

Opinion: Plum Creek Conservation Easement Does Not Offer Assurance of Improvements in Forestry

by Robert Perschel, Northeast Region Director, Forest Guild
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As the Land Use Regulatory Commission (LURC) considers the Plum Creek Concept Plan in the Moosehead Lake Region, it should pay close attention to whether the Balanced Conservation Easement for 91,000 acres assures improvements in forest management. The Forest Guild, a national organization of professional foresters with 50 members in Maine, has evaluated the Balanced Conservation Easement and concluded that it does not offer assurance of improvements in forestry. We have filed that analysis with LURC.

Plum Creek is the Seattle-based Real Estate Investment Trust that owns over 900,000 acres of Maine timberland, lakes and rivers. It wants to build 975 houses and construct two resorts near Moosehead Lake and must have LURC's approval that its concept plan offers appropriate protection for the wild character of the region.

It is LURC's responsibility to determine if the 91,000-acre easement is adequate mitigation for the development. And since this is working forest land, LURC needs to determine if the future forest management will be improved and can be counted as mitigation. Merely maintaining the status quo is not an improvement and, thus, can not be counted as mitigation.

We recognize that Plum Creek needs to manage its lands profitably, and that writing overly prescriptive language into easements can restrict appropriate management options in the future. Forest conditions, markets, and how society values forests change over time. However, the public deserves assurances that each of these important public forest benefits will be improved on the Plum Creek easement lands.

Last year the Forest Guild analyzed a number of working forest conservation easements and developed an eleven-level evaluation system to help design new easements. The Plum Creek proposed easement misses on six of the 11 evaluation criteria, including the four that are most likely to assure improved forest management.

The proposed easement is mostly a process-oriented agreement that does not contain solid measurable objectives for forest improvement. For example, Plum Creek agrees to set up a Management Advisory Team (MAT) of outside forestry experts but does not commit to follow the team's recommendations. Similarly, Plum Creek agrees to train its foresters in advanced forestry techniques but never stipulates that these techniques will be implemented. If this easement is intended as a roadmap for future forestry improvements, it is a roadmap without clear destinations, let alone a sense of when they will be reached.

The Forest Guild's LURC testimony offers concrete examples of how such measurable goals and objectives could be built into the easement and associated management plan without being overly restrictive. It is possible to establish clear goals in the easement document and then provide the detail in subsequent management plans. For example, the easement can say that Plum Creek will provide the necessary habitat for certain wildlife species. The management plan can then commit Plum Creek managers to a target date by which they will have used outside expert advice to develop and implement the necessary habitat plans. In addition, Plum Creek should agree to follow the guidelines proposed by the MAT. There are excellent wildlife habitat protection guidelines that are widely accepted and available, and Plum Creek should agree to use them to enhance wildlife protection. Finally, Plum Creek should employ only foresters licensed by the State of Maine and commit to not introduce genetically modified organisms into Maine's forestlands.

The package that Plum Creek offered to LURC as assurance of improved forest management is confusing. Although Plum Creek commits to some measurable objectives in it, these objectives are mostly process-oriented and do not assure that measurable improvements will be achieved in the forest. In order for its forestry to be counted as a mitigating factor, Plum Creek must identify and incorporate into its easement clear, measurable goals for improved management and commit to achieve them. The people and forests of Maine deserve that much.