

# DCR FOREST FUTURES TECHNICAL STEERING COMMITTEE (TSC) & ADVISORY GROUP OF STAKEHOLDERS (AGS) JOINT MEETING

Doyle Conservation Center  
325 Lindell Avenue, Leominster, MA 01453  
Joint Meeting #1 – June 23, 2009; 9:30 AM – 12:30 PM

## MEETING SUMMARY

**TSC Members present:** Matt Burne, Kate Connolly, Andy Finton, Keith Ross, Bruce Spencer, Tom Stevens, Charlie Thompson, Joe Zorzin. **Absent:** Lisa Vernegaard, Heather Clish, Bill Moomaw

**AGS Members present:** Whit Beals, Bill Boles, Mary Booth, Ted Cady, Dicken Crane, Alexandra Dawson, Nan Finkenaur, Dave Gafney, Fred Heyes, Claudia Hurley, Becky Kalagher, Michael Kellett, Cathy Kristofferson, James McCaffrey, Heidi Ricci, Mike Ryan, Jim Sherman, Peggy Sloan (briefly), Bill Van Doren, Jane Winn. **Members Absent:** Jay Belanger, Carrie Saldo, Nathan L'Etoile, Tim Fohl.

**DCR/EEA Staff:** Stephanie Cooper, Bill Hill, Bob O'Connor

**Facilitators:** Bill Logue, John Goodrich, Loraine Della Porta. **TSC Technical Coordinator:** Tom Walker

**Observers Present:** Paul Gregory, DCR, David Goodwin, DCR, Anne Fiesinger, DCR, Alicia Johnson, DCR, Darrell Key, DCR, Steve Kaiser, Association of Cambridge Neighborhoods, Mads Palihapitiya, MODR, Harris Penniman, DCR

### Welcome and Introductions

Facilitator Bill Logue welcomed Technical Steering Committee (TSC) and Advisory Group of Stakeholder (AGS) members, each of whom introduced themselves. The meeting agenda and documents were briefly reviewed.<sup>1</sup>

### I. AGS Presentation of Issues and Concerns for TSC

Bill Logue introduced the presenters noting that, in their first meeting, AGS members felt it important that the TSC hear an overview of their issues and concerns that stimulated their interest in forest management and the vision process. AGS members want the work of the TSC to focus on DCR lands. He also noted that the members of the AGS had collaborated on the presentations but, because of time, they had not tried to achieve consensus.

**Values.** Heidi Ricci of Mass Audubon presented on key values associated with DCR forest lands. These were derived from a brainstorming session of the AGS at its first meeting. Cited most often were values related to wilderness, biodiversity, ecosystems, and resource protection. Concerns were also voiced about how these might be undermined by recent policy decisions and practices. The public forests are seen as playing a critical role in protecting water resources and critical habitat, and providing parks in the eastern part of the state and large unfragmented blocks in western Massachusetts. These lands are also seen as playing a role in climate change adaptation and mitigation. She noted that, in his June 9 presentation, John Gunn stated that old forests continue to capture carbon. Concerns about biomass harvesting were raised

---

<sup>1</sup>The agenda and documents are available on the DCR website under the "Past Meeting Schedule and Materials Link" at: <http://www.mass.gov/dcr/news/publicmeetings/forestryfvp.htm>. The documents are listed at the end of this summary. Additional information about the process and upcoming meetings is available on the same webpage.

and a number of AGS members felt that there is no economic imperative to log on state lands. Tourism and public use/appreciation are also seen as an important value. Ms. Ricci noted that over 13 million people visit parks and open spaces annually and that, while some uses may conflict, the size of DCR landholdings provide opportunities for a wide range of recreational activities.

Ms. Ricci noted that economic development based on forest resources includes recreation, tourism and wood products including locally produced wood and support for local communities. She noted that several members of the AGS felt the unique role of public vs. private lands needs to be examined in providing these resources and how some of the mistakes on DCR lands had negatively impacted private forestry.

She also noted the significance of DCR lands to rare species and exemplary natural communities. The resilience associated with large interior blocks of forest in western Massachusetts is important in adaptation to climate change. These sites also offer a unique opportunity for large forest reserves and their unique features and biodiversity. Mass Audubon estimated in 2003 that public and private lands were contributing \$3 billion in ecosystem services values. Noting the need to distinguish between sustainable forestry and leaving nature alone, she stated that the question remains which values can best be provided in managed forests and which in reserves. Ms. Ricci highlighted definitions of forest health. Finally she noted that the needs of many species and natural disturbances require larger reserves and disturbances can assist forest health. Under the Massachusetts Endangered Species Act, state agencies are held to a higher standard than other landowners. While all landowners must avoid, minimize, and mitigate impacts to rare species, state agencies are further required to use all practicable means to resolve conflicts between rare species protection and restoration vs. other uses of the land, and must resolve all such conflicts in favor of the listed species. (321 CMR 10.05). This means that wherever forestry has any potential detrimental effect on rare species or their habitats, it should not be conducted. Simply applying best management practices that reduce or minimize impacts does not conform with the required standard.

**Past Practices and Accountability.** Claudia Hurley from the Friends of Robinson State Park and Jane Winn of the Berkshire Environmental Action Team presented on past practices and accountability. Ms. Hurley noted that many stakeholders feel it necessary to bring concerns forward to the TSC and the public to provide a full perspective. This is because they feel that DCR and EEA have not adequately responded to issues raised by citizens who feel best management practices have not been used, DCR been less than transparent in decision making, attempted to maintain the status quo, and directed staff to respond through the legal department.

The four approved District Forest Plans lack a number of important elements and other integrated planning is not occurring. These include: lack of site specific plans as required by green certification; lack of comprehensive resource management plans as required by state law; inadequate biological studies and cultural, historical and archeological data; lack of sufficient protected/reserve areas (including legislative protection for these areas); reliance only on current knowledge of climate change ramifications; and lacking recognition of socially important areas. The plans also allow unacceptable increases in harvesting over historical levels. Ms. Hurley questioned whether the clear-cuts shown in the presentation slides were necessary and if elimination of Norway Spruce is warranted. FSC Green Certification is a concern among a number of stakeholders who do not see it as appropriate for multipurpose lands and overly expensive. Citizens are also concerned that certification offers no legal recourse to guarantee adherence to standards. She encouraged the TSC to analyze DCR budgets and priorities, especially with regard to harvesting activities.

Ms. Hurley offered definitions of how the public views commercial harvesting and clear-cuts. The former is extracting and selling timber for money or services and the latter is when a forest as we knew it is gone and is no longer recognizable to people. She noted that the role of the State Forester has been focused on extraction and on the elimination of red pine and Norway spruce plantations. She stated the need for forestry to occur within the context of resource management planning where other planners could defend the importance of ecological and social values.

Citing examples of cutting or planned cutting at Savoy State Forest, Windsor Jambs, October Mountain, Robinson, Mount Grace and others, she noted a lack of respect for scenic, aesthetic and ecological qualities. These cuts had caused citizens to protest and made bidders hesitant to submit proposals. Jane Winn displayed examples where vernal pools had not been protected during cuts. She stated that attempts to address the issues with DCR had been frustrating. She noted that her organization had an effective and transparent relationship with the Department of Fish and Wildlife. In closing, Ms. Hurley stated that much of the work DCR does is good and that changes need to be made to improve planning, adhere to best management practices (BMPs), address logging – especially even age management – and create accountability.

**Impact of Private Forestry and Private Lands.** Fred Heyes spoke on behalf of private landowners and foresters. He noted that DCR has primary responsibility to manage its public lands in an exemplary fashion and respect the rights and interests in those lands. DCR must lead the way by example basing its decisions on sound science and public values. Private forests depend on how DCR conducts itself and recent DCR actions have negatively impacted private forestry. Although DCR has made forestry mistakes, the agency has shown a lack of respect for the public's right to inquire about public forestland management. The visioning process is an opportunity for public dialogue, restoration of respect, building of trust, and creation of markets for local forest wood products. He encouraged that the regulation of private forestry be left to the State Forestry Committee and the vision process to focus on the management of DCR forest land to address both technical and trust issues.

**Biomass.** Mary Booth, of the Massachusetts Environmental Energy Alliance, presented concerns regarding harvesting of biomass. Ms. Booth noted that the Secretary of Energy and Environmental Affairs in his certificate for Pioneer Renewable Energy Plan had stated the vision process was to address sustainable stewardship of state forest lands. She cited a DOER/DCR report indicating 165 megawatts (MW) of biomass energy are planned and that existing, in review, and proposed plants will total 212 – 232 MW. Summertime energy production capacity in Massachusetts is 13,557 MW. Generally, wood for biomass comes from logging residues (tops and branches), cull trees and construction and demolition debris (CDD). CDD needs to be sorted because it may contain toxic paint and treated wood.

It takes about 13,000 tons of green biomass to generate 1 MW. To generate 135-202 MW would require 1,755,000 to 2,626,000 tons per year. Biomass plants obtain wood from a 50 mile radius. The DOER/DCR report includes 4 western Massachusetts core counties and 14 buffer counties. Ms. Booth showed a slide demonstrating how the radii from planned and existing plants in and out of state overlapped. Citing the report she noted that current logging residues from the five core counties is 110,000 tons per year; 34% of biomass in core counties is "urban wood residues" and total biomass in core counties is about 646,147 green tons – enough for one 50-MW plant. The Biomass Energy Resource Center in Vermont has taken the position that using wood residue is an inappropriate use of a limited resource and that 20,000 tons from 750,000 acres is a sustainable yield. Looking at Massachusetts, without reserves there are 465,000 acres of public land and 379,000 acres of private land in parcels greater than 100 acres for a total of 844,000. If 20 tons/acres are harvested, for 135 MW 87,750 acres per year would need to be harvested and it would

take 10 years to cut 844,000 acres. For 202 MW it would be 131,000 acres/year and take 6 years. If 50 tons/acre are harvested it would be 35,100 acres/year and 24 years for 135MW and 52,520 acres/year and 16 years.

**Importance of Reserves.** Mike Ryan of the Friends of Middlesex Fells, presented on the importance of nature and reserves. Noting that 60% of Massachusetts is forested and 10% of its land area is state owned, he stated that a primary role of public forests is to protect values that private lands cannot or will not and that this should include wildlife habitat, ecosystem function, wilderness protection, recreational, aesthetic and spiritual experiences, protect and enhance old growth forests, biodiversity, protect water supplies and provide carbon sequestration. He noted that many stakeholders feel that active forest management and interventions based on "forest health" have harmed some of the natural forests. The feeling is that the cutting activities result in fragmentation, soil compaction and introduce of invasive species, and that it takes millennia to restore the structure of the land. Mr. Ryan noted that natural disturbances can be beneficial and, referring to David Foster of Harvard Forest, noted that there are strong arguments against preemptive and salvage logging.

Mr. Ryan expressed concern that state policies may encourage over exploitation of the forests. These include biomass harvesting, placement of wind generators on state lands and FSC certification which is a market-based, non-regulatory forest management tool. Rather he encouraged policies be put in place to protect and link large undisturbed natural areas. Quoting a number of experts, he stated the importance of large reserves for biologic and genetic diversity, and linkages to other areas through corridors. Given scientific uncertainty on a number of issues, he emphasized the importance of using the precautionary principle in management approaches.

He proposed wildland reserves and preserves encompassing 250,000 acres (50% of lands) to 500,000 (80% of lands) with wildland reserves being 5,000 to 50,000 acres defined and identified by conservation biologists. Mr. Ryan noted a number of models exist including proposed legislation such as: America's Wildlife Heritage Act, Act to Save America's Forests 2008, National Park Act, and Wilderness Act. He noted the importance of clarifying existing reserve legislation and strengthening legislation to protect reserves against incompatible uses.

**Legal Issues.** Dave Gafney made an abbreviated presentation on legal issues due to other time commitments. He recommended reading his briefing information on the website for a full understanding. Citing Chapter 132A sec 2B which states DCR acquired lands "shall in so far as practicable be preserved in their natural state", and be self-supporting and without commercial activities. He noted that "commercial activities" under chapter 132A, Sec. 2B refers to timber harvesting and not recreation. He indicated DCR often sites apparently conflicting language requiring "a continuing and increasing supply of forest products." He stated that this language does not refer to public lands but is related to legislation passed during resource shortages during WWII. Noting that when statutory language conflicts the State Constitution provides guidance and he cited Article 97: "The people shall have the right to clean air and water, freedom from excessive and unnecessary noise, and the natural, scenic, historic, and esthetic qualities of their environment." Citing other language allowing harvesting, he noted harvesting is conditioned on the protection of other values, that it be economical and that it be exemplary (a model for private forestry). Mr. Gafney cited Chapter 21 Sec. 2F which mandates "management plans consistent between recreation, resource protection and sustainable forest management," and 304 CMR 7.02 states that these plans "must be specific to each park, state forest and reservation." He provided examples of where he believes DCR is not following these requirements including on: size of openings/clear-cuts, filter/buffer strips, wetlands protection, vernal pools, residual stands, and preserves.

Mr. Gafney noted that Constitutional and statutory provisions are fragmented and sometimes contradictory but nonetheless, the values in Constitutional provisions, legislation and regulation emphasize the public's right to their lands being preserved as much as possible in a natural state and imply that, where logging does occur, it should be done so as to not infringe or impact harshly on other values such as conserving wildlife and recreation, aesthetics, and protecting and improving air and water quality. He noted a statute calling for nature preserves and regulations encouraging undisturbed backcountry areas being managed as "Massachusetts Wildlands". He stated that with management plans specific to individual parks and forests future mistakes can be avoided and a real opportunity for public input and comment and a meaningful consideration of that public input can occur as mandated by law.

## II. DCR Presentations

Bob O'Connor of EEA, Gary Davis General Counsel of DCR and Bill Hill (Management Forestry Program Supervisor) presented an overview of DCR's mandates and management approaches. Mr. Davis noted that much information about DCR's legal mandates was available on the web and he would answer questions during discussion time at the meeting.

**Vision for 100 Years From Now.** Bob O'Connor outlined what the DCR forests might look like 100 years from now. The vision includes an additional 150,000 acres in conservation by 2050 with half in or adjacent to large reserves; DCR forestry being a model of excellence with aesthetics playing an important role and foresters giving walks to show projects. The forests will be more complex and resilient with harvest rates following historic disturbance rates of .5 - 2%; harvests will thin the forests and create new growth openings from .5 - 2 acres through uneven aged management creating diversity at the stand and landscape scale. Harvesting will average 25% of net forest growth (excluding reserves) thereby increasing carbon sequestration. Ten to fifteen percent of the forest will be young and dense providing habitat for early successional species. A similar percentage will be composed of legacy and retention trees 150-200 years old. Regular monitoring and adjustment to new information occurs and forest products are largely locally processed. Uneven age management of northern hardwood has slowed conversion of this forest type to central hardwoods in the face of climate change. Reserves offer unique habitat and inspiration and ecosystems with forests over 200 years old totaling 250,000 acres through a mix of the original reserves, additional reserves and private conservation restrictions. DCR's approach for actively managed forest lands relies heavily on the Department of Fisheries and Wildlife management.

Mr. O'Connor suggested that the TSC could be particularly helpful in providing recommendations on balancing values, identifying how to manage for complexity and resilience, management of plantations and balancing reserves and various management approaches (age management, rotations and retention, legacy trees and coarse wood debris).

Bill Hill spoke to methods and outcomes of implementing such a vision. Implementation will result in a diverse landscape with reserves, multiple age and size classes, wildlife habitat for a variety of species, and native trees which are more resilient to disturbance, and enhanced recreational opportunities. Mr. Hill discussed existing planning efforts. Planning starts with ecoregional assessments that characterize current conditions, identify broad issues, and establish goals and recommendations. Two ecoregional assessments are complete and four are in process. Four Forest Resource Management Plans have been approved with peer review and public input. Using the Northern Berkshires plan as an example he noted 29% of the land is in reserves, 35% in a 150 year rotation, 35% in a 105 year rotation and 1% in intensive recreational use. Of the 40,953 acres about 405 acres, or 1%, is treated annually with 304 of these acres by thinning of overstocked areas. He noted that harvests for three management areas are about 25% of net annual

growth and the fourth is 40%. Mr. Hill displayed charts showing how the age classes would shift to be dominated by older trees if the vision is implemented. The estimated maximum annual revenue from the Northern Berkshires Management District is \$265,000 and for the 10 years from 1998-2008 for all districts it was \$1million in goods, services and improvements through timber sale contracts. He noted the process to approve timber sales. New policies will be developed to have public visits of all proposed sales, adherence to high silvicultural standards, Natural Heritage Review, and high standards for harvesting with new contract specifications, having equipment that fits the silvicultural practice and improved oversight, documentation and inspections. Mr. Hill described policies and elements of timber sales.

**Questions and Discussion.** TSC and AGS members recoded questions on index cards, summarized below. These will be directed by the facilitators to the appropriate individuals for response. In the time available some questions were addressed.

Legal. In response to legal questions Mr. Davis noted that “commercial activities” was not defined and this created confusion within Chapter 132B. Alexandra Dawson stated that the historical references are to franchise activities not harvesting. Mr. Davis noted the language of 132A and B do not appear to negate commercial activities but that further discussion is welcome because this and other statutes can be interpreted differently. Such a discussion could identify where additional clarity would be helpful. In response to other questions he noted that state law requires, absent specific legislation, that revenues be paid to the general fund.

Accountability. Several questions related to cutting on DCR lands that people felt was either inappropriate or poorly done. Bill Hill responded that Savoy State Forest is an example of cutting that did not fit the vision of how things should be done on DCR lands. Bob O'Connor stated that harvesting has been slowed on DCR lands in response to the process and that Bill Hill was supervising foresters and Bruce Spenser was asked to make technical recommendations. Once there is agreement on how to proceed, the state intends to start slow to assure that each job is a quality job and that supervision, standards and checks and balances are working. Mr. Hill noted that doing good forestry is difficult. Stephanie Cooper stated that the Department is committed to real dialogue to inform and improve DCR practices. A TSC member noted that if DCR focused on lighter harvesting there would be fewer public objections.

Other Questions. As noted above specific questions will be addressed. In general, questions centered on the following issues:

- Accountability – how to ensure compliance with plans; how to have the public feel that its input is valued, heard, and addressed; how areas where mistakes have been made will be cleaned up/vernal pools restored.
- Science – there were numerous science based questions on issues such as: plantation management; long term studies (harvesting and nutrient impacts, carbon sequestration) and surveys (biological; harvesting/natural resilience); cutting to mimic natural disturbance; cutting impacts on/desirability of conversion of forest types; skid paths/logging roads; and reserve size.
- Forestry/Management – DCR focus on timber harvesting as priority rather than a component of management; funding levels; site specific/region plan inter-relationships; and prioritization of uneven age management/age class distribution.
- Biomass – regulations for biomass harvesting; forest cutting plans for biomass, DCR role with respect to biomass/electricity production.
- Recreation – how to incorporate user groups into planning process and role within planning.
- Terminology – clearer terminology/definitions of forestry, buffer zone size, role of clear-cuts in a new vision.

- Reserves – how existing reserves are calculated and acreage for small reserves.
- Miscellaneous questions - urban park designations, specific cutting plans.

Other questions raised the issue of how to ensure the TSC and AGS had adequate opportunities to communicate between the groups. Bill Logue noted that the final recommendations would be written by the TSC with the assistance of the facilitators and Technical Coordinator and following input and feedback from the public and AGS.

### **III. Separate meetings.**

Following questions the TSC and AGS held separate meetings. Summaries of those meetings are attached.

---

#### **Meeting Materials**

The following materials were distributed to TSC and AGS members and made available at or before the meeting:

- Meeting Agenda
- AGS Briefing Information for TSC