



Maine Environment



Fall 2010

Plum Creek: Still Messing Up Maine's Forests *By Catherine Johnson*

It has been over a year since the Land Use Regulation Commission (LURC) approved Plum Creek's zoning proposal for over 2,000 house lots, including three resorts, in the Moosehead Lake region. Since then, as promised, NRCM's staff has been watch-dogging the company's every move. Although the company has yet to apply to LURC for specific building permits, as required before construction can begin, Plum Creek has nonetheless taken plenty of other actions this year, and they were not good.



Moosehead Lake

Natural Areas at Risk

From there it was revealed that 17 other sites had previously been identified as potentially significant natural areas. In keeping with its record of careless disregard for Maine's forests, Plum Creek had never bothered to include them on its maps and inventory of biologically important areas in the conservation easement lands. Therefore all of these lands were on the chopping block without further biological evaluation. After a public

review and tough questioning by LURC Commissioners of Plum Creek and the Forest Society of Maine, the group charged with monitoring the easement, these areas are now included in the inventory.

Unfortunately, Plum Creek continued to ignore important natural areas. In August, the Forest Society of Maine announced that Plum Creek had cut in an officially recognized natural area designed to protect lesser wintergreen (*Pyrola minor*), a rare plant found in Maine in just seven towns in only four counties. The Forest Society of Maine indicated that the cutting appeared to be a violation of the Moosehead conservation easement.

Watering Down the Rules

As if all of that weren't enough, Plum Creek attempted to get LURC to water down the requirement that it monitor for the federally protected Canada lynx before beginning development. LURC believes, and NRCM agrees, that we need a better understanding of where lynx are currently located, so that an accurate assessment of development impacts on the species can be made later.

In a stunning display of arrogance in the absence of any data whatsoever, Plum Creek asserted that there were no lynx in the area along the Lily Bay Road south of the proposed resort. Plum Creek requested that LURC lift the requirement for monitoring here. Fortunately, LURC denied Plum Creek's

In May, the Maine Forest Service determined that Plum Creek had been cutting illegally on Prong Pond Mountain, on the east side of Moosehead Lake. The company was fined \$38,675 in violation of Maine's Forest Practices Act. This is the third fine Plum Creek has received for violations of Maine's Forest Practices Act. In 2007, NRCM exposed in a report the company's knowing destruction of deeryard wintering habitat.

Meanwhile, over in Vermont, Plum Creek overcut on 129 acres of land subject to Vermont's current use tax program. Similar to Maine's Tree Growth Tax Program, this program lowers a landowner's taxes in return for a promise to sustainably manage the forest. As a result, in July, Plum Creek's 56,000 acres were expelled from Vermont's program. That land is also subject to a conservation easement, and it appears that the cutting violations also violated the easement.

Back in Maine, Plum Creek announced its intention to cut an area within the conservation easement land on the west side of Moosehead Lake. This land had been identified in 2001 as a potentially important natural area. Only quick action by the staff at Maine's Natural Areas Program ensured that the area was visited and determined to be appropriate for cutting.

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Update on Alewives and the St. Croix



DOUG WATTS

In March of 2009, NRCM and 50 other groups in the U.S. and Canada petitioned the International Joint Commission (IJC) to overturn Maine's law blocking the St. Croix alewife run. The law was enacted in 1995 in response to unfounded claims about alewife impacts on nonnative smallmouth bass populations. As a result, alewives were nearly extirpated from the St. Croix by 2007, when the population crashed to just over 1,200 fish, down from 2.5 million fish in the late 1980s. The IJC held a hearing on this issue in 2009. In response to strong scientific evidence in favor of alewife restoration and overwhelming support for the plucky fish, the IJC agreed to develop a plan to bring alewives back.

In June 2010, the IJC released its Adaptive Management Plan, but the plan allows alewives access to just 30 percent of their historic range and severely limits the pace of recovery. It also requires that alewife restoration be stopped completely if smallmouth bass reproduction rates fall, even if they fall for reasons unrelated to alewives. All scientific evidence indicates that smallmouth bass and alewives coexist just fine—and a study from the St. Croix region found that bass do better in waterbodies where alewives are present.

NRCM strongly opposed the plan and asked the IJC to restore unrestricted alewife access now. So did the U.S. Fish and Wildlife Service, the National Marine Fisheries Service, the Maine Lobsterman's Association, and other groups. NRCM organized a strong turnout for a hearing last August, and dozens of NRCM members and other citizens from Maine and beyond submitted letters in support of quick and complete alewife restoration in the St. Croix.

The IJC could issue its ruling any day. Despite strong support for full restoration, we remain concerned that the IJC may hesitate to use its authority to overrule Maine law and may suggest alternatives that will take too long. The St. Croix alewife run is too important to wait any longer. Ground fisheries in the Gulf of Maine, such as the cod and halibut fisheries, are still at a tiny fraction of their potential. Findings from the Penobscot East Resource Center implicate declines in alewife and shad populations are very significant factors in the decline of Maine's ground fish populations. Alewives are also important bait fish for Maine's lobster industry.

NRCM hopes the IJC will consider these factors. The purpose of the IJC, after all, is to oversee the Boundary Waters Treaty of 1909 between the U.S. and Canada. It exists to solve and prevent problems like this one in the St. Croix watershed. Now, it just needs to use its authority to restore a critical resource for both Maine and Eastern Canada: the St. Croix alewife run.

Nick Bennett, NRCM Staff Scientist and Watersheds Project Director

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Don't Give Up on a Cleaner Energy Future

This summer, the U.S. Senate failed to pass comprehensive climate legislation. This is a costly failure as we continue to spend nearly \$1 billion per day on oil, including from hostile countries. Meanwhile, countries like China are charging ahead with clean energy investments and the creation of clean energy jobs.



This impasse in the U.S. was a direct result of the millions of dollars spent by the oil and coal corporations to mislead the public and maintain the status quo of our dirty energy system. Despite polls that show that a majority of Americans understand that climate change is happening and want Congress to take action, the corporate polluters have prevailed—so far.

Not only was climate legislation scuttled, but some members of Congress also have launched attacks on the Clean Air Act, which authorizes the Environmental Protection Agency to regulate carbon emissions beginning in 2011. The recent election added many new climate deniers to the U.S. House, which makes more attacks likely. Such attacks are misguided and irresponsible. We must do everything we can to protect the one method we have in place to reduce global warming pollution for the planet that our children will inherit.

The Clean Air Act was passed 40 years ago and it has protected our environment and contributed to a growing economy. Independent assessments have shown that the total economic benefits of the Clean Air Act have far outweighed compliance costs, saving Americans about \$22.2 million by 1990, at a benefit-cost ratio of 42:1. Emissions from the most common air pollutants have declined by over 40 percent in the last 20 years, saving thousands of lives. Businesses have risen to the challenge through technological innovations that have fueled job growth.

NRCM will fight these attacks on the Clean Air Act and we will continue to work for passage of legislation in the next Congress that will address the threat of climate change and promote clean energy development. We also will work to ensure that Maine does its part by continuing our efforts to promote energy efficiency investments.

Our thanks to everyone who sent messages over the last 18 months urging our Congressional delegation to support comprehensive climate and clean energy legislation. We can't give up now. We have to move forward toward a clean energy future.

Brownie Carson, Executive Director
Lisa Pohlmann, Deputy Director

Search Continues for New Head of NRCM

The search for NRCM's new executive director is well underway. Isaacson, Miller, the firm we have hired to assist with the search, has reached out to more than 500 environmental leaders from across Maine and around the country, seeking their thoughts on the best candidates for this important position. By the time you receive this newsletter, the search committee will have begun the interview process. We anticipate making our recommendation to the board before the holidays, with an announcement to follow early in the new year. We hope you will join us in welcoming the new executive director as he or she begins the challenging, yet rewarding work of leading NRCM into a new era of environmental protection for the people of Maine.

Tony Owens, Chair, Search Committee

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Maine Environment is provided four times a year to more than 12,000 members and supporters of the Natural Resources Council of Maine. NRCM is a Maine-based nonprofit membership organization working to protect, conserve, and restore our land, air, wildlife, and water, now and for future generations. Membership starts at \$28/year. Join online at www.nrcm.org.

Plum Creek - Continued from page 1

request, saying that if there were no sign of lynx after Plum Creek has actually monitored for several years, they would be willing to reconsider the issue.

All was not bad news, however. Immediately after receiving its permit from LURC (and as required by the permit), Plum Creek sold almost 30,000 acres in the Roach Pond area east of Moosehead Lake to the Appalachian Mountain Club. While NRCM strongly disagreed that Plum Creek should be able to use the sale of that land to convince LURC to give it its huge development permit for Moosehead Lake, we strongly support the conservation of this land and are very pleased that this land is now permanently protected for backcountry recreation and sustainable timber management.

We are also pleased that Plum Creek sold 15,000 acres of land near Jackman, called Number 5 Bog, to The Nature Conservancy. This area has been of interest to conservationists, including NRCM, for years, and its permanent protection is a positive step for Maine's North Woods.

What happens next in the Moosehead Lake region remains to be seen. During the public hearings in December of 2007, Plum Creek's experts described the potential buyers of their 2000 house and resort lots as those who might have four or five homes. Given the crash of the housing market, volatile energy prices, and the recession since then, it remains extremely questionable whether or not there is a market for the type and amount of high-end housing Plum Creek was proposing. In the face of these uncertainties, NRCM will continue to work to protect the natural character of the Moosehead Lake region and to support sustainable, appropriately located and sized development in the Greenville area.

Catherine B. Johnson is NRCM's Senior Staff Attorney and North Woods Project Director

NRCM is appealing LURC's approval of Plum Creek's massive development proposal in the Moosehead region. We believe it is too much development in the wrong places. We also believe the process LURC used to give its approval was illegal. All the parties have now filed their briefs and we expect the Judge to schedule an oral argument on our appeal in the next few months, and to make a decision some time this winter. If we are not successful at the Superior Court level, we will consider appealing to the Maine Supreme Court. For more information, and to stay informed, visit our website www.nrcm.org.

NRCM to Meet with National Geographic Society



Discharge from the Verso mill in Jay into the Androscoggin River

If you're like many of us here at NRCM, *National Geographic* was the magazine that introduced you to the world. It continues to play an important role in educating its more than 6 million subscribers about environmental and other issues facing our planet.

So you may be as surprised as we were to learn that *National Geographic* contains no recycled paper in its magazine pages. To

make matters worse, the paper for the pages of the magazine comes exclusively from the Verso mill in Jay, which is the largest polluter of the Androscoggin River.

In May, NRCM and our colleagues at the Androscoggin River Alliance, Green America, and 18 other concerned groups in Maine and across North America sent the National Geographic Society (NGS) a letter. In it, we described the Jay mill's ongoing pollution problems and outlined solutions and goals. We asked NGS to do three things:

1. Work with Verso to modernize and significantly lower its pollution of the Androscoggin River;
2. Use paper with some recycled content for *National Geographic* and increase the recycled content over time;
3. Adopt and implement a stewardship policy that will help the National Geographic Society be a leader in the use of environmentally superior paper in the magazine industry.

Cleaner technology is already widely in use that would make the Jay mill more efficient and competitive. In fact, Verso is using it at its mill in Quinnesec, Michigan. Investing in the same technology here in Maine would help ensure the future of the mill and the jobs it provides—and would result in a cleaner Androscoggin River at the same time.

Initially, NGS was reluctant to listen to us, but in recent correspondences, its CEO agreed to meet with us to discuss these issues. NRCM is hopeful that the meeting will produce positive results. We will keep you informed.

Election Results Pose Threat to Maine's Environment



Hiking trails at Ferry Beach State Park, Saco, a Land for Maine's Future project

As a result of recent elections, Maine will have a new governor and a change of leadership in the Maine House and Senate. While many uncertainties remain, the election made one thing very, very clear: protecting Maine's environment remains a priority.

Mainers overwhelmingly supported additional funding for the Land for Maine's Future program (Question 3). This vote demonstrates how strongly Maine people feel about investing in the protection of our environment, which one economist after another has described as one of Maine's greatest economic assets.

The environmental agenda of the incoming administration is a topic of great concern. During his campaign, Governor-elect LePage expressed some of the most anti-environmental views ever stated by a candidate for office. He stated support for oil drilling off our coast and building new nuclear power plants in Maine. His hostility toward Maine's environmental agencies is extreme and alarming. These are, after all, the agencies charged with ensuring clean air, clean water, and protected places for ourselves, our families, and future generations.

We hope that the incoming governor's positions are not truly reflective of what his administration may try to accomplish once in office. Just as we always have, NRCM staff intend to work constructively with any and all lawmakers who will work to protect and enhance safeguards put into place with bi-partisan support over the past 50 years.

But if the Administration and new legislative leaders take a different path, NRCM will be there. We must not allow new loopholes for polluters or weaken Maine's safeguards for clean air and clean water that our families rely on for living healthy and happy lives.

Now more than ever, people who care about Maine's environment need to come together and speak out for what we value.

Put Stock in NRCM

Your contributions to NRCM support our efforts to protect Maine's natural resources: Clean air. Vibrant forests. Healthy rivers.

With new gains in the financial markets, you may have the welcomed opportunity to donate appreciated stock as part of your year-end giving.

Gifts of appreciated stock that you have owned for at least one year qualify for a tax deduction based on the full market value of the stock, not on the purchase price.* Your gift goes further.

In addition, you avoid the capital gains tax that would otherwise arise from the sale of this stock.

Put stock in NRCM. It's good for Maine's environment.

Please contact:

Mathew J. Scease, Major Gifts Director
(207) 430-0130 • matts@nrcm.org



MEET OUR 2010 ENVIRONMENTAL AWARD WINNERS

Each year, NRCM presents its Environmental Award to a few individuals or groups who have gone to great lengths to protect Maine's environment. The awards are presented in conjunction with our annual meeting, held this year on October 21 at the University of Southern Maine, Portland. Full award citations are at www.nrcm.org/2010_Environmental_Awards.asp.



NRCM Executive Director Brownie Carson with Representative Hannah Pingree

Representative Hannah Pingree

Representative Hannah Pingree steps down this year as Speaker of the House and from the Legislature following eight years of outstanding service to Maine people. Speaker Pingree's grasp of environmental issues is demonstrated by the range of areas she focused on, from the popular conservation program Land for Maine's Future to clean energy and efficiency initiatives. Speaker Pingree's work reforming laws governing the use of toxic chemicals in consumer products has been extraordinary. Her hard work put Maine on the map as the first state to ban two widely used toxic flame retardant chemicals linked to learning and developmental disabilities and even to cancer. She went on to pass more first-in-the-nation laws, including the nation's first state-based chemical assessment program, which identifies chemicals of high concern to children's health and works to remove them from the marketplace in Maine. For her extraordinary leadership in passing bold new laws that protect the health of Maine people, environment, and wildlife, it is an honor and a privilege to present to Hannah Pingree a 2010 Environmental Award.



NRCM Board President Bill Houston presenting the 2010 NRCM People's Choice Award to Vera Francis.

Vera Francis, People's Choice Award

NRCM's People's Choice Award gives our members and Maine people the chance to acknowledge someone in their community. The winner is chosen by popular vote. Vera Francis, of Perry, is our 2010 winner, for her work protecting Passamaquoddy Bay. Vera spearheaded a grassroots effort to keep a liquefied natural gas (LNG) company out of Sipayik (Pleasant Point). As a member of the Passamaquoddy Tribe, Vera effectively made the case that the land and water for which the area is famous has tremendous cultural and spiritual significance to the Passamaquoddy people, who gather here to pray and partake of ceremonial traditions that go back centuries. She established the nonprofit group N'tutlankeyutmonen N'kihtaqmikon, which, translated to English, means, "We are taking care of our land." Her persistence on the LNG issue ended in a landmark court decision ruling that tribal members themselves—not just the tribal governing body—have standing in a court of law, giving voice to those whose concerns may otherwise be silenced. Vera Francis is a leader in a true citizens' movement and perfectly exemplifies the intent of our People's Choice award. We could not be more pleased that she won the award this year.

Join Our "Bold in the Cold" Polar Plunge! Friday, December 31, 2010 • Noon, East End Beach, Portland



What's more fitting—or more fun—than jumping into the ocean in winter in Maine to raise funds to combat global warming? C'mon, plunge with us! Raise a minimum of \$50 while also helping us raise awareness about climate change and its threats to Maine, including to our beautiful beaches. We know, plunging into the Atlantic Ocean in winter sounds cold, and it will be, but that's part of the fun! Tick this one off your bucket list and join the dozens of folks who have already pledged to plunge with us. We'll have warm drinks and snacks, even a changing tent—and an LL Bean gift certificate to the person who raises the most funds! FMI or to sign up, contact Stacie Haines, shaines@nrcm.org or (207) 430-0127.

Nature of Maine Calendars Make Great Gifts!



Wondering what to get that special someone who loves Maine this holiday season? Our popular NRCM Nature of Maine calendar is the answer! Make it extra special with a gift membership to the Natural Resources Council of Maine, so your family member, friend, or coworker will receive our newsletter, legislative priority publications, invitations to events, and much more. Memberships start at \$28. Call (207) 430-0180 with your calendar request and gift membership. Celebrate Maine's environment this holiday season—and every day!

NOW SHOWING AT THE NRCM INSIDER

Check out these recent YouTube videos, produced by our staff for the NRCM Insider:



NRCM Goes "Phish"ing – We went to the Phish concert in Augusta to support a good cause – NRCM! Their Waterwheel Foundation chose us as their featured local profit. Watch our video of this fun event!

Environmental Award Winners – Meet this year's winners Representative Hannah Pingree and People's Choice Winner Vera Francis and see why they were so deserving!

Natural Leaders – Hear Board President Bill Houston's inspiring welcome at this year's annual meeting.

Paddling on Long Pond – Paddling enthusiasts joined NRCM staff on a perfect fall day for kayaking and canoeing on beautiful Long Pond in Belgrade—and had great looks at a Bald Eagle!

Art of Local Food a Big Success

Thanks to everyone who attended "The Art of Local Food" in October in Northport. We had a wonderful night of delicious food and great conversation — and a spectacular moonrise over Penobscot Bay. Thanks again for such a fantastic evening! Special thanks to our culinary partners:

Amalfi on the Water
Appleton Creamery
Atlantic Baking Co.
Atlantica
Auntie Lynn's
Belfast Co-op
The Boat House
Borealis Breads
Brevetto/Sage
Café Miranda
Cellardoor Winery
Cold River Vodka
The Colonial Theatre
Daily Bread
Darby's Restaurant
Dilly Dally Organic Farm
Farmers Fare
Gladstone's Under the Sun

Good Tern Co-op
Guini Ridge Farm
Half Moon Farm
Heiwa Tofu
Home Kitchen Café
Hope Orchards
In Good Company
Lily Bistro
Maine-ly Poultry
Meadowsweet Farm
Megunticook Market
Midel Farm
Monroe Cheese Studio
Morse's Sauerkraut
Mystique Chevre
Natalies at Camden
Harbour Inn

Nervous Nellie's Jams and Jellies
Paolina's Way
Peace Preserves
The Pearl Seafood Restaurant
Point Lookout
Port Clyde Fresh Catch
Port Clyde Seafood Co.
Power Chocolates
Ravenswood Farm
Rustica Cucina Italiana
State of Maine Cheese
Stone Fox Creamery
Sunset Acres Farm
Sweet Henry's
Sweets & Meats
The Waterfront Restaurant

Tip of the Day

Got Your BAGS? Grab Your Bags, Maine! Did you know that Mainers collectively dispose of over 700 million shopping bags a year—nearly two million bags every single day! Instead, keep reusable bags in your car so you'll always have some on hand for those unplanned stops for milk and groceries. Learn more about what Maine is doing to reduce plastic bag use at www.gotyourbagsmaine.org. For a Tip of the Day every day, visit our website at www.nrcm.org. Have our tips sent directly to your home page through our RSS feed!



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Special Memberships Given July 1, 2010 to October 31, 2010

Honoraria and Memorial Gifts

Hildegard N. Armstrong in honor of Betsy Miller & Jonathan C. Minott
Mrs. Robert L. Black Jr. in honor of Brownie Carson
Camden Garden Club in honor of Judy Berk
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Gift Memberships

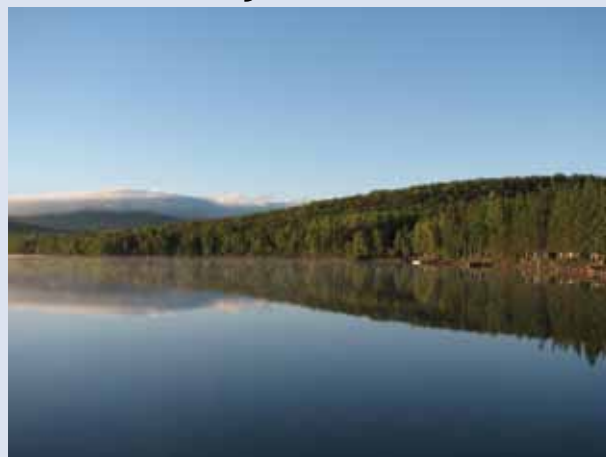
Carolyn Bostick from Jane F. Bestor
Robert Kirck from Nancy Carringer

New members of **PARTNERS IN MAINE'S FUTURE** Program, our monthly giving club. Members' automatic donations help us save on administrative costs, including paper. Special thanks to these members!

Sara Clinehens
Thelma N. Dodge and Kristi Niedermann
Dr. Adria A. Elskus
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Joshua C. Havey
Francis E. and Helen T. Hurgin

Leila D. Jahncke
Lynne Lamstein
Chris and Gabrielle G. Rigaud
Joern Steinort
Lee Weiskott

"My Maine This Week"



"Early morning, Roach Pond, Kokajo, Maine"
—Dwight Martin, Naples, Maine

Send Us Your "My Maine This Week"

Do you have a photograph of Maine you'd like to share? A poem? Send your submissions to beth@nrcm.org. Visit "My Maine This Week" online at www.nrcm.org.

"My Maine This Week" Contributor Featured at NRCM Headquarters

Almost since the launch of our popular website feature, North Haven resident Terry Sprague has been sending along her photos. To celebrate her talent, and her love for Maine's environment, we are exhibiting her photos in the entryway here at NRCM headquarters. Now staff and visitors alike can enjoy the view of Maine's environment as Terry sees it:



"Most of my photos are taken on North Haven. Close-up flora and fauna are favorite subjects. I love landscape shots with sharp near and far focus but find it difficult sometimes to capture the right exposure and true color with digital photography. Thank goodness digital allows many, many shots! The most rewarding thing to me about taking photos is when you see in your mind's eye the perfect composure of subject, light, and color and find when you download, you've actually captured it." *Terry Sprague*

Read our full interview with Terry posted on our website at www.nrcm.org/Terry_Sprague. Thanks for all your great work, Terry!



Sunrise Savings The SunriseGuide is Maine's resource guide and coupon book for healthy, earth-friendly living. It's packed with articles and tips that keep you informed, plus nearly 300 coupons to your favorite local businesses—restaurants, garden supplies, health & fitness, home improvements, and more, including a promo for NRCM! You'll find only Maine businesses and organizations that offer healthy and green options for the products and services we use every day. Look for the NEW, 2011 edition of the SunriseGuide—with an expanded region reaching from Biddeford to Belfast—at natural food stores, bookstores, and other retail outlets (find a store near you). It's the biggest and best SunriseGuide ever, and you won't want to miss it!