



# FOREST CONSULTANT'S NEWSLETTER NOVEMBER 2002

A Quarterly Newsletter of the Department of Conservation, Maine Forest Service Stewardship Program

## 2002 NRPA CHANGES

The Legislature made several changes to the Natural Resources Protection Act (NRPA) and the Permit by Rule (PBR) standards during last spring's session. There is substantial potential for misunderstanding of how the changes impact forestry – the following overview is intended to clarify some of the main features.

### Cutting or clearing of vegetation

“Cutting or clearing of vegetation” is an activity regulated by NRPA. This change applies the point system and related standards for “clearing vegetation for development”, as found in Shoreland Zoning ordinances, and expands its application to areas protected by NRPA, particularly small streams. No NRPA permit is required, however, as long as the activity meets the standards.

The definition of “adjacent to” a protected natural resource was changed from 100 feet to 75 feet.

Forest management activities, i.e. harvesting are exempt from the “cutting or clearing of vegetation” standards, and from associated permit requirements, under NRPA (as they are for Shoreland Zoning). Forest management activities are defined as “timber stand improvement, timber harvest, forest products harvesting and regeneration of forest stands”.

Non-forestry “cutting or clearing of vegetation” for development, adjacent to (or within 75 feet) of protected natural resources (as defined under NRPA), needs to meet the point system, cleared opening, and related standards. If the cutting or clearing cannot meet the standards, a Permit by Rule, which includes additional standards and an explanation of why there is “no practicable alternative” to the proposed activity, is required.

## Forestry exemptions to PBR

Under existing NRPA language, forest management activities, including road construction, are exempt from permit by rule requirements if they occur in or adjacent to a forested wetland. The new law also exempts activities “adjacent to”, but not in, any protected natural resource from the requirement to submit a PBR. However, exempted activities must still:

- Meet FPA requirements;
- Meet PBR standards (even though no PBR is filed); and,
- Any roads constructed may not be used to access development (e.g., municipal subdivision).

As before, the exemption does not apply in mapped significant wildlife habitat.

Activities that result in soil disturbance, such as skid trails or landings, are therefore exempt from PBR submission requirements, though they must still meet PBR standards if they occur within 75 feet of a protected natural resource. The most important standards require a 25-foot undisturbed buffer, and minimized disturbance in other parts of the 75' buffer, as well as appropriate erosion control measures.

The PBR requirements for stream crossings are unchanged. Since they occur “in, on, or over”, and not simply “adjacent to” protected natural resources, they are not exempt. Temporary stream crossings (e.g. slash or log crossings or temporary bridges) that do not use fill are not required to submit a PBR and do not need to meet standards, though they must be removed within 7 months, must have minimal soil disturbance, and not result in a discharge of soil to the stream. Permanent stream crossings and crossings using fill such as gravel, which is typical for culverted crossings, require a PBR and must meet several specific standards.

For more info, contact Mort Moesswilde, MFS at (207) 287-8430, or DEP at (207) 287-7688.

## **SKIDDER BRIDGE PROGRAM FOR LOGGERS**

The Maine Forest Service has a program promoting the use of skidder bridges on timber harvests, particularly in coastal/salmon watersheds. Four workshops with total attendance of over 60 loggers and foresters (as well as a few landowners) have been held on the topic in the midcoast and downeast areas. MFS still has funds available for cost-sharing new skidder bridges for loggers. Call Mort Moesswilde at (207) 287-8430 or (in-state) 1-800-367-0223 for more details about the program or for an application for cost sharing. Funding is through a grant from the U.S. Forest Service.

## **NEW LOW IMPACT FORESTRY BOOK PUBLISHED**

Mitch Lansky, author of "Beyond the Beauty Strip," has edited a new book, "Low Impact Forestry: Forestry as if the Future Mattered." The book compiles a number of articles, interviews, and resources for landowners, foresters, and loggers interested in low impact forest management. It includes an essay by farmer-poet Wendell Berry and interviews with David Perry, author of "Forest Ecosystems."

The book is published by the Maine Environmental Policy Institute. More information can be found at <http://www.lowimpactforestry.org>.

Copies may be purchased from the following sources:

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HC60, Box 86  
Wytopitlock, ME 04497  
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William Sugg, Director  
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220 Water Street  
Hallowell, ME 04347  
Phone: 207-622-9766  
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Chelsea Green (distributor)  
Phone: 1-800-639-4099. Credit card orders accepted.  
You can order the book directly through their website,  
<http://www.chelseagreen.com>.

## **NEW COST-SHARE ASSISTANCE AND EDUCATION OPPORTUNITIES COMING**

The Maine Forest Service will introduce a new cost-share and education program for small woodlot owners early next year. Funded by the USDA Forest Service under the Forest Land Enhancement Program (FLEP), the new program will supplement the current Forest Stewardship Assistance Program that provides cost-share assistance for management planning.

The new program will offer cost-share assistance for forest management practices to small woodlot owners who have a current stewardship quality forest management plan. Traditional management activities such as timber stand improvement, tree planting, design and construction of erosion control systems, and wildlife habitat improvement may be offered as well as some new practices for improving forest health.

The education program will bring new workshops to landowners and consulting foresters, updated and new information bulletins, and an expanded and improved web site.

The Maine Forest Service is developing a state priority plan for this program in conjunction with the State Stewardship Coordinating Committee. When the draft plan is ready, we will post it on the Maine Forest Service web site and ask for public comments. Once we have reviewed these comments, we will submit the state priority plan to the USDA Forest Service for approval.

Pending approval of the state priority plan by the USDA Forest Service, MFS anticipates holding regional training meetings for consultants in late January and early February 2003, and roll out the program to landowners by March 1.

The new program will run through the Maine Forest Service District Forester offices and the main office in Augusta. We're hoping to streamline guidelines, paperwork and payments so that the program is clear and easy to use.

Landowners who anticipate using the new program to work on their woodlots will be one step ahead if they have a current stewardship quality forest management plan in place, so use this fall and winter to get plans completed.

## **CERTIFIED RESOURCE MANAGER GRANT FUND RULES OUT SOON**

Want to become a Certified Resource Manager? The 120th Legislature established a small grant fund to assist consulting foresters seeking independent 3rd party certification as exemplary resource managers. MFS administers the fund. Grants of up to \$1,000 will be available.

The Legislature directed MFS to develop rules to administer the fund. Those rules will be published shortly for public comment. The public comment period will end on 27 December. If you would like to comment on the rules, check the MFS website for updates, and follow the link to "Certified Resource Manager grant rules."

For more information, contact Donald Mansius at [donald.j.mansius@state.me.us](mailto:donald.j.mansius@state.me.us).

### **WEB SITES**

A good place to catch up on current research is the USDA Forest Service's Northeastern Research Station website at <http://www.fs.fed.us/ne/>. Just click on publications and products and it will lead you to the Northeastern Station's publications and provide links to the other Research Stations across the country.

International Paper has created a "mini-curriculum" on forest biology and ecology for general classroom use, consisting of ten full-color posters, each covering a different aspect of trees and the forest, with lesson guides and handouts related to each poster's topic. Called "Life of the Forest," the series covers everything from how seeds become trees to how forests benefit endangered species, and includes a unit on tree utilization in papermaking. For more information, visit <http://www.iplifeoftheforest.com>.

### **THE LAMMERT REPORT**

*Time to Look for New Markets*

One thing that the many roundwood mill closings has brought home with a bang is the need for multiple markets for whatever products your land produces.

I've just read that Houlton International in Houlton is another victim of foreign competition in the domestic furniture business. All the economic development agencies are in full swing trying to locate magic bullets for them.

Bethel Furniture Stock, in Bethel, went through a closing and a total reorganization to get up and running again but their business is forever changed.

C.B. Cummings in Norway, the last of 12 sawmills within a one-mile radius of Goodwin's Motel in South Paris, has thrown in the towel after closing its sawmill and buying rough sawn product from Pride Manufacturing in Burnham, from which they made their world famous "The Smooth Ones" dowels.

These and other mills have purchased round wood for years and were steady markets for both small and large producers. When these markets "disappear" you will have to go further afield to find new markets and if you are lucky enough to find one the additional distance will usually eat into your profit. You may also run into the problem of too much wood being delivered to the mill, so it drops the mill delivered price to "slow the flow". Or they might change (usually it's an increase) the small end diameter of what they are buying and that will trip you up.

Things to do before you get caught without a market:

- ♦ Find out who, in an acceptable trucking radius (60-100 miles?), uses species that you are producing.
- ♦ Try a load at that facility to see how the grading and scale goes.
- ♦ Consider producing a retail commodity for do-it-yourselfers or a new source of supply to secondary producers.

If you cannot sell anything, don't let frustration get the better of you. Get out in the woodlots and prune prune prune, especially the codominant hardwoods. Get them to a single stem before it is too late to do so.

Have a safe fall.

--- Peter Lammert



## AMERICAN CHESTNUTS IN MAINE

The Maine Chapter of the American Chestnut Foundation (METACF) is pleased to announce that it enjoyed another bountiful harvest as a result of its statewide pollination and harvest efforts. Over ten thousand seeds were collected from multiple sites with selected intercrosses. Next year there will be many seedlings available for planting as a result of the past two year's efforts. Western Maine Nursery of Fryeburg and Van Deventers of Unity, under the direction of METACF member Carl Haag, have a current inventory of approximately 5,000 seedlings for spring of 2003. METACF encourages foresters to plant these blight susceptible trees for the purpose of biodiversity and genetic preservation. It is highly likely that these trees will survive for many years before blight attacks them. I have planted hundreds that are now flourishing, free of blight. In fact, some small sawlogs have been produced in under twenty years, not to mention the seed that these trees have produced. The Maine chapters of The Wild Turkey Federation have been aggressively planting seedlings as well as the Maine Dept. of Inland Fisheries and Wildlife. We need foresters to encourage planting of these trees in the woodlots in the 250 towns that formerly held wild populations of American Chestnut. Chestnut is a shade tolerant tree that will thrive in full sunlight and begin nut production in about ten years. Unlike beech and oak that begin nut production at much later age and bear sporadically, the chestnut is an annual mast crop that begins production early. Wildlife biologists have stated that the carrying capacity of the forest was some twenty five percent lower due to the loss of the chestnut. If you are interested in learning more about METACF efforts in Maine, or in joining our membership to support ongoing efforts locally and nationally visit these two websites: <http://www.acf.org> or <http://www.me-acf.org>. For more information, contact Eric Evans at (207) 236-9635 or Welles Thurber at (207) 338-1868.

--- G.P. Welles Thurber

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## CFRU PRODUCTIVITY GUIDES FOR HARDWOODS

### Soils/Type Relationships

Soils	Drainage	Diagnostic Species	Hardwood Productivity Class
Enriched	MW-PD	SM, SM-WA	1
Loamy Till, Pan >15"	MW	SM-Be-YB	2-3
Loamy Till, Pan > 40"	W-MW	SM-Be-YB	2-3
Sandy Till, No Pan	W	Be-RM-PB	3-4
Pan <10-15"	MW-SPD	RM-Softwoods-Aspen	4-5
Poorly Drained	PD-VPD	RM-Softwoods-Aspen	5
Shallow Bedrock, Outwash	EWD	Softwoods (+oak, pine)	5
Stone-free Silty Sediment	MW-SPD	RM-Softwood-Mixedwood	3-5

**Drainage:** Excessively, Well, Moderately, Somewhat Poorly, Poorly, Very Poorly.

**Hardwood Productivity Class:** Refers to site index for sugar maple, or the ability to grow nutrient-demanding species such as ash, basswood, and sugar maple.

## FOREST STEWARDSHIP ASSISTANCE UPDATE

Since the Forest Stewardship Assistance Program was reactivated in September 2001, we have received 555 requests for cost-share assistance from landowners, covering 71,454 acres. As of November 5, plans have been written for 282 landowners, for more than 33,100 acres.

Average Acres/Plan	118
Average Total Cost/Plan	\$1,024
Average Cost-Share Paid/Plan	\$484
Average Total Cost/Acre	\$8.71
Average Cost-Share Paid/Acre	\$4.11

On December 2, 2002, we will start sending out letters to landowners whose deadline for completion is more than 6 months overdue. At that time, a landowner can still request an extension, but if we do not hear from them, the application will be canceled.