

# letter from carrabassett valley, maine

Building a trail in the forest  
isn't as easy as it seems  
By Rebecca Zicarelli

**Western Maine's forests** are common ground. Though some tracts are owned by corporations, others by individual landowners or the state, these distinctions are largely invisible to the recreational travelers who pass through the woods. They can hike, backpack, snowshoe, or canoe the forests and rivers with a freedom unknown in most other states. Yet these shared lands and wild areas have been largely inaccessible except to those rugged adventurers versed in backcountry survival techniques.

Larry Warren, president of Western Mountains Foundation, a community development nonprofit in Carrabassett Valley, proposes to change that. He envisions a 180-

#### UNWRITTEN COVENANT

"No one ever told me I couldn't go fishing or hunting someplace—there was an open land policy," says Larry Warren (right) of Western Mountains Federation.



mile-long path through the woods, tended and groomed, for extended journeys from Bethel to Moosehead Lake. Modeled on the Appalachian Mountain Club huts in New Hampshire and the 10th Division huts in Colorado, the trail would feature rustic lodges spaced a day's journey apart, each with beds, saunas, and home-cooked meals for up to 40 travelers.

Putting a trail through these woods will not be easy, however, since the distinction between private and public use in the Maine forests is far from simple. In other states, such a trail would likely traverse publicly owned lands. But more than three-quarters of Maine—16 million acres—is working forest. Half the state, an area larger than Massachusetts, Connecticut, and Rhode Island combined, is an industrial woodland owned by corporations, complete with roads, pulp trucks, and loggers armed with chain-saws.

Although they may not own this vast forest, Mainers have a long history of using it, particularly for recreation. "Nobody ever told me I couldn't go fishing or hunting someplace—there was an open land policy," says Warren. Maine's private land owners have maintained a rarely formalized and highly unusual tradition of open lands. In exchange, they expected stable public policy for forestry management. It was an unwritten covenant between Maine's industrial landowners and the public, a tradition of nearly 200 years.

But by the end of the twentieth century, the covenant had begun to unravel.

Maine residents began to worry about their ability to use the land as huge parcels were bought and sold at an increasingly rapid rate. One-quarter of the industrial forest—2,500,000 acres—changed hands in 1998. Often the new owners were large companies headquartered in the Pacific Northwest or Canada, without ties to the unusual traditions of the Maine woods. Would they gate the roads, people worried? Post No Trespassing signs? Charge access fees for hunting and

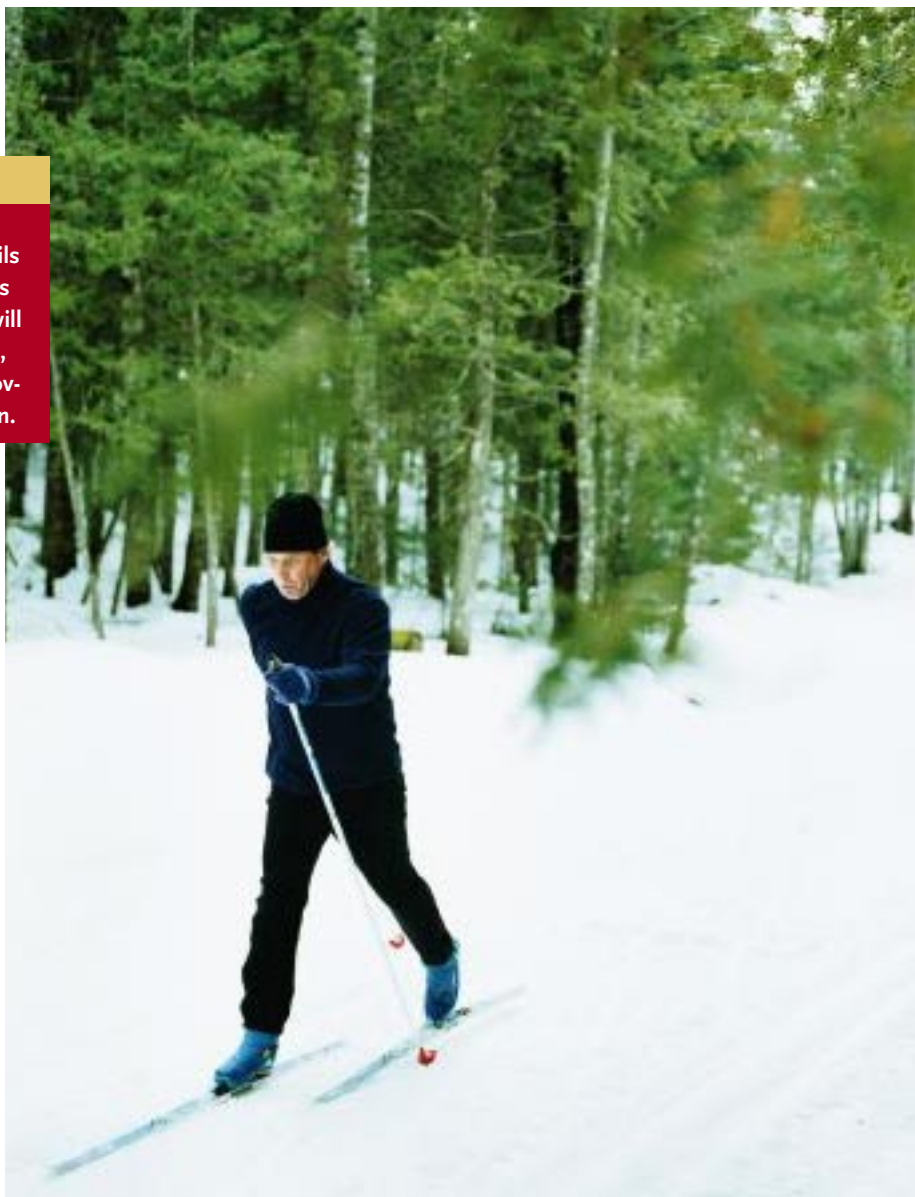


fishing? Prevent snowmobiling on their roads in the winter? Subdivide favorite scenic places into house lots?

These longstanding arrangements were further threatened in the mid-1990s when environmental groups, to the great concern of property owners, started questioning how the working forest was managed. Fears mounted that industrial landowners were harvesting more timber each year than the forests could replenish. Sustainable forestry—management methods that don't deplete forest resources—became a buzzword. Landowners began to worry that they would no longer be able to

#### MAKING IT HAPPEN

Clearing the way for Maine Huts and Trails will take hiking boots and scythes, but it will also take easements, negotiations, and government intervention.



# Maine needs new ways to balance public and private uses of the forest

earn a return on their forest land investments.

At the same time, recreational use of the Maine woods was growing and changing. Hunting, fishing, and camping were still popular, but a new breed of tourists—ATV riders, rock climbers, paddlers, and mountain bikers—took to the woods in record numbers. Often this meant increasing damage to the landowners' properties and increasing conflict between loggers and tourists. With concerns escalating from landowners, environmentalists, and recreational users alike, Maine needed to rethink the balance between public and private use of the forest.

Warren's hut and trail system is one approach. He proposes to solve the easier part of the problem, increasing public access to private land, by using easements to compensate landowners for allowing the public to use their lands—which would also legalize long-term public access and protect coveted areas from development. Landowners like easements because they increase the economic return from river edges and ridge lines, areas that are

desirable for recreation and that, by regulation, cannot be heavily harvested. The plan would also funnel adventurers into clearly defined areas where their play wouldn't interfere with the business of timber harvesting. Most important, the plan would protect landowners' rights to continue managing their land. Though negotiating these arrangements can be a long process, Warren has encountered little resistance from landowners thus far.

The thornier problem has been ensuring the private use of public land. Eight miles of Maine Huts and Trails were slated to pass through the state-owned Bigelow Preserve in Dead River Township. Nestled on the south side of Flagstaff Lake, the preserve is the only plot of Maine's forest specifically set aside by voters; it was created by a 1976 referendum to prevent its development into a ski resort and protect its unspoiled environment. The

Bigelow Act also permitted traditional private uses such as timber harvesting, hunting, camping, cross-country skiing, and snowmobiling. No other mechanized traffic is allowed.

As Warren's plan moved forward, controversy erupted over whether groomed cross-country ski trails—an amenity that Warren wants to include and that skiers have come to expect—would be permissible under the Bigelow Act. Many agree with Richard Barring, head of the Department of Conservation at the time the act passed, that groomed trails would be acceptable and that the act "clearly contemplated economic activity."

But the Friends of Bigelow, the grass-roots environmental organization that spearheaded the Preserve's creation, is opposed. "This development would not be consistent with the spirit of the Bigelow vote, which prevented a giant downhill ski resort from being built on the mountain," argues Richard Fecteau, president of the group. It contends that a trail wide enough to accommodate grooming equipment would be a new road, not only clearly banned by the Bigelow Act but also an invitation to off-road vehicles and ATVs.

In May, the state stepped in to resolve the conflict. Warren's organization agreed to actively search for a route around the preserve through neighboring land owned by the Penobscot Nation. The Friends of Bigelow agreed not to oppose the hut and trail system. And the State of Maine agreed to help Warren negotiate the easements, thus becoming an active partner in the effort to make Maine Huts and Trails a reality.

It may take some time to work out the details, but in the end the trail could have a big impact: Warren expects that within five years the trail will draw 30,000 user-days per year to a part of the state that is desperate for new economic activity. More important, it will serve as a living example of a new way to balance public and private land use in western Maine so that everyone can benefit: the owners, the users, and the forest itself. \*

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