

LINWOOD M. ERSKINE JR.

PAXTON, MA 01612

February 18, 2010

William Logue
Massachusetts Office of Dispute

Dear Mr. Logue,

Please do not make our laws and regulations more difficult for private woodland owners.

At age 86, I operate a 700 acre farm in Paxton just about 10 miles from City Hall in Worcester. More than half this land is wooded and has been in my family for more than 85 years.

The sale of beef cattle does not bring in enough to cover annual operating costs. However income from timber harvests have helped to make up for the annual losses from livestock operations. All the farm land is classified under Chapter 61 and Chapter 61A.

I have conveyed shares in the land to my son and daughter and hope they can keep things going after I am gone. They can only do so if Massachusetts laws and regulations are reasonable. The 700 acres could easily become many houses and school children.

Supervision of privately owned wood land should be transfer to the Department of Agriculture as a long term agricultural crop. Conservation and Recreation are not the first priorities for active farmers or private wood lot owners.

Sincerely,
Linwood M. Erskine Jr



Woodlands
Cooperative L.L.C.

February 18, 2010

William Logue
Massachusetts Office of Dispute Resolution
University of Massachusetts – Boston
100 Morrissey Boulevard
McCormick Building – 1st Floor, Room 627
Boston, MA 02125-3393

Dear Mr. Logue,

I am writing this letter on behalf of the Massachusetts Woodlands Cooperative, a management, processing, and marketing cooperative whose goal is to use the long-term management of forest resources to create a sustained flow of forest ecosystem services including timber, wildlife, clean water, aesthetics, and recreation. The work of the Coop also ensures the prolonged usefulness of Massachusetts forests acting as a carbon sink and helping to mitigate the effects of global warming. The mission of the Coop is to maintain the environment and character of rural Massachusetts through the protection, enhancement and careful economic development of one of the region's most plentiful resources, the forest. The Coop has 56 members who collectively manage around 12,000 acres of forestland. All Coop members have forest management plans that meet Forest Stewardship Council (FSC) certification standards.

The MA Woodlands Cooperative (MWC) would like to acknowledge the leadership provided by the Massachusetts Forest Landowners Association (MFLA) in developing and distributing a Landowner Action Alert that called attention to the proposed recommendations of the Forest Futures Visioning process. As a group of private forest landowners, our Coop members support the positions stated by the MFLA in their Landowner Action Alert. Coop members are also concerned about the management and role of DCR lands and we would like to see a large portion of the state lands continue to be managed productively. The MA Woodlands Coop recommends the following:

Rather than creating a new *Commissioner of Forest Stewardship* with the state's limited funds to oversee public and private forests as proposed in Recommendation 2, we think private landowners would be better served by transferring Service Forestry, Forest Health and other parts of DCR that serve or regulate private woodlands to the Department of Agricultural Resources. This would concentrate the state's interactions with farmers and forest landowners in the same agency, reducing duplication and improving efficiency. It would allow woodland owners to benefit from DAR's expertise in marketing and landowner assistance. It would combine efforts to control destructive invasive pests like the Asian long-horned beetle in the same agency. It would let DAR concentrate on private landowners and DCR concentrate on managing public lands.

We think that the Forest Futures process should concentrate on DCR's problems and not be expanded either to encompass the proposals to regulate privately owned woodlands in Recommendation 3, nor to encompass management of Mass Wildlife or the Quabbin watershed lands. Any proposal to consider recommendations concerning privately-owned, tax-paying woodlands must have adequate representation of private landowners themselves, not just a token representative who also fills another role.

We do not support any immediate changes to the Chapter 132 Forest Cutting regulations. Massachusetts already has the most restrictive and comprehensive regulations of timber harvests in the U.S. The regulations do an excellent job of protecting wetlands, streams, rare habitats, wildlife and forests in a cost-effective and efficient fashion, and while there may be occasional problems, we do not see sufficient reason to revise them at this time. We need to encourage more private woodland owners to keep their land in trees, not restrict them with additional regulations.

We do not support any "No Net Loss of Forest Canopy" restriction on private landowners without compensation. One of the reasons people own land is to be able, at some point, to consider using a portion of it to provide homesites for themselves or their children. Private woodland owners already provide a wide array of uncompensated benefits to the public. We see no reason landowners should have further restrictions placed upon them without compensation, and we do not see any way the state can afford to implement such a policy with sufficient compensation to affected landowners given its present financial situation.

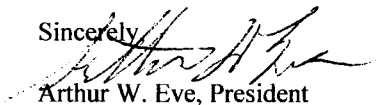
Rather than spending millions to buy thousands of acres of privately owned woodlands for forest reserves, MWC believes that the state should invest the money in conserving working woodlands. The same amount of money spent on buying tracts to expand forest reserves would go much further if it was spent on purchasing conservation restrictions from forest landowners. That would keep more land in working forests and keep it supporting the local tax base. It would support the local economy and conserve the local landscape. Protecting working woodlands would be much more friendly to local communities and their financial concerns.

Timber harvests on DCR lands are important to local communities and neighboring forest landowners. A percentage of the proceeds from harvests on DCR lands are returned by law to the community where the harvest occurs – this is particularly important in towns where DCR owns thousands of acres of woodlands and the local community has limited tax base. Since 1985, the state has never fully funded the legally-required Payments In Lieu of Taxes for DCR lands – forcing local taxpayers to pay more to support schools and other town services. When harvests are done on a regular basis, those local payments help hold down the amount of taxes neighboring woodland owners must pay, reducing the economic pressure on them to sell their land. If reserves are expanded and the amount of DCR land under forest management is cut, revenues to towns from timber receipts would be slashed 60 to 100 percent.

Timber harvesting on state lands also supports the rural economy by producing local jobs and supporting local businesses. In a state hurting for jobs in rural areas, it seems folly to adopt policies that would intentionally reduce the amount of rural jobs. There needs to be sufficient volume of harvesting activity, including regular harvests on state lands, or many local logging contractors will go out of business, making it harder for private woodland owners to find well-trained, well-equipped loggers to work on their woodlands. This problem has occurred frequently in Massachusetts where because of the loss of local markets, loggers have either left the business or have focused on more profitable land-clearing operations, leaving landowners with few options for selling timber or having woodlots thinned.

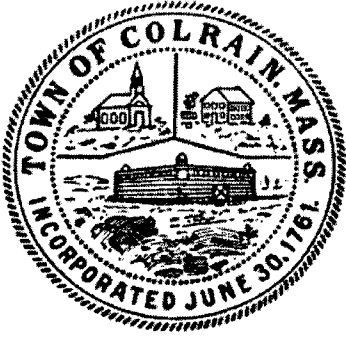
If you need additional information, please contact me.

Sincerely,



Arthur W. Eve, President
Massachusetts Woodlands Cooperative
[REDACTED] South Deerfield, MA 01373

Cc: Greg Cox, MFLA



Town of Colrain
Board of Selectmen
55 Main Road
Colrain, Massachusetts 01340

Telephone
Fax
E-mail



Town Where A U.S. Flag Was First Raised
Over A Public School, May, 1812

February 18, 2010

DCR Forest Futures Visioning Process Comments
c/o MODR
University of MA Boston
100 Morrissey Boulevard, M-1-627
Boston, MA 02125

To whom it may concern:

**Colrain Board of Selectmen Statement on the
Forest Futures Visioning Process and Recommendations**

The Board of Selectmen of the Town of Colrain has asked me to respond on their behalf, to the recommendations found in the proposed Forest Futures Visioning Process.

The Board of Selectmen is of the opinion that this whole process has not been done correctly. The Town of Colrain has not been contacted or asked for its collaboration and/or input prior to the release of these recommendations. Since the recommendations call for expanded acquisition of forestland, (Colrain has 2,644.12 acres of state land, or 10% of the town at present), the loss of any payments in lieu of taxes on any additional Colrain land could be very detrimental to the town. As 54.2% of Colrain's population has incomes at or below the poverty level, raising taxes to cover these shortfalls is just not realistic for us. The state is already cutting back on these payments to the town.

Additionally, we are concerned about reserve areas closing, not maintaining and/or removing roads. This would obviously limit the ability of our firefighters, police and EMT's to respond to emergencies in these areas. Our emergency agencies should not be restricted in the use of mechanical equipment as stipulated

in the recommendations. Again, our local emergency personnel have not been asked for their input and collaboration in this process.

We are also interested in knowing, given these difficult economic times, where the funds for the purchase of up to 80,000 acres are going to come from.

Considering that small towns like Colrain are going to bear the brunt of these new recommendations, we certainly feel that we should have (and would welcome) some input in the development of these proposed plans as you go forward with this process.

For the Colrain Board of Selectmen,

A handwritten signature in black ink, appearing to read "Fred Rees". The signature is written in a cursive style with a large, sweeping initial "F".

Fred Rees, Town Coordinator

TO: William Logue

Mass. Office of Dispute Resolution

DATE: February 19, 2010

RE: Forestry


As a resident of Massachusetts for over fifty years, and an employee of the State Environmental workforce for thirty years, I feel that I have a valid opinion of the current situation that is darkening the Forestry Industry in this state.

The forests of Massachusetts provide materials and money for a diverse population. The trees were all but wiped out in colonial times and the thinking was that field (not forest) is what was needed. Hindsight always being 20/20, we know that was a bad way of thinking.

Through good economic times and bad economic times the Forests of Massachusetts have provided revenue for the people of Massachusetts through timber harvesting. When managed properly, the forest will always provide revenue for the people of Massachusetts.

Managed forests, not neglected forests, is the way to continue to enjoy the limited forests that we have, while making use of a natural resource at our fingertips, right here in Massachusetts. Foresters have managed forests for their entire careers and selected the best trees for harvest for the maximum dollar value. Thirty years from now will go to waste should this end. You know the commercial about being priceless; here's one that rings true. Cut down the trees for fields – zero dollars. Do nothing and stop forestry – zero dollars. Manage a healthy plan and harvest trees as a crop so they last forever – priceless.

Sincerely,


Douglas Williams

DCR Forest Futures Visioning
c/o MODR Univ. of MA, Boston
100 Morrissey Boulevard, M-1627
Boston, MA, 02125

Greenfield, MA.
01301
Fri. February 19, 2010

Thanks for your Amherst public meeting. Thanks for exempting parks, specifically, Robinson State Park from future logging. Thanks for exempting endangered species areas and rare habitats from logging. Bravo! When stake-holders identify these areas exempt them from logging. Peninsula at Ruggles pond has rare orchids rare Water Arum + wild cranberries on both sides, please spare them! My main concern is DCR's policy of hiring the cheapest loggers who clearcut. I am 69 years old, I did not speak in Amherst because I am so deeply wounded by clearcuts. Witnessing clearcuts leaving devastated areas in 7 state forests, one park and one "Wildlife Management area" - each another "nail" in my coffin. So in addition to the points in my first paragraph, I would like:

① No clearcutting ② No Timber to Biomass Furnaces. ③ Uneven aged logging. To facilitate, appointing a Chief Forester with a second degree in forest ecology, conservation, or environmental biology, one spoke in Amherst. See film of meeting. ④ Designating "Park" Status to the old growth white pine forest in Rowe. This last is a shrine - an inspiring area to receive Spiritual Renewal. It should not be logged. Bob Leverett is in touch with you. Please consult Bob for details. ⑤ I would like your term "Management" to include you or the clearcutting logger to go back and replant the forests ⑥ Place to file a grievance.

To sum up what was an 8 page letter. Please note the special habitat all around Ruggles Pond in Wendell State Forest. No logging as was, horrifyingly described at Windsor Dam right down to the water! Keep 200 feet away.

And clearcuts! Foresters in Amherst told me trees grow back, but seeing is believing. One clearcut about 20 years old has no trees, only sick looking grass and Chicopee State Park has no trees regrowing just downed timber and invasive aliens coming through, 15 years later, wasted land, only 10 species of trees left as a result of your forebear's Micky Mouse "Management". This is unsustainable. Working together we can do better.

Sincerely,
Ms. Roberta Green

HAWLEY FIRE DEPARTMENT

Hawley, MA 01339

February 20, 2010

Mr. William Logue
Massachusetts Office of Dispute Resolution
University of Massachusetts – Boston
100 Morrissey Boulevard
McCormick Building – 1st Floor, Room 627
Boston, MA 02125-3393

RE: Comments upon proposed Forest Futures recommendations for DCR forests

Good Morning:

The Hawley Fire Department provides fire and rescue services within the town of Hawley and in neighboring towns. The Commonwealth owns more than 8,000 acres in Hawley, primarily owned by DCR in two state forests: Kenneth Dubuque State Forest and Mohawk Trail State Forest. Our firefighters and EMTs respond to fire and emergency medical calls, primarily due to recreational traumas, on state lands virtually every year.

When I read this incredibly long document, I was depressed to realize again what a gap in perceptions there is between those who propose such grandiose plans and those who deal with the actual results on the ground; between those people obviously from urban and suburban areas of the eastern parts of the state and those of us who live and work in the rural areas in western Massachusetts where most of the state land is.

Out here, the Commonwealth acts like an overextended slumlord who doesn't pay its taxes, neglects its properties, tolerates unsafe and dangerous conditions, and doesn't consult with and ignores the concerns of its neighbors, the local communities. Badly eroded roads and trails in the state forests threaten the safety of those who use them, and through neglect, constantly pollute the local environment. If DCR was a private entity, it would long ago have been judged bankrupt and its lands would have been sold for taxes.

Despite the fact that repeated administrations cut DCR's budget and its ability to manage its properties, the state continues with the illusion that more funds and better times are just ahead. Like a gambler who heedlessly doubles his bet after huge losses, the state continues to buy more land, reducing the tax bases of the rural communities, when it is unable to maintain and properly care for the land it already owns, or make PILOT payments to the local towns that provide the services. Now it proposes to mortgage our children's future to buy even more land to intentionally neglect in the name of forest reserves.

State forests in Hawley are used extensively for recreation, with more than 300 visitors some weekends. Users include snowmobilers, hikers, mountain bikers, cross country skiers, horseback riders, hunters, fishermen, snowshoers and people with four-wheel-drive vehicles. The mountainous terrain of the forest and the deteriorated condition of many of its roads lead to recreational accidents. Half of all recreational traumas on state lands in Hawley require transport by Med Flight due to the seriousness of the injuries and the length of time needed to reach the victims and get them to locations an ambulance can get to. Less than 10 percent of traumas on private lands in Hawley are sufficiently life-threatening to require helicopter transport.

For more than 20 years, our Fire Department and the Board of Selectmen have tried to get the Commonwealth to do better maintenance on the roads in the state forests in Hawley. On the state lands, more than half of the calls are delayed excessively primarily due to the detours needed to avoid washed out or hazardous conditions on many of the forest roads. A call for a horse-riding accident in 2005, for example, required a five mile detour each way, adding about 20 minutes to the response time. In that instance, the delay, while lengthening the time the victim was in agony without help, didn't make her injuries worse – she was able to come home from the hospital after 4 days. A person injured when the snowmobile hit a hole and slid sideways into a tree on a badly washed-out road wasn't as lucky – his lungs collapsed from his injury and our EMTs were barely able to keep him breathing on the trip to the ambulance.

The conditions that impeded the rescue of these visitors on state lands are rampant in the state forests in Hawley --- washed out roads, collapsed culverts, uncontrolled beaver flooding, blocked drainage. On some roads, culverts that drained under the road now sit atop them because the road has eroded so much that hundreds of tons of gravel have washed away and into the wetlands below. **In the last 25 years, the only money that DCR has invested in the roads and trails here came as the result of timber harvests.** Two deteriorated bridges were permanently replaced by logging contractors to gain access to the timber they'd purchased, and after a massive blowdown in November 2002 blocked the crossroads of the recreational trails, more than \$10,000 of gravel and machine work was done by the loggers contracted to get the mess cleaned up. After the 2008 ice storm, the only way the roads and trails could be reopened to recreational use is that the snowmobile and mountain biking clubs put in hundreds of hours to clear away the broken trees – DCR didn't have the resources to get it done.

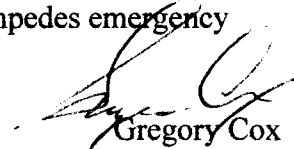
With 25 years of such experiences as a selectman and firefighter in mind, my questions and comments about the recommendations are as follows:

- If DCR hasn't been able to be able to keep roads maintained to a safe level in the past, how will they be able to do so in the future if the income they receive from harvests is less? Given DCR's chronic lack of funds, it would be better for both the state forests and the towns if more harvesting was done, not less. Cutting the acreage devoted to timber management doesn't make sense to me.

- In our community, timber harvests are a normal part of local life and provide jobs for local people, so we would urge that most DCR land be managed for timber rather than be tied up in reserves.
- In our town, privately owned open space (farms and woodlands) is the only thing that generates surplus taxes to hold down tax rates on residential properties – we can't afford to have the state buy more land when it hasn't fully funded PILOT payments since 1984. The proposal to buy 90,000 to 130,000 more acres for reserves doesn't sound like much on a statewide basis, but that translates into buying another 3,000 to 5,000 acres per town where reserves are. Rural communities like Hawley cannot handle losing more and more tax paying land to state agencies that only make PILOT payments on legislative whim.
- In towns where the state owns 25 percent or more of the local land base, the state should be required to get local town meeting approval before it can purchase additional lands --- this is required for state land purchases in the Adirondacks in New York and the Green Mountain National Forest in Vermont. This would greatly improve local relations with the state and encourage state landowning agencies to work with the local communities on land protection.
- Rather than have the state purchase more and more land to protect it, the state should work with local communities and local land trusts to conserve environmentally important lands without destroying the town's tax base. Using conservation easements to protect private woodlands would keep the land paying taxes, avoid adding to the state's inability to provide PILOT payments, and not require more services from DCR to maintain more and more infrastructure that it doesn't have money to do. The APR program is a proven model for what works well in rural areas.
- Maintaining good access (roads, trails) for use in emergencies is of paramount importance here given the long transport times to hospitals and treatment. If the state isn't willing to commit or generate enough money to provide safe access, it should close the area to all visitors and post it as such.
- Dividing the forests into zones may make sense but they need to be discussed with the local communities first and clearly marked on the ground. Access for each of the zones needs to be located and designated in advance.
- While it makes sense that land in parkland zones wouldn't be managed for timber production, it makes no sense to categorically forbid using commercial timber harvests as a tool to carry out needed work in parkland zones. In 2002 a snow/ice/windstorm broke and blew down more than 1 million board feet of neglected pine timber right in an 80 acre area where all the roads used for recreation in Dubuque State Forest meet, blocking the roads with piles of downed trees more than 30 feet high. DCR foresters set up a timber sale to clean up the downed timber and broken trees, generating revenue for both the state and the

town, reducing the fire hazard, and making it possible for people to again use the trails and visit the adjacent beaver pond. At the same time, the harvest provided \$10,000 to repair badly eroded roads in that area, greatly improving safety and access. To do the same work with arborists would have cost the state tens of thousands of dollars rather than generating them money.

- A similar situation exists along the trails today with extensive debris from the 2008 ice storm and shattered trees marring the view (and creating significant fire hazards) in many places. Having a local logger cut and remove the debris for cordwood (or even biomass) would improve the recreational aesthetics and generate DCR some money. That's how private landowners keep ice damage from bankrupting them --- DCR should do the same.
- DCR should not consider creating or adding to forest reserves without consulting with the local communities first to hear their concerns --- part of Mohawk Trail State Forest in Hawley is apparently part of the Mohawk Reserve but no one from the state has ever talked with the town about what that means concerning access, emergency response, maintenance of existing roads and trails, wildfires, etc.
- If the state is proposing to create reserves, it should first discuss with the local emergency agencies what road or trail systems must be maintained to provide access to all parts of the reserve. If large reserves are created, permanent landing zones for medevac helicopters should be located, cleared and maintained to minimize transport times for serious traumas.
- Given that trail users (snowmobilers, horseback riders, mountain bikers) have been instrumental in keeping access open when DCR hasn't been able to, they should maintain their right to use and maintain the trails throughout any reserves.
- The state should install trail registers at any parking areas accessing reserves and require all visitors to sign in and out to make it easier to find them in an emergency. Signage should warn visitors that emergency responses will be delayed due to the terrain, and that extreme caution should be exercised to avoid serious injuries.
- **Emergency agencies (police, fire, EMS) should not be restricted as to what equipment they use in responding to or training for emergency rescues in reserve areas.** Chainsaws, ATVs, snowmobiles, portable generators, portable pumps, helicopters, four wheel drive vehicles, thermal imagers, night scopes, even horses may be useful in getting someone with a serious injury out to treatment expeditiously. No policy should be created that impedes emergency response by restricting equipment use.



Gregory Cox
Chief

Rick Sullivan Commissioner
Dept. of Conservation + Recreation
251 Causeway St. Suite 600
Boston, MA, 02114-2104

Greenfield, MA.

01301

Fri. February 19, 2010

Dear Rick, I nearly cheered when you were introduced in Amherst because you saved Robinson S. Park! Bravo! Thanks for your Amherst public meeting. Thanks

for exempting parks, specifically, Robinson State Park from future logging. Thanks for exempting endangered species areas and rare habitats from logging. Bravo! When stake-holders identify these areas exempt them from logging. Peninsula at Ruggles pond has rare orchids rare Water Arum + wild cranberries on both sides, please spare them!

My main concern is DCR's policy of hiring the cheapest loggers who clearcut. I am 69 years old, I did not speak in Amherst because I am so deeply wounded by clearcuts. Witnessing clearcuts leaving devastated areas in 7 state forests, one park and one "Wildlife Management area" - each another "nail in my coffin." So in addition to the points in my first paragraph, I would like:

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Sincerely,

Roberta
Green