



June 14, 2011

To: the Joint Committee on the Environment, Natural Resources and Agriculture
From: MA Farm Bureau Federation
RE: House Bill 236– *Establish Old Growth Forest Reserves on State Lands*

We strongly support the protection of Old Growth Forest Reserves on state owned and managed land much of which has already been done. So the first question is, "Is there a need for this legislation given the current forest reserves and the work of the Forest Futures Visioning process?"

Everyone needs to be cognizant that very little of the state's forested lands will meet the criteria of showing no evidence of significant human post-European disturbance. As clearly demonstrated by the research at Harvard Forest, virtually all of Massachusetts has been cleared at one time or another for agriculture and wood products uses in the 17th, 18th and 19th centuries by our ancestors. While more than 60 percent of the state (3 million acres) is now covered by forests, only 1,500 or so acres of undisturbed "old growth" forest still exists, mostly on steep slopes in the Berkshires. Back in 1998, the Department of Environmental Management (now DCR) established a policy governing the management and protection of the remnants of old growth forest on lands owned by DCR

There are a couple of items that need further clarification if the bill moves forward.

- 1.) The definition of buffer area in the proposed Section 53. The current language suggests that a buffer area be of sufficient size and configuration to protect the old growth forest from the effects of natural disturbances such as wind, storms, and fire. What size buffer would have stopped the devastation from the tornadoes of three weeks ago? I am unaware of any configuration that would protect a forest area from these natural disturbances. I would suggest amending the definition of Buffer Area in proposed Section 53 to say: "...to protect the old growth forest from human activity and alteration. The effects of natural disturbances such as wind, storms, fire, insect infestation, invasive species and disease should also be considered in the configuration of such areas."
- 2.) The definition of "Future old growth forest" – any forest in state has the capacity to exhibit old growth characteristics given enough time, so any forest in the state could qualify under this definition. Given the work of the Forest Futures Visioning process and landscape designations proposed within that process, makes this definition unrealistic.
- 3.) The provision that any ten citizens may present areas for designation to the secretary, which is found in paragraph (3) of the proposed Section 54 and the secretary's establishment of a moratorium on any incompatible activity once a determination of adequacy has been made as provided in paragraph (a) of the proposed Section 55. Given the current budget limitations of EOEEA, and staff limitations of DCR in dealing with Asian Long Horned Beetle and the tornadoes in the Springfield area, to create a law that would require new staff commitments from either agency is both impractical and inappropriate at this time. Our preference is to

remove this ten citizen provision altogether, given the budget realities facing DCR and EOEEA.

- 4.) Emergency Declaration Provision - While this legislation would allow the EOEEA Secretary to issue an emergency declaration suspending the restrictions upon active management “*in face of an event like the introduction of exotic invasive plants, disease or insects threatens the integrity of an old growth reserve*”, it also says that *the secretary*” shall restrict management of invasive plants, diseases or insects to activities that are essential to the maintenance of the natural characteristics of the old growth forest reserves and shall condition such activities to minimize interference with the development and maintenance of natural old growth forest conditions.”

This language is no longer appropriate, given the necessity of coping with infestations of highly destructive invasive pests that threaten vast acreages of forests, not only in Massachusetts, but also in states to our North. While we would like to provide extra protection to our few old growth remnants, **protecting the health of the large acreages of tax-paying private forests which protect our watersheds and cool our communities must be our first priority**, not just protecting a few acres of old growth.

- 5.) And in the housekeeping department - the Department of Environmental Management referred to in Section 1 of the bill making changes to Chapter 132, Section 52 needs to be changed to the Department of Conservation and Recreation and the Division of Fisheries, Wildlife and Environmental Law Enforcement needs to be changed to the Division of Fisheries and Wildlife.

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