

PLUM CREEK PLAN

Conservation Easements Lack Protections

The following summarizes multiple pages of technical testimony submitted in summer 2007 to Maine's Land Use Regulation Commission (LURC) by Rob Bryan, Maine Audubon forest ecologist and licensed forester. Full testimony and source documentation: <ftp://ftp.state.me.us/outgoing/PlumCreek>.

Plum Creek's two proposed conservation easements and associated forest management plans lack the details, practices, and protections needed to adequately balance the impact of its development, as LURC requires.

No Balance

While LURC requires a "reasonable and publicly beneficial balance" between appropriate development and long-term conservation of natural resources, Plum Creek's conservation easements only approve the status quo of practices already in place on the property. To balance out the impacts of development would require actual improvements and enhancements over current management—including clear protection of important species and habitat—which Plum Creek's plan just doesn't have.

Too Vague

Stated practices don't have the teeth needed to make good on Plum Creek's promises to protect wildlife and habitat on conservation lands. Forest managers would be asked to "consider" wildlife guidelines, but not be required to implement them; specific plans on how to protect many wildlife species are not required; and no clear conservation goals or objectives are identified. Too much is left to chance and the discretion of forest managers, creating the risk that only the weakest practices will be adopted.

Lack of Protections

Either by omission or lack of required practices, the plan doesn't adequately protect many species that need protecting. Species identified in "baseline surveys" are required to

be protected, but the plan does not specify which groups of species would be included. It does not mention many other species of great conservation need identified by Maine's Department of Inland Fisheries and Wildlife, and no species of concern to the U.S. Fish and Wildlife Service are mentioned. Because of vague and ambiguous language, there are no guarantees that these species will be protected.

Outsourcing Accountability

Plum Creek's plan states that its compliance to the easements would be judged by third-party forestry certification—a poor method to enforce a conservation easement if the standards of the easement are more stringent than those of the certification program. Third-party auditors are only responsible for monitoring compliance to their own standards, not an outside management plan or conservation easement. Furthermore, there are no clear goals or objectives in the management plan for an auditor to use to measure success, and the certification service Plum Creek currently uses, Sustainable Forestry Initiative, has weak standards for wildlife and habitat protection.

No Guarantee for the Future

Land covered in the easements could be sold and subdivided relatively soon after LURC permits are granted, yet there are no guarantees in the easements that future owners would implement best conservation practices. Given the vagueness in easement standards, conservation values could be at even greater risk from a future owner if protections and requirements aren't better stipulated.