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WOODLOT TIPS



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SUMMER 2016

Programs

**Saturday, September 24, from 9 a.m. to 4 p.m. — WRWA Annual Meeting & Potluck Cookout Lunch
Green Mountain Camp, 565 Green Mountain Road, Dummerston, Vt.**

RAIN OR SHINE!

IMPORTANT: Please provide information by **Monday, September 19** if you plan to attend the meeting. Your timely notification will help to ensure that we have adequate grill foods. Once again Sam Schneski will be cooking up burgers, hot dogs and veggie burgers. Please bring a potluck dish to share — members' casseroles, salads, desserts, etc. — always help make the day special and convivial! ***See inside for directions and full details.***

Thursday, October 6 at 7 p.m. — Restoring Stream Connectivity

Erin Rodgers, Trout Unlimited's Western New England Culvert Project Coordinator, will address one of TU's major goals: maintaining and restoring connectivity of rivers. Dr. Rodgers will discuss her group's work in correcting faulty culverts and restoring riparian habitat to allow fish and other aquatic organisms to have greater movement up and down our

streams. The program is sponsored by the Connecticut River Valley Chapter of Trout Unlimited. It is free and open to the public, and will certainly be of interest to WRWA members.

Directions: Westminster Fire Station, 103 Grout Ave (off Rte. 5), Westminster, Vt. (wheelchair accessible). For further information, contact Mitchell Harrison at 603-723-4736 or mhsierra@yahoo.com.

Wednesday, October 12 at 7:30 p.m. — Trees And Trout

Vermont State Representative **David L. Deen**, Chairperson of the House Committee on Fish, Wildlife, & Water Resources, and Upper Valley River Steward of the Connecticut River Watershed Council, will be joining us once again, this time in order to explain the inseparable connection between trees and trout.

You will learn that it is basically a story of the transfer of energy that starts with the sun and—perhaps with an intermediate stop on your dinner plate—ultimately ends with the fish’s final decomposition, its component chemical elements and energy thus returning to nature. Deen will show us that the course of this transfer is facilitated—indeed, made possible—by good riparian woodland husbandry, the unobstructed flow of cool, clean water, and for some of us, additionally, a good bit of angling skill and luck.

This WRWA lecture is free and open to the public. We are pleased to announce that it is being co-sponsored by both the Connecticut River Valley Chapter of Trout Unlimited and the Vermont Learning Collaborative.

Directions: Vermont Learning Collaborative, 471 U.S. Route 5, Dummerston, Vt. (wheelchair accessible)—1.8 miles north of I-91 Exit 3. For further information, contact Arthur Westing (802-387-2152 or westing@sover.net)

Save the Dates!

Friday, February 3, 2017 — Timber sale tour at Molly Stark State Park, Marlboro

Saturday, February 25, 2017 — Winter tree identification, snowshoeing, and potluck lunch, Halifax

Woodworks — The fern/moss workshop sponsored by the Putney Conservation Commission had just finished. Arthur Westing (the “Woodland Secrets Man”) said, “I love your necklace pendant.” So I told him what was in it: bone from an antler, copper wire salvaged by unwinding a piano string, ebony from a piano key, Fiddle Maple, nickel and brass, Mother of Pearl, and Maple wood from a Knabe Grand piano. Arthur was impressed.

T. Breeze Verdant, in Brattleboro, makes jewelry from recycled material, much of which is wood. On his website it states, “*Nature is my inspiration. I find it fascinating that, amidst the rampant apparent chaos abounding in the natural world, balance and beauty prevail. I have rarely, if ever, seen an ugly tree or flower. Particularly interesting are trees that survive under adverse conditions. Like tenacious people they are equally complex and gnarly behind their bark (if you can allow a pun like that!).*”

His shop is hidden in Cotton Mill Hill. You also can see his work at his website. His contact information is 258-9820 or email him at tbreeze@sover.net



Windham Regional Woodlands Association Annual Meeting and Potluck Cookout Lunch

Saturday, September 24, from 9 a.m. to 4 p.m. — RAIN OR SHINE

Green Mountain Camp, 565 Green Mountain Road, Dummerston, Vt.

\$7.00 per person registration fee to cover grilling supplies and other meeting expenses

Directions

From Route 30 in Dummerston, cross the West River at the covered bridge. This turn is about 6.5 miles north of the Brattleboro Retreat and about 5.5 miles south of Newfane Village. (Do NOT cross the West River on the green iron bridge.)

Turn left at the first road, which is Camp Arden Rd. You will be driving north, parallel to the West River. Go about 0.5 mile. Take the first right onto Green Mountain Camp Rd. Turn right into the camp.

Parking

The parking will be on the left and right side of the driveway just after you pass the camp office. Please pull in front first (rather than parallel park) so that there is room for all the vehicles. For those who have difficulty walking, there is limited parking near the Dining Hall; continue straight down the driveway.

Please let Carol Morrison (windhamwoodlands@gmail.com) know by Monday September 19 whether you would prefer a hamburger made from locally produced beef, Grand Kosher hot dog (low-fat, no filler), or a Veggie Burger. Your timely notification will help to ensure that we have adequate grill foods. You are welcome to enjoy more than one of the items; just let Carol know. Thank you!

Let's have a "Green" Meeting! The Green Mountain Camp provides a rustic meeting venue with useful amenities (e.g., shelter, potable water, kitchen). We continue our efforts to "green" our annual meeting. To help, we ask that all participants be part of the "Green Team."

What to bring:

- **Potluck dish** for lunch, including a serving utensil
- Travel mug for beverages
- Chair, if you prefer a seat with a back. Otherwise, there will be ample seating at the picnic benches.
- Footwear suitable for forest trails for the field trips.

Morning Program

9:00 –9:30 Registration - Enjoy coffee and donuts while visiting with Woodlands friends, old and new.

Welcome to Green Mountain Camp from Billie Slade, Camp Director

Brief business meeting, presided over by WRWA President Marli Rabinowitz. Topics will include the Treasurer's report (Phyllis Wertz), summary of programs (Sam Schneski), election of Trustees, and other matters raised by the membership.

Field trips: In the late morning, we will visit a nearby woodlot that is owned by the Patriquin family. After a brief introduction to the site, you can choose one of two walks.

(1) Foresters, including Charlie Richardson and Andy Sheere (both former WRWA trustees) will lead one walk. Topics will include the recent harvest to foster the growth of new trees and free up growing space for some of the beautiful pine and oak that this property grows so well. We will walk a maintained woods road and stop at key spots to discuss the challenges and benefits of silviculture, timber harvesting, land tenure and forest management as well as natural history and wildlife.

(2) Roger Haydock will lead the other—and more rigorous—walk with a focus on the geology of the Patriquin woodlot. Roger describes himself as a self-taught geologist. When not hiking or building trails, he enjoys exploring and sharing his insights about our region's geology. Roger is a knowledgeable and delightful speaker and trip leader.

Lunch

Sam Schneski will again cook our hamburgers, hot dogs, and veggie burgers. If you can, please bring a pot-luck dish to share as well as a suitable serving utensil. At a recent meeting, Past President Stu Thurber remarked that the lunch gets better each year! Please let Carol (windhamwoodlands@gmail.com) know **by September 19** whether you will want a hamburger, hot dog, veggie burger (or all the above!) If you do not have e-mail, please call Dana Ruppert at Bill Guenther's office (802-257-7967, Ext. 302)

Afternoon Program

Forester Charlie Richardson will provide a brief overview of forest management at the Camp.

Featured speaker: Jaclyn Comeau, Wildlife Specialist with the Vermont Fish and Wildlife Department, will talk about the behavior and life requirements of black bears as well as how Vermonters can take an active role in the management of this iconic forest species. Ms. Comeau earned an M.S. degree from the University of New Hampshire, where she studied human/bear conflict management. In addition to black bears, she has worked on research projects studying bobcats, marten, and mountain lions across North America.

Bill Guenther, Windham County Forester, will provide a legislative update.

WRWA Trustee John Caveney, Vice President of Timberlands for Cersosimo Lumber, will apprise us of the current market conditions for logs and wood products.

President's Column

By Martha (Marli) Rabinowitz

Active Stewardship

Dear woodland owners, have you noticed that you are being studied? Do you wonder why so many people are interested in your attitude, knowledge, management practices, and legacy plans? It is because families and individuals collectively hold a major percentage of U.S. and Vermont forested acreage, which gives us great influence over shaping both the ecology and economy of our state.

The U.S. Forest Service has done one of the largest studies of woodland owners, and concluded there are four types of family-forest landowners: 1) Woodland Retreat Owners; 2) Working-the-Land Owners; 3) Supplemental Income Owners; and 4) Uninvolved Owners. For the full descriptions of these profiles, look up <http://www.engaginglandowners.org>.

The purpose of this research and others like it is to investigate whether people own land because it happened to come along with their house, or because they love the land and its creatures for any of many reasons, or because they see it as a financial asset. *Whatever the reason for ownership, the ultimate goal is to help and encourage all landowners to engage in active, sustainable stewardship.* The concern is that owners or their heirs will "liquidate" the forest or endlessly subdivide to pay

taxes, or that thoughtless management will degrade the ecosystem and timber resources instead of helping them flourish. Individual decisions like this cumulatively create the landscape we call home.

So, what does active land stewardship entail? A lifetime of learning from others and of activity. I think every member of this organization knows the litany: learn what species of trees and other plants are on your land, what types of birds and mammals, amphibians and insects; learn the geology, the waters, the seasons, the human history. Release apple trees, preserve your "wolf" trees and dead snags for habitat, harvest your own firewood, learn the market value of your trees and mushrooms, have a forestry plan, have a legacy plan. Walk your land frequently and explore every corner. Bring your kids, grandkids and friends along, maybe make a good campsite and spend time there so they know and love it as you do. Make foods and crafts from your woods and fields. Get to know your neighbors, engage in community-wide projects like walking trails and invasives control. And here is a plug to renew membership in WRWA and other like-minded groups to help you keep up on new laws, best practices, and other discoveries.

Your experiences in your woods make your voice important to your local select boards and planning commissions, as well as legislators in Montpelier and Washington, DC. Your opinion also can be voiced in woodland owner surveys. One such went out in our email updates a few weeks ago; there is another mentioned in this issue. (We only relay requests from places we know, but we are not specifically endorsing any particular research.) Of course your board at WRWA always welcomes your opinions and questions.

Right now, the result of our collective stewardship is our beautiful Vermont landscape and our sustainable forest products industry. With an ever-changing world, we will have to keep learning, to keep it so for the future.

Just a final note: ***Please put the WRWA annual meeting date, Saturday, September 24, into your calendar.*** There is an interesting program planned, the potluck lunch is always great, and it's good to see new faces along with the familiar ones.

WRWA Members! Share your thoughts about the woods with fellow members! Is there a woodlot that you love, perhaps your own? What have you learned from the woods? What concerns do you have for our forests? Write down your woodland thoughts and email them to windhamwoodlands@gmail.com for publication in a future issue of Woodlot Tips. You don't need to write a long article—a paragraph is fine. We would love to hear from you!

Recent WRWA Programs

Birds in Your Woods

On the 4th of March 2016, Dr. Robert E. Engel (Professor Emeritus of Biology at Marlboro College) presented an illustrated lecture before the WRWA (and co-sponsored by the Southeastern Vermont Audubon Society) entitled, "The Birds in Your Woods: How You Can Help Them." We asked Engel to provide us with a summary of his key points, and he was kind enough to offer the following:

With the arrival of Europeans to this continent, the forests of the Northeast, and the animal species that inhabit them, have been on a roller-coaster ride. During the past 150 years or so, Vermont has gone from mostly forested to mostly open and early successional habitat, and then back to mostly (+/- 80%) forest. The current forest is often young, can be substantially fragmented, and may exist in isolated pockets. Where there are large, protected blocks (e.g., in our National Forest or on less accessible slopes), the slow, steady processes of succession and maturation also affect the animals that live there. For example, in one well-studied New Hampshire forest, as the area has matured, most edge specialists and several "forest" bird species have been forced out. Veery, Wood thrush, Philadelphia vireo, and Least flycatcher have thus been locally extirpated.

There are several management options for bird-loving forest owners: (1) Do nothing and, with time, lose some of the above, but also create a haven for deep-forest species, like some wood warblers (Blackburnian warbler and Ovenbird) and Scarlet tanager; (2) Aggressively manage for timber and encourage early successional and scrub specialists like Yellowthroat, Chestnut-sided warbler, Eastern towhee, Brown thrasher, and some small flycatchers; or (3) Judiciously thin your woods (retaining snags, dying trees, and coarse woody debris), thus encouraging an understory that will favor Magnolia and Black-throated blue warblers plus Wood thrushes. Doing nothing might rankle some foresters, but from a statewide perspective, none of the three options is obviously better than another. Large land holdings are especially valuable in conservation, and can offer more than one of the above management options. But please also remember that our lives are short and — unless we take concrete measures to preserve any given landscape — we probably will have little control over it for more than a relatively few years. Moreover, we all have neighbors whose actions affect our land. (For further information, one can turn to the very fine materials existing on the Internet at both Vermont Audubon and Cornell University.)

Timber Rattlesnakes in Vermont

By Marli Rabinowitz, WRWA president

WRWA sponsored a slideshow and talk April 21st, in the Townshend Town Hall, by Vermont Fish and Wildlife Department biologist and rattlesnake researcher Doug Blodgett. Even though there are no rattlers in Windham County, he is travelling the state to share his admiration for this species, and his concern for its future in our state.

There are 11 species of snakes in Vermont, and the rattlesnake is the only venomous one.

Vermont hospitals do not keep a supply of anti-venom since there has been only one person bitten in 50 years. That was a man trying to scoot one off the road. If you see a snake that appears to be a rattler, it is probably a milk snake, which can vibrate its tail but does not have rattles. If it is a rattler, Doug characterized them as “docile, tolerant, and secretive” and not inclined to bite unless cornered or threatened, so leave them alone. (They need to save their venom for hunting.)

One person attending told of seeing a rattler in Windham County in the 1960s, and Doug confirmed that there were den sites down here in those days but now all are empty.

At one time there were 18-20 known rattlesnake winter denning sites (called hibernacula) in Vermont, but most snakes were eradicated due to a bounty program that lasted from the 1890s until 1971. They were then listed as endangered in 1987. A few hundred still remain, centered on two winter dens in Rutland County in an “undisclosed location.” This is the northern extent of their range. Rattlesnakes require holes in rocky scree

that go deep, below the frost line, so they can survive the winter. There are few such places in Vermont, and they estimate that each den has been a winter refuge for several thousand years or more, generations of snakes using the same site. Of course with only two sites, they have become somewhat inbred, with low genetic diversity. A female does not reproduce until she is 10–12 years old. Her young stay with her for at least a year as she protects them and teaches them where and how to hunt; they are the only snake that “parents.” Doug seems to know each snake as an individual.

The F&W researchers tagged snakes with radio transmitters under their skin (The slides of this process, catching large rattlers and inserting them into tubes for safe handling, inspired admiration for the skills involved, and a little shiver or two). The researchers then recorded the snakes’ movements as they emerged from these communal dens in the spring and spread out for the summer to search for rodents and to mate. They can travel several miles to their summer grounds, and then return in the fall, using habitual “snake roads” each time.

Vermont snakes are struggling with a fungus that affects their face and neck and can be fatal. Other hazards for them are predation of the young, roads, pet trade, habitat loss, and of course, if people see one they are inclined to kill them. Doug is hoping that these native Vermonters can continue to raise their families in Vermont and that we will help them do so.

Riparian Zones in Forestry

*On the 23rd of May 2016, Vermont State Representative **David L. Deen** (Chairperson of the House Committee on Fish, Wildlife, & Water Resources, and Upper Valley River Steward of the Connecticut River Watershed Council) presented an illustrated lecture before the WRWA entitled, “Our Riparian Woodlands: on Managing this Very Special Habitat.” We asked Deen to provide us with a summary of his key points, and he was kind enough to offer the following:*

A riparian zone is the three-dimensional land area directly adjacent to the water of a wetland, lake, or river that interacts with the ecosystems of both the water and the land. It serves ecological functions disproportionately large relative to its small land area. A healthy riparian zone slows the flow of overland runoff and thereby allows the soils to absorb nitrate and phosphorus pollution, reduces pathogens making their way to the stream, helps control overland soil erosion, and provides food and shade for life in the water. These zones are

especially important in reducing riverbank erosion during flood and other high flow events.

In forestry, it is a matter of valuing the zone and pro-actively protecting it. There should be no tree cutting back from the edge of the water for 50 feet [15 meters]. The trees left will provide duff for the forest floor that intercepts overland runoff. The root matrix of the trees provides protection against erosion in times of high flow, while the leaves, twigs, and in some cases even the whole trees that

fall into the water provide food and habitat for aquatic species that trout feed on.

Explored especially was the *Acceptable Management Practices for Maintaining Water Quality on Logging Jobs in Vermont* [11th printing, 2011, 51 pp], better known to some as “The Little Orange Booklet.” The recommendations in that booklet are designed to protect the water, and are required practices for any land enrolled in the State's Use Value Appraisal (Current Use) program.

Cersosimo Sawmill Tour

by Marli Rabinowitz, WRWA president and Margaret MacDonald, past president

WRWA Trustee John Caveney, the Forestland manager for Cersosimo Lumber, arranged a June 23rd tour of Cersosimo's softwood mill for WRWA members and all interested from the general public. Thanks to publicity in several local papers as well as our own newsletter, about 50 people attended. This tour offered a detailed look into the afterlife of trees—from forest to lumber.

A log is cut in your forest, it is loaded onto a truck, and then what happens to it? At Cersosimo's, it is treated with precision and cut into the highest grade lumber possible.

The tour began with John giving a brief history of Cersosimo. The company started in 1947 and has been part of the Windham County economy ever since. It processes something like 57 million board feet of lumber per year. When we walked toward the mill the smell of bark and pine was strong, and we passed enormous sheds and stacks of lumber.

Our tour looked mostly at the white pine sawmill. White pine cut in the summer must be processed quickly or the heat and moisture cause it to develop a mold called blue stain. This does not affect the quality of the lumber, but in spite of a marketing campaign for “wood the color of your Levis” consumers won't buy it and it must be chipped into pulp. In the winter, the logs can wait longer.

The first step in processing the logs is debarking. Bark can be chipped and either burned or sold for

mulch. It does not make a great fuel. Cersosimo sells a lot of mulch, both plain and dyed.

A poorly formed or discolored log is chipped into pulp. The logs used for pulp are clean and the chips are sent to one of the paper mills remaining in the region. Sawdust goes to farms for use as cow bedding in the winter. Other scraps are

burned to power the lumber kiln drying facilities in downtown Brattleboro.

In the mill the logs are sawn, edged, and trimmed. The office above the cutting floor has two computer screens, and we saw how a clean log is fed into the mill, the computer scans the contours of the logs, and directs grips to turn it for optimal initial

cuts. The computer keeps track automatically of how much lumber is produced. Then, the squared logs are moved on rollers and one man feeds them into a chute for sawing. It was very hypnotic to watch. After a while we noticed that he pushed buttons on a board. These buttons determined how each individual log was sawn, based on its quality and other factors such as knots that he could assess instantly. John told us that this skilled operator has been at that mill since he was 21 and he is now 64, and probably faster than the computer at his job.

After the boards are cut and recut by enormous band saws with blades and teeth that looked an inch big (sharpening those teeth is an art in itself), the boards are pre-dried, sorted into 70 different



John Caveney leads the tour.

types, then kiln dried to six-to eight-percent moisture, which is when they become stable. Drying is both an art and a science, so other mills in the region send their wood to Cersosimo to dry because it has the best facilities.

The boards are then sorted by grade or marked for re-cutting to raise the grade. To learn grading takes 14 weeks of training. Each sorter has his own fluorescent pen to mark the logs and if the company receives any complaint about the grading the issue can be tracked back to the person responsible. Each pallet contains a mix of logs from five different graders so that each load is an average of all personal techniques, and that assures overall standard quality. A jet printer marks all the boards as they fly by at 50 per minute. Then, they are carefully bundled and shipped.



A skilled operator on the cutting floor.

John explained how Cersosimo manages its 12,000 acres for sustainable yields. We have toured some of the lands the company manages that are quite beautiful. Cersosimo leaves the forests open for hunting and recreation. Only the ATVs cause destruction and present a continuing problem that various groups are working on. Cersosimo also buys wood from other landowners—maybe even you!—and from the Green Mountain Forest.

At the end of the process Cersosimo has to market its lumber. We discussed “sustainable forestry” labeling and how to manage paperwork all the way through the supply chain.

Because Cersosimo saws its pine just as carefully as its hardwood, its lumber and logo are recognized the world over. That is good, except that in China it is routine to create false brand marking, and just as a fake designer handbag can be recognized by knowledgeable consumers, wood with a fake Cersosimo logo is not the same product. Buyers notice and let the company know, but nothing can be done about it.

At 7:15 we finished the tour of the softwood mill, and many tour participants began to feel hunger pangs and to drift away, but not before thanking John and expressing interest in perhaps touring the hardwood mill at some future date. Meanwhile, all of us are very grateful to WRWA

Trustee John Caveney for arranging and leading the tour, and to Jeff Hardy, Phil Mann, and Monica Hastings who also supplied information and answered our questions.

For another look at the tour, read Wendy Levy's excellent June 29th story, "Cutting Edge," in the Business and Economy section of The Commons: <http://www.commonnews.org/site/site05/story.php?articleno=15081&page=1#.V7GfbDVdLOL>

The Forestry Omnibus Bill

By Bill Guenther, Windham County Forester

(with excerpts taken from VNRC's Jamie Fidel's overview of this year's forestry legislation)

Overview

This year Commissioner Michael Snyder of the Department of Forest, Parks and Recreation (FP&R) worked with several Senate members and put forth a very ambitious bill that contained some bold new proposals as well as adjusting and bringing up to date some other statutes we already have

on the books. The proposed bill had five major components:

1. Make some amendments to the Fire Warden statutes, which had not been updated in many years.

2. Revise and adjust the statutes regarding the leasing of state forestland to maple sugarmakers.
3. Initiate a “Right to Practice Forestry” law that would exempt most forestry operations from nuisance complaints. This would be similar to the “Right to Farm” laws we have in the state.
4. Institute Timber Harvester Notification and Trip Tickets. This would require that all harvests greater than 20 cords or 10,000 board feet submit a Notification Form to the Department of F P&R. Additionally, each truckload of wood products would have to be accompanied by a “Trip Ticket” that would track the load from the initial harvesting site to the location of first measurement.
5. Strengthen timber trespass laws. Vermont law was very weak on offering protections to landowners who were victimized by theft of their timber. The proposed changes would substantially increase the penalties for intentional timber theft.

The original bill, which was 48 pages in length, was considered so large, and would have required review by so many separate committees, that it was split into five separate bills. As is sometimes said about legislation, “It is like sausage making, good in the end, but you don’t want to see it made.” All of the bills got close scrutiny, with many hearings held. There was a lot of “dicing, slicing, and chopping.” Toward the end of the legislative session many of the individual components were put back into one bill that now became known as House Bill 857 (H.857).

While our Department had hoped to see the Right to Practice Forestry provision go through, it was deemed problematic, primarily by trial lawyers, and did not advance out of the House Judiciary Committee.

The timber trespass law changes ended up being split off from this bill as a stand-alone piece of legislation that I address in a separate article in this issue of *Woodlot Tips*.

The Omnibus Bill

Let’s now look at what actually passed in H.857 and became Act 171.

The bill made some changes to the Fire Warden laws, as well as to policies and procedures for sugarmakers leasing state forestland for tapping, but nothing major.

Perhaps the most controversial part of the initial legislation was the Harvest Notification and Trip Ticket requirement. Many individuals, as well as the timber industry, expressed immediate concerns. Some of the arguments against these requirements were that they could increase costs, create mountains of paperwork (having to be retained for many years), require additional state employees, remove some of the flexibility that allows timber sales to occur on short notice, and add layers of bureaucracy before a timber harvest could occur.

The Trip Ticket provision was scrapped fairly early on, but the Harvest Notification section continued the journey, albeit with many modifications. It was reduced from being mandatory on all timber harvests above the previously mentioned volume thresholds, to requiring the Commissioner of Forests, Parks and Recreation to submit by December 15, 2016, a report recommending that the state establish a harvest notification program as well as how such a program would be structured and implemented. This would include any needs for both staff and funding, as well as proposing the draft legislation itself.

Several provisions added to the bill are worth close examination. A huge percentage of forestland is owned by folks over 65, and many of them have not made any plans for how the land will be treated after their passing. The bill establishes a Department of Forests, Parks and Recreation Working Group on Intergenerational Transfer of Forestland to develop recommendations for a statewide program that would improve the state’s capacity to provide successional planning technical assistance to forestland owners in Vermont. This working group will recommend priorities for succession planning for forestland owners, develop strategies for improving conservation investments or incentives that facilitate the intergenerational transfers of intact forestland, suggest strategies for lessening the impact of estate taxes or other pressures that could lead to the breaking up and subdivision of intact forest

parcels, and recommend legislative changes that may be needed to implement the strategies. The group must report back to the legislature by February 1, 2017.

The bill also amends the goals and requirements for municipal and regional land use planning to address forest fragmentation. It adds planning goals to manage Vermont's forestlands to maintain and improve forest blocks and habitat connectors and supports the purchase of local forest products. In addition, it encourages local and regional plans to indicate those areas that are important as forest blocks and habitat connectors and to plan for any land development in those areas to minimize forest fragmentation and promote the health, viability, and ecological function of forests. A local or regional plan may include specific policies to encourage the active management of those areas for wildlife habitat, water quality, timber production,

recreation, or other values or functions identified by the regional planning commission. These policies could be regulatory or non-regulatory, and each town or regional planning commission gets to decide what is appropriate for its respective area. Finally, this section would create a study committee to examine potential revisions to Act 250 and municipal bylaws to protect contiguous areas of forestland from fragmentation and promote habitat connectivity between forestlands.

As you can see, this legislation navigated a real maze during this past session, but in most cases it provided some real positives for the forestry community. Should you wish to see the full text of the bill, see:

<http://legislature.vermont.gov/assets/Documents/2016/Docs/BILLS/H-0857/H-0857%20As%20Passed%20by%20Both%20House%20and%20Senate%20Official.pdf>

Timber Trespass Consequences Greatly Increased

By Bill Guenther, Windham County Forester

In the past, many of us in the forestry community were surprised that Vermont laws regarding the theft of timber appeared very lenient. If someone "just happened to cross your boundary line" and harvested trees on your property without your permission, you had very little legal recourse, other than filing a civil lawsuit. Vermont statutes had a clause that gave the aggrieved landowner the right to sue for "treble [triple] damages," but in my 34 years of forestry practice I have never seen anyone receive that. Often times a boundary line marking is not kept up, and it was simply an accident that someone crossed a line and inadvertently cut timber on a neighbor's property.

Most logging contractors are very honest and have no intention of doing the wrong thing, but I have seen a few egregious cases of blatant theft of timber, and yet the culprit got away with paying either nothing or just the regular stumpage fee.

This year the Department of Forests, Parks and Recreation proposed changes to the timber trespass laws, with the initial proposal being embedded in the big Omnibus Forestry Bill. The trespass component was later taken out and became a stand-alone bill. Some tweaking occurred along the way, but the bill did make it through both legislative bodies and was signed into law by the Governor as Act 106. This bill clarifies the right of

a person to bring a civil action for damages due for the unlawful cutting of trees and establishes a new *criminal* penalty for the unlawful cutting of trees.

Under Act 106 a landowner still has the right to seek "treble damages" or alternatively can elect to assess damages based on the diameter of the trees removed. For example, trees up to 6 inches in diameter can be valued at up to \$50/tree, while trees over 22 inches can be assessed at the rate of \$2,000/tree. This can certainly add up to some serious money if the trespass is substantial. Defendants may be able to limit liability to single damages if they show by a preponderance of the evidence that they had good reason to believe they owned the timber or forest products or had the right to conduct the relevant acts.

The new criminal penalty can be invoked when the trespass was done knowingly or recklessly and caused the cutting down, felling, destroying, removing, injuring, damaging, or carrying away of any timber or forest product belonging to another person without their permission. The criminal penalties established are:

- First offense: imprisonment of not more than one year or fine of not more than \$20,000 or both

- Second or subsequent offense: imprisonment for not more than two years or fine of not more than \$50,000 or both

This bill became effective on July 1st and it will be very interesting to see how it plays out. It appears that our timber trespass laws finally have some real teeth.

Sugaring Season Review

By Sam Schneski, Windham and Windsor County Forester

“Strange” was the word I heard used most when talking with other sugarmakers, and the word I personally used most with regard to this past sugaring season. We never really had a true winter. But last summer was pretty typical, an important factor because that’s when the trees were photosynthesizing. What all this would mean for the 2016 season was anybody’s guess. Most were afraid it would come and go in a flash. It turns out the complete opposite was true!

A lot of the bigger producers tap in January nowadays and some even in December because of the large number of taps, the time needed to physically get the work done, and the increasing trend of getting earlier sap runs. This year, with the winter being non-existent, a lot of us were getting fidgety and wondering when to tap. With no snow, tapping was easy and like many others, our own operation ended up tapping in late January. Our first boil was on the 31st and then once more before our first cold snap in February. That pattern seemed to continue right through the long season. Many folks made syrup in three different months this year, which is very uncommon. In southern Vermont the temperature got to the high 50’s and low 60’s a

few times, with no deep freezing weather in sight and only 40’s at night. Conventional wisdom would lead one to think that was the beginning of the end, trees would be shifting energy into bud swelling and leaf expansion resulting in “off” flavored or “buddy” syrup. Then—the weather changed again; we got freezing weather, and the trees could recharge resulting in good sap runs and excellent tasting syrup.

In past years other sugarmakers and I tended to be on the same page as far as what grade we were making more of—something that is determined by sap quality, weather, and equipment, not by the individual sugarmaker. Strangely enough, from what I could tell, the quantity of syrup by grade produced was all over the grading spectrum. Some made tons of lighter syrup while others were overflowing in darker grades. Bottom line, it was a strange record year for many. In our own operation we produced the same amount of syrup as last year on fewer taps. The problem a lot of wood fired operations ran into was not running out of sap, but rather, running out of sugar wood to fuel their evaporators!

The Browning of the White Pines

By Bill Guenther, Windham County Forester

In the past five years or so, I have written about needle blights (funguses) attacking our native white pines in the late spring. This year saw an even wider outbreak of this condition with more trees seemingly affected as well as a higher percentage of the tree crowns being infected.

The usual pattern of these needle funguses is to cause more damage on the lower portion of the tree due to reduced air flow, allowing the fungal spores to have a better growing medium. Farther up the tree, the browning of the needles often lessens. This year however, I observed virtually entire

trees that had that now all too familiar golden hue which then turns to a rust color, signaling the subsequent needle drop.

Researchers have been diligently studying this problem, and while they cannot point to a single tree that has been killed by this affliction, it definitely stresses trees as their photosynthetic output is reduced. This leads to decreased vigor and especially a drop in radial growth. Typically only the previous year’s needles are impacted, although last year we saw some terminal shoots of current year needles also browning up. It also is very compli-

cated to sort out which pathogen is actually causing the damage.

Pathologists have identified four different fungi that are involved and there is mounting evidence to suggest that climate change is causing an increase in the occurrence of these needle blight pathogens. Higher rainfall in April, May and June is a major contributor. The precipitation levels from a given spring will correlate to how bad damage is the *following* year. June apparently is the most important month, so many of us in the forestry community were hoping for a dry June, and we got our wish with well below average levels of precipitation. We will be anxiously waiting to see how things turn out next spring.

Besides pathogens (diseases), other white pine stresses can be insects and abiotic environmental factors. A major impact on tree health can be drought. In May of 2015, we saw very little rain but then shifted to a very aqueous June. Then in

August we again had a very prolonged, six-week dry spell. This was followed by a very odd and abnormal winter of warmth with very little snow. All of these events can have negative impacts on the forest. Additionally, we have seen an increase in a cankering fungus called *Caliciopsis*. This is a stem canker that causes extreme pitch flow along the upper trunk of infected trees. It often more successfully attacks pines that are low in vigor due to overcrowding, yet another reason to properly thin immature stands.

With all of the maladies listed above, our native white pines are certainly faced with some challenges, much of it beyond our control. I do, however, always have faith that the resiliency of our trees will win out against biotic or abiotic forces that are trying to attack their health. But with many consecutive years now of the needle blights, the situation bears watching and at least some concern is warranted.

Forester Licensing Comes to Vermont

By Bill Guenther, Windham County Forester

Effective July 1, 2016, anyone practicing forestry in the State of Vermont needed to be licensed by the state. This year the Legislature passed House Bill 355 that eventually became Act 166. Licensing has long been debated in Vermont, while our neighboring states of Mass., N.H. and also Conn., required the licensing of foresters some time ago. I personally have been in favor of this so there would be a defined set of professional standards that foresters would need to meet. Continuing education also would be a necessity that would raise the profile of who we are and what we do. So often the public really does not know the difference between a forester and a logger, and licensing would provide a better platform to increase public awareness of the profession.

The process started with a legislative request for a “Sunrise Review” to be conducted by the Office of Professional Regulation (OPR), which is under the Secretary of State’s office. OPR oversees 50 other professions that have gone through the licensing process and they did an exhaustive analysis of the forestry profession. They concluded that all of the tests for licensing were met in the proposed bill and that it should move forward. At the opening of last year’s legislative session, H.355 was intro-

duced and made its way through the House. It passed easily on all votes and was sent to the Senate at the session’s end. This year the Senate took up the bill, made some modifications, and it again easily passed. The Governor signed the bill into law in early June and OPR has been scrambling to get folks licensed as quickly as possible. The initial fee is \$100 for the first 2-plus years and then it will be \$200 for two years for subsequent renewals.

Currently there is a grandfather clause in effect until January 2019 that states if you have a forestry degree (or pass the Certified Forester Exam) and have been practicing full time forestry for at least 8 out of the last 10 years, you can be licensed. Additionally, if you do not have a degree, you can go before the Board of Advisers and make a case that you have sufficient knowledge of the profession to acquire a license. Once the grandfather clause expires, applicants will need to have a degree, 2–4 years of professional experience, and pass the Certified Forester Exam.

Once licensed, foresters need to ensure that they conduct their activities in a way that avoids any “unprofessional conduct” such as making any false

statements in the licensing process; being convicted of a crime that relates to the practice of forestry; engaging in conduct likely to deceive, defraud or harm the public; and, last, causing a substantial violation of the statutes or rules of the Department of Forests, Parks and Recreation. Should any unprofessional conduct occur, the director of OPR can revoke or suspend a forester's license or sanction the individual with some form of discipline.

The bill also requires that foresters participate in continuing education. During each two-year license period, foresters must obtain at least 24 hours of approved credits. This provision will also help to keep them current with changing science and technologies.

So what does this mean to forestland owners in Vermont? Perhaps most importantly, those in the

Use Value Appraisal program or seeking to enroll in UVA will need to seek out a licensed forester to prepare the required forest management plan, which falls under the definition of forestry. It would be a violation for an unlicensed individual to prepare one. There is a provision in the law, however, allowing an unlicensed person to perform forestry services if done under the supervision of a licensed forester. We anticipate that the quality of forestry services performed in the state will be enhanced and also that forestry professionals can now be held accountable for their work. While this law brings in a new era of regulation for the forestry community, I believe it is a positive change. When OPR first started exploring our profession, one of the team members remarked, "Wow, this should have been the first profession that we licensed!"

Vermont and the National Woodland Owner Survey

If we are interested in the conservation of the forests of the United States, we must be interested in those who control their fate: the forest and woodland owners. Woodland owners make decisions related to land use and forest management that impact the forest, and these decisions influence the wealth of benefits these forests and woodlands provide, from timber supply to water supply to carbon sequestration to wildlife habitat.

The USDA Forest Service, Forest Inventory and Analysis program, through the Family Forest Research Center, conducts the National Woodland Owner Survey (NWOS; www.fia.fs.fed.us/nwos/) to better understand who owns the woodlands, why they own them, what they have done with them, and what do they intend to do with them. The results presented below are based on responses from 440 randomly selected Vermont woodland owners with 10 or more acres that participated in the NWOS between 2011 and 2013.

- Family forest owners dominate: Family woodland ownerships control 62 percent of Vermont's woodland, more than any other ownership group.
- Size of holdings makes a big difference: The average woodland ownership in Vermont has 63 acres of wooded land. Seventy-three percent of these have relatively small holdings, between one and nine acres, but 92 percent of the woodland *area*

is owned by ownerships with 10 acres or more.

- Beauty, wildlife, and nature are what matter: The most commonly cited reasons for owning woodland in Vermont are related to the beauty and privacy the wooded land provides, as well as for wildlife and nature protection.
- They love their land, but they are not engaging: The vast majority of owners, 89 percent, agreed or strongly agreed with the statement "I want my wooded land to stay wooded." But most are not involved in woodland management practices.
- They are old(er): The average age of woodland owners in Vermont is 59 years with 32 percent owned by people who are at least 65 years of age.

Conclusions

People interested in woodland conservation must also be interested in those who own the woodland. Across Vermont, families and individuals own a significant number of acres, and this land has great potential for conservation.

To learn more about the services and resources available to woodland and forest owners in your state, contact your local forestry agency or association.

www.familyforestresearchcenter.org/landowners/

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Upcoming Programs
(See inside for details)

Saturday, September 24 from 9 a.m. to 4 p.m.

**WRWA Annual Meeting & Potluck Cookout Lunch
Green Mountain Camp, 565 Green Mountain Road
Dummerston, Vt. *RAIN OR SHINE!***

Thursday, October 6 at 7 p.m.

**Restoring Stream Connectivity — Erin Rodgers,
Trout Unlimited Western New England Culvert
Project Coordinator**

Wednesday, October 12 at 7:30 p.m.

**Trees And Trout — Vt. State Rep. David L. Deen
The Inseparable Connection Between Trees and
Trout**

Mission of Windham Regional Woodlands Association

WRWA is a non-profit association of woodland owners and managers, members of the wood products industry, and other interested parties in the Windham County Region who advocate both sustainable management practices and the enjoyment of forests and their ecosystems. In support of these ends, WRWA offers educational opportunities for all age groups. Areas of interest include: biodiversity; clean air and water; cultural and historic resources; fair and equitable taxation of woodland; forest products; recreation; scenic beauty; and wildlife habitat. We recognize that these concepts are continually evolving and therefore will strive to consider the most current thinking and values regarding them.