

FOREST PRODUCTS NEWS

Fall Legislative North Woods Tour

**By Patrick Strauch
Executive Director**



On October 24th and 25th the MFPC was pleased to host over twenty legislators for a road trip into the North Maine Woods. The MFPC Fall Legislative Tour was organized to showcase the forest products industry and provide an opportunity for legislators to get a



firsthand education. With several stops and over a dozen speakers, the two day event proved to be both informative and exciting for legislators.

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Interstate Truck Weight Limits Increase by 20,000 Pounds

Senator Susan Collins of Maine has been fighting for years to increase truck weight limits on interstate highways to 100,000-lbs and now it seems her persistence has paid off. The US Senate recently voted to include language in a 2012 omnibus spending bill which would remove the 80,000-lb limit on trucks traveling on interstate highways in Maine for the next 20 years. On Friday, Nov. 18th President Obama signed the increases into law. This legislation comes after

a pilot version of the legislation expired at the end of last year. The pilot program was hailed as a success by the Maine Department of Transportation, Maine State Troopers Association, Maine Department of Public Safety, and the Maine Motor Transport Association.

The legislation was long overdue and levels the playing field for Maine to compete with other states and provinces in the region who were not burdened with the weight restriction. Allowing for

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The tour kicked off at 7a.m. with coffee and doughnuts at the MFPC office as we loaded up to begin our journey north. The first destination on the tour was Pleasant



(Chris, Jason and Luke Brochu from Pleasant River Lumber)

River Lumber in Dover-Foxcroft. While we were in route, Mike Beardsly from the Professional Logging Contractors got things started by addressing the group and taking questions about the his organi-

zation. Sherry Huber from the Maine Tree foundation spoke next and talked about the "Teacher Tours" she hosts, along with Project Learning Tree, to educate high school and middle school teachers about forestry.

At around 9a.m. we reached our first stop at the Pleasant River Lumber Mill where we were met by more legislators and greeted by Chris, Luke, and Jason Brochu with more coffee and doughnuts! The group split up and donned their

hardhats for an hour long tour detailing the entire sawmilling process from start to finish.

Upon completion of the sawmill tour we loaded back onto the bus for the ride to Millinocket. As we traveled north Patrick Sirios addressed the group on the Sustainable Forestry Initiative and detailed the

specifics of land certification and its importance. We arrived at the New England Outdoor Center to pick up lunch and headed north on the Golden Road to view a harvesting operation on Prentiss &



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Legislative Tour..... (Cont. from page 2)

Carlisle managed land.

As we headed past the Caribou checkpoint into the “North Maine Woods”, Don White and Bill Miller of P&C talked about different aspects of forest management and silviculture practices. The bus then stopped at a log landing where legislators were able to disembark and watch a feller/buncher actively harvesting trees. Legislators were also able to view the delimeter and grapple/skidder operating in the log yard before loading back onto the bus for the trip back to the New England Outdoor Center.

On the ride back out of the woods, presentations from individuals representing groups with interests in forestry and conservation continued. Tom Doak from SWOAM discussed issues faced by small landowners and highlighted some of the challenges associated with public access to private land. Brian Wentzel from the Appalachian Mountain Club talked about his groups’ conservation efforts, sustainable timber harvesting, and plans to maintain trails, huts, and lodges. Al Hutchinson from the Forest Society of Maine was the final speaker for this leg of the trip and talked about his organizations work with conservation easements and

the important role they play in maintaining the working forest.

Upon arrival at the New England Outdoor Center, legislators enjoyed a social hour before sitting down to a gourmet dinner at the River Drivers Inn. As dinner concluded, programming once again resumed with a presentation from “dirt” forester Ted Shina of Huber Resources entitled “Wildlife Habitat Management from a Foresters Perspective”. Legislators were then addressed by Peter Hanson, CEO of Great Northern Paper, on the challenges of restarting the E. Millinocket paper mill and where the company plans to go in the future. The final piece of programming for the evening was a panel discussion with members of the Keeping Maine’s Forest group on their efforts to find new

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Legislative Tour.....(Cont. from page 3)

collaborative ways to promote Maine's forest resources and economy within the working forest conservation model. The panel included Marcia McKeague of Katahdin Forest Management, Sherry Huber of the Maine Tree Foundation, Tom Rumpf from The Nature Conservancy.



The tour resumed the next morning with a ride to the Pelletiers Loggers Restaurant in Millinocket for breakfast and two more presentations. Bob Wagner, Director-School of Forest Resources, from the University of Maine got things started off by discussing wildlife habitat in the north woods. He spoke about a recent University of Maine study by wildlife ecologist Dr. Daniel Harrison and misconceptions about species such as the pine marten and Canadian lynx. The final presentation of the tour was given by Al Cowperthwaite, Director of the North Maine Woods. Al spoke about the history of the Maine woods and efforts to maintain public access as has been the tradition in Maine. To the surprise of everyone on the tour, Rep. Clark of Millinocket then presented Mr. Cowperthwaite with a legislative sentiment applauding his efforts and commemorating the 40th anniversary of the founding of the North Maine Woods.

This year's fall legislative tour was a great success thanks to the efforts of dozens of people including members of the forest products industry, conservation organizations, and of course the legislators who took the time to participate. We are all looking forward to the next tour and I'm sure we will have even more participation and top notch programming.

Thanks to the following members who sponsored this two day Legislative Tour

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Al Cowperthwaite receives Legislative Sentiment for 40th anniversary of the North Maine Woods

Al Cowperthwaite and Rep. Herbert Clark



On September 25th Rep. Herbert Clark from Millinocket took great pride in awarding Al Cowperthwaite, Director of the North Maine Woods, a Legislative Sentiment in recognition of the hard work put forth to maintain access to the north woods for over 100,000 visitors each year. Rep. Clark

presented the sentiment Mr. Cowperthwaite after he completed a presentation to legislators on the history and operations of the North Maine Woods at the Pelletiers Restaurant in Millinocket.

The North Maine Woods is comprised of over 3.5 million acres of private commercial forest land. It is run as a non-profit organization made up of a collaboration of large and small landowners, corporations, and individuals. Working together with Maine's state agencies, a partnership has been forged that allows the public to maintain access for traditional uses while promoting a healthy working forest model.

Truck Weight(Cont. from page 1)

trucks to travel on the interstates has many economic and public safety benefits such as the reduction in travel time and lower fuel costs.

Of even greater importance is the public safety aspect of this issue. Trucks were previously forced off the highways onto secondary roads and through small towns. This meant trucks had to navigate more traffic lights, crosswalks, railroad crossings, school crosswalks and busses creating greater potential for accidents.

This legislation will make every business that uses trucking on the interstates more competitive while making secondary and state roads safer.

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National Park Press Conference

On Nov. 1st the Maine Forest Product Council joined the Sportsman's Alliance of Maine and the Maine Snowmobile Association for a press conference to solidify opposition to the proposed national park on 70,000 acres of lands to be donated by Roxanne Quimby. The press conference was held at the welcome center in the state capital and was attended by members of the press from around the state.

MFPC executive director Patrick Strauch opened the press conference by talking about Maine's working forest model. This multiple use model allows for the sustainable harvesting of timber that supports the second largest paper manufacturing industry in the country, produces high quality pulp that is shipped all over the world, supplies raw materials for Maine's modern sawmills, and remains compatible with some of the best outdoor recreation in the nation.

While the proposed park is said to occupy only 70,000 acres donated by Ms. Quimby, many in the forest industry fear this will only be the first step in a much larger effort to create a federal park spanning several million acres and severely choke off the supply of wood flowing from Maine's working forests.

Jim Robbins of Robbins Lumber in Searsmont then spoke on behalf of the MFPC and highlighted many of the concerns that a national park in the Katahdin region would create. Among the top concerns raised was the issue of wood supply. While the proposed park is said to occupy only 70,000 acres donated by Ms. Quimby, many in the forest industry fear this will only be the first step in a much larger effort to create a federal park spanning several million acres and severely choke off the supply of wood flowing from Maine's working forests. Mr. Robbins also discussed other concerns with federal land manage-

ment practices such as the "let it burn" policy and the fact that environmental regulations make it nearly impossible to harvest wood on federal park lands.

David Trahan of the Sportsman's Alliance of Maine and Bob Myers of the Maine Snowmobile Association also spoke out against the proposal from the recreationalist point of view. Concerns were voiced over the issue of traditional access to private lands that sportsman and snowmobilers have enjoyed responsibility for many years. This relationship has allowed for the development and infrastructure of over 14,000 miles of groomed snowmobile trails that facilitate a multi-million dollar industry all over the state in the winter "off season".

Hunting, fishing, trapping, motorized sports, and the forest products industry as a whole represent the top drivers of Maine's economy. The working forest model

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National Park.....(Cont. from page 6)

which has allowed these industries to thrive is directly threatened by the proposed creation of a national park. We are committed to opposing federal ownership of the Maine woods and will continue to fight any effort that takes traditional access away from the people of Maine.



MFPC Joins Supreme Court Amicus Brief

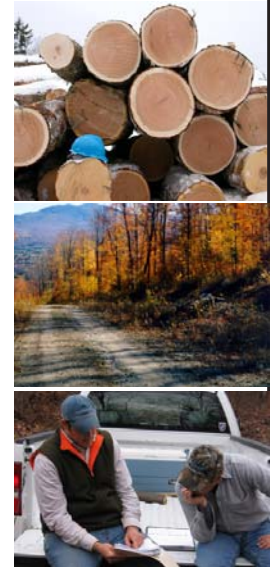
The MFPC has been actively involved with state and national forest industry associations in opposition to the 9th Circuit Court of appeals recent decision to categorize all forest roads, including logging roads, as “point sources” of pollution under the Clean Water Act. The circuit court’s decision reverses 35 years of standing and would require and EPA permits for any point where runoff occurs on logging roads.

The forest products industry in Maine and throughout the country has been fighting against these new regulations on several fronts. First, legislation has been introduced in congress to codify the EPA’s regulation of forestry activity so it does not define forest roads as a “point source”. Second, regulatory changes have been proposed to prevent the EPA from requiring Clean Water Act permits for forest roads. And finally, a lawsuit has been filed with the Supreme Court to overturn the 9th Circuit Courts decision. The MFPC has joined in this lawsuit by submitting language in a “amicus brief” with other forest industry associations from around the country. Amicus briefs are filed in support of lawsuits by effected parties to demonstrate the wide scope a court decision may have.

The 9th Circuit Court decision may have tremendous ramifications on the forest products industry and we will remain fully engaged with this issue.

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MFPC Calendar

Lurc Reform Committee Meetings

•10 a.m.-4 p.m., Thursday, Dec. 1, venue and location to be announced.

MFPC Executive Comm. Meeting - Dec. 8th 9 AM

Landowner Relations Conference - Dec. 13, 2011 at SAM's 9-1

KMF Part of Americas Great Outdoors Initiative

KMF was recently recognized by the US Department of the Interior for the Penobscot Watershed Stewardship and Restoration program and will be included in the America's Great Outdoors Initiative. This initiative seeks to support locally based programs that encourage conservation of land and water for the public's benefit.

In 2008 a unique coalition called Keeping Maine's Forests began to take shape in Maine with the goal of conserving Maine's forests and maintaining the working forest model in the north woods. The group is comprised of landowners, conservation groups, tribal nations, sports-

men, mills, and recreational interests. By focusing on collaboration, KMF "envisions the Maine Woods composed of a matrix of public land, private land permanently protected by conservation easement, land managed under long term agreements for habitat or ecosystem services and other private forest land".

KMF has begun work on two pilot projects: The Downeast Deer and Riparian Habitat Project and the Penobscot Watershed Stewardship and Restoration.

The Downeast Deer Riparian Habitat Project is an effort to provide landowners with a non-regulatory approach and incentive to better manage their land with the intent of increasing deer and fish populations for the

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Most of America's forests are owned privately, not by the federal government and not by big companies. The largest ownership group? People like me; family forest owners who work hard to keep our forests healthy. But sometimes our own investments in resources and sweat equity just isn't enough.

That's why forest conservation programs in the Farm Bill matter – a lot. These programs help us protect wildlife habitat, keep the air and water clean, and keep our forests intact. That benefits everyone.

Tell Congress: keep the Farm Bill's forest conservation programs working.

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Keeping Maine's Forest. (Cont. from page 8)

benefit of recreation in Downeast Maine. Several groups are involved with the project including the Downeast Lakes Land Trust, Lyme Timber, American Forest Management, The Passamaquoddy Tribe, Maine Bureau of Parks and Public Lands, and Wagner Forest Management. Currently these groups are gathering and prioritizing mapping data for deer wintering zones and riparian corridors. Once this data has been analyzed, the focus will shift to the creation of mechanisms and incentives for landowners to work toward increased wildlife stewardship of these areas.

The Penobscot Watershed Stewardship and Restoration is the second KMF pilot project and focuses on improving fish passage by increasing stream connectivity, beginning with the Pleasant River. KMF describes the project as "Working with state, federal, and nonprofit fisheries habitat managers, the project offers technical assistance to identify, prioritize, and remove barriers to fish passage in high priority watersheds". Parties involved with this effort include The Appalachian Mountain Club, The Nature Conservancy, Natural Resources Conservation Service, US Fish and Wildlife Service, Maine Department of Inland Fisheries & Wildlife, Huber Resources, Trout Unlimited, and the Forest Society of Maine. The goal of this project is to improve commercial and recreational fishing by coordinating with landowners and state agencies to develop workable methods. MFPC along with Peter Triandafillo of Huber, Don White, Prentiss & Carlisle and Marcia McKeague of Katadin Forest Management serve on the KMF implementation committee.

North and Eastern Maine Deer Task Force Meeting

The Maine Department of Inland Fisheries and Wildlife will be convening the 3rd annual meeting of the Northern and Eastern Maine Deer Task Force on Thursday, December 8, 2011 at the regional office in Sidney [270 Lyons Road, Sidney, ME]. The meeting will get underway at 10:00 a.m. and finish before 3:00 p.m. Please bring a bag lunch for the 30 minute lunch break.

Invitations have been extended to members of the 2008 Deer Predation Working Group and the 2011 Deer Predation Advisory Group. Patrick was part of the original group and will participate on behalf of MFPC

The tentative agenda is:

- 1] Review progress toward each of the NEDTF recommendations
- 2] Related legislative resolves that the Department will be reporting on
- 3] Related Department initiatives
- 4] Other items relating to the work.

Resources:

Northern and Eastern Maine Deer Task Force report:

http://www.maine.gov/ifw/wildlife/surveys_reports/pdfs/ne_deerreport.pdf

Deer Predation Working Group report:

http://www.maine.gov/ifw/wildlife/surveys_reports/pdfs/deerpredationreport.pdf

Deer Predation Advisory Group report is not yet public.

Study Committee reviewing “Regulatory Takings”

During its first session, the 125th legislature attempted to address the economic impact of environmental regulations on private landowners with the introduction on LD 1477, “To Review Issues Dealing with Regulatory Takings”. The Joint Standing Committee on Judiciary decided additional research needed to be conducted and established a study group to address the issue of “regulatory takings” and report back with recommendations, including any suggested legislative improvements, by Dec. 7th. “Regulatory takings” occur when a private landowner is subject to environmental standards that diminish the value of property through restrictions in use and development. The land that the owner possesses but cannot use is considered to have been “Taken” through State regulations. Because Maine laws do not recognize a fair threshold of taking, this effort is designed to advance a better balance between regulatory authority and private landowner rights and land value.

During several meetings at the capital, the study group has been exploring different avenues as to the best way to determine when a “Taking” has occurred, how to measure the economic impact, and what compensation is appropriate.

This study group is comprised of 11 members appointed by the President of the Senate and the Speaker of the House and includes:

- o House Chair Rep. Andre Cushing
- o Rep. Joan Nass
- o Rep. Charlie Priest
- o Sen. Chair Mike Thibodeau
- o Sen. Troy Jackson
- o Don White
- o Bucket Davis
- o Pete Didisheim
- o Clark Granger
- o Cathy Connors
- o Peggy Bensinger

MFPC President Don White representing large landowner interests and member Clark Granger are actively participating in the process and indications are that a reform package will be delivered to the legislature. Attorney Cathy Connors from Peirce Atwood has been guiding the constitutional discussions from the perspective of the regulated community.



LURC Study Commission

The Committee on Agriculture, Conservation, and Forestry (ACF) considered legislation last session to change to the Land Use Regulatory Commission (LURC) which was established in 1971 to oversee the development of the Unorganized Territories (UT).

Representative Jeffery Gifford introduced LD 1534 “An Act To Reform the Land Use and Planning Authority in the Unorganized Territories” to decentralize LURC by dividing its responsibilities between existing state agencies and the counties with UT. As the discussion progressed the committee resolved that more specific information was required and an amendment was introduced by President Raye to form a commission to study how LURC could be reformed and modernized.

On May 26th an amendment to establish the Commission on Reform of the Governance of Land Use Planning in the Unorganized Territories moved forward by a vote of 8-5. The commission is comprised of 13 members who have an interest and or expertise in the LURC jurisdiction involving but not limited to land ownership, economics, conservation, and recreation. They have met multiple times throughout the state in Solon, Ashland, Bangor, Calais, and most recently in Greenville. Patrick has been attending all of the meetings held to date

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LURC Study.....(Cont from page 10)

and was invited to speak on large landowner perspectives for LURC reform.

The focus of the study committee has been on how to make LURC more decentralized and responsive to the needs of residents of the Unorganized Territories (UT). Over the years LURC has become centralized in Augusta and more focused on land preservation rather than conservation and development. DOC Commissioner Bill Beardsley and Sara Medina have been co chairing the effort and guiding the process towards consensus on the elements of reform.

Some of the proposed changes include moving larger permitting duties triggered by site law to Department of Environmental Protection and forestry permitting and enforcement to the Maine Forest Service, adding a greater number of County officials to the LURC commission, granting greater local control to residential and small commercial development projects and removing undefined terms such as “adjacency” and “demonstrated need”. The county representatives of the group are considering the idea of counties being able to exercise local control powers should they decide to leave the LURC process. The commission is expected to complete its work and make recommendations by the next meeting in Bangor on December 1st.

The commission provided an update to the ACF committee in October and a full report is due no later than Jan. 4th. Patrick has been attending all the meetings and actively participating in the process. Don White has been representing large landowner interests on the task force. For more information contact MFPC.

SFI Host “Fish Passage” Tour

The Sustainable Forestry Initiative has been working with the Maine Forest Service since 2004 to address the issue of fish passage through training programs for forest practitioners. Recently, due to the Atlantic Salmon listing, fish passage has been re-emphasized as a priority



practice. Simultaneously, the MFPC Wildlife Committee has developed the Stream Connectivity Private Landowner Framework. The Framework could serve as a means to move forward with a non-regulatory approach to improving fish passage issues while maintaining flexibility for landowners to proceed

according to their individual capabilities.

The five objectives of this framework are to provide landowners with:

- Information on the process to acquire certain fish habitat information for their ownerships
- Crossing Structure prioritization information
- Training opportunities
- Technical assistance
- Financial assistance

On Nov. 8th, SFI Director Patrick Sirois and Wildlife Biologist Barry Burgason from the MFPC Wildlife committee led a field tour with twenty-five stakeholder participants to view and offer input on multiple stream crossings on private forest management roads. The emphasis of the tour was to highlight different types of crossings and the challenges landowners face when trying to install effective fish passage crossings. Four Landowners, American Forest Management, Plum Creek, Wagner,

SFI.....(Cont from page 11)

and the Bureau of Public Lands, came together and offered up their lands to host the tour. Nine sites were chosen from these lands and each site highlighted a different type of crossing, including a temporary winter bridge crossing, a waste block bridge, and several unique



culvert applications. These were just a sampling of the tens of thousands of stream crossings on the network of private roads that runs through Maine's private forests.

Much of the discussion focused on issues dealing with permitting assistance, watershed and culvert replacement prioritization, stream crossing inventories, and crossing structural engineering. With so many different challenges, a flexible approach is needed. These are complex problems that will require continued and increasing cooperation between landowners and state, and federal agencies. The proposed framework could provide a structure for progress to be made and a sensible pragmatic approach to stream connectivity and fish passage.

MILESTONE:



George Davis Carlisle, 98, died Nov. 10, 2011, at an Orono health care center. He was born June 25, 1913, in Bangor, the son of George T. and Maud (Davis) Carlisle. With the exception of several years after graduation from college when he worked in Ohio for the Department of Agriculture CCC Ohio River flood control project and later years spent seasonally in Sarasota,

Fla., George lived his entire life in Bangor. He graduated from Bangor High School in 1931 and the University of Maine School of Forestry in 1935. Throughout his adult life he was a leader in Bangor area business, political and civic activities. He was a city council member and then mayor in the years after World War II and school board member and chairman in the 1950s. He served on many local nonprofit boards and was a leader in the business community. George served as treasurer, president and chairman of Prentiss & Carlisle Cos. – a Bangor based timberland owner and manager. He had a lifelong interest in the banking business, dating from his days as a director of Eastern Trust and Banking Co. and continuing with Northeast Bankshares and Norstar Bank, Buffalo, N.Y. George was also a director of Bangor Hydro Electric Co. and Union Mutual Life Insurance Co. based in Portland. He was an active member and president of Bangor Rotary, which named him a Paul Harris Fellow. Throughout his professional career he was an enthusiastic fellow of the Society of American Foresters and a director of American Pulpwood Association. George was a loyal and generous alumnus of the University of Maine and was honored on several occasions for his commitment to the institution and his civic and professional achievements. In 1986 he was awarded an honorary Doctor of Science degree, was also awarded the prestigious Black Bear Award by the Alumni Association, received the A.D. Nutting award for contributions to the field of forestry and was designated a member of the Charles Allen Society. He served many years on the University of Maine Foundation.