservation. Johnson told me this: "Plum Creek could do some development without the easements. For an area the size of what it is proposing, we would expect to see somewhere around 260 new dwelling units over the next 30 years, if history is any guide." And St. Pierre weighed in as follows: "It is true that Plum Creek could do a couple lots per year without going through rezoning and subdivision permitting. And Plum Creek could propose a subdivision that wouldn't have to pass the conservation-development balance test, but it's pretty unlikely that it would get approved. Someone asked me the other day, 'Why isn't anyone in the media calling this what it is: extortion.' What Plum Creek is saying is, you can have conservation if you give us our development."

Lund suggests two alternatives to the legacy Plum Creek envisions for the East's best and wildest woods and waters. One is public acquisition, perhaps a national park, which is what a Concord, Massachusetts-based outfit called Restore: The North Woods has been pushing for northern Maine, including the Moosehead region, since 1992. "A poll [by the Hatfield, Massachusetts-based research firm Abacus Associates], shows that most [60 percent] of the people in Maine, not just in the southern part of the state, support a park," says Lund. "And yet all the politicians act as if it's the plague. They won't even take a look at it." Hunting and snowmobiling wouldn't have to be banned because there are plenty of national park units that permit these activities, and you can fish almost everywhere in the park system. Still, SAM has used the alleged threat of a Maine national park as its most effective fund-raising tool: "Now we offer those frustrated [forest] workers and sportsmen a place to turn," writes George Smith. "We urge them to join SAM, and to join our battle to

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drive Restore back across the Kittery Bridge [to Massachusetts]. They can take their agenda someplace else. There is no place in Maine for a new national park.”

The other alternative Lund sees is “getting really tough,” something Maine agencies, including LURC, tend not to do and something Lund thinks isn’t going to happen. “LURC is a permitting agency,” he says. “Their thing is to give permits.”

Jym St. Pierre is no more hopeful, noting that “LURC has a very weak leadership now and not a particularly strong commission.” St. Pierre is a lifelong Mainer. He is un confrontational, low-key, laconic even. And besides being the former director of LURC, he is the current state director of Restore: The North Woods. I have never believed that Restore is radical, just that the people who rail against it are parochial and naive. The idea for a national park in northern Maine is neither radical nor new. It has come out of Concord, Massachusetts, twice now—the first time in 1853, when Henry David Thoreau, inspired by the view from Maine’s highest peak, Mount Katahdin, called for “national preserves where no villages need be destroyed, in which the bear and panther, and some even of the hunter race, may still exist, and not be ‘civilized off the face of the earth.’ ”

Thoreau was much on my mind the bright summer day I climbed Big Spencer Mountain with Jym St. Pierre. From the 3,230-foot-high summit we gazed out over Plum Creek’s holdings and most of the 3.2-million-acre Maine Woods National Park that Restore and its allies are promoting. To our east rose tundra-cloaked Mount Katahdin and OJI Mountain, named for the landslides that carved those letters. Lakes and rivers—which belong to the people of Maine and America, not to REITs—stretched as far as we could see. To the northeast lay Chesuncook, Ragged and Caribou lakes; to the northwest, Lobster Lake; to the southwest, Moosehead. Apart from the chartreuse scars of clearcuts and a cloud of dust over a logging road, the scene from this elevation hadn’t changed since Thoreau described it: “There it was, the State of Maine. . . . Immeasurable forest for the sun to shine on. . . . No clearing, no house. It did not look as if a solitary traveler had cut so much as a walking stick there. Countless lakes—Moosehead . . . Chesuncook . . . Millinocket . . . and mountains, also, whose names, for the most part, are known only to the Indians. The forest looked like a firm grass sward, and the effect of these lakes in its midst has been well compared, by one who has since visited this same spot, to that of a ‘mirror broken into a thousand fragments, and wildly scattered over the grass, reflecting the full blaze of the sun.’ ”