

CITY OF PORTLAND, MAINE
Standing Committee on Sustainability and Transportation
Councilor Spencer Thibodeau (D2), Chair
Councilor Belinda Ray (D1)
Councilor Jill Duson (D3)

Agenda
January 15, 2020
5:30 PM
Council Chambers

1. Review and approve minutes from November 20, 2019
 - a. Minutes from November 20, 2019
2. Sustainability Program Updates
 - a. Sustainability Updates
3. Presentation and Discussion
No public comment on these items.
 - a. Sidewalk and Paving Backlog
 - b. Parks, Recreation, and Facilities Recommendation Regarding Dogs in Baxter Woods
 - c. Discussion of next steps for Committee engagement on the proposal to relocate the Portland Transportation Center.
 - d. Discuss 2020 Work Plan
4. Other Business

CITY OF PORTLAND, MAINE

Standing Committee on Sustainability and Transportation

Councilor Spencer Thibodeau (D2), Chair

Councilor Belinda Ray (D1)

Councilor Jill Duson (At large)

Draft Minutes November 20, 2019

Members Present: Councilor Thibodeau, Councilor Ray, Councilor Duson (arrived at 6pm)

Staff Present: Troy Moon, Ashley Krulik, Jeff Tarling, Ethan Hipple

Meeting was called to order at 5:37 PM. Councilor Ray moves to approve the minutes from October 16, 2019. Councilor Thibodeau, seconded. All those in favor of approving 2-0 (Councilor Duson absent).

Sustainability Program Updates

Troy Moon reviewed the items on the Sustainability Program Update memo.

- Solar procurement RFP has closed - CES currently reviewing proposals
- Climate Emergency resolution passed on Monday - working with One Climate Future consultants to frontload climate action by 2030 in final report
- One Climate Future - outreach at FOCB, Idexx, street team on bus
- Energy manager RFP currently open
- Energy benchmarking workshop currently being scheduled for the end of January
- Meeting with CMP on Friday
- Compile 2019 sustainability accomplishments and add to website

Recycling Reform Bill

- Troy Moon gave overview
 - Require manufacturers to contribute to fund to reimburse cities and towns for recycling costs

Chrissy Adamowicz, NRCM Sustainable Maine Outreach Coordinator, presented.

- Recycling market has become more challenging
- Maine taxpayers have been safety net for recycling programs
- Countries in other parts of the world have “polluter pays” type laws
- Bill provides framework for Maine municipalities to push back on manufacturers
- Goal is to increase recycling rate to above 50%
- Save Maine taxpayer \$16-\$17.5 million dollars a year
- Research has shown that prices of goods has not changed with these laws
- Eco-modulated fees based on packaging materials to incentivize more compostable, environmentally-friendly materials and messaging on packaging about recyclability

- DEP looking at language to ensure this won't hurt smaller businesses in Maine - parent company, not franchisee responsible for paying fee

Troy Moon added -

- Increases recyclability of products - producers currently have no incentive to think about end of life of a product
- CRT recycling legislation created jobs and resulted in reuse of materials
- Ecomaine currently charging extra fee for recycling to offset costs

Councilor Ray

- Are you asking us to sign on our support of the bill? Yes, but also informing committee about the resolve. There is nothing binding, language will change as legislation progresses. Mr. Moon - want to get endorsement from council to work on the bill.
- Send to legislative committee if we endorse? Mr. Moon - yes.
- Does this apply to anyone who is shipping goods into the state? Ms. Adamowicz - yes, anyone who is defined as a producer (which would include Amazon)

Councilor Thibodeau

- Wishcycling is currently an issue - this would help with that issue.
- Cost is attractive
- What is the timeline - Ms. Adamowicz, as soon as possible as we hope that the bill will come up early in the session.
- We won't vote on it today as we want to allow for public comment but will bring it directly to the Council at the December 16 meeting due to tight timeline
- What is Portland recycling rate? Mr. Moon - about 38%

C-Pace Bill - LD-1748

Troy Moon provided overview

- Sponsored by Senator Sanborn - bill will allow local business to get secure funding to make energy efficiency upgrades
- Very important given that existing buildings make up the largest percentage of GHG emissions in the City

Rod Wood, Nature Conservancy, presented powerpoint.

- One Nature Conservancy goal is to address climate change, to achieve this we support policy and legislature that is in alignment with this goal
- Looking to reduce GHG, create equity, new jobs
- Currently no C-Pace laws on the books in 3 Northern New England states
- There is currently no energy retrofitting loan program for the commercial or industrial sector, C-Pace would address this challenge
- \$0 money down, 100% financing through 30 years
- Efficiency Maine would be the administrator

- Public/private partnership - C-Pace assessment is equivalent to tax lien on the property, paid back on the same schedule as property taxes
- This structure creates very secure loan
- Protections in place for mortgage lenders
- Through long term pricing structure, cashflow for borrower is better
- Legislation enables C-Pace program to be created
- Allows municipalities to set-up their own programs, but likely that an amendment would be made to make Efficiency Maine the administrator
- Municipalities would need to opt-in via an ordinance
- There is a 3rd party administrator for program
- Assessment payment can be billed and collected by 3rd party administrator to take strain off municipalities
- Statewide administrator manages portfolio
- Voluntary for everyone
- One of the few energy efficiency tools that doesn't require state or municipal funding
- Supports a range of projects - can be used for new developments
- Nature Conservancy feels that it is a very useful tool to reduce GHG
- Has a good track record
- There has not yet been a case of default or foreclosure

Mr. Moon added:

- Having a 3rd party administrator is a huge benefit
- Can fund renewable energy
- Can it fund resiliency work? Mr. Wood - we could amend it to include resiliency projects.
- Most of the loans are fairly substantial - discussion around whether to include minimum project size

Councilor Dusen

- C-Pace assessment is connected to property, is there a pace at which you can reduce your balance? Mr. Wood - yes, businesses can pre-pay to close the loan sooner. Whether there is a prepayment penalty is based on state legislation (it is considered a best practice).
- Residential energy efficiency loans do not have a prepayment penalty
- Did MMA take a position? Mr. Wood, not yet. So far, they attended a meeting and were not opposed to it.

Councilor Ray

- Connecticut added a prepayment penalty? Mr. Wood yes, not sure how many states have a prepayment penalty.
- Would be curious if a penalty would deter people from using the loan.
- Is there still a role for the municipality if Efficiency Maine administers? Mr. Wood, yes for placing the tax lien and providing legal backstop.

- Residential uses - there is already Pace, but it does not enable C-Pace? Mr. Wood, Pace has been on the books since 2009 as part of stimulus package. 2009 law did not enable senior tax lien, so current Pace loan is transferable but it doesn't have the other benefits of C-Pace loan.
- Should we fix the residential Pace loan? Mr. Wood, we're focused on C-Pace because residential sector is more prone to predatory lending.
- If this is rewritten to make Efficient Maine administrator would municipalities still need to opt-in? Mr. Wood, yes.

Councilor Thibodeau

- Brilliant idea to secure energy efficient loans with a municipal lien
- If we were going to have the municipality oversee, could we recoup administration costs? Mr. Wood - yes, the only limitation on the fees is that the project needs to pencil out.
- Add to Legislative Policy Committee agenda

Councilor Dusen to keep it moving with the Legislative Policy Committee of the MMA.

Regulating the cutting of trees on private property

City has 20,000 inventoried trees that are actively maintained.

Issue came forward because trees of substance were removed from a private property.

10-15 minute working session to discuss existing ordinances provided for review.

Councilor Thibodeau

- Surprised by how comprehensive some of the existing policies are
- When a person cuts trees before site plan review, how do we handle? Mr. Tarling - we're talking about how to address this.
- Would like people to treat it like they live in a shoreland zone - know that they can't just cut down a tree.
- We should call into other communities to see how many permits have been issued

Councilor Ray

- What are current protections? Mr. Tarling - anything in public way is subject to trimming/removal to preserve public safety. People are aware that there are ordinances that require permits to cut down trees. With new development, trees are often cut prior to site review.
- In site plan review, people have been required to plant new trees in order to remove trees. Mr. Tarling - that is because of the site plan ordinance. If tree stops development, development typically takes precedent.

Councilor Dusen

- How do professional tree service licenses work? State licenses tree services that are compensated.
- Add new City regulations to professional tree work license.

Jeff Tarling

- Currently compiling urban inventory of trees to better understand value.

Framework for Portland Tree Ordinance

- Permit for cutting a tree of a certain size - need to determine size
- Prohibit clearcuts prior to site plan review - notice to new property owners regarding tree removal, fine property owners who cut trees without approval
- Do not want to require hiring a professional to remove tree
- Reinforce Portland as a tree city, Forest City
- Education component - make homeowners aware of City services and information available to them (regulations, do's and don'ts of using contractor)
- Balance sense of intrusion with sense of good service - recommend that people don't remove trees themselves if they are large
- To create feeling of shoreland zone, use tiered implementation - start with historic districts and branch out from there
- Keep it simple - Somerville private property tree ordinance good place to start (aside from tree warden)

Ethan Hipple

- We have programs to encourage homeowners to plant street trees - co-op tree planting program
- City plants 150 trees each year, generally lose about the same amount (more recently due to storms)
- There will be administrative time required - site visit evaluation, vehicle, process application, follow-up visit
- Put it on contractors - local licensing program - also requires administrative time

Public Comment

Jennifer Dephillip, Winter Street - affected by removal of trees at Conroy Tully after purchase by Josh and Nate Soley. These trees were a huge loss to the City. Advocating for responsible development. Need to cherish existing assets more and raise expectations of citizens. Last tree lot in the area and it is now gone. No reason why we can't have a permit program. Conservationtools.org great resource for tree ordinances.

Other Business:

Air Quality

Andrew Butcher, West End, City doesn't currently have a policy around air quality - let's establish some mechanism that works in partnership with South Portland in 2020 work plan.

Critical issue that we need to have some level of response for. Speaking on behalf of WENA and WPNA. Gathering signatures to support request.

Councilor Ray - Conversations are starting. City Manager is working with Public Health to develop health of the City report. There are 3 air quality sensors in the City.

Carryover Agenda Items

- Air quality policy - create subcommittee/advisory board?
- Resident parking program
- Single use plastics
- Boyd Street garden
- Dogs in Baxter Woods
- Green building ordinance
- Climate resilience overlay
- Fertilizer ordinance
- Tree removal regulations
- Transportation center relocation
- Public transit updates
- Carbon neutral street
- Anti-idling signage and education

Motion was made by Councilor Ray to adjourn the meeting at 7:47 pm. Motion was seconded by Councilor Duson. All in favor: 3-0.

Sustainability Updates

January 2020

Climate Action Planning

We've completed the vulnerability assessment identifying the key hazards Portland and South Portland face due to climate change. These will underpin the resilience recommendations in the One Climate Future report due in June. We anticipate an event to present the findings in the near future.

We've scheduled a One Climate Future meeting with our Equity Partners for January 17. This is designed to ensure we connect with underrepresented communities as we develop our climate action plan and recommended actions.

We're exploring a One Climate Future business pledge. This initiative targets restaurants and coffee shops and encourages them to implement more sustainable and less wasteful practices to become a One Climate Future "partner." We will be hosting a workshop with an initial group of businesses February 6th.

Energy Benchmarking

We've scheduled an energy benchmarking workshop on January 28 to show property owners how to comply with our benchmarking ordinance. We'll have presentations from the Sustainability Office, CMP, Unitol, Portland Water District, and EPA. RSVPs have already started to arrive.

Pesticide Ordinance

We've sent out reminder notices to licensed pesticide applicators that their reports about any applications made in the City of Portland are due by February 1. Information about the reports and a link to a Google Form are on our website:

<http://www.portlandmaine.gov/2564/Commercial-Applicator-Report>

Straw Ordinance

We've updated the web page with information about the straw ordinance that takes effect in April. It includes an FAQ about how to comply. We will send a postcard to affected businesses prior to the effective date. <http://www.portlandmaine.gov/2558/Straw-Ordinance>

Solar

We continue to evaluate the project proposals from the large consortium RFP issued by Competitive Energy Services. We've engaged the energy consultants working on One Climate Future to be a third party reviewers of the project.

Outreach and Education

We are planning a week long celebration of the 50th anniversary of Earth Day in April. Activities will include events focused internally and into the community. We're currently connecting with other departments and organizations on ideas for collaboration.

We continue regular social media posts. Follow us on Facebook and Instagram at @sustainableportlandme We invite people to participate in One Climate Future by visiting the webpage at www.oneclimatefuture.org

City of Portland
**Sidewalk & Ramp
Inventory Analysis**

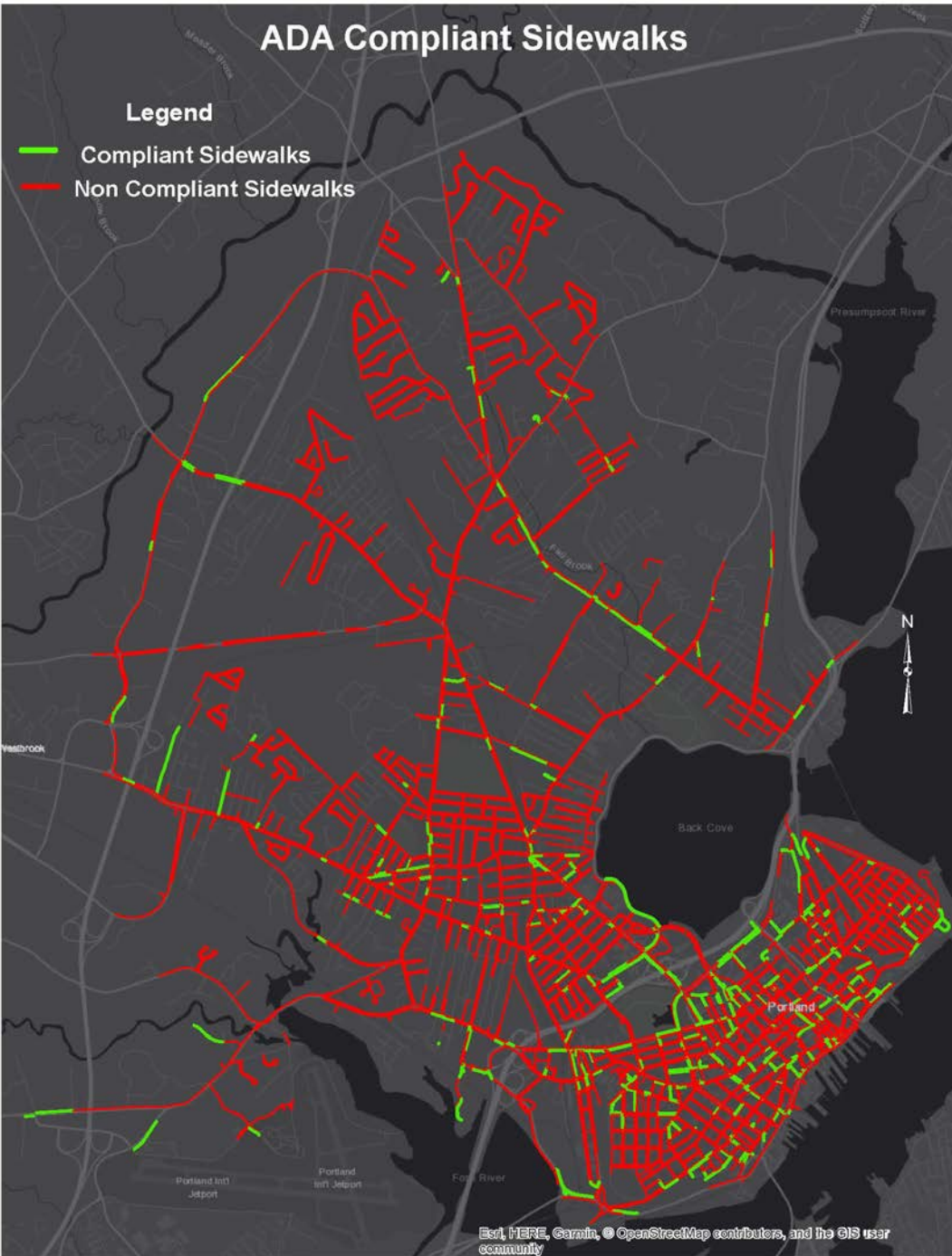
Department of Public Works
2019



ADA Compliant Sidewalks

Legend

- Compliant Sidewalks
- Non Compliant Sidewalks



Sidewalks: *Inventory Summary*

- **10.2%** of sidewalks were determined **ADA Compliant**
- **89.8%** of sidewalks were determined **ADA Non-Compliant**
- Citywide lengths of sidewalk evaluated: **~195 miles**
- Total Sidewalk Hazards & Obstructions: **16,600**
 - Temporary Obstructions <36": **785**
 - Utility Patch Hazards: **164**
 - Raised Gate Valves: **1,276**
 - Trip Hazards - Tree Roots: **2,771**
 - Trip Hazards - Monuments: **366**
 - Trip Hazards - Cracking/Faulting/Distortion : **11,128**
 - Fixed Obstructions <36": **110**



Sidewalks: *SCI Examples*

Massachusetts Ave
SCI: 5



Craigie Street
SCI: 20



Eastern Prom
SCI: 43



Sidewalks: *SCI Examples*

Forest Ave
SCI: 60



Forest Ave
SCI: 68



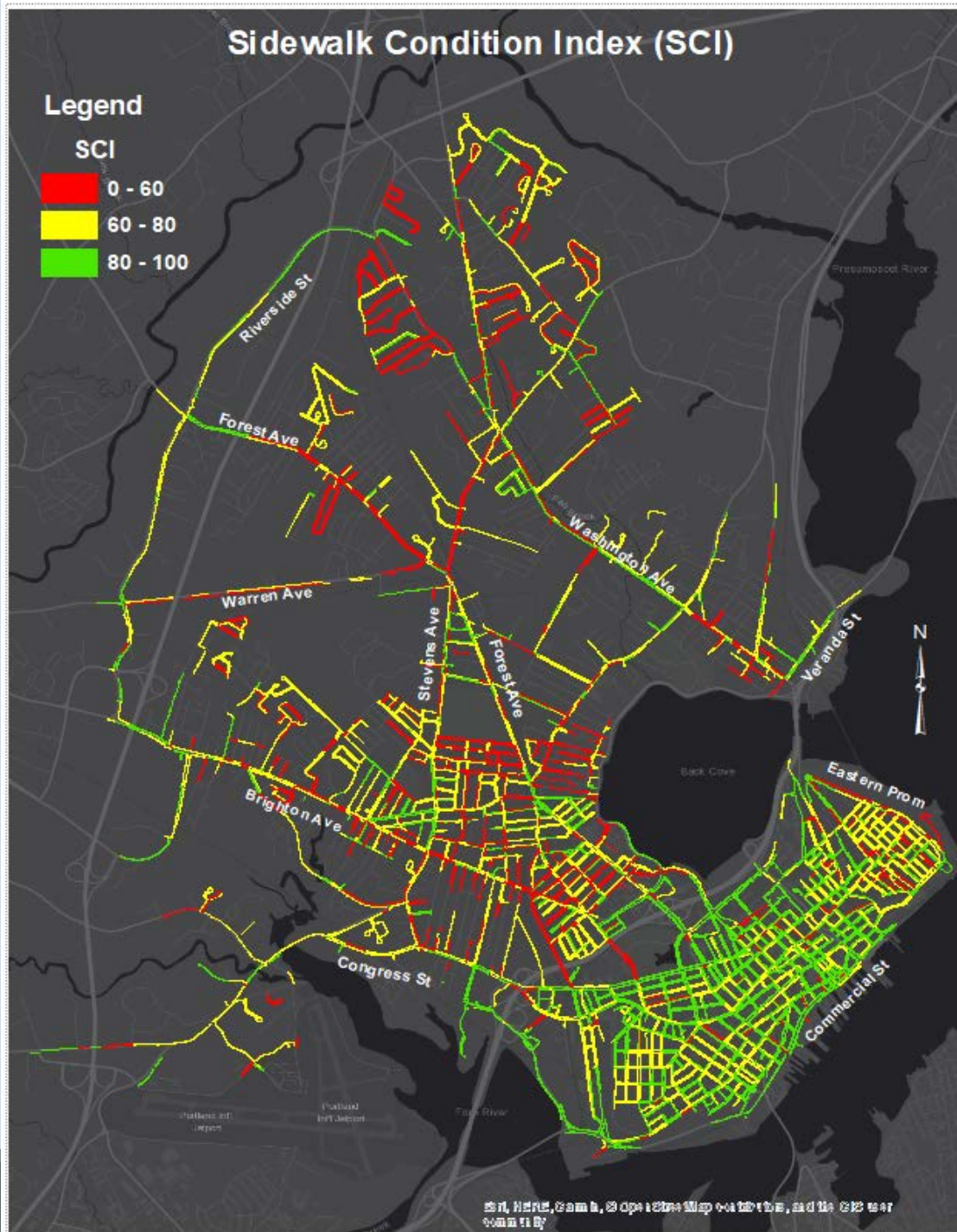
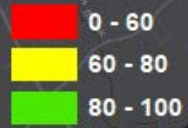
Congress Street
SCI: 78



Sidewalk Condition Index (SCI)

Legend

SCI

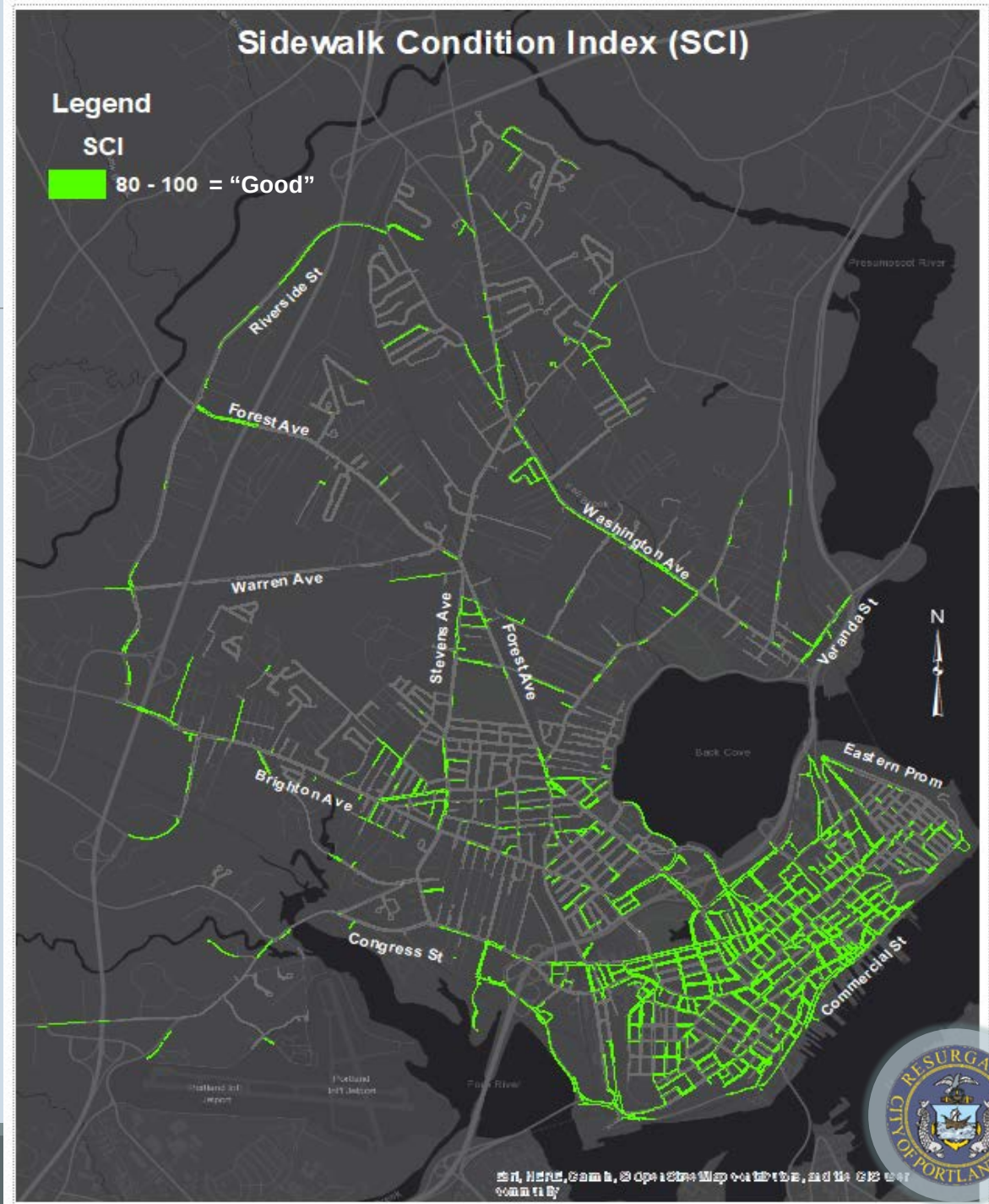


City of Portland, Maine, OpenStreetMap contributors, and the GIS user community

Sidewalk Condition Index (SCI)

Legend

SCI



City of Portland, Maine, OpenStreetMap contributors, and the GIS user community



Sidewalk Condition Index (SCI)

Legend

SCI

60 - 80 = "Bad"



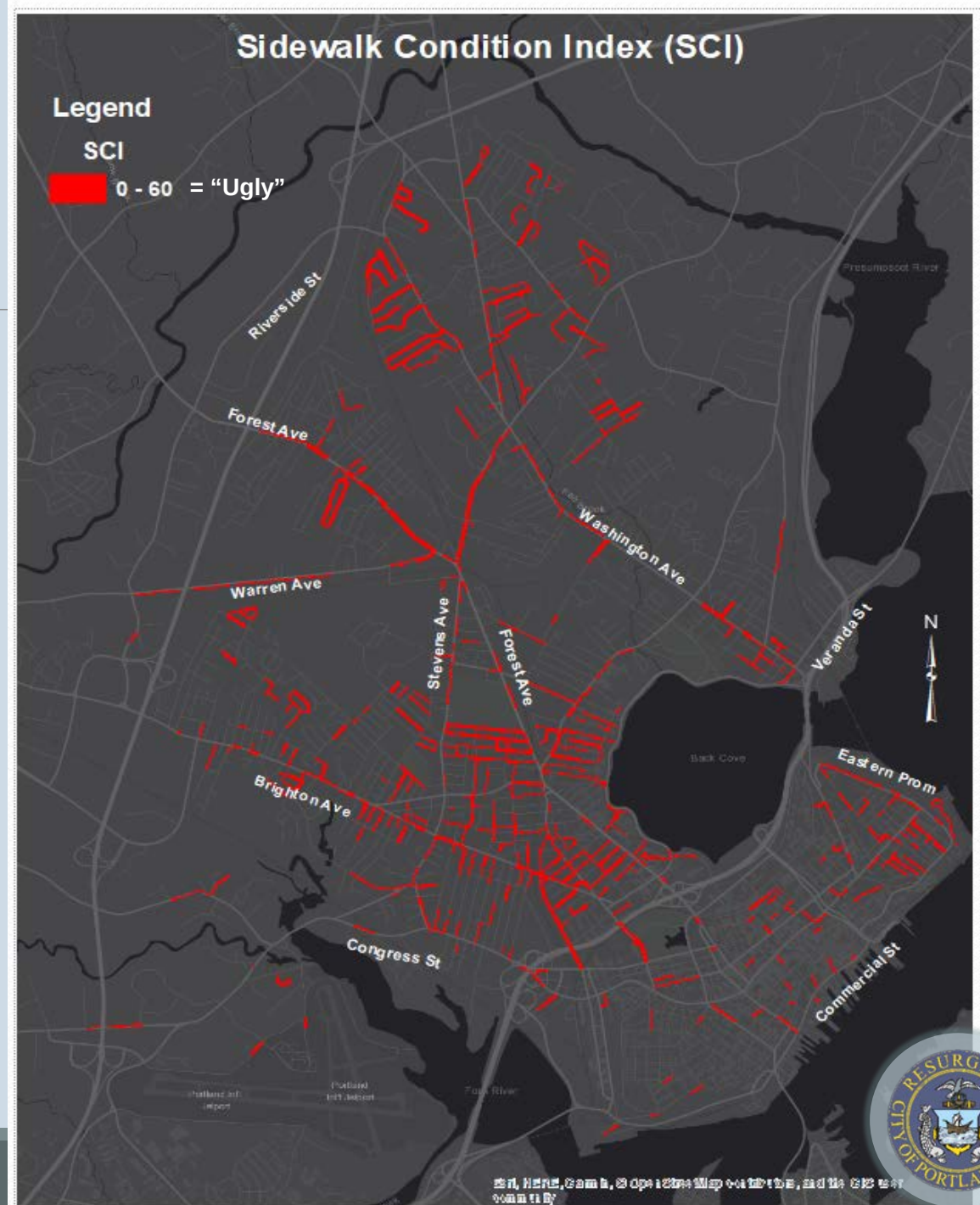
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Sidewalk Condition Index (SCI)

Legend

SCI

0 - 60 = "Ugly"



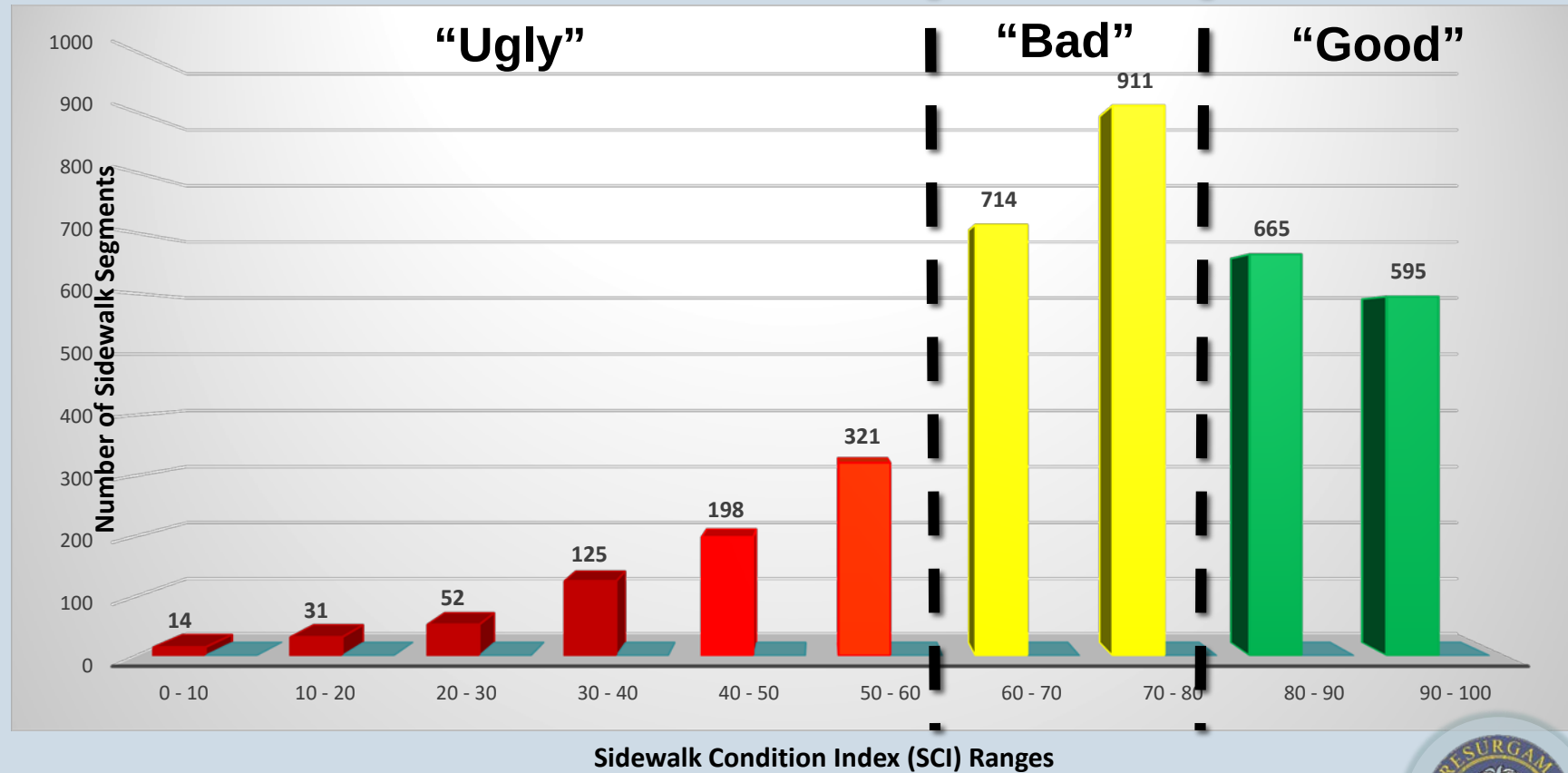
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Sidewalks:

Sidewalk Condition Index (SCI)

SCI Range	% of All Sidewalks	Proposed Treatment
0-60 "Ugly"	20.44%	Full reconstruction
60-80 "Bad"	44.82%	Likely full reconstruction. Further assessment needed.
80-100 "Good"	34.75%	Minor repair, if needed

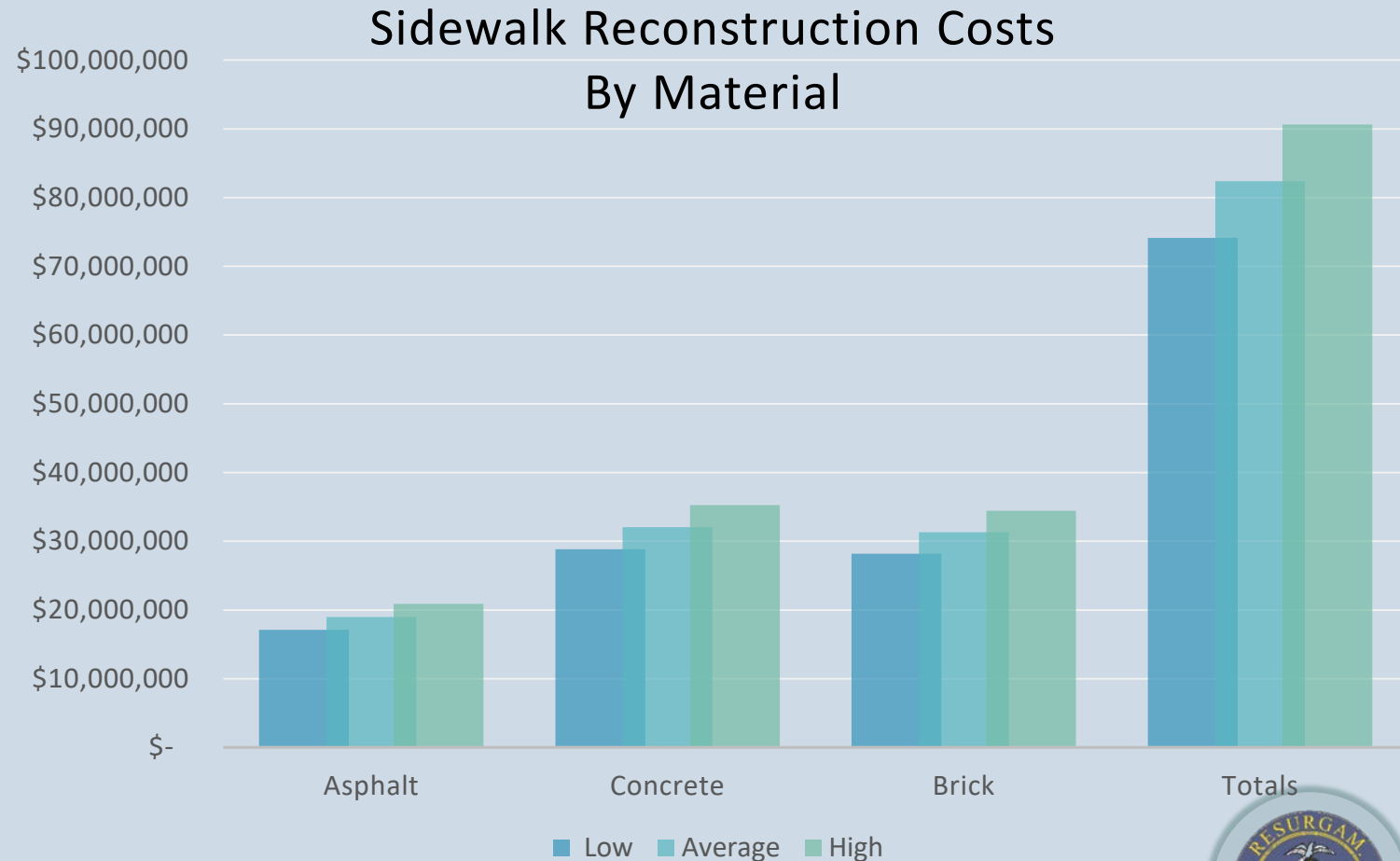


Sidewalks:

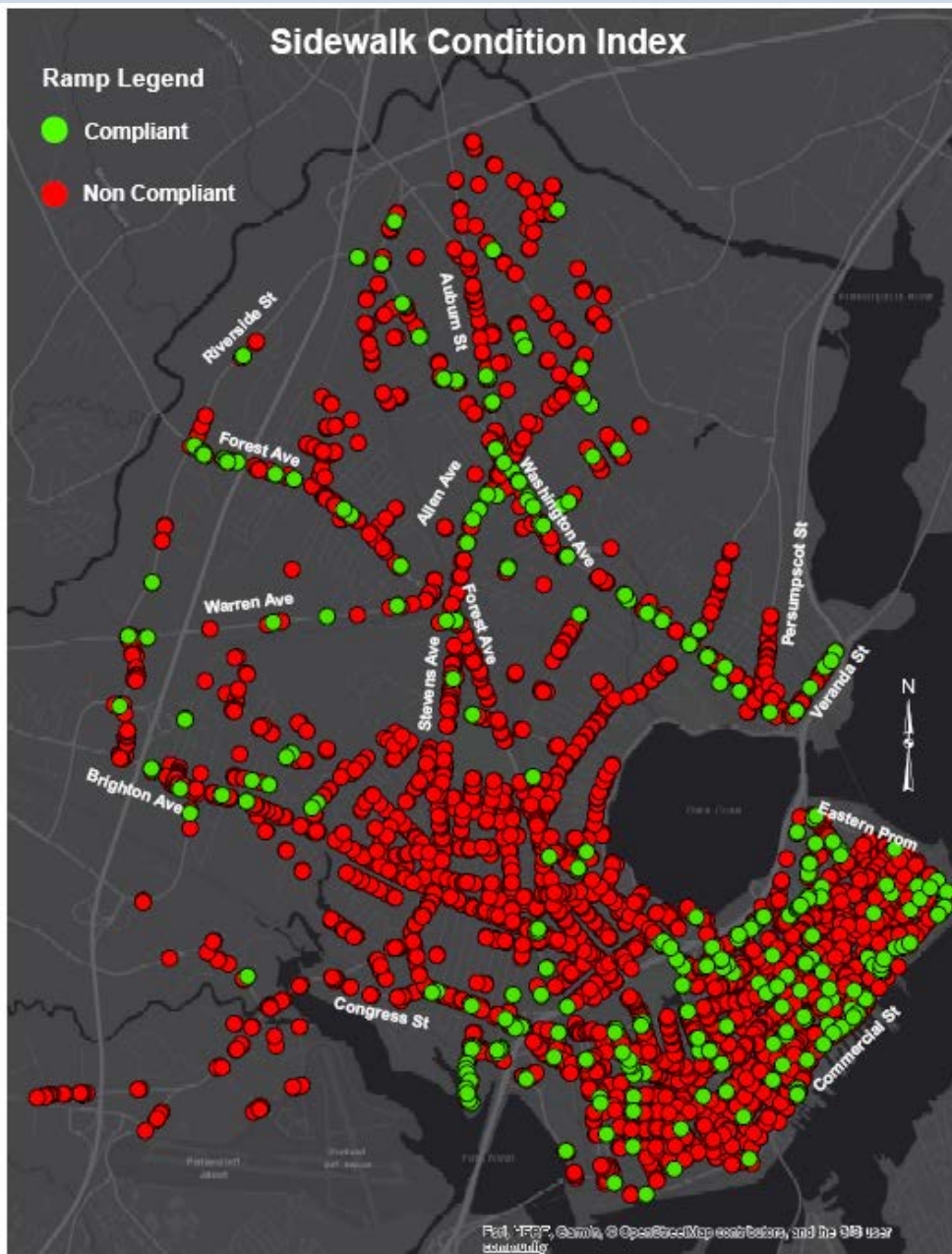
Total Estimated Backlog \$74 to 90 million

<i>Material</i>	<i>Square Yards</i>	<i>Range of Unit Cost, Installed</i>	<i>Range of Installed Costs</i>
Asphalt	172,705	\$99 – 121 / sy	\$17 – 21m
Concrete	145,662	\$198 – 242 / sy	\$28.8 – 35.3m
Brick	94,927	\$297 – 363 / sy	\$28.2 – 34.5m
Totals	413,294		\$74.1 – 90.6m

*see assumptions slide for explanation of cost.



ADA Ramps: *Inventory Results*



- 7% of ramps were determined ADA Compliant (290 out of 4,084)
- 93% of ramps were determined ADA Non-Compliant (3,794 out of 4,084)
- Citywide number of ramps: 4,084
- Ramps not aligned with crosswalks: 169
- Number of missing ramps: 233
- Data Collected:
 - Geometrics
 - Ramp Slope
 - Landing Slope
 - Detectable Warning Panel Info
 - Lip at Threshold

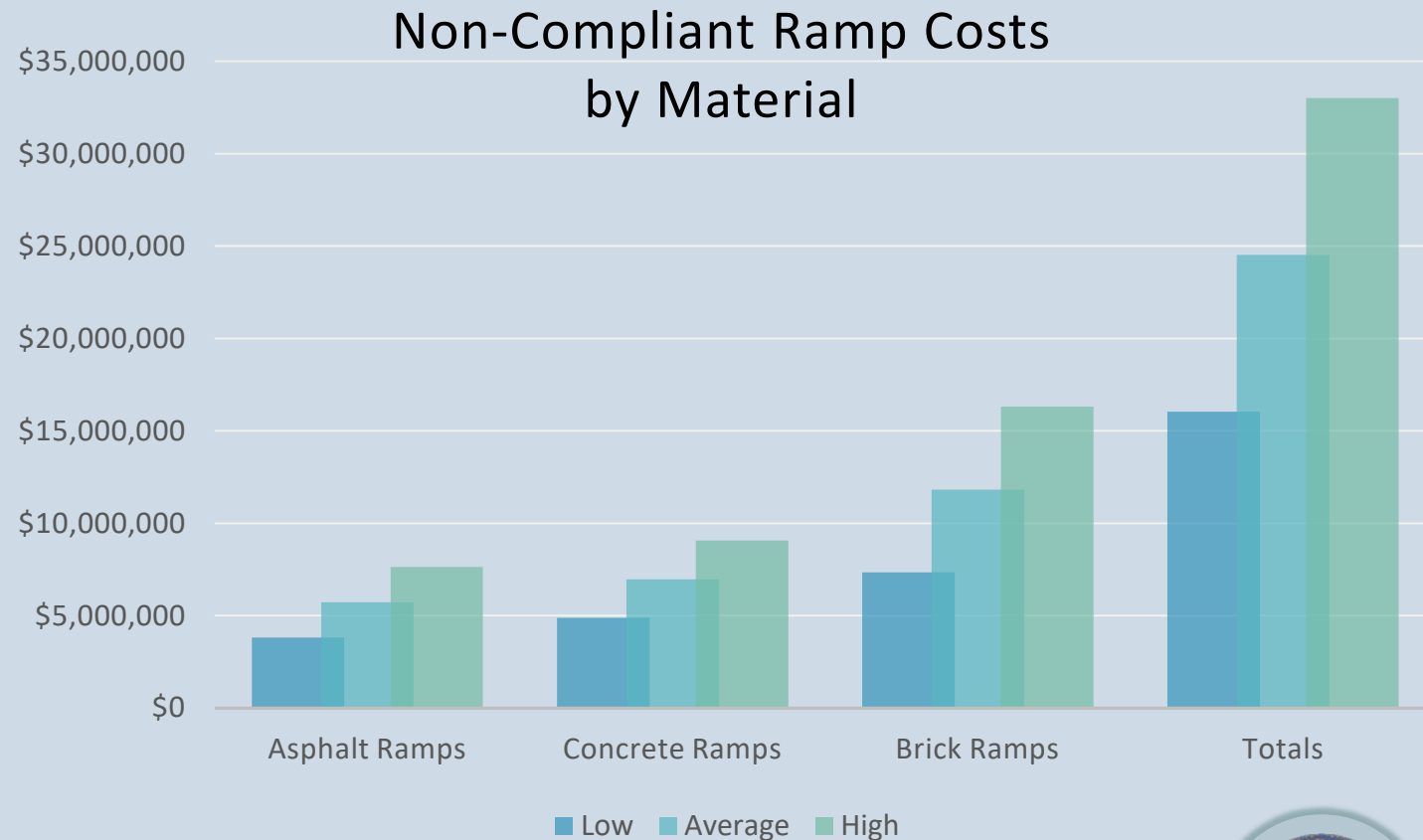


ADA Ramps:

Total Estimated Backlog Costs \$16 to 33 million

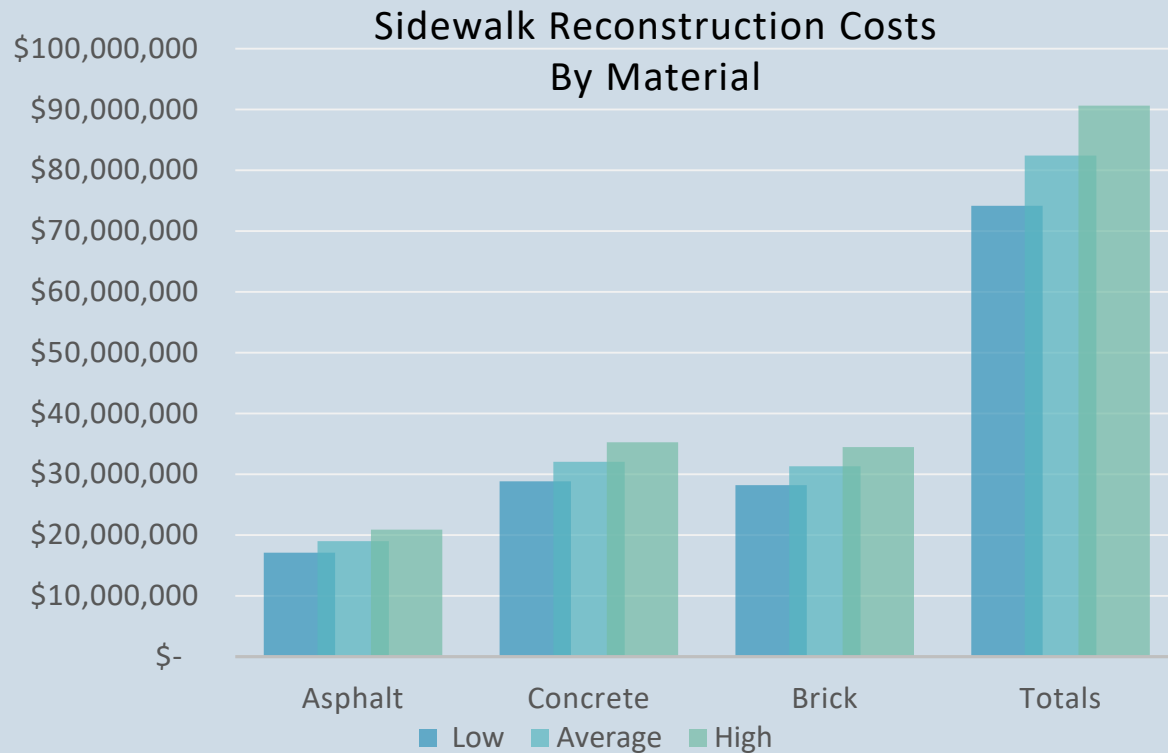
<i>Ramp Material</i>	<i>Total # of Ramps</i>	<i># of Non-Compliant Ramps</i>	<i>% of Non-Compliant Ramps</i>	<i>Price Range Per Ramp</i>	<i>Total Cost Range per Ramp Material</i>
Asphalt Ramps	1588	1272	80%	\$2,500 – 5,000	\$3.8 – 7.6m
Concrete Ramps	1654	1162	70%	\$3,500 – 6,500	\$4.8 – 9m
Brick Ramps	1562	1359	87%	\$4,500 – 10,000	\$7.3 – 16.3m
Totals	4804	3793	79%		\$16 – 33m

- Ramp costs by material vary based on type of roadway and complexity of intersection.
- An additional 20% is included for engineering, inspection and contingency

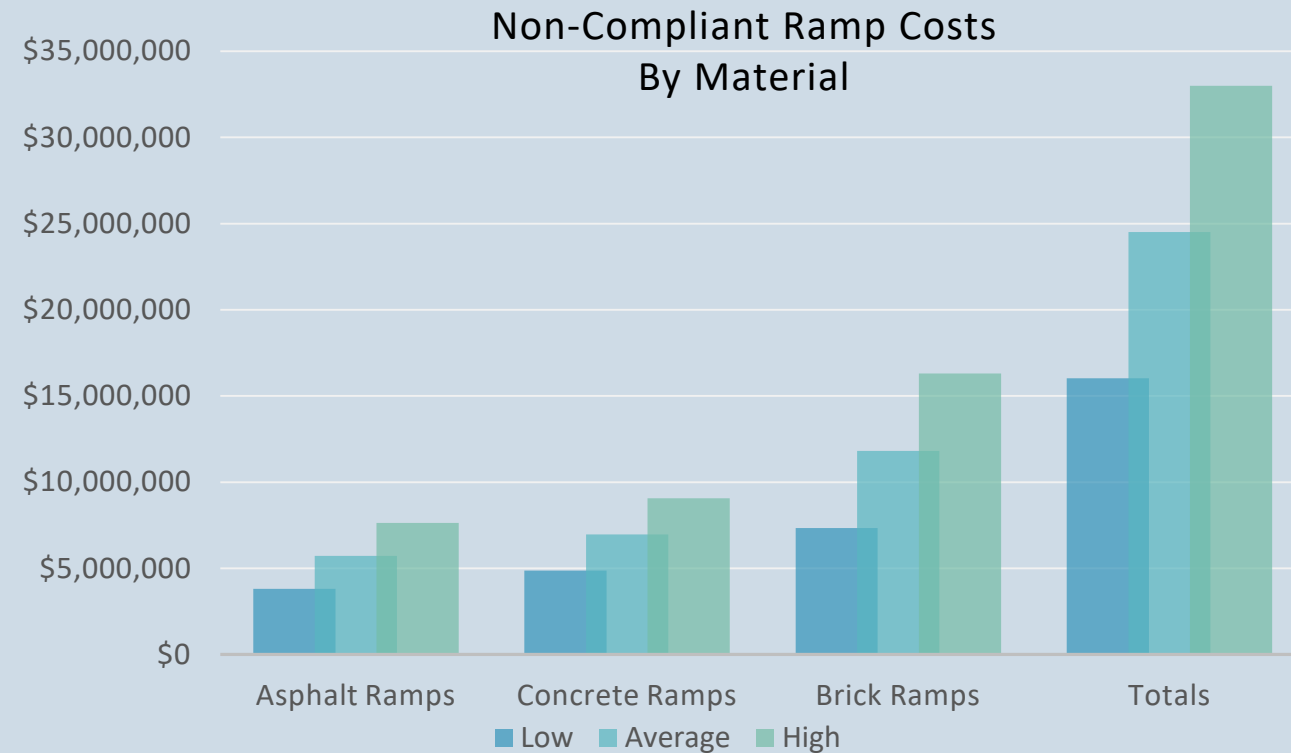


Sidewalk + ADA Ramp Backlog Costs

Total Estimated Backlog \$90 to 123 million



Total Est. Sidewalk Backlog \$74 to 90 million



Total Est. Ramp Backlog \$16 to 33 million



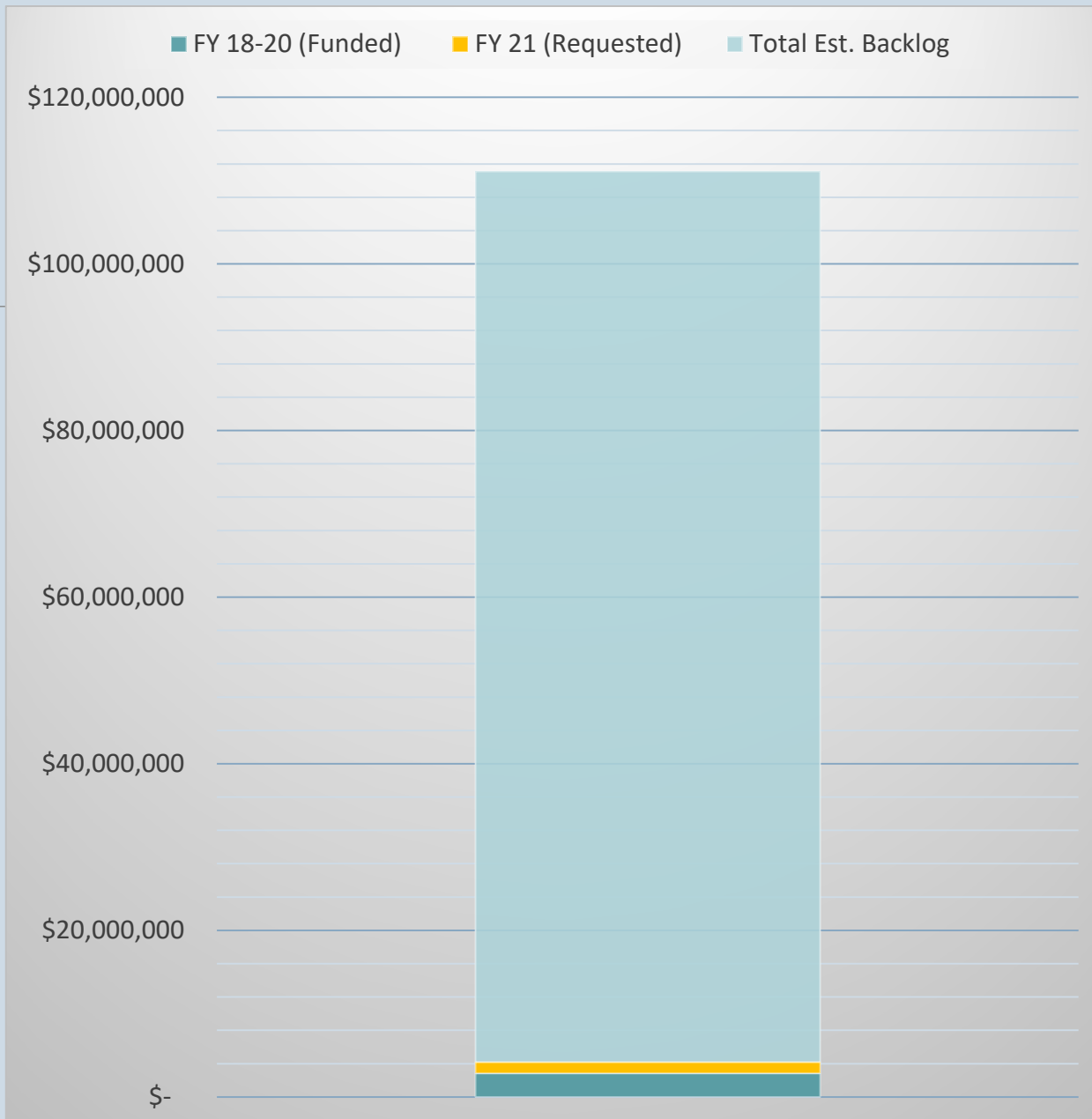
How much have we put towards the backlog?

	FY 18 (Funded)	FY 19 (Funded)	FY 20 (Funded)	FY 18-20 (Funded)	FY 21 (Requested)
Sidewalk Rehab Program	\$ 600,000	\$ 700,000	\$ 650,000	\$ 1,950,000	\$ 1,000,000
CDBG	\$ 205,352	\$ 369,515	\$ 325,476	\$ 900,343	\$ 349,000
TOTAL \$	\$ 805,352	\$ 1,069,515	\$ 975,476	\$ 2,850,343	\$ 1,349,000
% of Avg Backlog	0.75%	1.00%	0.91%	2.67%	1.26%

Total FY 18-20 (funded): \$2,850,343 or 2.67% of backlog

Total FY 21 (requested): \$1,849,999 or 1.26% of backlog

- The Sidewalk Rehab Program typically includes scope items like curbing, signs, painting, RRFBs, etc... in addition to ramp and sidewalk work.
- This table is based on 3 years of data obtained from MUNIS reports.
- This shows Sidewalk Rehab and CDBG investment only and does not include improvements thru Water Resources, the Paving Program, or private investment.



Assumptions

- For estimating purposes, it is assumed any sidewalk with an SCI lower than 80 would be fully reconstructed. Based on experience, this is the most common & usually the most appropriate treatment for sidewalk work. If existing material is found to be suitable, an overlay or resurface treatment is used instead, but to be conservative, cost estimates are for full reconstruction.
- Sidewalks with an SCI between 80-100 would receive no work or only minor spot repairs to meet ADA.
- **Cost information based on 2018-2019 unit and contract costs, as received by DPW.**
- Sidewalk material unit costs presented are assumed to be 100% of the typical unit cost on 2018-2019 bids. The 100% escalator is intended to reflect items typically included on sidewalk contracts (curb, driveways, drainage, loam & seed, mobilization, traffic control) as well as design, project management and inspection.
 - *For example: to design, bid, construct and manage a typical sidewalk contract with 1,000 SY of brick sidewalk, the unit cost for brick might be \$165/SY, but the final installed cost would be approximately \$330/SY.*
- Ramp costs are presented by material. The range is intended to reflect the complexity and various sized ramps on local, collector and arterial streets.
- Ramp costs reflect an additional 20% to include engineering, inspection and contingency.





City of Portland Pavement Analysis

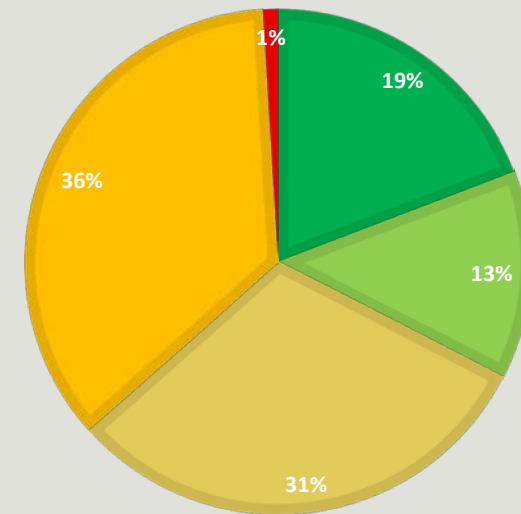
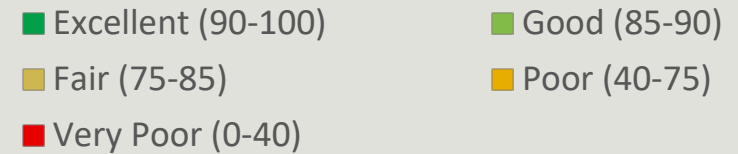
Department of Public Works
December 2019



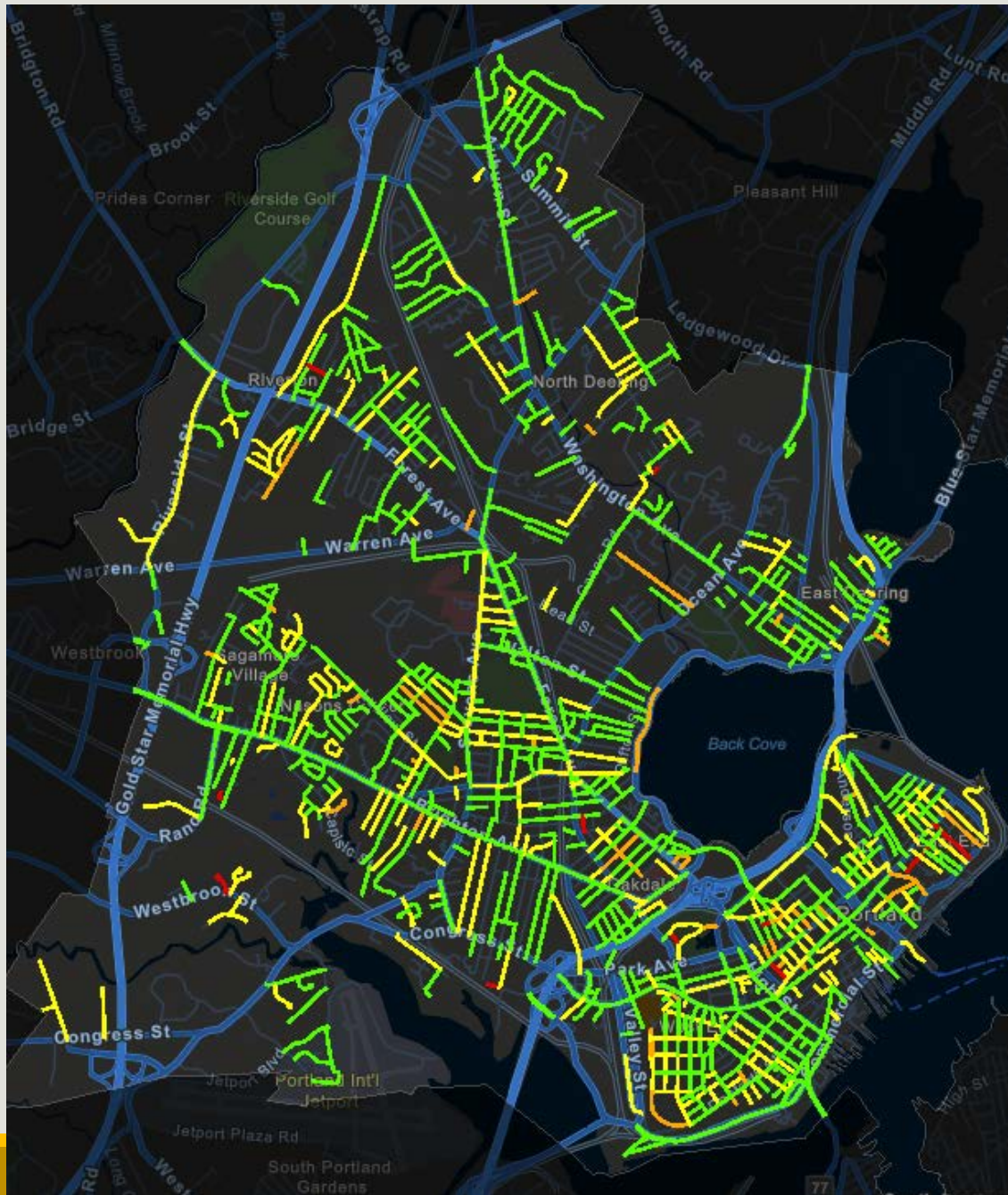
Pavement Condition Evaluation

- Citywide length of centerline road evaluated in 2017: **~212 miles**
 - Note: Islands were not evaluated as part of this process
- **68%** of road segments are rated less than 'Good' (<85 PCI)

PCI VALUES



Pavement Condition Index (PCI) < 85



Pavement Evaluation

Pavement Condition Index

- Failed (0 - 10)
- Serious (10 - 25)
- Very Poor (25 - 40)
- Poor (40 - 55)
- Poor + (55 - 75)
- Fair (75-85)



Examples of Streets – Excellent & Good Condition (85 to 100 PCI)



Eastern Promenade – PCI = 96; ranked Excellent
Deferred maintenance treatment recommendation



Berry Avenue – PCI = 86; ranked Good
Crack seal treatment recommendation



Examples of Streets – Fair Condition (75-85 PCI)



Walton Street – PCI = 83; ranked Fair
1.5" overlay treatment recommendation



Grafton Street – PCI = 76; ranked Fair
1.5" overlay treatment recommendation



Examples of Streets – Poor Condition (40 to 75 PCI)



Longwood Drive – PCI = 61; ranked Poor
Mill/fill treatment recommendation



Kennebec Street – PCI = 42; ranked Poor
Mill/fill treatment recommendation



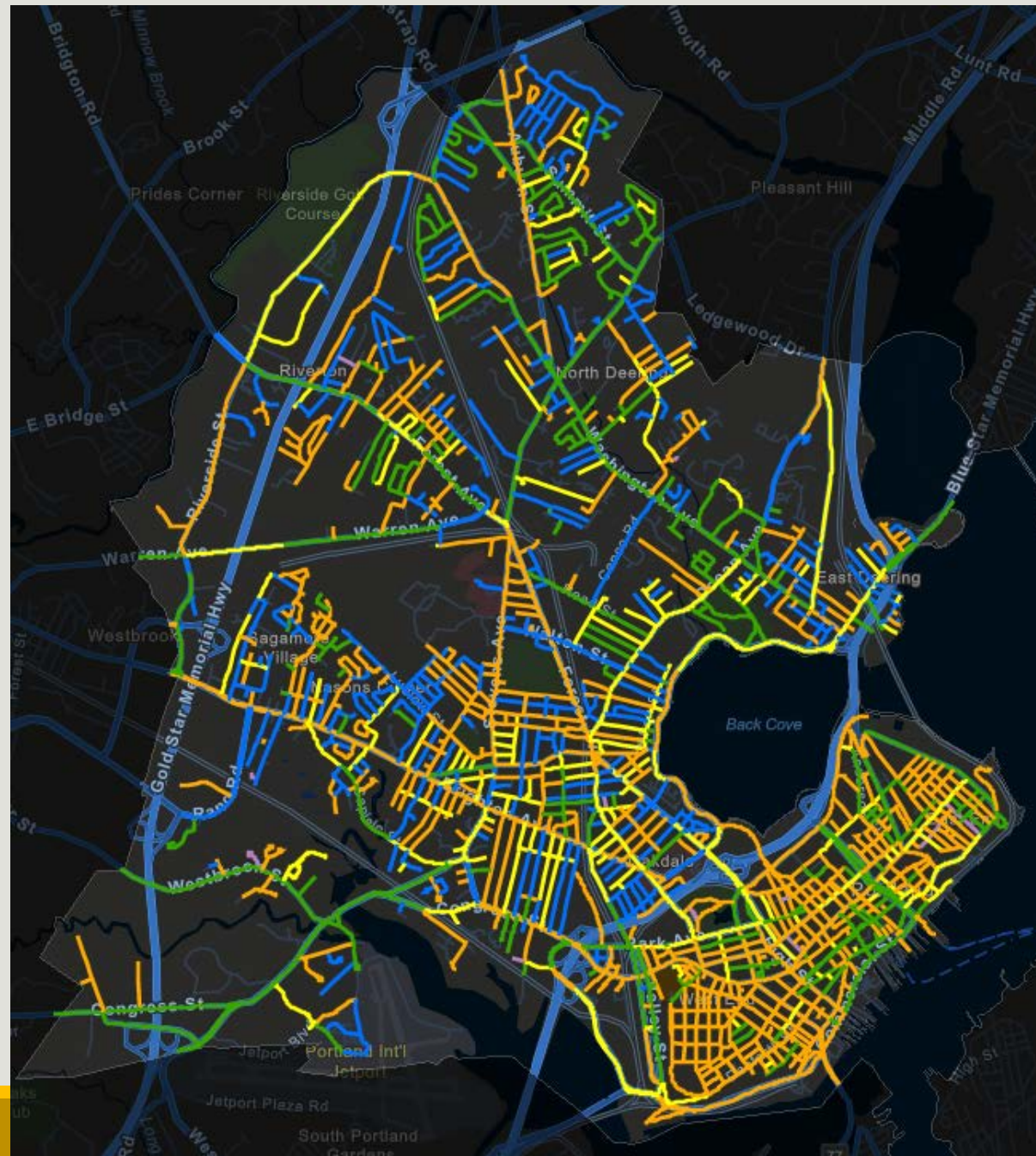
Examples of Street – Very Poor Condition (40 and below PCI)



Munjoy Street – PCI = 39; ranked Very Poor
Rehabilitation treatment recommendation



Maintenance Suggestions



Pavement Maintenance

- Defer Maintenance
- Crack Seal
- 1.5" Overlay
- Mill/Fill
- Rehabilitation

- Defer Maintenance – 90 to 100 PCI
- Crack Seal – 85 to 90 PCI
- 1.5" Overlay – 75 to 85 PCI
 - Note: Assumed no overlays on peninsula
- Mill/Fill – 40 to 75 PCI
 - Note: on peninsula, mill/fill range is 40 to 85
- Rehabilitation – 40 and under PCI



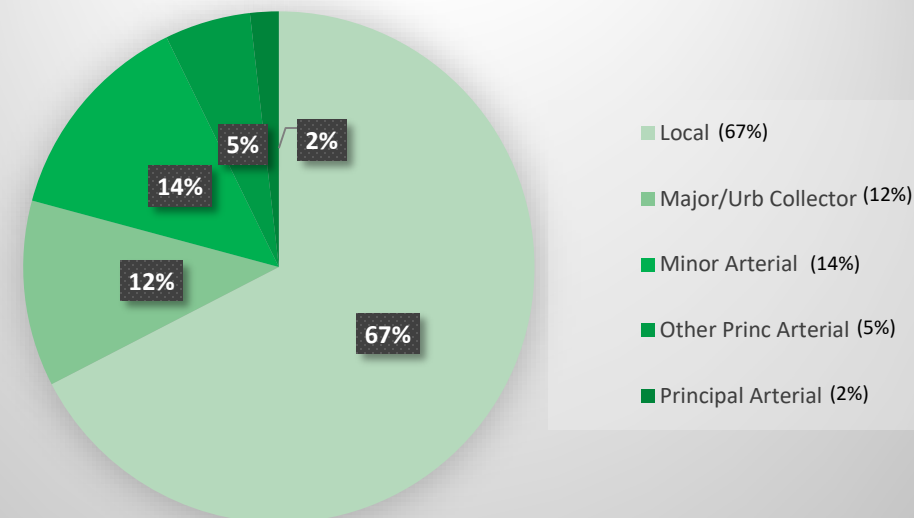
Pavement Maintenance Estimated Costs

Total estimated backlog is \$72 to \$88 million

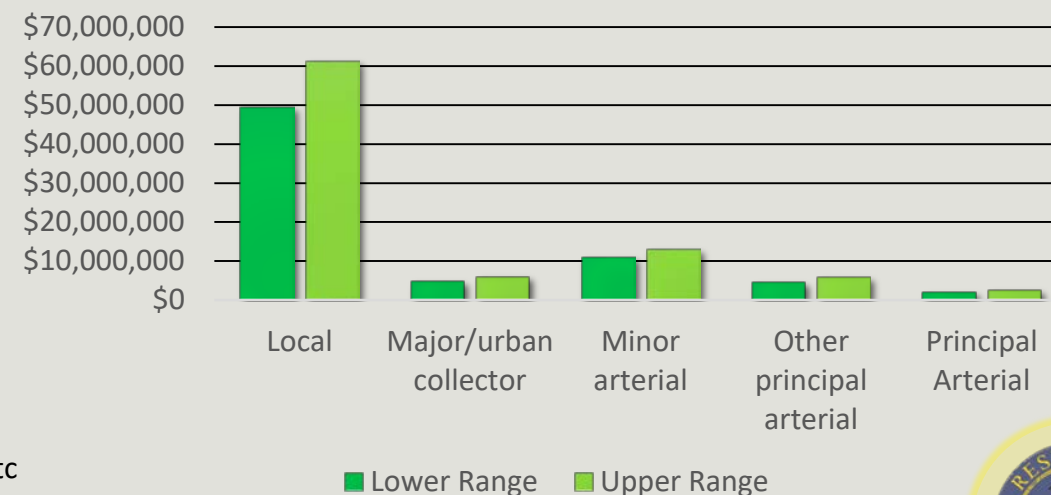
Maintenance Method	Estimated Unit Cost/SY
Defer Maintenance	\$0
Crack Seal	\$8-10
1.5" Overlay	\$24-30
Mill/Fill	\$27-33
Rehabilitation	\$37-45

- These are average costs from DPW paving contracts completed in 2017, 2018, and 2019
- Curbing costs are included but only for straight runs; costs related to ADA improvements are not included
- No sidewalks or ADA improvements are included in this estimate
- Traffic control costs are included
- An additional 20% is included for engineering, inspection, and contingency
- Cost ranges indicate differences in the streets paved and are dependent on the scope of work required for each street (some streets require more utility adjustments, driveway work, striping, etc while others are more straightforward)

Street Classification Breakdown



Cost by Functional Class



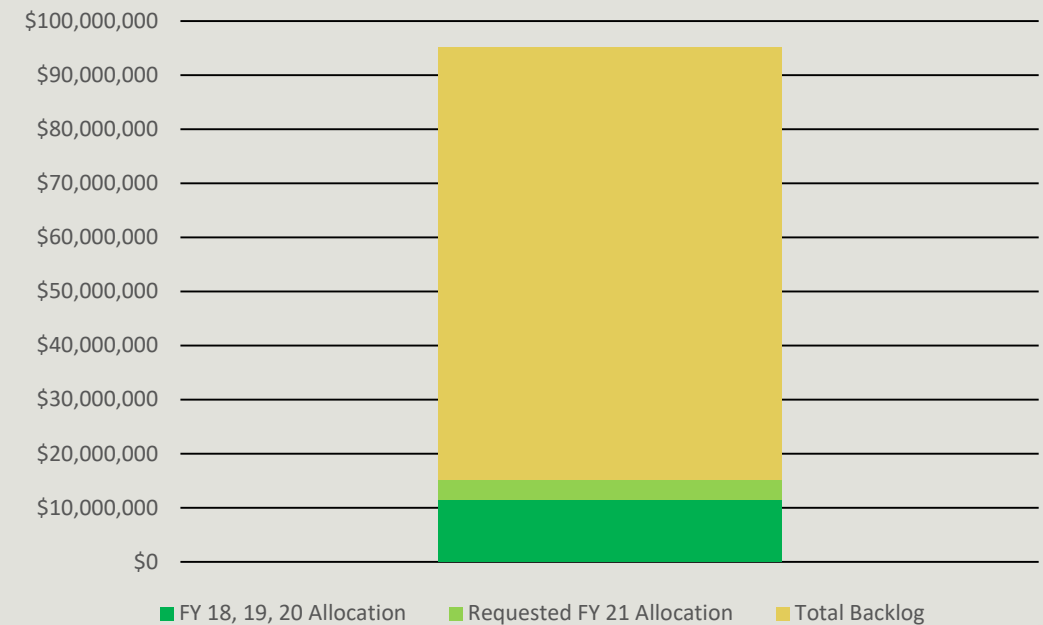
How much have we put towards the backlog?

<u>City Funds Only</u>	FY 18	FY 19	FY 20	(Requested) FY 21
Paving Preservation	\$2,900,000.00	\$750,000.00	\$1,800,000.00	\$2,000,000.00
Street Rehab	\$200,000.00	\$250,000.00	\$250,000.00	\$250,000.00
DOT/PACTS Projects (City Contrib.)	\$2,646,450.00	\$1,993,291.00	\$682,750.00	\$1,465,000.00
Cobble/Paver	\$0.00	\$100,000.00	\$100,000.00	\$0.00
TOTAL	\$5,746,450.00	\$2,993,291.00	\$2,732,750.00	\$3,715,000.00
Percent of Avg. Backlog	7.2%	3.7%	3.4%	4.6%

- This includes all CIP allocations for paving related projects and therefore includes items such as ADA improvements, curbing, signals, etc
- This data was extracted from the past three years of approved Capital Improvement Project funds
- This does not include any Water Resources projects that completed paving after their sewer/storm drain installation
- This does not include match funding from DOT

The FY 21 CIP request is about 4.6% of the current backlog

Total CIP funds towards paving projects has been \$11,472,491 for the past 3 years (14.3% of current total average backlog)



How was the data received?

- Street Scan collected the data in 2017 and the data was received early 2018.
- Pavement Condition Index (PCI) information was collected by driving the streets in Portland using their street scan technology.
- It was noted that the PCI values tended to be higher than previous data collected in 2014. This is due to the data being collected by different companies and systems.
 - Example: Brighton Ave (Wayside to Woodford) – 2014 PCI Value = 51; 2017 PCI Value = 78 (no work took place on this section that would have improved the PCI)
 - We account for this discrepancy by shifting our treatment ranges higher (ex: with the old data a mill/fill would be recommended for PCI of 60 or under; with the new data a mill/fill is recommended for a value of 75 and under)
- New data is currently being gathered and should be received January 2020.
- Once new data is received, the data will be calibrated and checked for discrepancies.



Assumptions

- The cost per square yard does not include sidewalk or ADA improvements.
- The cost per square yard was estimated from contracts in 2017, 2018, and 2019 however, it may not be representative of all projects.
- Specialty items such as speed bumps are not included in the unit cost.
- It is assumed that all paving projects on-peninsula will be a mill/fill; this is due to typically low curb reveal and curb condition as well as drainage issues encountered on the peninsula.
- It is assumed that most projects on an Arterial or Collector with a PCI under 85 will be a mill/fill, i.e. overlays rarely occur on Arterials or Collectors. This is due to the high AADT and typically large amount of utility trenches.





CITY OF PORTLAND
Parks, Recreation & Facilities Department
Sally DeLuca, Director

CITY OF PORTLAND
Parks, Recreation & Facilities Department
Ethan Hipple, Deputy Director

December 2019

To the Sustainability and Transportation Committee,

I am writing to recommend changes to the current off-leash dog policy in Baxter Woods (Chapter 5 of City Code). Specific code revisions are attached to this memo. The proposed changes represent a compromise that was arrived at after multiple public meetings of the Parks Commission, consultation with Maine Audubon, and conversations with community and dog-owner groups. The proposal has been informed by both the 2018 Baxter Woods Management Plan, as well as the 2019 Bird Surveys Report (attached to this memo).

Staff Proposal, as recommended by Parks Commission 7/18/19 (10 in favor, 1 opposed)

- **April 1 through July 31, annually:** Dogs on 8-foot leash at all times (to coincide with migratory bird nesting season).
- **August 1 through March 31, annually:** Dogs permitted off-leash and under voice control from 5am to 9am, and from 3pm to 10pm. From 9am to 3pm, dogs must be on 8-foot leash.
- **Habitat Restoration Area:** In addition to the off-leash schedule, staff would work with various conservation, school and community groups to create a habitat restoration area where restoration efforts would contribute to creating habitat that can support migratory bird reproduction. The habitat restoration area would be roughly 5.5 acres (out of 32.5 acres total) and would be off limits to off-leash dogs year round. This is similar to efforts on the Eastern Promenade where there are designated off-leash areas, as well as wildlife habitat meadow areas.

Background Information

Baxter Woods was donated to the City of Portland by Governor Percival Baxter in 1946. Among the many conditions in the deed are the following:

- *"shall forever be retained and used by said City in trust for the benefit of the people of Portland as a Municipal Forest and Park and for public recreational and educational purposes..."*
- *"shall forever be kept in its natural wild state and as a bird sanctuary for wild birds...."*

Chapter 5 of Portland City code currently allows for dogs to run off-leash in Baxter Woods, but within voice-command of the owner. Baxter Woods is used heavily by dog-owners and staff have received verbal and written comments from the public about the current policy. Before a policy change was first publicly proposed in March of 2019, the majority of the public comments have been opposed to the current permissive off-leash policy. Following changes proposed by staff, the majority of public comments have been in favor of retaining the existing policy, with a smaller number supporting changes to the policy to restrict some or all off-leash dogs.

Many of the comments opposed to the current off-leash policy list safety as a primary concern. Numerous dog owners have told us that they do not bring their dog to Baxter Woods for fear of their dog being harassed or



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attacked by other unruly dogs, and some parents have told us that they prefer not to bring their children there for the same reason. Many of the written comments are attached to this memo.

Staff have had many conversations with teachers and daycare operators who have tried to use Baxter Woods for outdoor classroom space and exercise space, only to be turned back due to the high number of unruly off-leash dogs. Teachers reported that recently arrived immigrant children in particular sometimes felt threatened by the presence of off-leash dogs. This proposal attempts to balance the hours of off-leash activity so that the park is welcoming to all.

Management Plan, 2018

In 2018, staff contracted with Forest Ecologist Rob Ryan to conduct an ecological assessment of Baxter Woods. The study looked at current conditions, soil and water quality protection, forest health, and wildlife conservation (attached to this memo).

One finding of the Management Plan Report was that the off-leash dog activity was having a negative impact on ground-nesting and ground-feeding birds. Baxter Woods in its present day condition with dogs running off leash at all hours would not qualify as a “sanctuary for wild birds”. The report recommends enforcing an on-leash dog policy at Baxter Woods.

Bird Surveys, 2019

Staff contracted with Biodiversity Research Institute to conduct surveys of all birds in Baxter Woods so that we have baseline data to compare to future years when potential policy changes will take effect. The surveys were conducted in the Summer and Fall of 2019. The findings of the study showed that Baxter Woods has a lower number of nesting and reproducing birds than other comparable areas in the City of Portland, and that off leash dog activity has likely had a negative effect on breeding bird populations. The report is attached to this memo.

Nearby Off Leash Areas

There are many parks and open spaces in Portland that allow off leash dogs. Within 1 mile of Baxter Woods, there are 4 public properties that allow off-leash dogs (Evergreen Cemetery, Capisic Pond Park, University Park, and Canco Woods). We also have dedicated dog parks that also allow off leash dogs (Quarry Run, Valley Street). Staff believe that the public will still have ample access to high-quality, conveniently-located open spaces for their dogs to run free in a more appropriate location.

Portland currently has 813 acres of parks and open spaces. 495 of the total 813 acres are designated by ordinance as off-leash areas. Baxter Woods represents 32.5 acres of the current off-leash area. With the proposed changes, there would be 462.5 acres of off-leash area in Portland, out of a total of 813 acres of parks and open spaces (57% off leash).

Process Timeline



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Ethan Hipple, Deputy Director

April 2019: Parks Commission Public Meeting to discuss potential changes. The meeting and agenda were publicly posted on the City website, and staff put up posters at entrances to Baxter Woods two weeks prior to the meeting. Email invitations were also sent to the “Responsible Dog Owners of Baxter Woods” facebook group admin, as well as the Deering Center Neighborhood Association.

At the April 4, 2019 meeting, staff presented a proposal to require dog owners to use 25 foot leashes year-round in Baxter Woods. Staff recommended that the Parks Commission take public comment on this issue and then take an advisory vote on the proposal. The Parks Commission heard much public comment on the issue, with many off leash dog owners opposed to the proposal and asking if a compromise was possible. The Parks Commission took no action at this meeting, and asked staff to research whether a compromise proposal was possible.

July 2019:

On July 18, 2019, staff presented a compromise proposal to the Parks Commission. The compromise proposal was crafted after careful consideration of public comments at the April 4, 2019 meeting and further consultation with Maine Audubon, Forest Ecologist Rob Bryan, and members of the community group Responsible Dog Owners of Baxter Woods. Specifically, staff met with Dawn Leland (Responsible Dog Owners of Baxter Woods) and resident Marc Lesperance, both of whom had taken on a leadership role in opposing changes to the proposed leash law. Staff sought out feedback from a wide variety of experts and users of the park to come up with a compromise proposal that would allow for some off-leash dog use in Baxter Woods, but that would also enable the City to fulfill its role as the steward of the property and to maintain the property as described in the deed.

The City recognizes the value and sense of community that comes from the many daily users of the park who are there specifically to let their dogs run off-leash. Our overall goal is to balance the many needs of *all* kinds of park users, so a compromise policy was developed that would consist of the following:

- **April 1 through July 31, annually:** Dogs on 8-foot leash at all times (to coincide with migratory bird nesting season).
- **August 1 through March 31, annually:** Dogs permitted off-leash and under voice control from 5am to 9am, and from 5pm to 10pm. From 9am to 5pm, dogs must be on 8-foot leash. *During the July 18, 2019 meeting, the evening start time for off leash hours was amended from 5pm to 3pm.*
- **Habitat Restoration Area:** In addition to the off-leash schedule, staff would work with various conservation, school and community groups to create a habitat restoration area where restoration efforts would contribute to creating habitat that can support migratory bird reproduction. The habitat restoration area would be roughly 5.5 acres (out of 32.5 acres total) and would be off limits to off-leash dogs year round. This is similar to efforts on the Eastern Promenade where there are designated off-leash areas, as well as wildlife habitat meadow areas.

The compromise proposal offers access to dogs on-leash 12 months a year, and for 8 of those 12 months, dogs off-leash and under voice control would still be welcome. The compromise proposal also mirrors hours of



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off-leash use that are used at East End Beach so that dog owners have a simple, easy to remember schedule that will be easy to follow and enforce.

The compromise proposal also changes the leash requirement from a 25 foot leash to an 8 foot leash. This was primarily due to public comment at the April 4, 2019 meeting. Many dog owners stated that a 25 foot leash in a tightly wooded area would result in tangles and potential aggression, so the recommendation was changed from 25 feet to 8 feet. An 8 foot leash will also enable dog owners to keep their dogs out of sensitive habitat restoration areas.

During the season when dogs would be allowed off leash (August through March), staff are proposing limited hours for off leash activity (only from 5am to 9am, and again from 3pm to 10pm) In effect, this would require that dogs are required to be on leash from 9am to 3pm. This is scheduled so that during the school day, school groups, daycares and others can use the woods without off-leash activity. We have a wide variety of park visitors in Portland, many of whom love the presence of off leash dogs, some who are indifferent, and some who feel threatened by off-leash dogs. This proposal seeks to find a balance so that everyone can feel comfortable visiting Baxter Woods.

The Parks Commission voted in favor of the amended staff proposal (10 in favor, 1 opposed). The Parks Commission vote is advisory only.

Peer Land Management Policies

Most conservation areas in the region that are managed as bird or wildlife sanctuaries simply ban dogs altogether due to their well-documented negative impact on wildlife. A select few areas have more relaxed rules allow dogs, but on-leash only.

We know of no areas managed as wildlife sanctuaries in Maine that allow for any off-leash dog activity.

- Bangor City Forest, Bangor: Dogs on Leash only
- Fore River Sanctuary, Portland (Owned by Portland Trails): Dogs on Leash only
- Robinson Woods, Cape Elizabeth: Dogs on Leash only (limited hours)
- Gilsland Farm Audubon Center, Falmouth: No Dogs at all
- Wolfe's Neck Center: Dogs on Leash only
- River Point Conservation Area, Falmouth: No Dogs at all

With the compromise proposal before you, Baxter Woods would stand alone in continuing to allow for a limited amount of off-leash use (outside of prime nesting season) and could serve as an innovative test case in managing for wildlife and off-leash dog use simultaneously.

After numerous conversations with Maine Audubon, their staff affirmed that this compromise policy would have some positive benefits for birds and wildlife, especially if combined with a habitat restoration area. Audubon experts state that with proper restoration and enforcement, we could see up to a dozen



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ground-nesting bird species in Baxter Woods. Likely species include, but are not limited to, ground sparrows, woodcock, oven birds and wood thrush.

Enforcement:

Staff do currently enforce leash laws at Baxter Woods, but ticketing is rare as we try to take a more educational approach. We are working on funding strategies to bring on additional Rangers to patrol and enforce leash laws throughout the City.

History of Off Leash Dog Ordinance in Baxter Woods

During the April 4, 2019 meeting, some Commissioners raised the question of “When did the City start to allow off leash dogs at Baxter Woods?” Staff researched the various versions of Chapter 5 of the City Code and discovered that Baxter Woods was added to the list of off-leash voice control parks (along with 13 other parks) during December of 1983. At the time, the city was debating whether to allow dogs and off-leash dogs in Western Cemetery, and as part of those deliberations, a list was created of parks where off-leash activity was permitted. Baxter Woods was included on that list for unknown reasons.

Conclusion

In conclusion, we hope that the Sustainability and Transportation Committee will consider this proposal that would allow the City to serve as a better steward of this property and to abide by the conditions set forth in the Baxter Woods deed. Through working with various stakeholders and experts, we believe we have crafted a good-faith compromise proposal that would continue to allow off-leash activity for 8 months of the year, while restricting off leash activity only during the 4 months of the year when bird breeding is most likely.

Sincerely,
Ethan Hipple

Ethan Hipple
Deputy Director
Parks, Recreation and Facilities Department
City of Portland
212 Canco Rd, Suite A
Portland, Maine 04103
207-808-5400
ehipple@portlandmaine.gov

Attachments:

Proposed Chapter 5 Code Revisions
Baxter Woods Management Plan (2018)
Baxter Woods Bird Surveys (2019)
Written public comment received before and after April 2018 and July 2018 Parks Commission meetings

Baxter
to
Port-
land
City of
Deed

KNOW ALL MEN BY THESE PRESENTS, That I, Percival Proctor Baxter of Portland, County of Cumberland, State of Maine, in consideration of one (\$1.00) dollar and other valuable considerations paid by the CITY OF PORTLAND, a Municipal Corporation incorporated under the laws of the State of Maine and a body politic located in said County of Cumberland, the receipt whereof I do hereby acknowledge, and in furtherance of my desire to convey and donate to the CITY OF PORTLAND an area of land in the Deering District of said Portland, to be held forever by said CITY as TRUSTEE IN TRUST for the benefit of the people of Portland do hereby remise, release, sell, convey and forever quit-claim unto the said CITY OF PORTLAND and its successors to be forever held in trust the following described land located in said CITY, bounded and described as follows -

All my right title and interest in and to a certain tract or parcel of land with the buildings thereon situated between Forest and Stevens Avenues, Hartley Street and Baxter Road, so called in the City of Portland, State of Maine and located and described as follows:

Beginning on the westerly side of Forest Avenue at the northeast corner of the lot of land conveyed by Francis O. J. Smith to Owen Durgin by deed dated August 1875 and recorded in Cumberland County Registry of Deeds in Book 418, Page 501; thence northerly by the westerly side of Forest Avenue 523.0 feet more or less to the southeast corner of the lot of land conveyed by James P. Baxter to Saint Elizabeth's Roman Catholic Asylum by deed dated March 10, 1908, and recorded in said Registry in Book 821, Page 58; thence westerly by land of said Saint Elizabeth's Roman Catholic Asylum and by the lot of land conveyed by James P. Baxter to Roman Catholic Bishop Corporation Sole by deed dated March 10, 1908, and recorded in said Registry in Book 821, Page 59, a distance of 1850.81 feet to the easterly side of Stevens Avenue; thence southerly by the easterly side of Stevens Avenue 253.15 feet to a stone monument marking an angle in said easterly side of Stevens Avenue; thence southerly by said easterly side of Stevens Avenue 290.84 feet to the lot of land conveyed by James P. Baxter to John H. Fogg by deed dated June 14, 1899, and recorded in said Registry in Book 680, Page 31; thence easterly by land formerly of said Fogg 125 feet to a point; thence southerly by land formerly of said Fogg 10 feet to the lot of land conveyed by James P. Baxter to Charles Rich by deed dated July 7, 1879, and recorded in said Registry in Book 461, Page 117; thence easterly by land formerly of said Rich 2.0 feet to the northeasterly corner of said Rich lot; thence southerly by the land formerly owned by said Rich 39.7 feet more or less to the lot of land conveyed by James P. Baxter to Mark F. Fogg by deed dated June 13, 1900, and recorded in said Registry in Book 692, Page 53; thence easterly by land formerly of said Fogg and by the lot of land conveyed by James P. Baxter to Arthur D. Parkhurst by deed dated July 20, 1914, and recorded in said Registry in Book 934, Page 287, a distance of 99.44 feet to the northeast corner of said Parkhurst lot; thence southerly by the easterly line of land now or formerly of said Parkhurst and its continuation across the easterly end of Percival Street and its continuation southerly by other land of said

Grantor a distance of 250 feet to the northerly line of the lot of land conveyed by James P. Baxter to Alvin E. Plummer by deed dated April 13, 1885 and recorded in said Registry in Book 517, Page 372, said point being distant 100 feet from the northerly side of Hartley Street; thence easterly on a line parallel with and distant 100 feet from said northerly line of Hartley Street and by the rear line of lot formerly owned by said Plummer and by the lot of land conveyed by James P. Baxter to Charles E. Spear on October 27, 1899, recorded in said Registry in Book 682, Page 153, and by the lot of land conveyed by James P. Baxter to Fred P. Freeman and William L. Turner by deed dated May 18, 1885, recorded in said Registry in Book 517, Page 479, and by other land of said Grantor and by the lot of land conveyed by James P. Baxter to Alvin E. Plummer by deed dated June 15, 1885, and recorded in said Registry in Book 520, Page 117 a distance of 235.14 feet to the northeasterly corner of the lot formerly owned by said Plummer; thence southerly by the easterly line of land formerly owned by said Plummer 100 feet to the northerly side of Hartley Street; thence easterly by said northerly side of Hartley Street 878.23 feet to the southwesterly corner of the lot of land conveyed by Percival P. Baxter to George I. Geer by deed dated August 19, 1944, and recorded in said Registry in Book 1757, Page 109; thence northerly by the westerly line of land of said Geer 100 feet to the northwest corner of said Geer lot; thence easterly on a line parallel with said northerly side of Hartley Street and by land of said Geer and by the lot of land conveyed by James P. Baxter to Albert F. Mann by deed dated May 10, 1888, recorded in said Registry in Book 546, Page 141, and by the lot of land conveyed by James P. Baxter to Abram H. Milliken and George A. Lovell by deed dated December 7, 1897, recorded in said Registry in Book 660, Page 10 and by the lot of land conveyed by James P. Baxter to Ebenezer M. Gay and John Archibald by deed dated August 6, 1894, recorded in said Registry in Book 613, Page 456, and by the lot of land conveyed by James P. Baxter to the Delano Planing Mill Company by deed dated August 21, 1895, recorded in said Registry in Book 629, Page 117 a distance of 245.4 feet to the northeast corner of said Delano Planing Mill Company lot; thence southerly by land formerly of said Delano Planing Mill Company 8.15 feet to the lot of land conveyed by Martha A. Gray to Mary E. Gray by deed dated July 19, 1894 and recorded in said Registry in Book 615, Page 280; thence easterly by land formerly of said Mary E. Gray and by the lot of land conveyed by Martha A. Gray to Mary E. Gray by deed dated August 31, 1900, recorded in said Registry in Book 692, Page 423, and by the lot of land conveyed by Martha A. Gray to Margaret O'Connor by deed dated April 8, 1903, and recorded in said Registry in Book 733, Page 31 and by the lot of land conveyed by Martha A. Gray to Lillie B. Rowe by deed dated December 16, 1892 recorded in said Registry in Book 604, Page 217 and by the lot of land conveyed by Martha A. Gray to Lillie B. Rowe by deed dated June 30, 1891 recorded in said Registry in Book 582, Page 15 and by the lot of land conveyed by Martha A. Gray to Alvah E. Plummer by deed dated April 30, 1885 recorded in said Registry in Book 517, Page 464 a distance of 387.85 feet to the southwesterly corner of the Owen Durgin lot above mentioned; thence northerly by

the westerly line of the lot formerly owned by said Durgin 75 feet to an iron stake; thence easterly by land formerly owned by said Durgin 86.78 feet to said westerly side of Forest Avenue and the point of beginning.

Together with a right of way 33 feet in width in common with others from Forest Avenue to Stevens Avenue over land of said Saint Elizabeth's Roman Catholic Asylum and land of Roman Catholic Bishop Corporation Sole adjoining the northerly line of the lot above described lot and subject however to a right of way 33 feet in width from Forest Avenue to Stevens Avenue over said above described lot and adjoining the northerly side line of the above described lot.

Said above two strips each 33 feet in width are to be used together for street purposes and were conveyed and reserved in the deeds from James P. Baxter to Saint Elizabeth's Roman Catholic Asylum and to Roman Catholic Bishop Corporation Sole dated March 10, 1908, and recorded in said Registry in Book 821, Pages 58 and 59.

TO HAVE AND TO HOLD the above described premises with all the privileges and appurtenances thereto to said CITY OF PORTLAND as TRUSTEE as aforesaid and its successors in trust and the same shall not be conveyed or encumbered by said City but shall be held forever for the benefit of the people of said Portland

subject to the following terms, restrictions, reservations and conditions

- 1 - shall forever be retained and used by said City in trust for the benefit of the people of Portland as a Municipal Forest and Park and for public recreational and educational purposes the same forever to be known as "MAYOR BAXTER WOODS";
- 2 - shall forever be kept in its natural wild state and as a sanctuary for wild birds, with no streets for public conveyances and no cement walks therein and with only paths and trails for pedestrians, and any trees that shall fall or that may become a menace to life may be removed, but no other trees therein shall be taken down;
- 3 - shall forever be maintained for the sole use of pedestrians; and horses, automobiles and all motor vehicles, except those of the City used solely in caring for said woods, shall forever be excluded therefrom;
- 4 - that the heavy ornamental iron gates now in possession of said City shall be erected by said City either at the Forest Avenue or Stevens Avenue entrance within one year after the date of this deed;
- 5 - that said City shall erect within one (1) year after the date of this deed and shall forever maintain on the land hereby conveyed a suitable bronze marker the said marker to recite the conditions of this gift, the same to be attached to a granite boulder located on said land and provided by said City;

This conveyance is made subject to all of the above mentioned terms, restrictions, reservations and conditions, and I the said PERCIVAL PROCTOR BAXTER COVENANT with the said CITY OF PORTLAND as such Trustee and its successors in trust that I will WARRANT and DEFEND the said premises to the said City and its successors in trust against the lawful claims and demands of all persons claiming by through or under me.

IN WITNESS WHEREOF, I the said PERCIVAL PROCTOR BAXTER being unmarried hereby set my hand and seal this eighth day of April in the year of our Lord one thousand nine hundred and forty-six.

Signed and Sealed in the Presence of

Alice M. Gurney .

Percival Proctor Baxter Seal

STATE OF MAINE :
SS.
CUMBERLAND. :

Portland, April 8, 1946

Personally appeared the above named PERCIVAL PROCTOR BAXTER and acknowledged the above instrument to be his free act and deed.

Before me, Alice M. Gurney

Notary Public Notarial Seal

Received April 17, 1946, at 10h 25m A. M., and recorded according to the original

MAINE
FULL DISCHARGE
FORM 21-117
Me. 10-206

Federal
Ld.Bk.
of
Spf'g.
to
Larrabee
&
Disch.

KNOW ALL MEN BY THESE PRESENTS, That THE FEDERAL LAND BANK OF SPRINGFIELD, 310 State Street, Springfield, Massachusetts, owner of a certain mortgage given by Joseph S. Larrabee and Susan E. Larrabee to the said THE FEDERAL LAND BANK OF SPRINGFIELD, dated December 31, 1925, and recorded in Cumberland County Registry of Deeds, in Book 1220 at Page 105, does hereby acknowledge that it has received full payment and satisfaction of the same and of the debt thereby secured, and in consideration thereof it does hereby cancel and discharge said mortgage and releases unto the said Joseph S. Larrabee and Susan E. Larrabee and their heirs and assigns forever the premises therein described.

IN WITNESS WHEREOF the said THE FEDERAL LAND BANK OF SPRINGFIELD has caused its corporate seal to be hereto affixed and these presents to be signed, acknowledged and delivered in its name and behalf by Edward M. Whitaker, its Assistant Treasurer, this 3rd day of April 1946.

THE FEDERAL LAND BANK OF SPRINGFIELD CORPORATE
SEAL
By Edward M. Whitaker

Assistant Treasurer

Signed and Sealed in Presence of

I. B. Welch

COMMONWEALTH OF MASSACHUSETTS COUNTY OF HAMPDEN, SS.

On this 3rd day of April 1946, before me personally appeared Edward M. Whitaker to me personally known, who, being by me duly sworn, did say that he is the Assistant Treasurer of THE FEDERAL LAND BANK OF SPRINGFIELD and that the seal affixed to the foregoing instrument is the corporate seal of said corporation, and that the said instrument was signed and sealed in behalf of said corporation by authority of its board of directors, and the said Edward M. Whitaker acknowledged said instrument to be the free act and deed of said corporation and his own free act and deed.

dms Before me, Allyn K. Talmadge Notary Public Notarial Seal

Received April 17, 1946, at 11h 50m A. M., and recorded according to the original

Habitat Restoration area in Baxter Woods

Robert Bryan <rrbryan.54@gmail.com>

Wed, May 29, 2019 at 1:40 PM

To: Ethan Hipple <ehipple@portlandmaine.gov>

Cc: Eric Topper <etopper@maineaudubon.org>, Doug Hitchcox <dhitchcox@maineaudubon.org>, Jeff Tarling <jst@portlandmaine.gov>, Matthew Coleman <mcoleman@portlandmaine.gov>

During our May 17 field walk I agreed to make a base map that could be used for planning in the bird habitat restoration area.

Please review the attached map and make sure that it includes the entire area that we discussed and let me know if other changes are needed.

Among the ideas that we discussed and/or that are in the 2018 management plan:

- **Red Pine.** Possible thinning to encourage understory and midstory development. Consider closing the trail on the east side of this stand.
- **Red Oak and Red Oak-White Pine.** Understory development is generally good. Allow stand to develop naturally.
- **Shrub and Meadow.** Allow meadow to develop into old-field habitat. Options might include planting native wildflowers for pollinators and/or planting native cool season grasses to improve habitat. Develop and maintain shrubby margins; periodic brush cutting in some areas (for example, the sumac stand) can help maintain the shrub habitat type.
- **Red Oak - White Pine - Hemlock.** Promote understory development by planting shade-tolerant native shrubs. Take steps to limit impacts to the fringe of the vernal pool. Consider excavating the pool in the middle (to perhaps 2 feet in depth) to provide a longer hydroperiod. Protect selected hemlock legacy trees against hemlock woolly adelgid. Consider moving the walking path nearer to the north line to provide a larger area of undisturbed habitat in this area.

All areas:

- Dogs on leash during the bird breeding season throughout Baxter Woods. (I recall we discussed possibly more stringent regulations within the habitat restoration area).
- Control invasive plants
- Eradicate aggressive non-native plants, notably Linden (*Tilia cordata*)
- Use brush, downed logs, etc. to keep foot traffic and pets n trails
- Develop educational materials and programs.

[Quoted text hidden]

[Quoted text hidden]



Bird Habitat Restoration Area_Baxter Woods.jpg
1364K

November 1, 2019

This report provides results from transect bird surveys conducted at Baxter Woods Park during the nesting season and fall migration 2019

Inquiries about this work and report may be directed to **Patrick Keenan** at:
patrick.keenan@briloon.org

Biodiversity Research Institute

276 Canco Road

Portland, ME 04106

Introduction

Biodiversity Research Institute conducted bird surveys at the Mayor Baxter Woods Park in Portland, ME. This property was donated by Governor Percival Baxter in 1946 for the purpose to “Forever to be held in trust for public purposes and as a sanctuary for wild birds.” At the request of the City of Portland Biodiversity Research Institute conducted bird surveys:

- Determine nesting or breeding bird species present
- Survey of migratory birds (fall)
- Provide recommendations for bird habitat improvements

Surveys occurred in the summer and fall of 2019 but not during spring migration or the winter.

The “Forest and Wildlife Habitat Management Plan for Mayor Baxter Woods” (18 May 2018 from Forest Synthesis LLC) (hereafter, ‘Management Plan’) provides an excellent description of the property and its habitats and outlines various goals and objectives to guide management activities for the property. Our focus is to provide information about birds on the property and align general goals with input specific to activities that will promote bird diversity and abundance on the property.

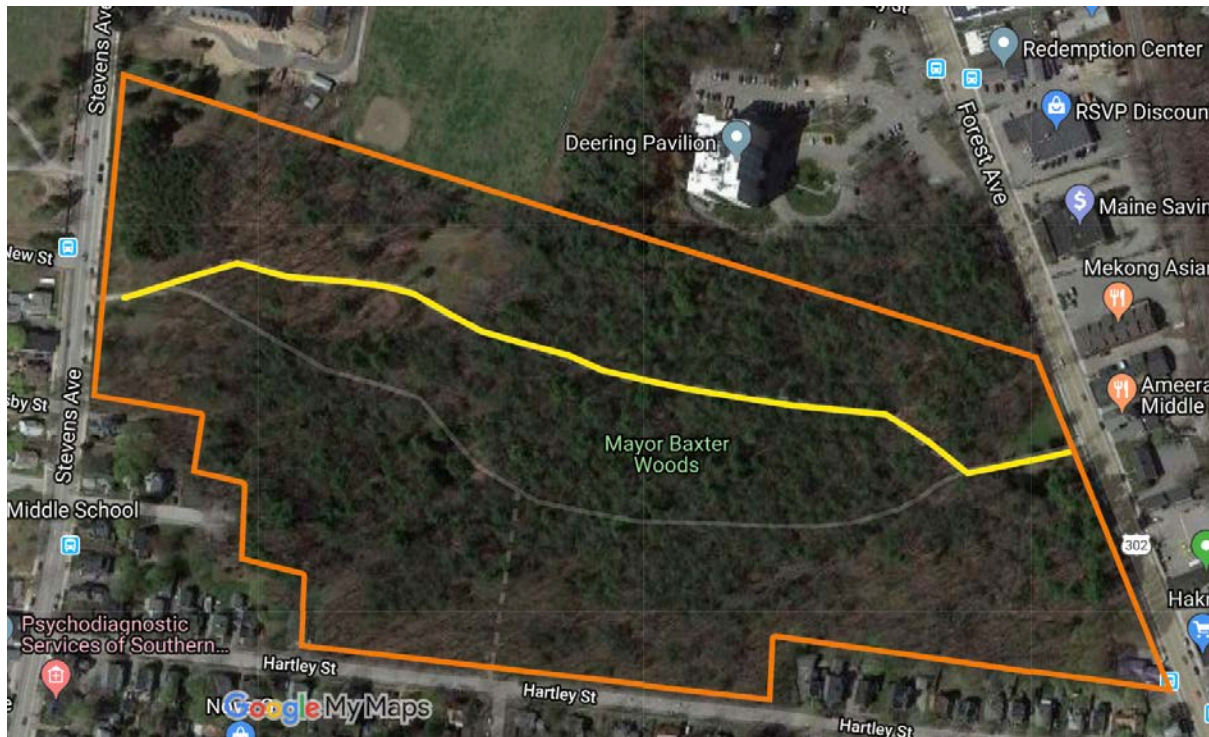
Mayor Baxter Woods Property

The management plan established the ‘cover type’ and ‘land use’ as shown in the following table. The property is approximately 32.46 acres and is dominated by mixed forest with portions of Coniferous and Deciduous forest. There are several access points / trailheads along Forest Avenue and Stevens Avenue and the property abuts backyards on Hartely Street.

Cover Type/Land Use	Area (acres)
Deciduous forest	5.57
Coniferous forest	1.03
Mixed forest	22.98
Meadow/shrub	0.87
Shade tree/mown grass	1.47
Pond	0.22
Parking	0.10
Abutter encroachment	0.22
Total	32.46

The forest patch represents forest dominated by Pine-Oak Woodland plant community with many large and old trees. It also includes stands of Hemlock. The forest of Mayor Baxter Woods is remarkably lacking in understory vegetation. This is likely due to the mixed use of recreation (dog walking-both on and off leash, biking, and child play) and the lack of defined trails. This has implications for the diversity of birds present in the forest.

The map image of Mayor Baxter Woods below provides the approximate outline of the property (orange) and the travel transect used for bird surveys (yellow).



Survey Methods

We used line transect surveys to determine the presence and abundance of birds in Mayor Baxter Woods. Surveys began at dawn in the breeding season and lasted 40 minutes. The exact positions of first detection for birds were recorded and we documented both the location along the transect and distance from the transect to define the spatial arrangement of animals. Every individual detected was recorded. Position along transect was estimated using a GPS. Birds were detected by sight and sound. Both sides of the trail were scanned visually to increase the chance of detecting a bird in that fashion. Finally, additional information on breeding status of the birds were included where relevant including finding nests, nest-

building activities, or carrying food for integration of these data into Maine's 2nd Breeding Bird Atlas.

Results

Family	Species (Common Name)	Species (Scientific Name)	Number of Surveys Encountered	Maximum Number Observed	Breeding Confirmed
Trochilidae	Ruby-throated Hummingbird	<i>Archilochus colubris</i>	1	1	
Picidae	Downy Woodpecker	<i>Dryobates pubescens</i>	1	2	yes
Picidae	Hairy Woodpecker	<i>Dryobates villosus</i>	2	2	yes
Picidae	Pileated Woodpecker	<i>Dryocopus pileatus</i>	2	2	
Tyranidae	Eastern Wood Pewee	<i>Contopus virens</i>	2	3	yes
Hirundidae	Tree Swallow	<i>Tachycineta bicolor</i>	1	1	
Corvidae	American Crow	<i>Corvus brachyrhynchos</i>	1	5	
Corvidae	Blue Jay	<i>Cyanocitta cristata</i>	1	1	yes
Paridae	Black-capped Chickadee	<i>Poecile atricapillus</i>	2	3	yes
Paridae	Tufted Titmouse	<i>Baeolophus bicolor</i>	1	1	
Mimidae	Gray Catbird	<i>Dumetella carolensis</i>	2	2	yes
Vireonidae	Red-eyed Vireo	<i>Vireo Olivaceus</i>	2	10	yes
Parulidae	Black-throated Green Warbler	<i>Setophaga virens</i>	2	2	yes
Parulidae	Chestnut-sided Warbler	<i>Setophaga pensylvanica</i>	1	1	yes
Icteridae	Brown-headed Cowbird	<i>Molothrus ater</i>	1	1	
Cardinalidae	Northern Cardinal	<i>Cardinalis cardinalis</i>	1	1	yes
Fringillidae	American Goldfinch	<i>Spinus tristis</i>	2	4	
Passerellidae	Chipping Sparrow	<i>Spizella passerina</i>	2	4	yes

Breeding Season. The following table provides details of the bird species detected in Mayor Baxter Woods during the breeding season. Surveys occurred on June 25 and July 4 in 2019.

We documented 11 species of nest bird species at Baxter Woods during our surveys. We detected an additional 7 species that were not confirmed to be breeding at the site during the nesting period. None of these species are unusual or listed as Endangered or Threatened by Maine Inland Fisheries and Wildlife Service (Appendix 1).

Fall Migration.

The following table lists bird species observed during fall surveys on September 13, October 3, October 21 in 2019. We show the Number of surveys each species was detected on and the maximum number of individuals detected.

Family	Species (Common Name)	Species (Scientific Name)	Number of dates detected of three	Maximum number of individuals detected
Anatinae	Mallard Duck	<i>Anas platyrhynchos</i>	1	2
Laridae	Herring Gull	<i>Larus argentatus</i>	2	1
Columbiformes	Rock Pigeon	<i>Columba livia</i>	1	2
Picidae	Downy Woodpecker	<i>Dryobates pubescens</i>	3	2
Picidae	Hairy Woodpecker	<i>Dryobates villosus</i>	1	1
Picidae	Northern Flicker	<i>Colaptes auratus</i>	1	2
Picidae	Red-bellied Woodpecker	<i>Melanerpes carolinus</i>	1	1
Picidae	Yellow-bellied Sapsucker	<i>Sphyrapicus varius</i>	1	1
Sittidae	White-breasted Nuthatch	<i>Sitta carolinensis</i>	3	3
Tyranidae	Eastern Phoebe	<i>Sayornis phoebe</i>	1	1
Corvidae	American Crow	<i>Corvus brachyrhynchos</i>	3	6
Corvidae	Blue Jay	<i>Cyanocitta cristata</i>	3	2
Certiidae	Brown Creeper	<i>Certhia americana</i>	3	2
Paridae	Black-capped Chickadee	<i>Poecile atricapillus</i>	3	13
Paridae	Tufted Titmouse	<i>Baeolophus bicolor</i>	1	2
Vireonidae	Warbling Vireo	<i>Vireo gilvus</i>	1	1
Mimidae	Northern Mockingbird	<i>Mimus polyglottos</i>	1	1
Regulidae	Ruby-crowned Kinglet	<i>Regulus calendula</i>	2	4
Turdidae	American Robin	<i>Turdus migratorius</i>	3	3
Parulidae	American Redstart	<i>Setophaga ruticilla</i>	1	2
Parulidae	Black-and-white Warbler	<i>Mniotilta varia</i>	1	3
Parulidae	Bay-Breasted Warbler	<i>Setophaga castanea</i>	1	2
Parulidae	Blackpoll Warbler	<i>Setophaga striata</i>	1	2
Parulidae	Black-throated Blue Warbler	<i>Setophaga caerulescens</i>	1	1
Parulidae	Black-throated Green Warbler	<i>Setophaga virens</i>	1	8
Parulidae	Common Yellowthroat	<i>Geothlypis trichas</i>	1	3
Parulidae	Nashville Warbler	<i>Oreothlypis ruficapilla</i>	1	4
Parulidae	Northern Waterthrush	<i>Parkesia noveboracensis</i>	1	1

MAYOR BAXTER WOODS BIRD SURVEYS

Parulidae	Tennessee Warbler	<i>Oreothlypis peregrina</i>	1	1
Parulidae	Yellow-rumped Warbler	<i>Setophaga coronata</i>	3	4
Cardinalidae	Northern Cardinal	<i>Cardinalis cardinalis</i>	1	1
Cardinalidae	Rose-breasted Grosbeak	<i>Pheucticus ludovicianus</i>	1	1
Fringillidae	American Goldfinch	<i>Spinus tristis</i>	3	2
Fringillidae	House Finch	<i>Haemorhous mexicanus</i>	3	2
Passerellidae	Song Sparrow	<i>Melospiza melodia</i>	3	1
Passerellidae	White-throated Sparrow	<i>Zonotrichia albicollis</i>	2	11
Passeridae	House Sparrow	<i>Passer domesticus</i>	2	4

Observations during surveys during fall migration detected 37 species at Mayor Baxter Woods. None of these species are unusual or listed as Endangered or Threatened by Maine Inland Fisheries and Wildlife Service (Appendix 1).

Discussion and Recommendations

Mayor Baxter Woods provides habitat for nesting birds and supports birds during fall migration. We did not observe species that are endangered or threatened in Maine. We did not conduct surveys during the spring or winter given the timeline for this project. Bird migration is seasonal and can be highly variable with large numbers of birds appearing one day and disappearing the next.

The absence of ground or near ground nesting bird species at Mayor Baxter Woods is striking but not surprising given the mixed recreational use of the park and the lack of understory vegetation. Indeed, the use of the property seems dominated by dog walkers (both on leash and off leash). Impacts to bird diversity and abundance due to disturbance by dog walking and is well documented (Mallord et al. 2007). Additionally, the urban park setting likely hosts other nest predators including raccoons, foxes, feral cats, and squirrels. Notably lacking were species of thrush (Veery, Hermit Thrush), Ovenbird, Song Sparrow, all of which are common in nearby forest patches but were not observed nesting at Baxter Woods.

Habitat enhancements to increase understory vegetation may increase bird use but should coincide with changed to other park regulations, such as clearly defining trails, allowing dogs only on leash, and providing information for public visitors that highlight the parcel as bird friendly and offer guidance to limit impacts to birds such as staying on trails and keeping dogs on a leash. Attracting birds through habitat modifications under the current recreational use plan may lead to birds attempting to nest but failing due to disturbance, or worse being predated.

In addition, as mentioned in the Management Plan, restoration of habitats should include native species and management of invasive species to offer higher quality bird habitat.

A review of e-bird data supports that compared to adjacent areas (Evergreen Cemetery and Capisic Pond trails) Baxter Woods is not routinely visited by birdwatchers. Evergreen Cemetery and Capisic Pond are well known birding hotspots with three birding hotspot location in ebird with 139 species and 181 checklists, 157 species and 525 checklists, and 197 species and 2355 checklist contributed by birdwatchers. Comparatively, birdwatchers have submitted 32 checklists that documented 32 species at Mayor Baxter Woods. Connecting these two nearby sites for birdwatchers may help increase the appreciation of this parcel by birdwatchers and the community more broadly.

References

Mallord, J. W., P. M Dolman, A. F. Brown, and W. J. Sutherland. (2007). Linking recreational disturbance to population size in a ground-nesting passerine. *Journal of Applied Ecology* 44:185-195.

Appendix 1

Maine Endangered and Threatened Bird Species

Maine's Endangered Bird Species

- American Pipit (*Anthus rubescens*) (breeding population only)
- Black-crowned Night Heron (*Nycticorax nycticorax*)
- Black Tern (*Chlidonias niger*)
- Golden Eagle (*Aquila chrysaetos*)
- Grasshopper Sparrow (*Ammodramus savannarum*)
- Least Bittern (*Ixobrychus exilis*)
- Least Tern (*Sterna antillarum*)
- Peregrine Falcon (*Falco peregrinus*) (breeding population only)
- Piping Plover (*Charadrius melodus*)
- Roseate Tern (*Sterna dougallii*)
- Sedge Wren (*Cistothorus platensis*)

Maine's Threatened Bird Species

- Artic Tern (*Sterna paradisaea*)
- Atlantic Puffin (*Fratercula arctica*)
- Barrow's Goldeneye (*Bucephala islandica*)
- Common Gallinule (*Gallinula chloropus*)
- Great Cormorant (*Phalacrocorax carbo*) (Breeding population only)
- Harlequin Duck (*Histrionicus histrionicus*)
- Razorbill (*Alca torda*)
- Short-eared Owl (*Asio flammeus*) (Breeding population only)
- Upland Sandpiper (*Bartramia longicauda*)

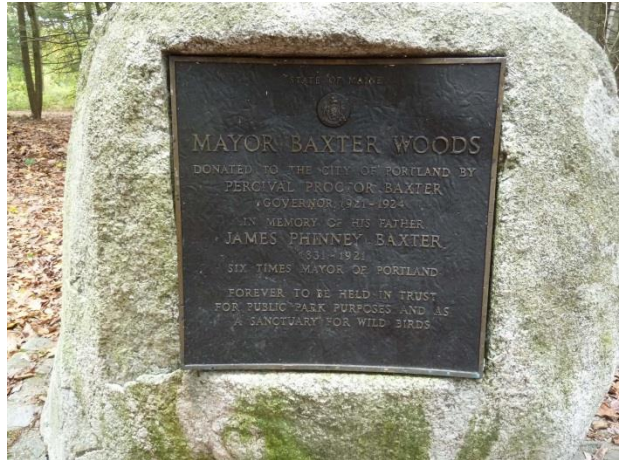
Forest and Wildlife Habitat Management Plan

for

Mayor Baxter Woods

Portland, Maine

Plan Date: May 18, 2018



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Introduction

Mayor Baxter Woods is a unique late successional forest located in the heart of the City of Portland that was donated to the City by Governor Percival Baxter in 1946 “...for the benefit of the people of Portland public recreational and educational purposes...” that “ shall forever be kept in its natural wild state and as a sanctuary for wild birds...”

At the request of the City of Portland Parks and Recreation Department, Forest Synthesis, LLC has prepared an ecological assessment and management plan based on the principles laid out in Governor Baxter’s deed. Key components of this project include assessment, mapping, of and recommendations for:

1. Natural ecosystems, including wildlife habitats based on forest type, age, structure, as well as non-forest habitats,
2. Other natural features, including wetlands, streams, vernal pools,
3. Forest health concerns, including invasive plants, insects, and disease,
4. Cultural features and human use, including historic features, trails, and a qualitative assessment of impacts associated with recreational use,
5. Protection, restoration and enhancement forest ecosystems and wildlife habitats, and
6. Ecological monitoring.

Management Goals and Objectives

Goals Based on Deed Restrictions

Based on Governor Baxter’s deed to the City¹, management goals for Mayor Baxter Woods (referred to hereafter in this report as MBW) include:

1. Use for public recreational and educational purposes, and
2. Keep the property in its natural and wild state and as a sanctuary for wild birds.

Restrictions associated with the deed that affect use and management include:

1. No streets for public conveyances and no cement walks, with only paths and trails for pedestrians,
2. Any trees that shall fall or that may become a menace to life may be removed, but no other trees therein shall be taken down;
3. Use solely by pedestrians; horses, automobiles and other motor vehicles are excluded, except those of the City used solely in caring for the woods.

Reconciling Current Uses and Deed Conflicts

In attempting to identify specific management actions that are compatible with the deed requirements, several issues have been identified.

- The deed requires that MBW be “used by said City in trust for the benefit of the people of Portland as a Municipal Forest and Park and for public recreation and educational purposes” and

¹ See Appendices for a summary of key deed restrictions

“shall forever be maintained for the sole use of pedestrians.” However, recreational uses conflict with the requirement that the forest be maintained as a “sanctuary for wild birds.” In particular, off-leash dogs are likely having a significant negative impact on ground-nesting and ground-feeding birds as well as those associated shrubs and small trees. A related concern is that the high density of trails and foot traffic adds to wildlife disturbance whether or not dogs are leashed. (see maps).

- Exotic (non-native) plant species identified as “invasive” by the Maine Natural Areas Program (MNAP) are altering the natural character in many places within MBW. The MNAP notes that because these plants can out-compete native species they are a direct threat to Maine’s natural and working landscapes. In addition, some exotic species not formally classified as “invasive” by MNAP are becoming well established in MBW. Because some of the invasive and exotic species are trees, the deed creates an internal conflict between the goal of maintaining the property in a “wild and natural state,” which implies that exotic species should be removed, and the restriction that trees that are a “menace to life may be removed, but no other trees therein shall be taken down.”
- Two species of exotic insect pests are found in the forest, notably elongate hemlock scale and hemlock wooly adelgid. Both insects kill hemlocks. While research into using predatory insects to control hemlock wooly adelgid shows some long-term promise, currently insecticides are the only effective control method to control with hemlock pest. Because of the widespread abundance of hemlock in MBW and in particular the dense hemlock midstory that characterizes much of the forest, maintaining all hemlocks may be impossible without repeated and widespread pesticide use. While tree mortality associated with native insects is a natural forest process, allowing widespread mortality of native tree from an exotic insect is not a “natural.....state” of the forest. Harvesting some of the midstory hemlocks threatened by these exotic insects would allow more light to reach the forest floor and encourage the establishment of other native tree seedlings. In the long run this would result in a more resilient forest of native species, but removing any hemlocks would conflict with the restriction on cutting of trees other than those that are hazardous.

Integrated Goals and Objectives

Clearly identified management goals and objectives are essential to guide management and to provide a framework for evaluating whether or not management outcomes are successful. The plan utilizes the following framework:

Goals: Broad generalizations about the future resource conditions that management is designed to culture. Goals are often long-term in nature and may also encompass values of interest to the landowner.

Objectives: Detailed descriptions, pertaining to a specific goal, of what the resource will look like or the management approaches necessary to achieve that goal. Objectives are often measureable and often are more short-term in nature than goals.

The goals and objectives below attempt to balance the internal conflicts within the deed by considering the long-term dynamics of the forest and its context within the surrounding cityscape. In addition, forest management goals that are not specifically mentioned in the deed but are considered to be a core

component of ecosystem management consistent with deed requirement that the forest be maintained “in a natural wild state and as a sanctuary for wild birds” are included.

1. Goal: Promote recreational uses that are consistent with maintaining the property in a wild and natural state and as sanctuary for wild birds

Objective:

- Reduce disturbance to forest birds from recreational use

Monitoring:

- Number and type of ground-nesting and understory birds using the forest

2. Goal: Maintain a natural ecosystem based on native plant and wildlife species and natural ecosystem processes

Objectives:

- Develop and implement a plan to control invasive plants and other non-native plants
- Develop and implement a plan to control non-native insects that currently or could in the foreseeable future threaten forest health (e.g. hemlock wooly adelgid, hemlock scale, browntail moth, winter moth)
- Allow late successional forest conditions, including large trees, canopy gaps, and understory regeneration, to develop naturally over time
- Maintain and enhance shrub and old-field habitat
- Restore degraded areas near property lines and along trails

Monitoring:

- Extent and density of invasive and other exotic plants
- Extent and density of non-native insects that threaten forest health
- Forest species composition, density, and tree size by major vegetation layer
- Extent and condition of shrub and old-field habitat
- Condition of restored areas

3. Goal: Protect soils and water quality

Objectives:

- Manage trails to minimize the area of soil compaction from pedestrians
- Minimize concentrated runoff from trails and associated impacts within MBW and lower in the watershed
- Ensure that ditches, culverts, and other components of the drainage system are designed to accommodate the increasingly intense rainfall events associated with climate change

Monitoring

- Condition of ground-layer vegetation adjacent to trails
- Condition and size of drainage structures relative to needs for large storm events
- Erosion and overflow within the drainage system

4. Protect City property from encroachment and inappropriate use

Objectives:

- Clearly mark all boundary lines with fencing or other means
- Restore areas where abutters are encroaching on City property
- Discourage unauthorized dumping of brush with appropriate signage

Monitoring:

- Condition of boundary lines
- Evidence of encroachment and unauthorized dumping

5. Goal: Promote educational uses consistent with the MBW deed

Objective:

- Develop educational programs and materials that emphasize the natural ecosystem and wildlife values of MBW

Monitoring:

- Number and type of educational programs and number of different audiences

Management Plan Summary

Table of Cover Types and Land Uses

The following table summarizes major cover types (forest/non-forest) and land uses. More detailed cover type information and descriptions are included in later sections of the report.

Cover Type/Land Use	Area (acres)
Deciduous forest	5.57
Coniferous forest	1.03
Mixed forest	22.98
Meadow/shrub	0.87
Shade tree/mown grass	1.47
Pond	0.22
Parking	0.10
Abutter encroachment	0.22
Total	32.46

Summary of Past management

Dates	Management Activity
1947-48	Individual risk tree removal to reduce per direction of Percival Baxter
49-50	Red pine planted with help of Deering High School students near Forest Avenue
1989-90	Some individual tree work (risk tree removal, etc.)
2004	Red pine thinning per direction of Maine Forest Service District Forester Dennis

Late 1990's to early 2000's	Brennan
2000-present	Removal of large Norway maple along Stevens Ave and near old home site
	Removal of Norway maple along Hartley Ave and control of Japanese barberry, multiflora rose, and Japanese knotweed.

Summary of Management Recommendations - 2016-2025

Following is a summary of activities included in the later sections of the report. Please refer to the Individual Stand Descriptions and Recommendations and other referenced sections for additional details on implementing the recommendations. Management recommendations included in this plan represents the opinion of Forest Synthesis based on the forest ecosystem assessment, restrictions spelled out in the MBW deed, and consultations with City and outside experts.

- Final decisions on which management actions to take and when to implement them will require further consideration by the City.
- Detailed plans for most of the recommended activities should be prepared before implementation, and the results of management should be monitored as needed.
- Recommendations below are prioritized. Priority 1 items are considered to be most important and should be undertaken first.

Stand or Area	Priority/Timing	Recommendations (This is a summary only - see applicable management plan sections for details.)	Management Plan Sections
All	1	Develop and implement a plan to control and monitor invasive plants as well as other aggressive non-native plants.	<i>Invasive Plants</i>
All	1	Develop and implement a plan to protect hemlock, red pine, and oaks from exotic insects and diseases that threaten these species in Maine. Highest short-term priority should be focused on mapping and protecting the old hemlock legacy trees in found throughout the forest.	<i>Insects and Disease; Stand Descriptions and Management Recommendations</i>
11, F4	1	Many properties on Hartley Street are encroaching onto City property. Where MBW abuts residential properties the City should clearly mark the boundary with fencing or multiple posts and signs and work with abutters to restore degraded city property to a natural condition. Signs should be placed at various points along other boundaries and access points.	<i>Boundary Lines</i>
All	1	Recreational uses, and in particular unleashed dogs, are likely having and adverse impact on ground-nesting and ground-feeding birds. Because the Baxter deed requires that the City maintain Baxter woods for recreational use and as a sanctuary for wild birds, the city should require that dogs be leashed. The city could consider closing some minor trails to create wider spaces between trails and thus minimize disturbance of wildlife.	<i>Recreational Use</i>
F1-F4	1	Develop and implement a site planting and maintenance plan that includes a) planting shrubs and wildflowers for wildlife food and cover as described in the <i>Stand Descriptions and Management Recommendations</i> for each area, and b) maintaining the wildlife habitat provided by these existing open/shrub areas by periodic	<i>Distribution of Habitat Types and Development Stages; Stand Descriptions and Management</i>

		brush mowing; cutting encroaching trees would also be beneficial but apparently is not allowed per deed restrictions.	<i>Recommendations</i>
All	1	The City should have a legal and policy review to decide under what circumstances trees may be cut in MBW.	<i>Reconciling Current Uses and Deed Conflicts</i>
All	1	Monitor the results of management actions and make corrective actions as needed. Annually monitor breeding birds, vernal pools, insects and diseases, invasive plants, condition of trails, boundary lines, and recreation use.	<i>Monitoring</i>
1	2	Thin the red pine plantation and allow natural regeneration to develop. The goal is to promote the best trees, develop understory wildlife habitat, and reduce risk from insect and disease.	<i>Stand Descriptions and Management Recommendations</i>
10	2	Remove all Norway maple and plant native species in conjunction with drainage improvements near Forest Avenue	<i>Stand Descriptions and Management Recommendations</i>
Trails	2	Review all trails and develop and implement a trail management and maintenance plan to minimize erosion, runoff and soil compaction, restore a more natural character, and restore historic landscaping.	<i>Trails</i>
All	2	Allow dead, dying trees, and downed trees and limbs to remain in place unless they represent a threat to trail users, and scatter downed limbs that fall on trails within the forest rather than chipping them.	<i>Wildlife Trees, Dead and Downed Wood, and Retention Patches</i>
1-10	2	The City has limited options to enhance habitat for birds and other wildlife due to the deed restrictions that do not allow tree cutting. In forest areas, allow late successional forest conditions, including large trees, canopy gaps, and understory regeneration, to develop naturally over time.	<i>Distribution of Habitat Types and Development Stages</i>
VP1, VP2	3	Consider enhancing the vernal pools to create more natural contours or a longer period when water is present, as described in the recommendations.	<i>Vernal Pools</i>
n/a	3	Compile historical and archaeological information from the Buttrick study and other sources to create a more complete and accurate history and maps of land use at MBW. These could be used for educational purposes and as a record for long-term management.	<i>Historical, Cultural, and Archaeological Sites</i>
5a	4	Removing some of the midstory hemlock in other parts of this stand would proactively reduce risk of hemlock loss while enhancing wildlife habitat by promoting understory and ground cover plant layers. However, this does not appear to be allowable under the deed restrictions.	<i>Distribution of Habitat Types and Development Stages ; Stand Descriptions and Management</i>

Maps



Notes:

Base map: Google Terrain

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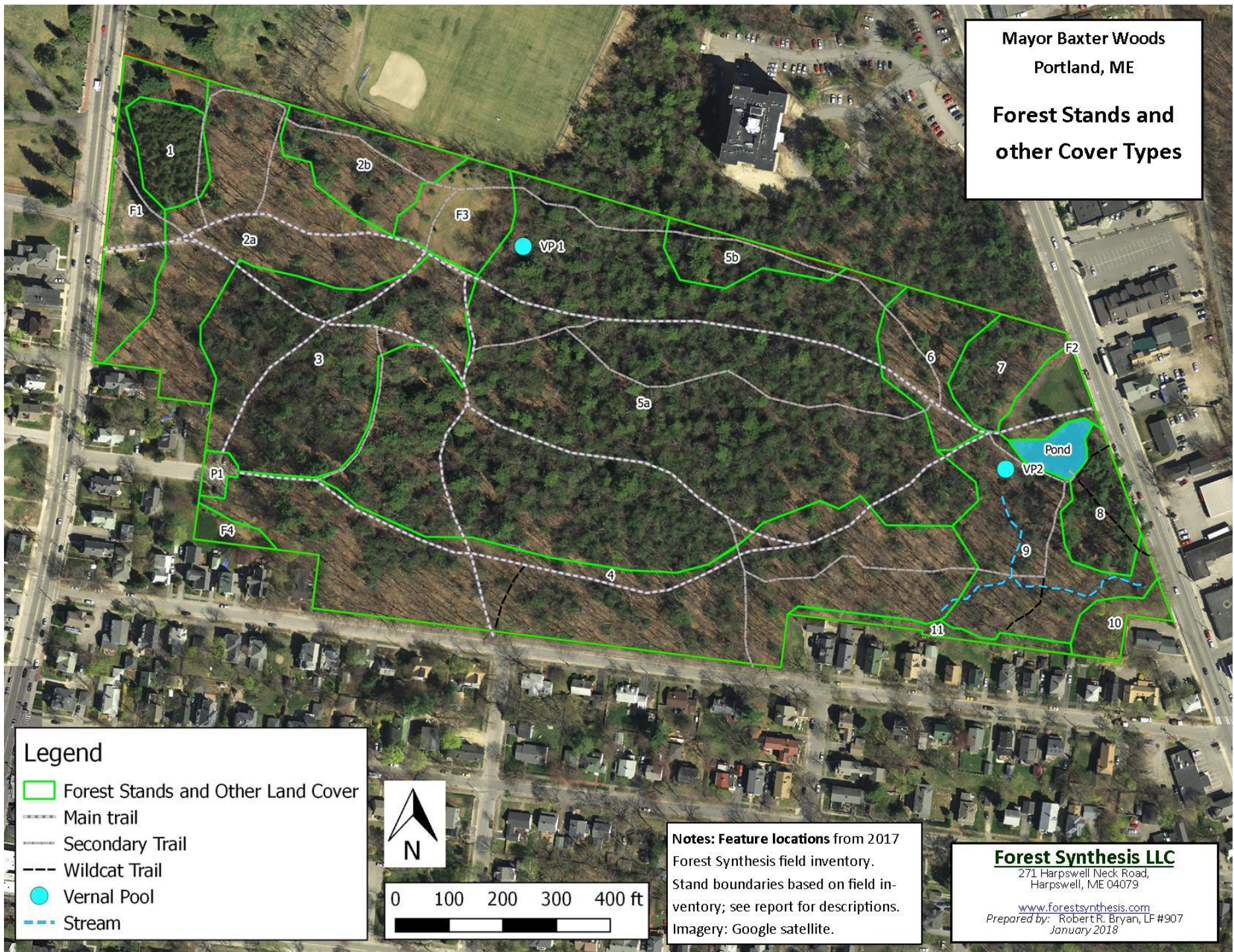
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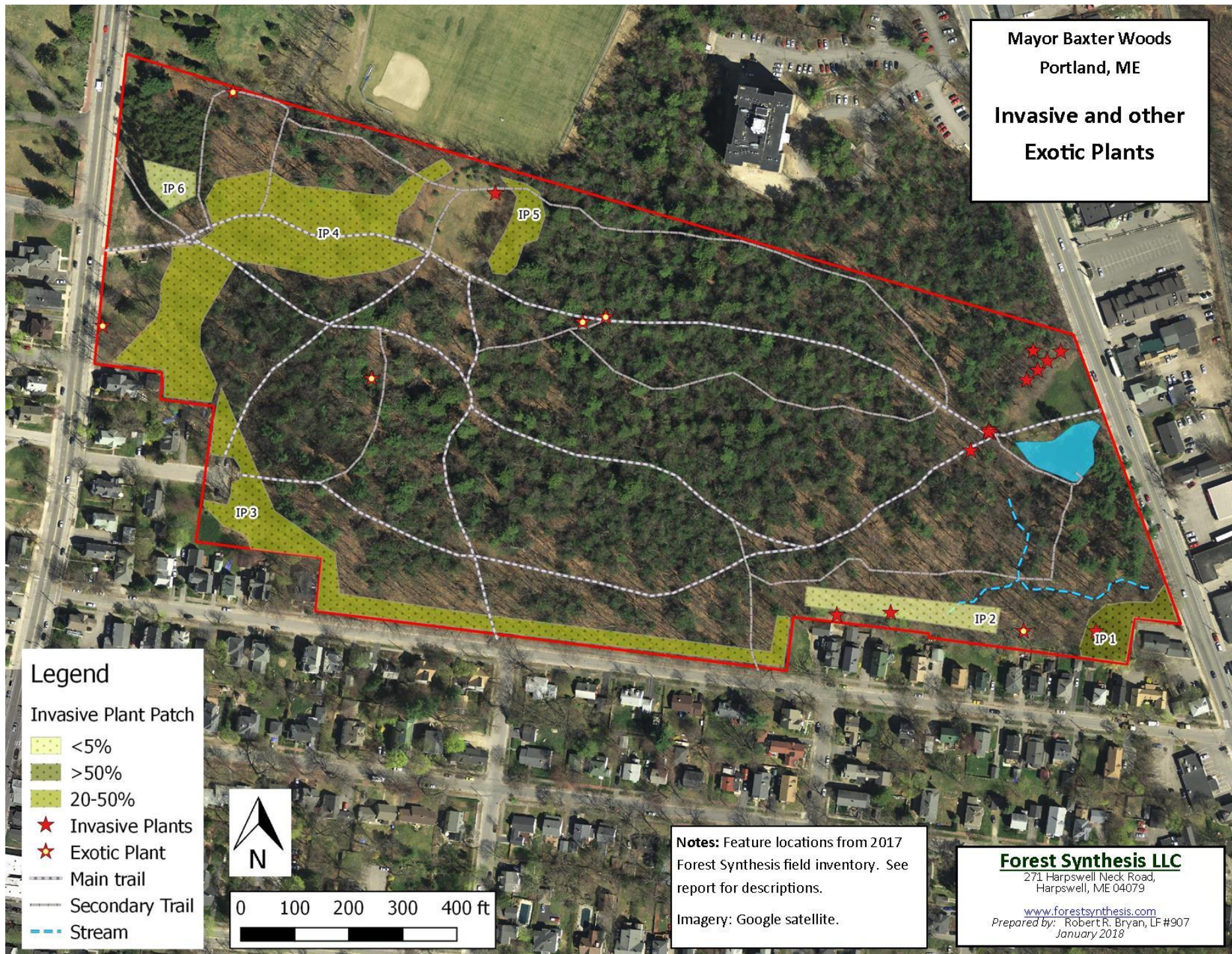
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January 2018

Mayor Baxter Woods
Portland, ME

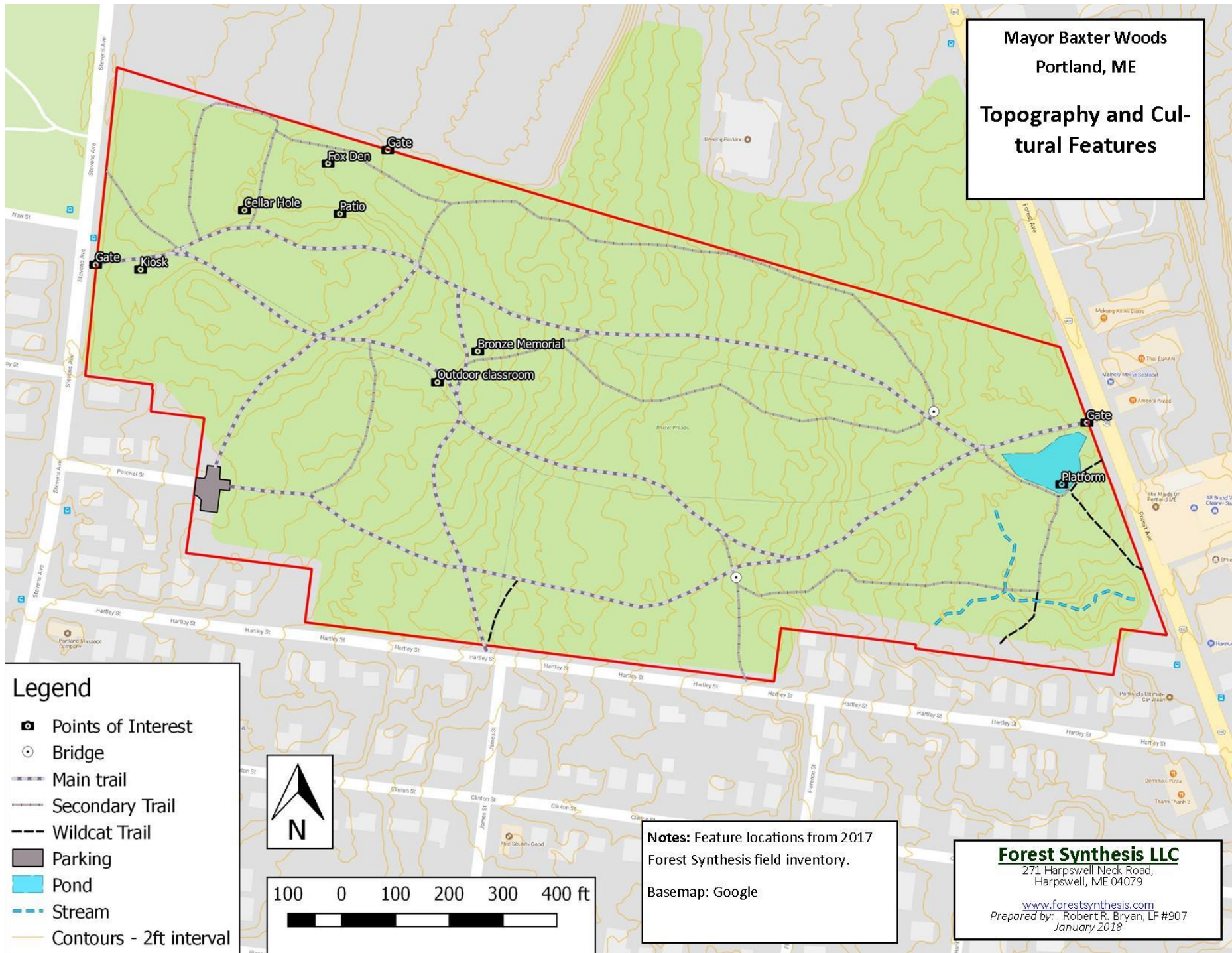
Forest Stands and other Cover Types

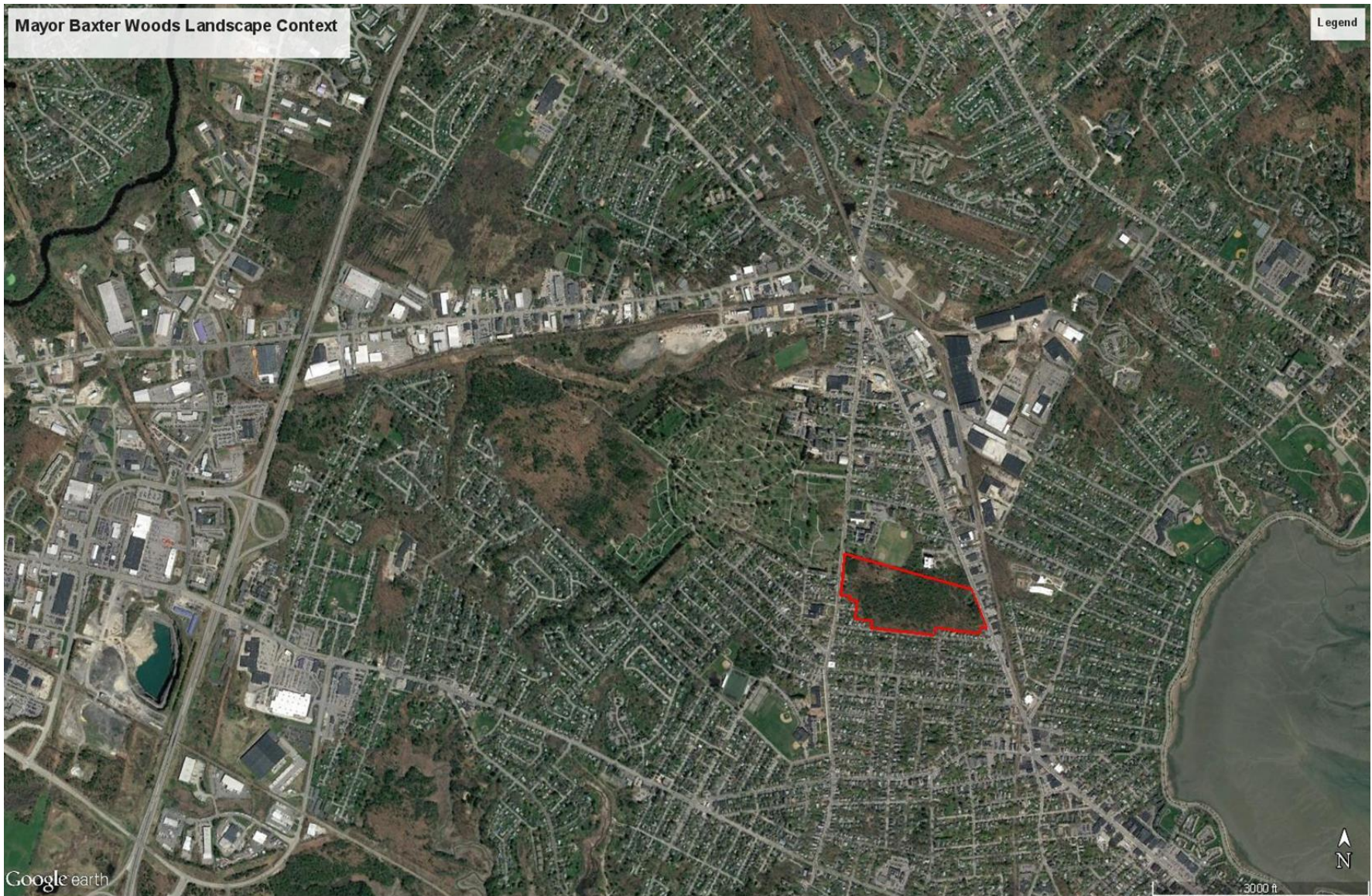


Mayor Baxter Woods
Portland, ME
Invasive and other
Exotic Plants



Mayor Baxter Woods
Portland, ME
Topography and Cul-
tural Features





Notes:

Imagery source: Google Earth

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January 2018

Property Description

General Forest Description

Mayor Baxter Woods is located between Forest Avenue and Stevens Avenue in the Deering section of Portland (see Locus Map). The property is predominantly forested and characterized by old stands of red oak, white oak, white pine, hemlock and other species. With dominant canopy trees 180-200 years in age and untouched in over 100 years of age, the average size and age of the trees is extremely rare. As an example of old oak-pine-hemlock forest Baxter Woods may be without par anywhere in Maine.

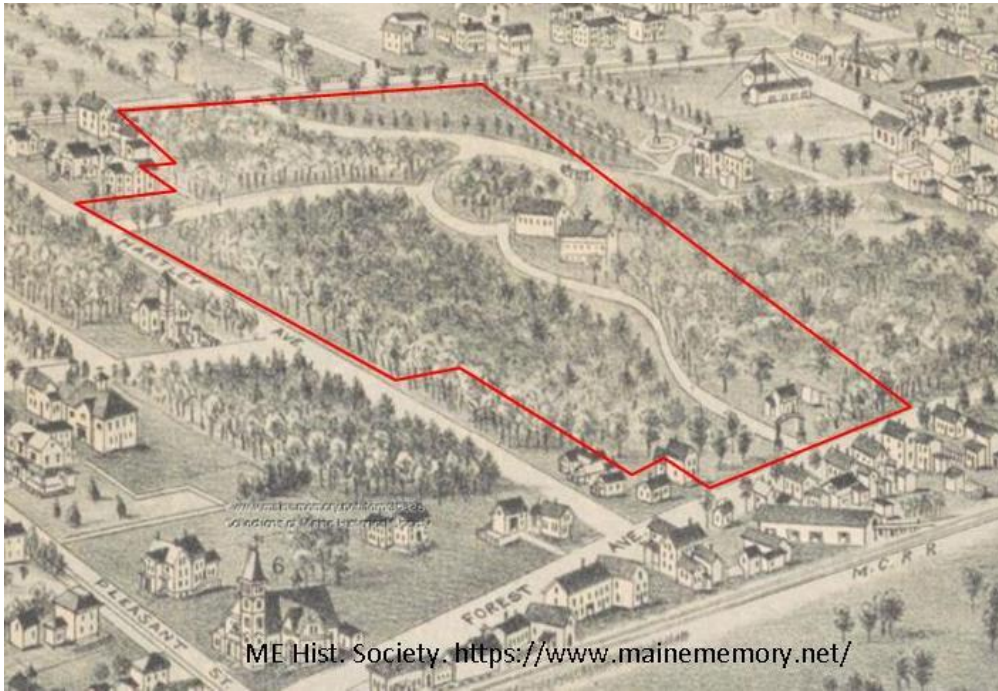
The terrain slopes gently in an easterly direction from Stevens Avenue to Forest Avenue. The soils originated as sandy outwash from glacial streams during the last ice age and range from excessively well-drained sands in the west to moderately well drained with a few somewhat poorly drained and poorly-drained pockets to the east. Intermittent seasonal water coursed and small streams drain to the east.

MBF is located in the Casco Bay watershed and drains to Back Cove, which is located short distance to the east.

Property History

Woodlands in this region were cleared for farming beginning in the late 1700's after the Revolution and into the 19th century, with abandonment of marginal farmland beginning in the latter half of the 19th century. Most of what we see as forest today in southern and central Maine was formerly farm field and pasture.

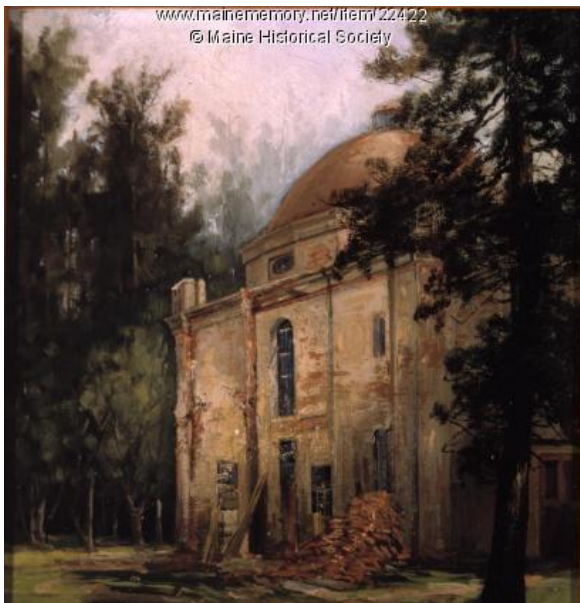
At MBW, smooth soil surfaces in the western third of the woods (Stand Map areas 1, 2a, 2b, 3, F1 and F3) and near Forest Avenue (areas 7, 8, 9 and F2) indicate that these areas were plowed at one time. Pit-and-mound soil topography is found on the remainder of the property. Pit-and-mound (or "pillow-and-cradle") topography develops over hundreds of years as forest trees tip over with age or wind and the root mass decays, leaving a mound where the root mass and uprooted soil were deposited and a shallow depression where the root mass once anchored the tree. Because pit-and-mound topography is smoothed out when former forest soils are plowed, its presence indicates that most of the central part of the property (Stand Map areas 4, 5a, 5b, and 6) was ever plowed, but it could have been partly cleared for pasture and or have been part of a farm woodlot. The presence of very old hemlock in the middle of the property is another sign that this area has always been wooded.



Baxter Woods was once part of the estate of F.O.J Smith, whose mansion “Forest Home” occupied the area near Stand F3 (see Stand Map)² from 1836 until the late 1800’s or early 1900’s. The mansion was surrounded by large trees at the time that Harrison Bird Brown painted the scene in 1880-1881³. While it is likely that Mr. Smith may have cut some trees for forest health and aesthetics, the size and apparent age of some of the overstory trees suggest that the forested areas were largely undisturbed during his tenure. This is confirmed by

1843 aerial map of Deering with current boundary of Mayor Baxter Woods outlined. “Forest Home” is located approximately where Stand Map area F3 is located today.

the 1886 Birds-eye View of Deering (Maine Historical Society, www.mainememory.net), which depicts mature forest in the eastern two-thirds of MBW (see image). The same map shows young forest and/or planted trees near Stevens Avenue, which confirms the likelihood that that the western third of the property was cleared and plowed at one time.



This painting of the Forest Home library c. 1839 also confirms that Baxter Woods had many mature trees at that time.

The same hands-off management continued after the estate was sold to James Phinney Baxter in 1878. The Stevens Avenue kiosk notes that oldest tree in Mayor Baxter Woods dates from 1807. One white oak stump observed in 2017 and estimated to have been cut about 5 years previously had approximately 185 annual rings (rough field count), suggesting the tree was established sometime around the 1830’s.

The red pine grove (Stand Map, area 1) was estimated to be planted in 1949 according to a resident who remembered both Baxter Pines and Baxter Woods planted with seedlings that involved Deering High School students and State of Maine plant stock. The stand was thinned in 2004 with advice from Dennis Brennon, the Maine Forest Service District Forester at the time.

² See the brochure *Welcome to Baxter Woods* for a more extensive ownership history beginning with F.O.J. Smith.

³ The estate was sold to James Phinney Baxter in 1878, so presumably the painting was commissioned by the former mayor Baxter as it is owned by the City.

Access

MBW has excellent access from Forest Avenue, Stevens Avenue, and Hartley Street for public recreation and for any management that might occur. The main trails provide a network of interior access. There is currently only one small fence opening on the north boundary, but a new gate is proposed for that area

Interaction with Surrounding Properties

Single family residential homes are located adjacent to the south and southwest. Multi-unit residential properties and playing fields are located to the north, commercial properties across Forest Avenue to the east and Evergreen Cemetery across Stevens Avenue to the west.

Legal Obligations

The principal legal obligations are the Baxter deed described in the introduction. Maine's laws applicable to timber harvesting and water quality protection, pesticide use, as well as municipal ordinances also apply. Because the City has an active urban forestry program and is familiar with legal requirements these will not be described in greater detail in this plan. Prior to any site disturbing activities, check with the City planning department, Maine Forest Service, and Maine DEP, or other applicable agencies (e.g. Maine Board of Pesticide Control) for the most recent applicable regulations.

Forest Ecosystem Planning and Management

The following sections describe ecological resources of importance and include recommendations to protect their values, Soil and Water Quality Protection, Management for Fish, Wildlife, and other Biodiversity, and Planning for Climate Change. Other management recommendations to achieve specific management objectives are included in later sections of this plan.

Soil and Water Quality Protection

Soils

Identification and Significance

Soils are critical to the long-term ecological health of the forest and a key factor in determining the species of trees and other plants that may be present. Most soils can be readily damaged by heavy equipment when soils are wet after rains and during the spring and fall mud seasons. Wetter sites may have very short windows for forest management activities and may be limited to either winter operations on frozen ground conditions or to dry periods at other times of the year.

A Natural Resource Conservation Service (NRCS) “Web Soil Survey” report for Baxter Woods was prepared for MBW (see Attachments). The field reconnaissance confirmed that NRCS mapping showing excessively well-drained sands in the west to moderately well drained with a few somewhat poorly drained fine sandy loams and poorly-drained pockets to the east. These soils are excellent for pine, oak and hemlock and are important factor in why these species are so prevalent today.

Trails

Current Conditions

The location of trails is shown several of the maps. Trails were classified into three major for the purposes of this plan:

Main trails: Gravel base, 10-15 foot width with culverts and ditching as needed, suitable for vehicular use.

Secondary trails: Footpaths 3-5 feet in width, natural soil base, not suitable for vehicular uses

Wildcat trails: Non-maintained trails established by customary pedestrian use

Some areas of slight surface erosion were noted on some the main trails, especially in Stand 4. The riprap ditch along the main trail in the eastern half of Stand 4 has been identified by the City as a possible area of improvement to restore a more natural character to the trail. Several of the main trail intersections have become very wide as result of walkers who cut the corner when going from one trail to the next.

Recommendations

Review all trails and develop and implement a trail management and maintenance plan with the following components:

- Ensure that the crown on main trails is sufficient to effectively and rapidly shed surface runoff;

- Minimize ditching by using changes in slope, ditch turnouts, and cross-drain culverts as needed to direct water into adjacent forest areas where it will infiltrate into the soil rather than be concentrated in an artificial drainage system;
- Replace and upgrade culverts as needed to ensure that they are capable of handling more intense rainfall occurring as a result of climate change (e.g., historically “50-100 year” storm events);
- Apply other applicable guidelines for roads and trail in **Best Management Practices for Forestry: Protecting Maine’s Water Quality** (“BMPs”; see *References* section) to protect soil and water quality;
- Use appropriate landscaping to minimize soil compaction and widening of the main trail junctions;
- Restore the historic stone work along the main trails;
- Manage secondary trails using the guidelines in the **Recreational Trail** section of the Appendices;
- Close most wildcat trails by placing brush and/or signage as needed;
- Refer to the *Recreation Use* section later in this report for recommendations related to trail management and related impacts on plant and wildlife habitat.



Lack of defined trail edges is leading to soil compaction and loss of vegetation at main trail junctions

Water Quality

- Always apply Maine’s **Best Management Practices** for water quality protection when disturbing soils or cutting trees.
- See *Aquatic Habitats and Riparian Zones* for other fish and wildlife habitat protection measures.

Management for Wildlife, Fish and Other Biodiversity

Introduction

This plan includes an assessment of current wildlife habitat conditions to use as a baseline against which to measure progress towards its long-term wildlife management goals. The habitat assessment methodology is based on and Maine Audubon's **Foresters for Maine Birds** (publication pending) and information on non-avian species from **Focus Species Forestry, a Guide to Integrating Timber and Biodiversity Management in Maine** (Bryan 2007). While both of these documents are geared towards landowners and managers with an interest in active forest management program, the assessment methodologies are well suited to MBW's goal to maintain the forest in a natural condition as a sanctuary for wild birds.

Forest Classification

The basic building block used for forest wildlife habitat assessments and management planning is the forest stand, which is an area that is generally similar in terms of vegetation cover type (species mix of dominant vegetation), age-class distribution, and site quality. Some stands may be very uniform in size and species composition (for example a stand of even-aged white pine) while others may be composed of patches of different species and ages (for example, an uneven-aged hemlock-hardwood forest). Stands may vary from a few acres to over 100 acres in size. For this property, aerial photography and field data were used to divide the forest into stands and to create the *Stand Map*.



Forest age, structure and type are key determinants of wildlife habitat. The young forest of shrubs and saplings above at Baxter Woods area F3 may be used by birds such as eastern towhee and chestnut-sided warbler, while older forest areas like this oak-hemlock forest type (Stand 5b) will attract birds such as Blackburnian warbler and black-throated blue warbler.

Forest Habitat Types

For habitat assessment purposes, common forest types found on the property have been grouped into Forest Habitat Associations, which generally share a common suite of wildlife species in any given region. The **Foresters for Maine Birds** habitat associations are described in the following table.

Forest Habitat Classification

Map Symbol	Forest Habitat Association <i>(comments in italics)</i>	Common Forest Types	Baxter Woods
NHW	Northern Hardwoods¹ <i>May include up to 25% softwoods</i>	Northern Hardwoods (beech-birch-maple and variants) Aspen-Birch (early successional variant)	No
NMW	Northern Mixedwoods² <i>Neither hardwoods nor softwoods exceed 75% of stocking</i>	Northern Hardwood/Hemlock Northern Hardwood/Spruce-Fir Hemlock (in patches) Aspen-Birch (early successional)	No
NSW	Northern Softwoods³ <i>May include up to 25% hardwoods</i>	Spruce-Fir Spruce-Hemlock White Pine-Mixed Conifer Northern White Cedar Aspen-Birch (early successional)	No
OP	Oak-Pine⁴ <i>May range from pure oak-dominated hardwoods to mixed hardwood and softwood stands</i>	Northern Red Oak Red Oak-Mixed Hardwoods Red Oak-White Pine-Red Maple White Pine Hemlock and Hemlock-Oak-Pine	Yes
MHW	Mixed Hardwoods	Oak-Northern Hardwoods Oak-Aspen-Birch	Yes

Habitat Age Class, Stand Structure Class, and Canopy Cover

Many wildlife species are closely linked to specific forest ages and structures, including tree size, canopy density, and vertical structure (i.e., canopy layering), and timber management options are also age and size related. Stands are classified in terms of general size and combinations of stand structure class (which is related to maturity) and canopy cover as described in the following tables. **Stand Structure Class** is an indication of ecological development, wildlife habitat condition, and commercial forestry potential. **Habitat Age Class** is used to summarize the stand structure classes into broad habitat conditions for assessment and planning.

Forest Habitat Age and Structure Classes			
Habitat Age Class	Stand Structure Class ¹		Description ²
Young	1	Regeneration	1-10 years old, <1" DBH ⁴
	2	Sapling	2-5" DBH, 10-30', <30% overstory ³ cover
Intermediate	3a	Intermediate - Single-aged (Poletimber)	Overstory 5-10" DBH, total canopy cover > 60-70% with midstory component <30%
	3b	Intermediate - Two-aged (Poletimber)	Overstory 5-10" DBH and <60% cover, development of midstory and understory variable depending on time since last harvest or other canopy disturbance
Older	4	Maturing (Small Sawtimber)	Overstory trees 10-16" DBH dominant, total canopy cover typically >60-70%
	5	Older Complex (Large Sawtimber)	Overstory trees >16" DBH dominant. Multiple canopy layers common with total canopy cover typically >60-70%

¹Equivalent forest product classes in parentheses.

²These are general descriptions; diameter and canopy cover may vary by species and site. Percent cover of any layer may be less than indicated if there has been recent harvesting (typically within 10-15 years)

³See Vegetation Layer table

⁴DBH: diameter at breast height (4.5 ft.)

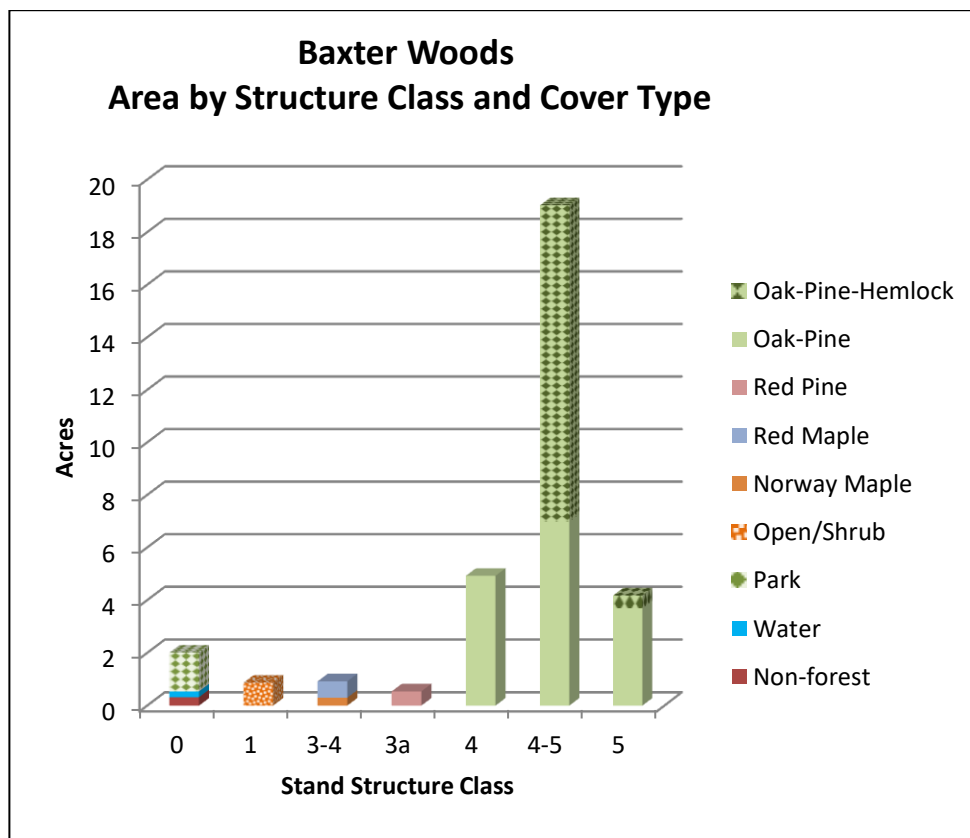
Vegetation Layer		Height (ft.)	Bird Habitat Notes
Canopy	Overstory	>30	Canopy heights of >50-60' are important for many mature forest species, including Black-throated Green Warbler and Blackburnian warbler.
	Midstory	6-30	Important nesting and foraging stratum for species like Canada Warbler that prefer dense midstory. Other species, such as Eastern Wood-Pewee, prefer a more open midstory.
Understory		1-6	Important feeding and nesting cover for mature-forest species such as Black-throated Blue Warbler and Veery.

Canopy Cover Classes

Cover Class	% Canopy Cover
A	>80
B	60-80
C	30-60
D	5-30
E	<5

Distribution of Habitat Types and Development Stages

The distribution of forest habitat type and associated development classes as well as other cover types on the property are summarized in the following chart.



Stand Class	Area (acres)	Percent
0	2.01	6.2%
1	0.87	2.7%
3-4	0.92	2.8%
3a	0.54	1.7%
4	4.92	15.2%
4-5	19.02	58.6%
5	4.18	12.9%
TOTAL	32.46	100.0%

Forest Canopy Layers					
Stand Number	Type	Stand Structure Class and % Cover			Acres
		Overstory	Midstory	Understory	
1	Red Pine	3a/B	0	1E	0.54
2a	Oak-Pine	5B	2-3D	1B	2.85
2b	Oak-Pine	4-5B	2C-	1-2C	0.92
3	Oak-Pine	3-5B	3C	1E	3.12
4	Oak-Pine	5A	2C	1D, C	5.47
5a	Oak-Pine-Hemlock	5B	2-3B	1D,C	12.04
5b	Oak-Pine-Hemlock	5C	2-3C	1D	0.49
6	Oak-Pine	4-5A	2-3C	1D	0.84
7	Red Maple	3-4A	2D	1C	0.62
8	Oak-Pine	4-5A	2C	1B	0.59
9	Oak-Pine	4-5B	2C	1C	1.80
10	Norway Maple	3-4A	2D	1C	0.30

11	Non-forest				0.22
F1	Park	2-4C	0	0	1.06
F2	Park	2D	0	0	0.41
F3	Open/Shrub	n/a	n/a	n/a	0.72
F4	Open/Shrub	n/a	n/a	n/a	0.15
Pond	Water	n/a	n/a	n/a	0.22
P1	Non-forest	n/a	n/a	n/a	0.10
					32.46

Current Conditions

The preceding chart and table show that older stands (Classes 4 and 5) account for over 81% of the forest area, and exceptionally large proportion for any forest in Maine. Nearly all stands have moderate to full canopy cover of mature trees. Midstory is generally moderate, and understory is moderate to low. Extensive area with limited to no understory can be easily observed while walking the trails, especially in the middle third of MBW. To a large extent this is caused by the very dense hemlock midstory in these stands, which limits the light available for forest regeneration. While attractive from a visual perspective, the lack of understory cover limits the habitat for species that nest and forage in the lower canopy layers. Old field, shrub, and young saplings, and important habitat type for some species, represent less than 3% of the area.

Recommendations

Specific to forest age and structure, the City has limited options to enhance habitat for birds and other wildlife due to the deed restrictions that do not allow tree cutting.

- In all stands except open/shrub areas, allow late successional forest conditions, including large trees, canopy gaps, and understory regeneration, to develop naturally over time. Tree mortality from wind events, ice storms, and native insects and diseases will result in canopy gaps that will allow establishment and development of the understory and ground cover plants and habitat for birds that use these areas. While a systematic plan should be developed and implemented to protect a significant portion of the oldest hemlocks from the exotic hemlock wooly adelgid (HWA) and outbreaks of hemlock scale (see *Insects and Disease* section later in this report), allowing these pests to go untreated in some patches will result in an increase the light reaching the forest floor in those areas and stimulate growth in the understory.

Rare, Threatened, and Endangered Species, Natural Communities, and Significant Wildlife Habitat

Information on known locations of rare, threatened and endangered species, Significant Wildlife Habitats, and rare or exemplary plant communities was provided by the Maine Natural Areas Program (MNAP). Beginning with Habitat (BWH) maps prepared by the Maine Department of Inland Fisheries and Wildlife (MDIFW) in cooperation with the Maine Natural Areas Program (MNAP) were also reviewed.

Current Conditions

The Beginning with Habitat maps and MNAP report do not show any high-value plant and wildlife habitats in or near Baxter Woods. The nearest mapped features are in Back Cove and on the Fore River.

- The Forest Synthesis field assessment did not identify any areas that would be classified as Significant Wildlife Habitats by MDIFW.
- A systematic survey for rare, threatened, or endangered plants and animals was not part of the Forest Synthesis assessment, but given the location and type of habitats present the presence of these species is highly unlikely.
- Forest stands 2, 3, 4, 5, and 6 have dominant canopy trees 180-200 years in age have not been harvested in well over 100 years. However, because Baxter Woods is less than 100 acres in size MNAP reports that none of the forest communities there qualify a “natural community of statewide significance.” Nonetheless, as an example of old-growth oak-pine-hemlock forest Baxter Woods may be without par anywhere in Maine.

Recommendations

- Management of the forest consistent with the MBW deed restrictions would also be consistent with the MNAP guidelines for natural communities and help protect its significance.

Vernal Pools

Identification and Ecological Significance

Vernal pools are small, fishless water bodies that provide breeding habitat for a unique group of amphibians and invertebrates, including (yellow) spotted and blue-spotted salamander, four-toed salamander, wood frog, and fairy shrimp. During most of the year, adult spotted salamanders and wood frogs are found in the nearby forest; spotted salamanders may be found up to several hundred feet from the pools and wood frogs are found up to a quarter mile or more from pools. Vernal pools are best identified in spring when breeding adults and/or eggs are present. By mid or late summer they are frequently dry. Typically, vernal pool species breed in small isolated pools and ponds, but other areas such as forested wetlands and stream floodplain channels are also often used. See ***Focus Species Forestry*** guidebook for more information. More detailed information may be found in **Forestry Habitat Management Guidelines for Vernal Pool Wildlife in Maine** (Calhoun and deMaynadier 2004).

Current Conditions

Two areas with some vernal pool characteristics were observed in MBW (see Stand Map). Informal observations were recorded during an April, 2016 field visit and again in October 2017.

- **VP1.** This is ephemeral pool formed by a small seep near the Forest Home site. A short stone wall at one end of the pool, its location adjacent to the Forest Home site, and the overall configuration suggest that some evidence that this pool may have been enhanced during the Smith estate period of the property to be part of the estate landscaping. The pool is currently 6-8" deep at spring high water and was dry when observed in October 2017. No spotted salamander or wood frog eggs were observed in April 2016 when eggs were found elsewhere in MBW.



Vernal Pool 1 was probably a landscape feature of the Forest Home Estate and could be enhanced by increasing its depth.

- **VP2.** VP2 is a small excavated pool in Stand 9, but with water over 12" in depth in April 2016. At that time 12 spotted salamander egg masses and 1 wood frog egg mass were observed in the pool. In October 2017 this pool was dry, but the number of egg masses observed suggests that the pool has a sufficiently long hydroperiod in some years to maintain small population of obligate vernal pool amphibians.
- **Pond.** In April 2016 both spotted salamander and wood frog egg masses were observed in the pond.

Recommendations

- VP1 could be enhanced to deepening the pool to a depth of 12"-16" to improve its potential value as vernal pool habitat. A short section of PVC pipe extending 2 ft. below the pool bottom could be installed to serve as a water table monitoring well. Water table depth data from this well could then be used to decide whether or not excavating the pool would be effective.
- VP2. This pool was clearly excavated and has steep sides and a small berm of excavated material around the edges. The pool could be visually enhanced by contouring the edges to create a more natural appearance.

Aquatic Habitats and Riparian Zones

Identification and Ecological Significance

Aquatic habitats at Baxter Woods include the pond near Forest Avenue and the ephemeral stream. Riparian areas are areas that are influenced by, and that influence, aquatic habitats. Species that benefit from aquatic habitats vary greatly with size, depth, vegetation, bottom structure, current, and other factors. Over 60 wildlife species in Maine are dependent on the adjacent riparian habitats for part of their life cycle, and many other species are frequently found in riparian habitats.



Pond. Despite its small size and urban location the pond attracts great blue herons, mallards, black ducks, amphibians, and many other species.

Ephemeral stream. A small, seasonally intermittent stream and tributary are located in the southeast corner of the property. The stream ends in a storm drain near Forest Avenue. Stream surveys were not part of assessment in this plan, but values presumably include habitat for some insects and other invertebrates, and as a source of naturally filtered water that drains into the Back Cove estuary.

Recommendations

- Maintain a border of native vegetation around the pond and landscaping as necessary to direct foot traffic to targeted areas where soil compaction and vegetation disturbance would be minimal.
- Maintain the forest adjacent to the stream in a natural condition. Keep the number of trail crossings to minimum. Where crossings cannot be avoided orient trail perpendicular to the stream. Avoid trails that closely parallel the stream (e.g., within 25 feet).

Wildlife Trees, Dead and Downed Wood, and Retention Patches

Identification and Ecological Significance

Wildlife trees include:

- **Snags:** Dead standing trees.
- **Cavity or den trees:** Live trees with nesting cavities or mammal dens.
- **Recruitment trees:** Large live trees that will be permanently retained (i.e., will never be harvested) and will eventually contribute to the snag, cavity tree, and downed woody material for wildlife and other biodiversity benefits. Typically these are large trees with significant decay or other cull defect, or beech with evidence of bear use

Downed Woody Material: Fallen tree trunks, branches and leaves.

Retention Patches: Areas of live vegetation roughly $\frac{1}{4}$ acre or more that are retained within larger harvest openings (e.g., >5 acres).

Wildlife trees and downed woody material are recognized for their value to vertebrate wildlife (e.g., woodpeckers, marten, wood ducks, and salamanders), insects, and fungi and for their role in the cycling of nutrients and organic matter in the forest. Standing dead wood and woody debris also provide nesting and hibernation habitat for native bee species. All sizes provide value, but large cavity trees (> 16 inches) are required by species such as barred owl and wood duck. The value of downed woody material also increases with size.

Retention patches are used when harvesting (for certain silvicultural or wildlife habitat management objectives) removes most of the overstory. In these cases retained patches of trees and other vegetation serve as a habitat “lifeboat” for species with low mobility (e.g., understory herbs, lichens, mosses and liverworts) whose habitat would be eliminated by even-aged management practices that clear most vegetation when regenerating the forest. Retention patches over one acre in size have the best temperature, humidity, and light conditions for retaining understory plants.



Decaying trees provide feeding and nesting habitat for woodpeckers. Excavated nest cavities in turn provide habitat for other species.

Observations

- Snags, cavity trees, and large and small woody material are moderately abundant in Baxter Woods.

Recommendations

- Allow dead, dying trees, and downed trees and limbs to remain in place unless they represent a threat to trail users.
- Scatter downed limbs that fall on trails within the forest rather than chipping them.

Forest Health

Invasive Plants

Identification and Ecological Significance

The Maine Natural Areas Program defines an invasive plant as “a plant that is not native to a particular ecosystem, whose introduction does or is likely to cause economic or environmental harm or harm to human health.” MANP describes invasive plants as “a direct threat to what we value about Maine's natural and working landscapes [and the] second-greatest threat to global biodiversity after loss of habitat. Invading plants out compete native species by hogging sunlight, nutrients, and space. They change animal habitat by eliminating native foods, altering cover, and destroying nesting opportunities” ([MNAP website, 2017](#)). A list of some of the most problematic invasive species commonly found in Maine forests is included in the Appendices.

Current Conditions

The location of invasive plants is shown on the Invasive and other Exotic Plants map. Norway maple (classified as “probably invasive” by the Maine Natural Areas Program) is the most abundant exotic species. It dominates one stand (Stand 1) and is exhibiting invasive behavior in many areas of the MBW. Other species observed in mixed patches or as scattered clumps include Asiatic bittersweet, bush honeysuckle, common buckthorn, Japanese barberry, Japanese knotweed, Bishop’s weed (also “probably invasive”). Linden is an exotic species that is not classified as invasive but it is becoming well established in the understory and mid-canopy in many places. Lemon balm, another exotic not “invasive,” was observed in a large patch in Stand 11. Lists of invasive plants are included in the Individual Stand Descriptions and Recommendations.



Bishop’s weed (goutweed) is an example of an invasive exotic plant that is preventing the growth of native species in Mayor Baxter Woods

Some invasive plant control has occurred. Larger Norway maples in the vicinity of Hartley street were cut to eliminate seed sources, but where small Norway maples were cut and not treated with chemicals aggressive re-sprouting has occurred.

Recommendations

- The City should develop a plan and implement a plan to control and monitor invasive plants and other aggressive non-native plants throughout the MBW.
- To prevent introduction of other invasive plants, equipment used in the forest should be pressure-washed before being used on site.
- If mulch is needed, only use weed-free mulch, such as straw or wood chips that do not have any invasive plant seeds.

General approaches. Early detection and control is the key to managing invasive species. Small vines and shrubs may be pulled by hand, but treatment with a safe herbicide is the most effective means of controlling larger plants or large areas. Treatment methods are summarized in the Appendices.

Mechanical Control. Cutting is not an effective control measure as invasive plants will re-sprout vigorously. With diligence both barberry and smaller honeysuckle plants may be effectively controlled by hand pulling. During the spring when soils are moist is generally the best time. Pull all plants that are not too large. An “Extratigator” or similar brush puller (e.g. “Weed Wrench”) may be used to pull larger plants. To limit the chance of re-sprouting, care should be taken to ensure that as much root material as possible is removed. Any plants that are too large for pulling should be marked with flagging and GPS for follow-up control with chemicals.

Chemical Control. Where hand pulling is not effective or feasible, herbicides are generally the only effective treatment option. When properly handled and applied the herbicides glyphosate and triclopyr have been shown to have very low risk for organisms other than plants and they have minimal soil movement and break down rapidly. Other chemicals may be more effective in certain situations. Treatment methods are localized (individual plants and/or cut plant stems) and designed to minimize the amount of chemical use and damage to non-target plants. These chemicals and methods are recommended by The Nature Conservancy and other conservation groups for management of natural areas.

Follow-up monitoring and control 2-3 years after the initial treatment is necessary, regardless of whether mechanical or chemical controls are used.

Herbicide use is regulated by the Maine Board of Pesticide Control and all legal requirements must be followed.

Insects and Diseases

Current Conditions

Elongate hemlock scale (*Fiorina externa*) is a serious exotic pest of eastern hemlock. It also can be found on fir, spruce and other conifers. EHS attacks the surface of the hemlock needle and sucks out the fluid. This process causes the needles to turn yellow and drop prematurely ([Maine Forest Service webpage](#))

accessed 2/8/18). EHS was observed on several plots during the field assessment and is the likely cause of hemlock mortality in Stand 5b.

Hemlock wooly adelgid is an invasive aphid-like insect that feeds on hemlocks that has devastated hemlock stands in southern New England and in the Appalachians. HWA has spread north through the Midcoast region of Maine and is causing hemlock decline and mortality throughout this region. In northern New England decline can be slow, and cold winters tend to kill many of the insects. No evidence of hemlock decline caused by HWA – typically a thin, pale-green crown – was observed at MBW during the field reconnaissance, but it has been observed by City Forester Jeff Trarling.

Red pine in Maine is threatened by several pests and diseases, including the exotic red pine scale, and *Siroccocus* shoot blight, which is devastating red pine plantations in Maine. There is no evidence that the MBW red pine plantation (Stand 1) is affected yet, but this stand as well as the mature red pine scattered throughout Baxter Woods are at risk.

Beech-bark disease, which results from the combined action of exotic insect and an exotic fungus, has devastated American beech stands throughout its range. Beech bark disease was observed at MBW, but the trees are very healthy compared with most areas in Maine. There is no known control for beech bark disease. Dead and dying trees can be removed, but because beech regenerates through root, suckers and mature trees are often connected by root systems, it is impossible to eliminate or slow the disease by cutting.

Browntail moth, winter moth, and gypsy moth are exotic insects are serious threats to oak forests, and will also affect some other tree species. None have been observed at MBW to date, but browntail moth and winter moth are common in the Casco Bay region. Personal observations are that the oldest trees are most at risk during winter moth outbreak. Browntail moth seems to result in less tree mortality, but the toxic hairs shed by the developing caterpillars cause significant rashes on most people.

Recommendations

Hemlock Wooly Adelgid and Elongate Hemlock Scale

- Develop a comprehensive plan to monitor and control hemlock wooly adelgid and elongate hemlock scale.
- Consult with the Maine Forest Service and other experts as needed. Management references are included on the [Maine Forest Service HWA web page](#), and Forest Synthesis can provide contacts at the Nature Conservancy, which has an active program and recommendations to control HWA in key ecological areas.
- Chemical pesticides are generally the only consistent method to control HWA and EHS. However, the Maine Forest Service and US Forest Service are experimenting with biological controls, and the City should ask MFS if they would use Baxter Woods as an experimental site.
- Even if biological controls are used, the city should map and protect individual, old hemlocks with chemical methods. Ground injections of systemic pesticides (e.g., imidacloprid) can provide long lasting control of individual trees (up to 10 years), and studies have shown there is no evidence of chemical movement beyond the treated tree.

Red Pine Pests and Diseases

- To reduce the risk of major loss of red pine from red pine scale, *Sirrococcus*, and other diseases, monitor for these threats and manage the red pine plantation to allow a mixed stand of red pine and other native trees and shrubs to develop over time. See Stand 1 recommendations for details.

Browntail Moth, Winter moth, and Gypsy Moth

- Develop a contingency control plan for browntail moth, winter moth, and gypsy moth and monitor the forest on a regular basis for the presence of these exotic insect pests.

Planning for Climate Change

Researchers have estimated that Maine's average temperatures will increase at least by 3.5° F by 2100 if climate-warming emissions are significantly reduced and by as much as 12.5° F if emissions are not reduced. By 2100, the optimum climate for spruce and fir is predicted to shift to north of the Canadian border, while the optimum climate for northern hardwoods such as sugar maple and yellow birch is predicted to retreat to the western mountains and northwestern highlands of Maine. The northern limit of optimum climate for oak, which is now best adapted to southwestern Maine, is predicted to shift north to the Canadian border. Trees that are outside of their optimum climate are likely to become stressed, with potential for increased rates of health decline and mortality due to insects and diseases. Disturbances, including harvests and other management actions, can be used to facilitate the response of vegetation types to climate change.

Examples of species that are tolerant of warmer temperatures include white pine, red oak, and red maple. The general recommendations below have been developed by the author for consideration when developing plans for forest management.

Recommendations

- Landowners and managers can help mitigate climate change by sequestering carbon in soils, the forest floor, and in the canopy. Forest soil carbon loss can be minimized by avoiding clearcutting and other practices that heat the forest floor and increase decay and oxidization of organic matter. Managing for older and larger trees will store more carbon on the stump. Some studies have shown that carbon is also sequestered in long-lived forest products after trees are harvested.
- Consider planting species that are currently at the northern limit of their range and that can tolerate warmer temperatures.
- Increase culvert sizes over those included in BMP guides and otherwise modify water management and stream crossing practices to accommodate increases in storm severity



Cool-climate species such as sugar maple and yellow birch (shown here) as well as red spruce and other species may decline as the climate warms. Red oak, white pine, and red maple are well adapted to a warming climate.

Other Management Considerations

Historical, Cultural, and Archaeological Sites

Mayor Baxter Woods is well known as the site of the “Forest Home” estate of Francis Ormond Smith. Evidence of the estate remains in the form of cut granite blocks and landscape alteration near the small field in the northwestern part of property (Stand Map, areas 2B and F3). Archaeological studies in 2014 by Norm Buttrick and students from Catherine McCauley High School identified evidence of the estate.

Recommendations

- Compile information from the Buttrick study and other sources to create a more complete and accurate history and maps of land use at MBW. These could be used for educational purposes and as a record for long-term management.
- Consult with Maine Office of Historic Preservation about possible location of other historical and archeological sites.

Societal Considerations

Public forest management should include opportunities for members of the public to ask questions about and provide comments on draft plans before they are finalized.

Boundary Lines

Clearly marked boundaries are necessary to prevent timber trespass and other damage to property, including both protection from abutters and to ensure that you do not encroach on the lands of others. Boundary lines are delineated by roads, stone walls, and shorelines.

Current Conditions

- Boundaries formed by Forest Avenue, Hartley Street, and Stevens Avenue are clear.
- A chain link fence marks the north boundary.
- The boundary north of residences on Hartley Street (vicinity of Stand Map, area 11) has a few survey pins, but is not marked between the widespread pins. Most residential properties on Hartley Street have encroached onto City property (Stand Map, areas 11 and F4). Examples of encroachment include fencing, paved driveways, lawns, and gardens and brush dumping.
- Cedar post and rail fencing marks most of the boundary behind residences on Steven’s Avenue. However, sheds and equipment from two abutting properties at the south edge Stand 2a encroach several feet onto City property where there is no fence.

Recommendations

- Where MBW abuts residential properties on Hartley Street and Stevens avenue the City should clearly mark the boundary with fencing or other means (e.g., multiple posts and signs) and work with abutters to restore degraded city property to a natural condition. City Forester Jeff Tarling that surveyors will be working on this line in 2018.
- Signs should be placed at various points along other boundaries and access points



Example of unmarked property line and encroachment behind residences on Hartley Street.

Recreational Use

Current Conditions

- Walking, bike riding, and dog walking are common recreational activities in MBW. See maps for trail locations.

Recommendations

- As noted elsewhere in this report, recreational uses and in particular unleashed dogs are likely having an adverse impact on ground-nesting and ground-feeding birds. Because the Baxter deed requires that the City maintain Baxter woods for recreational use and as a sanctuary for wild birds, the city should require that dogs be leashed.
- The city could consider closing some minor trails to create wider spaces between trails and thus minimize disturbance of wildlife.

Forest Fire Protection

The property does not present any unusual vulnerability to fire compared with other wooded properties in the region. Forest fire risk is generally low due to Maine's climate. In the unlikely event that fire did occur, the current trail network provides good access to the interior of the forest for fighting fires.

Monitoring

Periodic monitoring is important to identify trend and issues that may develop and to help provide information for future management decisions. Many monitoring activities could be conducted by qualified volunteers. Recommended monitoring activities are included below.

Vernal Pools. Annually monitor depth, hydroperiod, and use by vernal pool species and other wildlife in April-May. See *The Maine Municipal Guide to Mapping and Conserving Vernal Pools* (Morgan and Calhoun 2012).

Breeding birds. Annually coordinate a post-migration breeding bird survey with Maine Audubon volunteers (June). Divide the forest into four to six monitoring blocks and identify singing males in each block. Compile data by species and the canopy layer where they are known to nest (see *Forestry for Maine Birds*). Ideally compare results with Evergreen Woods. Bird data from the spring migration period (May) would also be of interest.

Insects and Diseases. Monitor hemlock wooly adelgid, elongate hemlocks scale and other insects (see *Insect and Disease* section of this report). Contact the MFS District Forester or the MFS Division of Forest Health Monitoring (207-287-2431) if any concerns arise.

Invasive Plants. Monitor results if invasive plant controls and periodically check for new occurrences. Take appropriate action if any are found. See *Invasive Plants* section and Appendices for more information.

Condition of roads and trails. Check roads and trails for blocked ditches, culverts, and erosion problems.

Boundary lines. Periodically inspect boundary lines to be sure evidence is clearly visible and to check for unwanted encroachment from abutting properties.

Recreation use. Use trail cameras or other monitoring methods for fixed periods of time to quantify and describe recreation use and evaluate the potential impact of unleashed dogs on wildlife.

References and Resources

Literature Cited

Bryan, R.R. 2007. **Focus Species Forestry: A Guide to Integrating Timber and Biodiversity Management in Maine.** Maine Audubon, Falmouth, ME. Download: <http://www.forestsynthesis.com/resources.html>.

Maine Audubon. 2017. **Forestry for Maine Birds.** Maine Audubon, Falmouth, ME

Maine Department of Conservation. **Best Management Practices for Forestry: Protecting Maine's Water Quality.** Maine Forest Service, Augusta, ME. 1-800-367-0223.

Morgan, D.E., and A.J.K. Calhoun. 2012. **The Maine Municipal Guide to Mapping and Conserving Vernal Pools.** University of Maine, Sustainability Solutions Initiative, Orono, ME.

Mayor Baxter Woods Resources

2014 Archaeological Survey. <https://dcna.me/forest-home-of-francis-oj-smith/> (accessed 1/2/2018)

Appendices

Mayor Baxter Woods Deed Restrictions

As quoted in the City's **Welcome to Mayor Baxter Woods** brochure, restrictions in the 1946 deed from Governor Percival P. Baxter to the City include:

"...the above described premises with all the privileges and appurtenances thereto to said City of Portland as trustee as foresaid and its successors in trust and the same shall not be conveyed or encumbered by said City but shall be held forever for the benefit of the people of said Portland subject to the following terms, restriction, reservations and conditions:

- 1. shall forever be retained and used by said City in trust for the benefit of the people of Portland as a Municipal Forest and Park for public recreational and educational purposes the same forever to be known as "MAYOR BAXTER WOODS";*
- 2. shall forever be kept in its natural wild state and as a sanctuary for wild birds, with no streets for public conveyances and no cement walks therein and with only paths and trails for pedestrians, and any trees that shall fall or that may become a menace to life may be removed, but no other trees therein shall be taken down;*
- 3. shall forever be maintained for the sole use of pedestrians; and horses, automobiles and all motor vehicles, except those of the City used solely in caring for said woods, shall forever be excluded therefrom;*
- 4. that the heavy ornamental gates now in possession of said City shall be erected by said City either at the Forest Avenue or Stevens Avenue entrance within one year of the date of this deed;*
- 5. that said City shall erect within one (1) year after the date of this deed and shall forever maintain on the land hereby conveyed a suitable bronze marker the said marker to recite the conditions of this gift, the same to be attached to a granite boulder located on said land and provided by said City."*

Assessment Methods

Aerial photography, published maps, and field reconnaissance were used to map the extent of wetlands and the location of streams. Field map data were collected on a hand-held Global Positioning System (GPS) receiver. Base map information was prepared on a Geographic Information System (GIS) using data from the Maine Office of GIS and the field data.

The on-site visit occurred on March 26, 2016. Observations recorded in each forest stand included species composition, canopy closure, understory density, average tree size classes and quality, tree health, forest regeneration, soils and site conditions. There was no systematic timber inventory. Field data collected provides a basis for management recommendations and satisfies the requirements of the Tree Growth Tax Law.

Each stand has a number of the Forest Stand and Cover Type Map. To avoid repetitive text, where appropriate stands that are similar in character have been grouped in the descriptive tables below.

Individual Stand Descriptions and Recommendations

The following descriptions are based on an analysis of aerial imagery and the field assessment undertaken during October-December 2017. After discussions with the City it was agreed that quantitative, statistically valid forest inventory was not needed to gather the information needed to describe baseline conditions and develop recommendations designed to meet the City's objectives.

Notes on the stand descriptions and recommendations:

- **Wildlife Habitat Values.** Wildlife values are primarily based on the forest type and structure. The small size of the forest and setting in a developed landscape will limit habitat potential for many species, as will the high density of trails and number of unleashed dogs. These issues are discussed elsewhere in the report and are generally not addressed in the individual stand tables below.
- **Management recommendations.** Management recommendations in the stand tables below are generally limited to vegetation management options. Other recommendations, such as those for trails and strategies for multi-stand issues such as control of exotic insects, are addressed elsewhere in the report.

Stand 1			Map Unit	Acres
			1	0.54
CURRENT CONDITIONS				
Cover Type	Red (Norway) Pine	Overall Structure Class & % Cover		3B
Principle canopy species:	Red Pine	Overstory Class & % Cover		3a/B
		Midstory Class and % Cover		0
		Understory Class & % Cover		0
Stand description, age and history:	This stand was planted in 1949 and has a single canopy layer 6-10" in DBH (diameter at breast height, or 4.5 ft.) and 30-50 ft. in height. The southern and western sides were thinned in 2004 and have a layer of lowbush blueberry, asters, and grasses as well as seedlings and sprouts of red oak and black cherry. Seedlings near the edges have been mown periodically. The smooth soil surface topography in this and nearby stands suggest that the western third Baxter Woods was a field at one point in time.			
Wildlife Habitat Values	Wildlife habitat is essentially limited to the overstory canopy layer provides wildlife cover and feed (seed from cone crops) for species that tolerate high levels of human activity.			
Stand stocking:	The area that was thinned is well stocked but is nearing the time when another thinning would promote continued growth. The unthinned area is overstocked with trees of small crowns, which severely limits growth potential. Thinning the entire stand would promote the most vigorous trees as well as allowing native species to develop in the under understory, thereby improving			
Soils, Slopes, Site Quality, and Growth Rate	Soils are nearly level and well drained with good site quality. Growth rates estimated to be average.			
Forest Health	No forest health issues were noted, but the exotic red pine scale insect and <i>Siroccocus</i> shoot blight are devastating red pine plantations in Maine and this stand is at risk.			
Invasive and Exotic Plants	Bittersweet and Norway maple, <5% cover			
Cultural Features	This is a planted stand. A trail passes through the east side of the stand and along the west edge.			
Management Objectives and Recommendations				
Desired Future Condition	Older, mixed species pine-oak forest with multiple canopy layers			
Management Recommendations	Thin the stand to approximately 60% canopy closure to promote regeneration of native trees, which will be aided by jays, squirrels, and other wildlife moving seeds from nearby stands. This will improve wildlife habitat and promote transition to a more natural species mix while reducing impacts should red pine scale or <i>Sirroccus</i> become established.			

	- Control invasive plants. - In approximately 10 year the stand should be thinned again to less than 50% canopy cover of red pine. - Stand edges should not be mowed.
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Stand 2a		Map Unit	Acres
		2a	2.85
CURRENT CONDITIONS		Structure Class and % Cover	
Cover Type	Red Oak		5B
Overstory	Red oak (80%), white oak		5B
Midstory	Red oak, black cherry, hemlock, red maple, linden		2-3D
Understory:	Black cherry, red maple.		70%
Stand description, age and history:	Overstory of mature red oak 16-30" DBH and 60-80' in height overtops a low-density midstory of hardwood saplings and small poles with a minor hemlock component. The smooth soil surface topography in this and nearby stands suggests that the western third Baxter Woods was a field at one point in time.		
Wildlife Habitat Values	The overstory and midstory provide good nesting and bird foraging habitat and acorns are a valuable food for many species, but species characteristic of larger forest blocks are unlikely to nest here. Large snag and/or canopy trees and downed logs were observed.		
Stand stocking:	Well stocked with large trees.		
Soils, Slopes, Site Quality, and Growth Rate	Soils are gently sloping and well drained with good site quality. Growth rates estimated to be average to above average.		
Forest Health	No issues were noted		
Invasive and Exotic Plants	Norway maple, Asiatic bittersweet common buckthorn, and bush honeysuckle, 20-50% cover in patches, found throughout most of the stand.		
Cultural Features	A large rectangular pit reminiscent of a cellar hole but with no evidence of a foundation is located north of the main carriage trail. Sheds and equipment from tow abutting properties at the south edge of this stand encroach several feet onto City property where there is no fence.		
Management Objectives and Recommendations			
Desired Future Condition	Older, mixed species deciduous forest with multiple canopy layers		
Management Recommendations	- Control invasive plants - Refer to general recommendations for trails - Research history of "cellar hole" (see cultural features) - No other active management recommended at this time.		

Stand 2b		Map Unit	Acres
		2b	0.92
CURRENT CONDITIONS			Structure Class and % Cover
Cover Type	Red Oak –White Pine		5B
Overstory	Red oak & white oak (80%), plus white pine and red pine		4-5B
Midstory	Red oak, black cherry, red maple		2C-
Understory:	Black cherry, alternate-leaved viburnum.		1-2C
Stand description, age and history:	Mature hardwoods with a mixed conifer component. The overstory ranges from 12-24" DBH and 50-70' in height. Ground cover species noted include lowbush blueberry, black cherry seedlings, and asters. The smooth soil surface topography in this and nearby stands suggests that the western third		

	Baxter Woods was a field at one point in time.
Wildlife Habitat Values	In addition to species favoring mature hardwoods, pine warblers may nest in this stand, but species characteristic of larger forest blocks are unlikely to nest here.
Stand stocking:	Well stocked with mature trees
Soils, Slopes, Site Quality, and Growth Rate	Soils are gently sloping and well drained with good site quality. Growth rates estimated to be average to above average.
Forest Health	No issues were noted
Invasive and Exotic Plants	Norway maple, Asiatic bittersweet common buckthorn, and bush honeysuckle, 20-50% cover in patches, found throughout most of the stand.
Cultural Features	A level feature reminiscent of a landscape patio bordered by large cut stones is located in the southeast corner of this stand north of the carriage trail.
Management Objectives and Recommendations	
Desired Future Condition	Older, mixed species pine-oak forest with multiple canopy layers
Management Recommendations	- Control invasive plants - Refer to general recommendations for trails - Research and decide on management of the “patio” area described above - No other active management recommended at this time.

Stand 3		Map Unit	Acres
		3	3.12
CURRENT CONDITIONS			Structure Class and % Cover
Cover Type	White Oak-Red Oak-White Pine		4B
Overstory	White oak, red oak, white pine, plus lesser amounts of hemlock and white ash		3-5B
Midstory	Hemlock, red maple		3C
Understory:	Hemlock, red maple		<5%
Stand description, age and history:	Mature hardwoods with a mixed conifer component. The largest oaks range from 20-40” DBH, with other species in the 12-20” diameter range. Ground cover species noted include lowbush blueberry, black cherry seedlings, and asters. The smooth soil surface topography in this and nearby stands suggests that the western third Baxter Woods was a field at one point in time.		
Wildlife Habitat Values	In addition to species favoring mature hardwoods, pine warblers may nest in this stand, but species characteristic of larger forest blocks are unlikely to nest here.		
Stand stocking:	Well stocked with mature trees.		
Soils, Slopes, Site Quality, and Growth	Soils are gently sloping and well drained with good site quality. Growth rates estimated to be average to above average.		
Forest Health	No issues noted. Hemlock wooly adelgid may be present but it was not observed in the understory.		
Invasive and Exotic Plants	Norway maple, Asiatic bittersweet common buckthorn, and bush honeysuckle, 20-50% cover in patches, found throughout most of the stand.		
Cultural Features	None noted except trails		
Management Objectives and Recommendations			
Desired Future Condition	Older, mixed species forest with multiple canopy layers		
Management Recommendations	- Refer to general recommendations for trails - No other active management recommended at this time		

Stand 4		Map Unit	Acres
		4	5.47
CURRENT CONDITIONS			Structure Class and % Cover
Cover Type	Red Oak		4-5A
Overstory	Red oak, plus minor component of beech, white oak, white ash, sugar maple, yellow birch and hemlock		5A
Midstory	Hemlock, beech, red maple, red oak		2C
Understory:	Beech, witch hazel, black cherry, balsam fir		5-70%
Stand description, age and history:	This is primarily a hardwood stand with hemlock in small patches. Structure is multi-aged but a mature canopy is dominant, ranging from 12-30" DBH and 60-80' in height.		
Wildlife Habitat Values	This stand provides habitat values of mature deciduous mixed forest, but species characteristic of larger forest blocks are unlikely to nest here. Scattered snags and cavity trees 12-18" observed.		
Stand stocking:	This stand is well stocked with mature trees.		
Soils, Slopes, Site Quality, and Growth	Soils are gently sloping and well drained with good site quality. Growth rates estimated to be average to above average.		
Forest Health	No issues were noted		
Invasive and Exotic Plants	Norway maple, Asiatic bittersweet common buckthorn, and bush honeysuckle, 20-50% cover in patches, found throughout most of the stand.		
Cultural Features	Carriage trail and footpaths		
Management Objectives and Recommendations			
Desired Future Condition	Older, mixed species forest with multiple canopy layers		
Management Recommendations	- Control invasive plants - Refer to general recommendations for trails - No other active management recommended at this time.		

Stand 5a		Map Unit	Acres
		5a	12.04
CURRENT CONDITIONS			Structure Class and % Cover
Cover Type	Red Oak-White Pine-Hemlock		4-5A
Overstory	White oak, red oak, white pine; associated include hemlock, red pine, red maple, white ash, beech, and yellow birch		5B
Midstory	Hemlock, plus lesser amounts of red maple, white ash and yellow birch		2-3B
Understory:	Hemlock		0-30% (average <10%)
Stand description, age and history:	This is a distinctly two-aged stand with a mature hardwood-dominated canopy 16-30" DBH and 60-80' in height over an intermediate conifer layer dominated by hemlock. The presence of scattered large, old (probably over 150 years) hemlock in the overstory suggests that this area may never have been completely cleared. In contrast to the stands nearer to Stevens Avenue, the hummocky soil surface topography indicates that this area was never plowed.		
Wildlife Habitat Values	This stand provides habitat values of mature mixed hardwood-conifer forest, but has a minimal understory and ground cover layers favored by some species, and species characteristic of larger		

	forest blocks are unlikely to nest here.
Stand stocking:	Well stocked with mature trees.
Soils, Slopes, Site Quality, and Growth	Soils are gently sloping, moderately well drained on the west to somewhat-poorly drained in lower-lying drainages and seeps downslope to the east. Growth rates estimated to be average.
Forest Health	Hemlock scale was observed on two plots; hemlock wooly adelgid (HWA) may be present in small amounts but was not observed. Due to the large amount of hemlock in this stand complete control of HWA may not be feasible and cultural practices to promote species diversity should be considered. No other issues were noted.
Invasive and Exotic Plants	A patch dominated by bittersweet is located near the west end of the stand adjacent. Linden, an exotic not technically classified as “invasive” is becoming established in the understory (see map).
Cultural Features	A shallow seasonal pool that appears to have been a landscape feature of the Forest Home estate is located near the western end of this stand (see map VP1). Carriage trails and footpaths cross the stand in a generally east-west direction.
Management Objectives and Recommendations	
Desired Future Condition	Older, mixed species forest with multiple canopy layers
Management Recommendations	- Control invasive plants - Consider excavating the seasonal pool (VP1) to a high-water depth of 18-28” to enhance habitat values for amphibians - Closing the two footpaths within the stand interior would reduce disturbance to wildlife. - Refer to general recommendations for trails - Removing some of the midstory hemlock in other parts of the stand would proactively reduce risk of hemlock loss while enhancing wildlife habitat by promoting understory and ground cover plant layers. However, this does not appear to be allowable under the deed restrictions.

Stand 5b		Map Unit	Acres
		5b	0.49
CURRENT CONDITIONS		Structure Class and % Cover	
Cover Type	Hemlock		5B
Overstory	Hemlock, plus white pine, red oak, and yellow birch		5C
Midstory	Hemlock, red oak		2-3C
Understory:	Hemlock beech		20%
Stand description, age and history:	This is a legacy patch of very old (probably over 150 years) hemlock and other species. There is no evidence of cutting.		
Wildlife Habitat Values	This stand is an inclusion within the larger Stand 5a. Refer to that stand description for details		
Stand stocking:	Moderate density due to some loss of overstory hemlock.		
Soils, Slopes, Site Quality, and Growth Rate	Soils are gently sloping, moderately well drained on the west to somewhat-poorly drained in lower-lying drainages and seeps downslope to the east. Growth rates estimated to be average.		
Forest Health	Several large hemlocks have died within the past 10 years, possible from hemlock scale.		
Invasive and Exotic Plants	None noted		
Cultural Features	Footpath		
Management Objectives and Recommendations			
Desired Future	Older, mixed species forest with multiple canopy layers		

Condition	
Management Recommendations	- Control elongate hemlock scale and hemlock wooly adelgid (see <i>Insect and Disease</i> section) - Refer to general recommendations for trails

Stand 6		Map Unit	Acres
		6	0.84
CURRENT CONDITIONS		Structure Class and % Cover	
Cover Type	Red Oak – White Pine		4-5A
Overstory	Red oak, white pine, plus beech and red pine		4-5A
Midstory	Hemlock, beech; associates include red maple and yellow birch		2-3C
Understory:	Hemlock, beech		<30%
Stand description, age and history:	Mature hardwood-conifer mix with a dense, mature overstory 12-24" DBH and 60-80' in height over a moderate density understory and midstory. This stand is very similar to Stand 4 and has a lower hemlock component than Stand 5. An old fire scar was observed on a white pine stump.		
Wildlife Habitat Values	Typical of a mature oak-pine forest, but species characteristic of larger forest blocks are unlikely to live here.		
Stand stocking:	Well stocked with mature trees.		
Soils, Slopes, Site Quality, and Growth	Soils are gently sloping and moderately well drained with apparently average growth rates.		
Forest Health	Hemlock scale and beech-bark disease (<i>Nectria</i> canker) observed		
Invasive and Exotic Plants	None observed		
Cultural Features	Footpath and carriage trail		
Management Objectives and Recommendations			
Desired Future Condition	Older, mixed species oak-pine forest with multiple canopy layers		
Management Recommendations	- Refer to general recommendations for trails - No other management activities recommended at this time		

Stand 7		Map Unit	Acres
		7	0.62
CURRENT CONDITIONS			Structure Class and % Cover
Cover Type	Red Maple		3-4A
Overstory	Red maple, plus minor component of red oak and white ash		3-4A
Midstory	Red oak, hemlock, red maple		2D
Understory:	Winterberry, arrow-wood viburnum, balsam fir, hemlock, yellow birch, white pine		+/- 50%
Stand description, age and history:	This is younger, even-aged stand that developed on what was likely an old field. The overstory is 8-12" DBH and 50-70' in height. The smooth soil surface topography in this area was likely a field at one point in time.		
Wildlife Habitat Values	The dense understory provides cover not generally found elsewhere in Baxter Woods.		
Stand stocking:	Well stocked with intermediate-sized trees.		
Soils, Slopes, Site Quality, and Growth	Mostly level, somewhat poorly drained with poorly drained patches. Growth rates estimated to be average to below average where wet.		

Forest Health	No issues were noted
Invasive and Exotic Plants	Japanese knotweed, barberry, burning bush
Cultural Features	None observed
Management Objectives and Recommendations	
Desired Future Condition	Older, mixed species pine-oak forest with multiple canopy layers
Management Recommendations	- Control invasive plants - Allow this stand to develop - no other management activities recommended at this time.

Stand 8		Map Unit	Acres
		8	0.59
CURRENT CONDITIONS			Structure Class and % Cover
Cover Type	White Pine – Red Oak – Red Maple		4-5A
Overstory	White pine (60%), plus red oak, white oak, and red pine		4-5A
Midstory	Red oak, white oak, yellow birch , beech, white ash		2C
Understory:	Red oak, balsam fir, maple-leaved viburnum, hazelnut, huckleberry, lowbush blueberry		60-70%
Stand description, age and history:	The overstory is 12-24” DBH and 60-80’ in height. This essentially an even-aged stand but with a developing understory. The smooth soil surface topography in this was likely a field at one point in time.		
Wildlife Habitat Values	This stand buffers one side of the pond and has better understory habitat that is more robust than in most other parts of the forest. General habitat values are characteristic of older forests but species characteristic of larger forest blocks are unlikely to nest here. Large (>18”) and mid-sized snags and/or cavity trees were observed here.		
Stand stocking:	Well stocked with mature trees.		
Soils, Slopes, Site Quality, and Growth Rate	Soils are gently sloping and appear to be moderately well drained. Growth rates are estimated to be average.		
Forest Health	No issues were noted.		
Invasive and Exotic Plants	A single Japanese barberry plant was observed.		
Cultural Features	Two short “wildcat” trails (unauthorized footpaths) lead from the pond area to Forest Avenue		
Management Objectives and Recommendations			
Desired Future Condition	Older, mixed species pine-oak forest with multiple canopy layers		
Management Recommendations	- Control invasive plants - Consider blocking the wildcat trails - No other management activities recommended at this time.		

Stand 9		Map Unit	Acres
		9	1.8
CURRENT CONDITIONS			Structure Class and % Cover
Cover Type	Red Maple-Red Oak		4-5B
Overstory	Red maple, red oak, white ash, beech		4-5B

Midstory	White ash, yellow birch, hemlock, red maple	2C
Understory:	Balsam fir, beech, hemlock, yellow birch, winterberry	+/- 40%
Stand description, age and history:	This is maturing hardwood stand in a low-lying area with stream channels. The overstory is 10-18" DBH and 60-80' in height over a low-density midstory with trees 2-4" DBH.	
Wildlife Habitat Values	A moderately dense understory in the north half of the stand provides good wildlife cover. Several snags and downed trees were observed. A small excavate pool (VP2) was observed in this stand. Twelve spotted salamander egg masses and one wood frog egg mass were observed here in April 2016.	
Stand stocking:	Well stocked with mixed hardwoods	
Soils, Slopes, Site Quality, and Growth	Soils are nearly level with steeper slopes immediately adjacent to the lower section of the stream. Soils vary from moderately well drained to somewhat poorly drained in lower lying areas. Growth appears to be average for the site.	
Forest Health	No issues were noted.	
Invasive and Exotic Plants	One Japanese barberry was observed near the carriage trail.	
Cultural Features	Footpaths and storm drain	
Management Objectives and Recommendations		
Desired Future Condition	Older, mixed species forest with multiple canopy layers	
Management Recommendations	• Control invasive plants • No other management activities recommended at this time.	

Stand 10		Map Unit	Acres
		10	0.3
CURRENT CONDITIONS			Structure Class and % Cover
Cover Type	Norway Maple		3-4A
Overstory	Norway maple (75%), white ash (25%)		3-4A
Midstory	Red oak, hemlock, red maple		2D
Understory:	Winterberry, balsam fir, hemlock, yellow birch, arrow-wood viburnum		+/- 50%
Stand description, age and history:	This intermediate-aged stand has developed on a site that was a field at one point in time. The dominant Norway maple overstory 1-16” DBH and 60-80’ in height developed from seed sources in nearby residential areas.		
Wildlife Habitat Values	A moderately dense provides good wildlife cover in parts of the stand, but other areas are very open. There snags or cavity trees and little downed wood.		
Stand stocking:	Well stocked		
Soils, Slopes, Site Quality, and Growth	Soils are moderately well drained to somewhat poorly drained and slope toward the stream and storm drain near Forest Avenue. Overall site quality and growth rates are good.		
Forest Health	No insect or disease issues were noted.		
Invasive and Exotic Plants	Norway maple dominates the stand. One burning bush plant was also observed.		
Cultural Features	None		
Management Objectives and Recommendations			
Desired Future Condition	Restored forest dominated by native species		

Management Recommendations	Remove all Norway maple and plant native species in conjunction with drainage improvements near Forest Avenue
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Area 11. Encroachment Zone 0.22 acres

Description

This narrow strip along the property boundary north of Hartley Street has been encroached upon by the back yards of residences in that area. Small lawns, gardens, and furniture are found on the Baxter Woods property in this area. A slackline has been attached two trees on city property in the woods behind one of the homes. Brush dumping is also evident. Invasive plants include bush honeysuckle, Japanese barberry, Bishop's weed, and Lemon balm.

Recommendations.

- Clearly establish the property line with a fence or other permanent markers with signage.
- Restore the area to more natural conditions by removing all landscaping features, controlling invasive plants, and planting native trees and shrubs.

Area F1 Stevens Avenue Entrance - 1.06 acres

Description

This area is being managed like a typical city park with scattered trees and mown grass. Overstory trees 10-18" DBH and 60-60 ft. in height cover approximately 15% of the area; species included linden, Norway spruce, sugar maple, and white pine . A patch of recently planted sugar maple 2-3" DBH and 10-20 ft. in height accounts another 15%. Shrubs and understory trees are absent. Wildlife use would be primarily limited canopy species tolerant of edges and human activity. This area provides a transition from the urban environment to the natural forest that characterizes most of Baxter Woods.

Recommendations

- Plant patches of native shrubs with wildlife food and cover value away from the areas of greatest human activity.
- After the City has adopted an action plan for the forest the kiosk could be updated with additional information on the unique ecological values of Baxter Woods and goals for management.

Area F2 Forest Avenue Entrance - 0.41 acres

Description

This area is being managed like a typical city park with scattered planted trees (larch, paper birch, tupelo) and a large white pine and red maple. The entire area between and under the trees is mowed. Wildlife use would be primarily limited canopy species tolerant open-scattered trees and human activity. This area provides a transition from the urban environment to the natural forest that characterizes most of Baxter Woods.

Recommendations

- Plant a border of native shrubs with wildlife food and cover value along the north edge of the mown area and along the pond edge, leaving one or two openings for vistas and pond access.

Area F3 North Meadow 0.72 acres

Description

This area has a diversity of open/edge habitat, including mown grass, old field edges with grasses, goldenrods, raspberries, staghorn sumac, and apple that is unique in Baxter Woods. Invasive plants include common buckthorn along the west edge and bittersweet on the east.

Recommendations

- Control invasive plants.
- Develop a site planting and mowing plan to include:
 - a) Increasing the area in old field habitat by allowing encroachment into the frequently mown area, or purposefully planting patches to native wildflowers that will benefit butterflies and other insect pollinators.
 - b) Planting patches of natives shrubs that provide wildlife food and cover.
 - c) Maintaining the habitat type by mowing old field areas on a 3-5-year cycle so that both old field and shrub patches will always be present, and cut trees that are encroaching on this area if allowed by deed.

F4 Lawn and Shrub - 0.15 acres

Description

Residences near the West end of Hartley Street are encroaching onto City property. The MBW south boundary is unmarked and encroachment appears to extends 20 ft. to 50 ft. past the property line, including includes mown lawn, raised-bed garden, and leaf dumping. The remaining area includes a mix of goldenrods, asters, raspberries and planted white pine and white spruce saplings. Invasive plants include Norway maple and Japanese knotweed.

Recommendations

- Control invasive plants.
- Fence or otherwise clearly mark the entire boundary line and work with abutters to maintain the area in a natural condition. Maintaining a mix of shrubs and old-field herbaceous plants would provide habitat conditions that are under-represented on the MBW.

Maine Audubon Priority Forest Birds

Species, Region ¹ and Habitat Age Class	Preferred Stand Condition	Habitat Preference 1: Preferred; 2: Utilized; 0: Not used			
		Oak Pine	Northern Hardwood	Northern Mixedwoods	Northern Softwoods
Young Forest					
American Woodcock	Young forest and shrub patches with clearings for singing grounds and roosting	2	2	2	0
Chestnut-sided Warbler	Young forest patches typically 5-15 years old	0	1	2	0
Mourning Warbler (N/C)	Young forest with dense understory 2-10 years after harvest	2	1	2	2
Magnolia Warbler	Young of multi-aged forest with dense young conifers	0	0	1	1
Intermediate & Older Forests					
Black-throated Blue Warbler	Intermediate and older forests with dense understory and saplings, large forest blocks	2	1	1	0
Yellow-bellied Sapsucker	Intermediate and older forests with snags or decaying trees and shade-intolerant tree species	2	1	2	0
Eastern Wood-Pewee	Intermediate or older forest with gaps	2	2	2	0
Black-throated Green Warbler	Intermediate to older forest with hemlock or other conifers, large forest blocks	0	0	2	1
Older Forests					
Bay-breasted Warbler	Older – multi story	0	0	2	1
Blackburnian Warbler	Older conifer and mixed interior forest	2	0	1	1
Northern Parula	Older conifer or mixed moist forests, large patches	0	2	2	1
Scarlet Tanager	Older forest with oak, large forest blocks	1	1	2	
Ovenbird	Older forest, large forest blocks	1	1	1	2
Wood Thrush	Older forest, larger forest blocks	1	1	2	
Young to Older Forests					
Veery	Riparian forest and other moist forests with dense understory	2	1	2	2
Black-backed Woodpecker (N)	Variable aged forests with abundant dead/dying conifers	0	0	0	1
Boreal Chickadee	Variable aged forests with cavity or decaying trees	0	0	0	1
Canada Warbler	Variable aged, moist forests with dense understory; riparian areas, swamps	0	2	1	2
Northern Flicker	Variable forest ages, snags or decay trees >12" preferred for nesting	1	1	2	2
Olive-sided Flycatcher	Variable, peatlands, riparian areas, young forest, and gaps with snags	0	0	0	1

¹ Region: N – North, C – Central, S – South. No letter indicates statewide occurrence

Source: **Forestry for Maine Birds: A Forester's Guide.** Maine Audubon, Falmouth, ME. Publication pending 2016

Maine Audubon Priority Species known to breed at HRF or nearby:

Source: noted by J. Witham 2016

Breeding Birds

American Woodcock – breed here on a couple of occasions

Chestnut-sided Warbler – was one male around for a couple of years post-harvest, gaps just not big enough for them

Black-throated Blue Warbler – present in most years, most prevalent when red maple stump sprouts were at their peak

Eastern Wood-Pewee – increased following harvest, numbers down now

Black-throated Green Warbler – most common breeder with Ovenbird

Blackburnian Warbler – third most common

Northern Parula – one or two males every year

Scarlet Tanager – consistent breeder in low numbers

Ovenbird - most common breeder with BTG

Veery – numbers have dwindled to 0-1

Canada Warbler – one male for many years in red maple swamp

Northern Flicker – always around, few observations every year, never found a nest

Migration only

Magnolia Warbler

Yellow-bellied Sapsucker

Olive-sided Flycatcher

Mourning Warbler

Other species never observed at HRF

Harvest Guidelines for Retaining Wildlife Trees and Woody Biomass

General Guidelines for all Managed Stands

Dead Snags	- All dead snags should be considered for retention. - Under conditions where hand crews are operating, snags that represent a hazard should be felled at the logging contractor's discretion as needed to comply with safety guidelines. - Felled snags should be left in place.
Live Cavity Trees and Recruitment Trees	- The general guideline is: Four trees per acre >12" dbh, including one >18" dbh. - Select cavity trees first, if present, and then use recruitment trees to meet the guideline as needed. Retain a mix of species characteristic of the stand. - All live cavity trees with evidence of advanced decay and signs of use by wildlife should be considered for retention. However, cavity trees (<12" dbh) may be removed from the stand for silvicultural purposes unless there are not enough larger trees to meet the objective. - Trees suitable for consideration as recruitment trees include live pulpwood-quality trees of large diameter (>14" dbh) with evidence of interior defect and decay. Yellow birch and aspen with broken tops and maples with dead limbs in the lower crown are good candidates for consideration. Larger is better. - When possible, avoid timber harvesting from April through mid July to avoid disrupting nesting birds and denning animals.
Downed and Dead Woody Debris	- Avoid damaging existing downed woody material during harvesting, especially large (12"+) logs and stumps. - Attempt to leave large (>12 inch dbh and > 6 feet long) cull logs on site. Culls bucked out at the landing should be hauled back in the woods. - If whole-tree harvesting, retain and scatter tops, limbs and smaller trees from 20% of the trees harvested.

Retention of Live Trees in Even-aged Regeneration Harvests

Harvest block <10 ac.	- Leave the amount specified in the <i>General Guidelines for All Managed Stands</i> - Additional overstory retention may not be needed if adjacent stands are in long-term uneven-aged management. - Retain understory vegetation on ≥20% of the area.
Harvest block >10 ac.	- Leave the amount specified in the <i>General Guidelines for All Managed Stands</i>. - Leave representative uncut overstory in patches on ≥5% of the area. Larger patches (≥1 ac.) are preferred to protect forest understory vegetation. Identify retention patches prior to initial shelterwood cuts. - Retain understory vegetation on ≥20% of the area.

Notes:

- Diameter targets for standing trees and downed logs will vary with forest type and site.
- Where trees of sufficient diameter to meeting the targets are not present, retain the largest trees present and attempt to achieve a similar basal area in retained trees.
- Not all stands can meet targets for numbers of wildlife trees at all times, and small scale variability (e.g., on any given acre) may be significant. Therefore, it may be appropriate to attempt to meet targets across several stands.
- Avoid or minimize biomass harvests in riparian zones, rare plant and wildlife habitats, and on low productivity sites and other sensitive areas. Avoid repeated biomass harvests on the same site.
- CAUTION! Dead and decaying trees are very dangerous, and loggers may need to fell them to comply with safety policies. If so, they should be left on the ground to provide habitat.**

Source: Developed by Maine Audubon (May 2008) based on *Biodiversity in the Forests of Maine* (C.A. Elliott, ed., U. Maine Coop. Extension 1999), other wildlife tree recommendations from multiple northeastern wildlife authors and researchers, and *Biomass Harvesting Guidelines for Forestlands, Brushlands, and Open Lands* (Minnesota Forest Resources Council, December 2007). The 20% understory retention guidelines for even-aged harvest is not included in the above but is recommended by Maine Audubon to help ensure that understory plant species and structure will become a significant part of the future stand.

Recreational Trail Planning Considerations

Well used recreation trails have the potential to disturb some wildlife species. Disturbance will vary with species, usage level and type, and season. Following are some general considerations for ecologically friendly trails that may be used by a wide range of public and private ownerships. Not all the uses discussed below are applicable to all landowners or appropriate in all situations.

Considerations for Recreation Trail Design and Use	
Trail Design and Layout	
✓ Well used recreation trails have the potential to disturb some wildlife species. Disturbance will vary with species, the usage level, type, and season. ✓ To minimize disturbance to wildlife, create wildlife security areas consisting of large patches of habitat without trails, rather than crossing all sections of a woodlot with trails. ✓ To minimize disturbance to aquatic wildlife, trails should not run parallel with the shore of water bodies and open wetlands for any distance. Rather, approach water bodies with spur trails to a screened viewpoint or have loop trails only approach the shoreline for short distances. See Maine Audubon's Conserving Wildlife in Maine's Shoreland Habitats. ✓ Poorly designed and built hiking trails can cause soil compaction, erosion, and degradation of water quality. American Trails has a number of excellent on-line resources on trail building and design (download: http://www.americantrails.org/resources/trailbuilding/index.html). The US Forest Service Trail Construction and Maintenance Handbook is also a helpful resource (download: http://www.fhwa.dot.gov/environment/fspubs/07232806/index.htm).	
Mechanized Use	
✓ Mountain bikes increase the potential for permanent soil damage, off-trail use, and conflicts with other users. However, studies have generally shown that mountain bikes have no more impact on wildlife than pedestrians. ✓ ATV use can cause severe soil damage, impact water quality, and affect forest values for other users of the area. Where ATV use is an objective, trails should follow the general design and layout principles above and use appropriate techniques to minimize damage to soils and water quality. Stream crossings and associated approaches, wet sites, and erosion on steep trails should be primary considerations. ✓ Trails should avoid sensitive winter habitats such as deer wintering areas and be planned to minimize conflicts with non-mechanized users. ✓ Consult trail design guidelines applicable to the type and amount of use anticipated.	
Pets	
✓ Dogs should be leashed during the nesting season of ground-nesting birds (April to end of July). Examples of ground nesting birds that might be disturbed by dogs include woodcock, hermit thrush, and ovenbird. Dogs should also be leashed during winter when snow restricts animal movement and cold temperatures require energy conservation for survival.	

Widespread Invasive Forest Plants in Maine

The following table lists some of the most frequently encountered invasive plants in Maine forests. This is not intended to be a complete list – forest owners and managers should consult sources of information such as the Maine Natural Areas Program for more complete information.

Widespread Invasive Forest Plants in Maine		
Common Name	Scientific Name	Habitat
Barberry, Japanese	<i>Berberis thunbergii</i>	Forest understory
Buckthorn, common	<i>Rhamnus cathartica</i>	Forest understory
Buckthorn, glossy	<i>Frangula alnus</i>	Forest understory
Honeysuckle, bush	<i>Lonicera morrowii</i>	Forest understory
Honeysuckle, Japanese	<i>Lonicera japonica</i>	Forest understory
Honeysuckle, Tatarian	<i>Lonicera tatarica</i>	Forest understory
Japanese knotweed	<i>Fallopia japonica</i>	Edges
Bittersweet, Asiatic	<i>Celastris orbiculata</i>	Edges, forest canopy vine
Loosestrife, purple	<i>Lythrum salicaria</i>	Wetlands
Rose, multiflora	<i>Rosa multiflora</i>	Old field, edges
Source: Maine Natural Areas Program 2006		

Control of Invasive Terrestrial Plants in Maine

Common Name	Scientific Name	Habitat	Control
Autumn Olive & Russian Olive	<i>Eleagnus umbellata</i> , <i>Eleagnus angustifolia</i>	Edges and open areas	Mechanical: Pull smaller plants, followed by mowing or pulling sprouts as needed. Chemical: Glyphosate on cut stumps. (1)
Barberry, Japanese	<i>Berberis thunbergii</i>	Forest understory	Mechanical: Pull shrubs, followed by mowing or pulling sprouts. Flame torch to lower stem may also be effective. Chemical: Glyphosate or triclopyr on cut stumps. (1, 2)
Bittersweet, Asiatic	<i>Celastris orbiculata</i>	Edges, forest canopy vine	Mechanical: Repeated cutting or pulling plants. Chemical: Glyphosate or triclopyr on cut stems. Seed bank may necessitate treatments repeated for several years. The flowers and fruit of Asiatic bittersweet grow from the joints where leaves join the vine, whereas American bittersweet's flowers are in terminal clusters. (1)
Buckthorn, common & glossy	<i>Rhamnus cathartica</i> <i>Frangula alnus</i>	Forest understory	Mechanical: Flame torch stems <42 inches diameter. If cutting, repeated treatment is required. Chemical: Glyphosate or triclopyr cut stem or foliar treatment. Treat in fall when green leaves persist after native trees and shrubs have lost their leaves. Resprouting may occur and seed bank may last 3 years. (1, 2)
Honeysuckle, bush Honeysuckle, Tartarian	<i>Lonicera morrowii</i> <i>Lonicera tatarica</i>	Forest understory	Mechanical: Cutting, burning. Repeated treatments may be required. Chemical: Glyphosate or triclopyr on leaves or cut stumps. (1, 2) Note: all non-native shrub honeysuckles have a hollow pith that is usually brown.
Honeysuckle, Japanese	<i>Lonicera japonica</i>	Forest understory	Mechanical: Pull shrubs and roots when soil is moist (repeated treatment likely required). Chemical: Glyphosate or triclopyr on leaves or stems. A vine that is distinguished from Maine's rare native vine honeysuckles by the separate leaves at the tip of the stem (on natives, a single fused terminal leaf wraps around the stem). (1)
Knotweed, Japanese	<i>Fallopia japonica</i>	Edges	Mechanical: Repeated cutting (3 or more times/season). Chemical: Cutting followed by glyphosate (repeat may be necessary). (1)
Mustard, garlic	<i>Alliaria petiolata</i>	Forest understory, esp. moist/rich soils	Mechanical: Hand pulling in early season. Chemical: Glyphosate foliar or dormant season basal spray. (1)
Loosestrife, purple	<i>Lythrum salicaria</i>	Wetlands	Mechanical: Pulling individual plants. Chemical: Glyphosate foliar spray or cut stem treatments. Biological: Release of beetles that feed exclusively on loosestrife has been effective on large infestations. (1)
Rose, multiflora	<i>Rosa multiflora</i>	Old field, edges	Mechanical: Repeated mowing (up to six time per year for 2 years). Chemical: Glyphosate or triclopyr on cut stems. (1, 2)

Notes:

- This table is intended to provide a broad overview of problematic forest invasive species and methods to control them. Consult the sources below and other experts (e.g., an ecologist and/or forester and a licensed herbicide applicator) to develop and implement an invasive species control plan.
- Herbicides used on areas open to the public must be applied under the supervision of a licensed applicator, or for terrestrial application only if applied by an employee or volunteer and the area is closed for 7 days. Other legal requirement of the Maine Board of Pesticide Control apply but are not included in this overview.
- Both glyphosate ("Roundup," Rodeo," "Accord" etc.) and triclopyr ("Garlon," "Pathfinder," "Remedy," "Renovate," "Tahoe," etc.) may be used on forests certified by the Forest Stewardship Council if the [FSC Pesticide Policy](#) is followed (as of 2007).

References:

- [University of Maine Invasive Plant Fact Sheets](#)
- [Wisconsin Manual For the Control of Ecologically Invasive Plants](#)

Other Sources of Information:

[Weed Control Methods Handbook: Tools and Techniques for Use in Natural Areas](#) (The Nature Conservancy; mechanical and chemical control methods)
[The Nature Conservancy - Wildlands Invasive Species Program](#) (information, links, workshops, on-line forums, etc)
[Weeds Gone Wild: Alien Plant Invaders of Natural Areas](#) (lists, species fact sheets, and other information)

Glossary of Forestry Terms

The following glossary was adapted from the Massachusetts Department of Conservation Forest Stewardship guidelines.

Acceptable Growing Stock (AGS) - See **Management Potential**.

Aesthetics - forest value rooted in beauty and visual appreciation

Allowable Harvest - the calculation of the amount of forest products that may be harvested, annually or periodically, from a specified area over a stated period, in accordance with the objectives of management.

Aspect - the orientation of a slope with respect to the compass; the direction toward which a slope faces. North facing slopes are generally cooler than south facing slopes, which often results in different plant communities.

Basal area - a measurement of the cross-sectional area of a tree trunk, in square feet, at breast height. Basal area (BA) of a forest stand is the sum of the basal areas of the individual trees, and is reported as BA per acre. Basal area is used as an indicator of total stand stocking (occupancy of a site).

Biological diversity - the variety of plants and animals, the communities they form, and the ecological functions they perform at the genetic, stand, landscape, and regional levels.

Biological legacy - an organism, a reproductive portion of an organism, or a biologically derived structure or pattern inherited from a previous ecosystem—Note: biological legacies often include large trees, snags, and down logs left after harvesting to provide refuge and to structurally enrich the new stand.

Biological maturity - the point in the life cycle of a tree at which there is no net biomass accumulation; the stage before decline when annual growth is offset by breakage and decay. See **Financial Maturity**

Biomass – 1) the total weight of all organisms in a particular population, sample, or area; biomass production may be used as an expression of site quality; 2) tree tops or entire trees that are harvested and chipped as a source of fuel.

BMP - Abbrev. *Best Management Practices*.

Board foot - See **Volume, tree**

Bole - the main trunk of a tree.

Broad-based dip - an erosion control structure similar to and having the same purpose as a waterbar. Structurally, broad-based dips differ in that they are generally longer, less abrupt, often are paved with stone and are more appropriately used on truck roads. See **Waterbar**.

Browse - portions of woody plants including twigs, shoots, and leaves used as food by such animals as deer.

Buffer Strip - a forest area of light cutting used to protect sensitive sites or vistas.

Canopy - the upper level of a forest, consisting of branches and leaves of taller trees.

Catastrophic Disturbance – Natural disturbances that result in substantial tree mortality, such as wildfire, hurricanes, tornadoes, or major insect outbreaks

Cleaning - See **Intermediate Cuttings**.

Coarse Woody Debris (CWD) - Dead and down woody material that is generally greater than 3” in diameter. Also referred to as Downed Woody Material (DWM). See **Biological Legacy**

Cord - See **Volume, tree**.

Compartment - a subdivision of a forest property for administrative convenience and record keeping purposes

Community - a collection of living organisms in a defined area that function together in an organized system through which energy, nutrients, and water cycle.

Conservation - the wise use and management of natural resources.

Coppice Cutting - See **Regeneration Cutting**.

-Corridor - a strip of wildlife habitat unique from the landscape on either side of it that links one isolated ecosystem “island” (e.g., forest fragment) to another. Corridors allow certain species access to isolated habitat areas, which consequently contributes to the genetic health of the populations involved.

Critical habitat - Uncommon habitat of great value to wildlife such as abandoned fields, orchards, aspen stands, blueberry barrens, cliffs, talus, caves, etc.

Crop tree - a term traditionally reserved to describe a tree of a commercially desirable species, with the potential to grow straight, tall, and vigorously. However, a crop tree can be one selected for non-timber purposes (varying with landowner objectives), such as mast production or den tree potential. See **Management Potential**

Crown class - an evaluation of an individual tree’s crown in relation to its position in the canopy and the amount of full sunlight it receives. The four recognized categories are: dominant (D), codominant (C), intermediate (I), and overtopped or suppressed (S).

Cull Tree - a live tree of commercial species that contains less than 50% usable material.

Rough cull: a tree whose primary cause of cull is crook, sweep, etc.

Rotten cull: a tree whose primary cause of cull is rot.

Danger tree - A standing tree that presents a hazard to employees due to conditions such as, but not limited to, deterioration or physical damage to the root system, trunk, stems or limbs, and the direction and lean of the tree. OSHA 1910.266, Logging Operations

Daylight - verb; to cut vegetation adjacent to a road or other open area to increase solar insulation to its surface. Daylighting is often used to speed the time for roads to dry after a period of wet weather.

DBH - abbrev. *diameter at breast height*; the diameter at breast height of a standing tree measured at 4.5' above the ground.

Den Tree-living hollow trees that are used for shelter by mammals or birds. Syn.; cavity tree.

Diameter-limit cut - a timber harvesting treatment in which all trees over a specified diameter may be cut. See **High Grading**.

Disturbance - a natural or human-induced environmental change that alters one or more of the floral, faunal, and microbial communities within an ecosystem. Timber harvesting is the most common human disturbance. Windstorms and fire are examples of natural disturbance.

Ecology - the study of interactions between living organisms and their environment.

Economic Maturity - See **Financial Maturity**

Ecosystem - a natural unit comprised of living organisms and their interactions with their environment, including the circulation, transformation, and accumulation of energy and matter.

Ecosystem management - Forest management that is applied with emphases on 1.) maintaining biodiversity, 2.) addressing societal or social needs, and 3.) being adaptive. See **Forest Management**.

Ecotype - a genetic subdivision of a species resulting from the selective action of a particular environment and showing adaptation to that environment. Ecotypes may be geographic, climatic, elevational, or soil-related.

Edge - the boundary between open land and woodland or between any two distinct ecological communities. This transition area between environments provides valuable wildlife habitat for some species, but can be problematic for some species, due to increased predation and parasitism. Syn.: ecotone

Endangered species - See **Rare Species**

Even-aged stand - See **Stand Structure**.

Featured Resource - the resource that is the primary focus of management activities.

Financial maturity - the point in the life cycle of a tree or stand when harvesting can be most profitable, i.e., when the rate of value increase of an individual tree or stand falls below a desired alternative rate of return. Syn.: Economic Maturity

Forest land - Land that is at least 10% stocked with trees.

Forest interior dependent species - animal species that depend upon extensive areas of continuous, unbroken forest habitat to live and reproduce, and are susceptible to higher rates of predation and population decline when interior forest habitat is fragmented or disturbed. See **Fragmentation**.

Forest management - the practical application of biological, physical, quantitative, managerial, economic, social and policy principles to the regeneration, management, utilization and conservation of forests to meet specified goals and objectives while maintaining the productivity of the forest.

Forest Road - A road owned by and under the jurisdiction of the Department of Conservation and Recreation, Division of Parks and Recreation.

Forest type - aggregations of tree species that commonly occur because of similar ecological requirements. Examples of major northeastern forest types include northern hardwoods, white pine, oak-pine, and spruce-fir. Syn. forest association.

Filter Strip - an area of forest land, adjoining the bank of a water body, where forest vegetation and undisturbed soils are retained to filter surface runoff..

Fragmentation, forest - the segmentation of a large tract or contiguous tracts of forest to smaller patches, often isolated from each other by non-forest habitat. Results from the collective impact of residential and commercial development, highway and utility construction, and other piecemeal land use changes. Indiscriminant heavy forest harvesting may also result in fragmentation of mature forest habitat.

Ford - a stream crossing using a stable stream bottom as the roadbed.

Fuel management - the act or practice of controlling flammability and resistance to control of wildland fuels through mechanical, chemical, biological or manual means, or by fire in support of land management objectives.

Girdling - a method of killing unwanted trees by cutting through the living tissues around the bole. Can be used instead of cutting to prevent felling damage to nearby trees. Girdled trees can provide cavities and dead wood for wildlife and insects.

GIS - Geographic Information System. A computer-based system for collecting, storing, updating, manipulating, displaying and analyzing geographically referenced data.

GPS - Global Positioning System. A satellite-based navigation system.

Grade - the angle of an inclined surface as expressed in terms of percent slope: vertical rise per 100' of horizontal run.

Grade, tree - A classification system for standing trees that is based on their potential for yielding high value lumber.

Growing Stock - For inventory purposes, all live trees that are between 5.0" dbh to 10.9" dbh and are greater than 50% sound. See **Management Potential**

Growth, net - The average annual net increase in the volume of trees expressed either as a per acre value or total value for a given unit of land. Mathematically it is expressed as follows: {[growth of the existing trees at the beginning of the period]+[ingrowth the volume of trees that have reached merchantability during the period]} – {(the volume of trees that have died during the period) + (the volume of trees that have become cull during the period).

Habitat - the geographically defined area where environmental conditions (e.g., climate, topography, etc.) meet the life needs (e.g., food, shelter, etc.) of an organism, population, or community.

High-grading - a type of timber harvesting in which larger trees of commercially valuable species are removed with little regard for the quality, quantity, or distribution of trees and regeneration left on the site; often results when a diameter limit harvest is imposed. See **Diameter Limit Cutting**.

Herbaceous - A class of vegetation dominated by non-woody plants known as herbs; [graminoids (grass), forbs and ferns].

Incidental taking - the taking of a rare species that is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity.

Intermediate Cuttings - Operations conducted in a stand during its development from regeneration stage to maturity. These are carried out to improve the quality of the existing stand, increase its growth and provide for earlier financial returns, without any effort directed at regeneration.

Cleaning: a cutting made in a stand, not past the sapling stage, to free the best trees from undesirable individuals of the same age that overtop them or are likely to do so. See *weeding*.

Thinning: a cutting whose purpose is to control the growth of stands by adjusting stand density.

Salvage Cutting: a harvest whose primary purpose is to remove trees that have been or are in imminent danger of being killed or damaged by injurious agencies.

Weeding: a cutting made in a stand not past the sapling stage that eliminates or suppresses undesirable vegetation regardless of crown position. See *Cleaning*.

Landing - any place where round timber is assembled for further transport, commonly with a change in method. Generally, a cleared area where log trucks are loaded.

Legacy tree - a tree, usually mature or old-growth, that is retained on a site after harvesting or naturally disturbance to provide a biological legacy. See **Biological Legacy**

Management plan - a document prepared by natural resource professionals to guide and direct the use and management of a forest property. It consists of inventory data and prescribed activities designed to meet ownership objectives.

Management potential - For forest inventory purposes, a classification method in which a tree is rated based on the likelihood that it will develop into a tree that will be structurally sound, vigorous and yield products of high value. The three classes are as follows:

Preferred Crop Tree: the highest class; a tree with a dominant crown and no or minimal sweep or crook and no or few limbs in the butt 16' log.

Acceptable Growing Stock: a tree of codominant or greater crown class with moderate sweep or crook and a moderate number of limbs in the butt 16' log.

Unacceptable Growing Stock: Any tree not meeting the above criteria.

Also, see **Growing stock**

Mast - Seed produced by woody-stemmed, perennial plants, generally referring to soft (fruit) or hard (nut) mast.

Matrix, forest - The most extensive and connected landscape element that plays the dominant role in landscape functioning.

MBF - Abbrev. Thousands of board feet. See **Tree Volume**

Merchantable - of trees, crops or stands, of a size, quality and condition suitable for marketing under given economic conditions even if so situated as not to be immediately accessible for logging. See **Operable**.

Multiple use and value - a conceptual basis for managing a forest area to yield more than one use or value simultaneously. Common uses and values include aesthetics, water, wildlife, recreation, and timber.

Niche - the physical and functional location of an organism within an ecosystem; where a living thing is found and what it does there.

Old growth stand - A stand that has been formally designated as an old growth stand. These areas must meet a preponderance of the following four criteria: 1.) Be of a size that is large enough to be self sustaining. 2.) Show no evidence of significant post-European disturbance. 3.) Should have a component of trees that are greater than 50% of the maximum longevity for that species. 4.) Shall be a makeup that is self-perpetuating.

Old growth attributes - attributes often associated with old growth forests such as large amounts of coarse woody debris, large trees, etc. that are achieved through deliberate actions in a managed forest. See **Biological legacy**

Operable - trees, crops or stands that are both merchantable and accessible for harvesting. See **Merchantable**.

Patch - a small area of a particular ecological community surrounded by distinctly different ecological communities, such as a forest stand surrounded by agricultural lands or a small opening surrounded by forestland.

Poletimber - See **Size Class**.

Population - a group of individuals of one plant or animal taxon (species, subspecies, or variety).

Preservation - a management philosophy or goal which seeks to protect indigenous ecosystem structure, function, and integrity from human impacts. Management activities are generally excluded from "preserved" forests.

Raptor - A bird of prey.

Rare species - A collective term used to describe species that are uncommon, including

Endangered: native species which are in danger of extinction throughout all or part of their range (e.g., within state), or which are in danger of extirpation from Massachusetts, as documented by biological research and inventory.

Threatened: native species which are likely to become endangered in the foreseeable future, or which are declining or rare as determined by biological research and inventory.

Special concern: native species which have been documented by biological research or inventory to have suffered a decline that could threaten the species if allowed to continue unchecked, or which occur in such small numbers or with such restricted distribution or specialized habitat requirements that they could easily become threatened.

These definitions may vary depending on jurisdiction (e.g federal or state definitions).

Regeneration - the renewal of a tree crop, whether by natural or artificial means - may be broken down into those treatments that produce stands originating from seed (high forest) or from vegetative regeneration (coppice or sprouts) and create even-aged or uneven-aged stands. Syn. reproduction.

Regeneration Cutting - Any removal of trees intended to assist regeneration already present or to make regeneration possible. The operation creates either an even-aged stand or an uneven-aged stand. See **Even-aged stand** and **Uneven-aged stand**

Clearcutting; (even-aged) removal of the entire stand in one cutting with reproduction obtained artificially or by natural seeding from adjacent stands or from trees cut in the clearing operation.

Seed-tree: (even-aged) removal of the old stand in one cutting, except for a small number of seed trees left singly or in groups.

Shelterwood: (even-aged) removal of the old stand in a series of cuttings, which extend over a relatively short portion of the rotation, by means of which the establishment of essentially even-aged reproduction under the partial shelter of seed trees is encouraged.

Selection: (uneven-aged) removal of trees, throughout all size classes, either as single scattered individuals or in small groups at relatively short intervals, repeated indefinitely, by means of which the continuous establishment of reproduction is encouraged and an uneven-aged stand is maintained.

Coppice: (even-aged or uneven-aged) any type of cutting in which dependence is placed mainly on vegetative reproduction.

Release - removal of overtopping trees to allow understory or overtopped trees to grow in response to increased light.

Reserve tree - a tree, pole-sized or larger, retained in either a dispersed or aggregated manner after the regeneration period under the clearcutting, seed tree, shelterwood, group selection or coppice methods. Syn. Standard, legacy tree

Residual stand - trees remaining following any silvicultural operation.

Riparian Area - an area in close proximity to a watercourse, lake, swamp or spring.

Rotation - the planned number of years between the formation or regeneration of a crop or stand and its final harvest at a specified stage of maturity.

Rotation, extended - a rotation longer than necessary to grown timber crops to financial maturity or size and generally used to provide habitat or nontimber values.

Salvage Cutting - See **Intermediate cutting**

Sapling - See **Size Class**

Sawtimber - See **Size Class**.

Seed Tree Cutting - See **Regeneration Cutting**.

Seedling - See **Size Class**.

Seep (Seepage) - Groundwater (as opposed to surface flow) escaping through or emerging from the ground along an extensive line or surface, as contrasted with a spring where water emerges from a localized spot..

Selection cutting - See **Regeneration Cutting**.

Selective cutting - a cutting that removes only a portion of trees in a stand. Note: selective cutting is a loose term that should not be confused with cutting done in accordance with the selection method, is not a recognized silvicultural system and is often synonymous with or associated with High Grading.

Shelterwood Cutting - See **Regeneration Cutting**.

Silviculture - the theory and practice of controlling forest establishment, composition, structure and growth.

Silvicultural prescription - a detailed, quantitative plan, at the stand level of resolution, for conducting a silvicultural operation.

Silvicultural System - a program for the treatment of a stand throughout a rotation. An even-aged system deals with stands in which the trees have no or relatively little difference in age. An uneven-aged system deals with stands in which the trees differ markedly in age.

Site - the combination of biotic, climatic, topographic, and soil conditions of an area; the environment at a location.

Site index – See **Site Quality**.

Site preparation - Hand or mechanized manipulation of a site designed to enhance the success of regeneration.

Site quality - the inherent productive capacity of a specific location (site) in the forest affected by available growth factors (light, heat, water, nutrients, anchorage); often expressed as site index – the height of the average tree in an even-aged stand at a given age. In New England 50 years is generally used as the base age.

Size Class:

Seedling: a young tree, less than sapling size of seed origin.

Sapling: a tree greater than 1" dbh and less than 4.9" dbh.

Poletimber: a tree greater than 4.9" dbh and less than sawtimber size.

Sawtimber: a tree greater than 11.0" dbh having at least 8' of usable length and less than 50% cull.

Slash - tops, branches, slabs, sawdust or debris resulting from logging or land clearing operations.

Slope, steep - An area where the average, sustained slope is greater than 50%. See **Grade**.

Snag - a standing dead tree, greater than 20' tall, which has decayed to the point where most of its limbs have fallen; if less than 20' tall it is referred to as a *stub*. A hard snag is composed primarily of sound wood, generally merchantable and a soft snag is composed primarily of wood in advanced stages of decay and deterioration. See **Biological legacy**.

Special concern, Species of - see **Rare species**

Stand - a community of trees possessing sufficient uniformity as regards composition, constitution, age, spatial arrangement or condition to be distinguishable from adjacent communities, so forming a silvicultural or management entity.

Stand Structure - A description of the distribution and representation of tree age and size classes within a stand.

Even-aged, single-storied: Theoretically, stands in which all trees are one age. In actual practice, these stands are marked by an even canopy of uniform height characterized by intimate competition between trees of approximately the same size. The greatest number of stems are in a diameter class represented by the average of the stand. The ages of the trees usually do not differ by more than 20 years.

Even-aged, two-storied: Stands composed of two distinct canopy layers, such as, an overstory and understory sapling layer possibly from seed tree and shelterwood operations. This may also be true in older plantations where tolerant hardwoods may become established as management intensity decreases (burning and other means of understory control). Two relatively even canopy levels can be recognized in the stand. Both canopy levels tend to be uniformly distributed across the stand. The average age of each level differs significantly from the other.

Uneven-aged (sized): Theoretically, these stands contain trees of every age on a continuum from seedlings to mature canopy trees. In practice, uneven-aged stands are characterized by a broken or uneven canopy layer. The largest number of trees is in the smaller diameter classes. As trees increase in diameter, their numbers diminish throughout the stand. Generally, a stand with 3 or more structural layers may be considered as uneven-aged.

Mosaic: At least two distinct size classes are represented and these are not uniformly distributed, but are grouped in small repeating aggregations, or occur as stringers less than 120 feet wide, throughout the stand. Each size class aggregation is too small to be recognized and mapped as an individual stand. The aggregations may or may not be even-aged.

Stocking - the degree of occupancy of an area by trees. In even-aged stands, stocking levels are expressed as different levels (A, B and C) based upon stocking guides that use tree diameter, basal area and number of trees per acre. The A level represents the density of undisturbed even-aged stands. The B level represents the minimum density for maximum basal area and cubic foot growth. The C level represents both the minimum stocking of acceptable growing stock to make a stand suitable for management for timber products and represents 10 years growth below the B level.

Overstocked: stands above the "A" level of stocking for their forest type, tree density and size class.

Fully stocked: stands between the "A" and "C" levels of stocking for their forest type, tree density and size class.

Understocked: stands below the "C" level of stocking for their forest type, tree density and size class.

In uneven-aged stands, stocking is based on residual basal area, maximum tree size and a ratio known as "Q" which is a mathematical expression of the desired diameter distribution.

Structure, horizontal - the spatial arrangement of plant communities; a complex horizontal structure is characterized by diverse plant communities within a given geographic unit.

Structure, vertical - the arrangement of plants in a given community from the ground (herbaceous and woody shrubs) into the main forest canopy; a complex vertical structure is characterized by lush undergrowth and successive layers of woody vegetation extending into the crowns of dominant and co-dominant trees. (See *crown class*.)

Stumpage value - the commercial value of standing trees.

Succession - the natural series of replacements of one plant community (and the associated fauna) by another over time and in the absence of disturbance.

Sustained yield - historically, a timber management concept in which the volume of wood removed is equal to growth within the total forest. The concept is applicable to nontimber forest values as well.

Thinning - See **Intermediate cuttings**.

Threatened species - See **Rare species**.

Tolerance - a characteristic of trees that describes the relative ability to thrive with respect to the growth factors (light, heat, water nutrients, anchorage). Usually used to describe shade tolerance: the ability of a species to thrive at low light levels.

T.S.I. - timber stand improvement; a loose term comprising all intermediate cuttings made to improve the composition, constitution, condition and increment of a timber stand. The practice may be commercial; yielding net revenues or precommercial or noncommercial; where the cost of accomplishing the work exceeds the value of the products removed.

Unacceptable Growing Stock (UGS) - See **Management Potential**.

Understory - the smaller vegetation (shrubs, seedlings, saplings, small trees) within a forest stand, occupying the vertical area between the overstory and the herbaceous plants of the forest floor.

Uneven-aged stand - See **Stand Structure**

Vernal or autumnal ponds - a class of wetland characterized by small, shallow, temporary pools of fresh water present in spring and fall, which typically do not support fish but are very important breeding grounds for many species of amphibians. Some species are totally dependent upon such ponds; examples are spring peepers and mole salamanders.

Volume, tree - the contents of the merchantable portion of a tree, expressed either as 1.) Board foot volume, where a board foot is equivalent to a piece of wood 12" x 12" x 1" thick, excluding the waste inherent in processing; 2.) Cubic foot volume with no waste attributed to processing; 3.) Cord volume, where 80 cubic feet of solid wood are equivalent to one cord. One cord of wood contains 128 cubic feet of air, bark and wood or 4.) Tons of oven-dry wood.

Water Bar - a shallow depression, 12" to 36" wide, cut across a dirt road or skid trail at approximately a 30 degree angle to its alignment, for the purpose of diverting the overland flow of water from the surface of the road. See **Broad-based dip**.

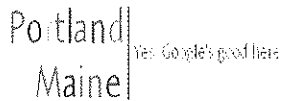
Wildlife tree - a live or dead tree designated for wildlife habitat or retained to become future wildlife habitat.

Attachments

The following components of the management plan are included as separate documents:

Baxter Woods Soil Report, Natural Resource Conservation Service.

**Maine Natural Areas Program & Department of Inland Fisheries and Wildlife
Report**



Ethan Hipple <ehipple@portlandmaine.gov>

off leash policy - Baxter Woods

Ethan Hipple <ehipple@portlandmaine.gov>
To: Gayl Anglin <ganglin65@gmail.com>

Mon, Apr 1, 2019 at 2:29 PM

Thanks for your comments Gayl--I will make sure they are shared with the Parks Commission.

Take care,

Ethan

Ethan Hipple

Deputy Director

Parks, Recreation and Facilities Department

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On Mon, Apr 1, 2019 at 1:48 PM Gayl Anglin <ganglin65@gmail.com> wrote:

Dear Ethan,

I received notice about the Parks Commission meeting this Thursday regarding the off-leash policy at Baxter Woods. Unfortunately, I am unable to attend due to another commitment, but wanted to at least send my input.

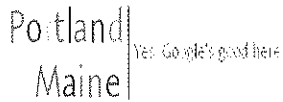
I am a Portland resident and dog lover. While I do not currently have a dog, I have had dogs most of my life and have always appreciated places where I could allow my dogs to run off leash. That being said, I knew the limits of my voice control with them and never had them in a place that would be disruptive to others or put them in a place where they could be injured or cause an accident. I have on three separate occasions since the beginning of this school year stopped to help people catch their errant dog who had run from Baxter Woods, on one occasion the dog was running in traffic. All three times the owners were exclaiming that "s/he never does this" however, all it takes is one time for a dog to get hit and/or cause an accident. Baxter Woods sits right on two major streets and is not fenced, which in and of itself does not lend it to being an off-leash park. Add to this, the level of voice command that is needed to keep a dog fully under control seems to often be interpreted liberally by dog owners.

I recommend that Baxter Woods require leashes for dogs, for both their safety and also for the general public, unless the city were to extend a fence around the entire border of the park, which does not seem feasible.

Best regards,

Gayl M. Anglin, Ph.D.
ganglin65@gmail.com

"Hungry man reach for the book, it is a weapon." - Bertolt Brecht



Ethan Hipple <ehipple@portlandmaine.gov>

Please keep dogs free in Baxter Woods!

Ethan Hipple <ehipple@portlandmaine.gov>

Mon, Apr 1, 2019 at 3:44 PM

To: shambaugh@gwi.net

Cc: Justin Costa <jcosta@portlandmaine.gov>, Belinda Ray <bsr@portlandmaine.gov>, Spencer Thibodeau <sthibodeau@portlandmaine.gov>, Brian Batson <bbatson@portlandmaine.gov>, "Kimberly M. Cook" <kcook@portlandmaine.gov>, Pious Ali <pali@portlandmaine.gov>, Jill Duson <jduson@portlandmaine.gov>, "Mavodones, Nicholas" <nmm@portlandmaine.gov>, Ethan Strimling <estrimling@portlandmaine.gov>, Sally Deluca <sld@portlandmaine.gov>

Hi there Ben,

Thanks for the thoughtful comments and sorry to hear about the loss of your dog Sasha.

We will make sure the Parks Commission gets a copy of your comments for the meeting this Thursday.

Take care,

Ethan

Ethan Hipple

Deputy Director

Parks, Recreation and Facilities Department

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On Mon, Apr 1, 2019 at 2:33 PM <shambaugh@gwi.net> wrote:

March 1, 2019

Dear friends,

My dog Sasha died of old age a few months ago. She and I walked in Baxter Woods at least two times a day for 14 years. Baxter is just a block from my home and -- along with Portland High, Longfellow and Lincoln -- is a large part of what makes the Deering Neighborhood great. It was at Baxter Woods that I got to truly know my neighbors, catch up on people's lives, and take time to nourish my soul. This happened in many ways, because of connections made through people with dogs. Again and again, I knew the dog's name long before I knew the owner. Because the dogs were off leash, they were able to greet me as well as my dog, and we built community, one sniff and pet at a time. The pure joy of animals and owners freely wandering the woods is a gift and wonder to share. Though my dog is gone, going to Baxter woods every day fills me with joy.

Today I walked around Mackworth Island and made a point of visiting the cemetery of Baxter's many generations of Irish Setters. Yes, he loved birds. He also loved dogs and during all my time in Baxter woods, I have never seen the one bother the other. In fact, dogs keep the number of cats -- who do bother the birds -- to a minimum.

I was part of community conversations with the city regarding dogs in Baxter Woods that happened at the

Wilde Chapel a few years ago. As a result of those meetings, the city put in more trash cans to collect poop and the owners picked it up. Since then, the winter snows and annual "spring thaw" have been much cleaner – proof that the vast majority of dog owners are responsible and responsive and that we can work together, while still maintaining what is a treasure to us all.

Yes, there are rare occasions when a careless owner or poorly trained dog behave less than perfectly. These, however, are very limited and – as those folks don't seem to worry about rules or norms I do not think that new rules will change their behavior. They would, however, have a huge negative impact on the quality of life, the sense of community, and the joy that makes our neighborhood and our city special.

Thank you for keeping it as it is today – a gift to us all. Thank you for your continued great work on our behalf.

Sincerely,

Ben Shambaugh
147 Clinton Street
Portland, ME 04103
207 400-7516



Ethan Hipple <ehipple@portlandmaine.gov>

Baxter Woods

Ethan Hipple <ehipple@portlandmaine.gov>
To: Christina Dalessio <cmd4567@gmail.com>

Mon, Apr 1, 2019 at 3:46 PM

Hi Christina,
Thanks for your comments. I'll make sure the Parks Commission gets a copy.
See you on Thursday.
Ethan H
Ethan Hipple
Deputy Director
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City of Portland
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On Mon, Apr 1, 2019 at 2:50 PM Christina Dalessio <cmd4567@gmail.com> wrote:

Ethan,

After moving to Portland in 1994, I purchased a home within walking distance of Baxter Woods back in 2003 ... expressly so I would be able to walk my dog there off leash.

Over the past 16 years I have visited the park almost daily and have directly observed during that time that off leash dog walkers are in fact the most frequent, caring and responsible users of the park. We pick up after our dogs and we pick up trash left behind by other visitors such as students and families with kids. We are literally the heart and soul of Baxter Woods.

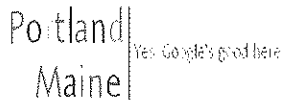
I'm told that you are concerned about ground birds. There has never been a ground bird population in this park since I moved to Portland 25 years ago, nor *would* there be if off-leash dogs were prohibited. There would still be people with kids and dogs walking everywhere in the park, not just on the trails, and there would still be people riding bikes through the park, large groups of students school running through the park, archeology groups digging holes and planting flags in the park, etc. The idea that prohibiting off-leash dogs would somehow prompt a miraculous ground bird revival at the park just doesn't make sense scientifically. The park already IS a bird sanctuary with many different species living there in concert with people and their pets. The dogs do not harm the birds, off-leash or on. In fact, watching and listening to the birds is one of the best parts of walking my dog there.

The tax-paying citizens of Deering/Rosemont/Deering Highlands/ Back Cove neighborhoods need space to run their dogs off-leash. There is simply no way to own a dog over 30 pounds and give it enough exercise on leash only. And other options around the city are not acceptable alternatives.

The woods behind Greenwood cemetery are remote, full of ticks and I do not feel safe walking there. There are literally homeless people living in tents back there. The Valley Street Dog Park is an unsanitary, filthy, dust bowl that is way too small to accommodate all the off leash dog walkers from our area of Portland. We need a place in in our neighborhood that we can walk to. And we have a perfectly good one. Please don't ruin it because of a few "squeaky wheels" who do not represent the majority of users.

In my opinion, the mindset of **exclusion** as a way to solve problems is really what's wrong with our country these days. Instead of **excluding** the people who are the most devoted and frequent users of the of the park, you should look for ways to find common ground and compromise among constituents. It's your job to work **with** us not against us.

See you Thursday.



Ethan Hipple <ehipple@portlandmaine.gov>

Meeting on Thursday

Ethan Hipple <ehipple@portlandmaine.gov>
To: David Little <authorartist775@gmail.com>

Mon, Apr 1, 2019 at 3:58 PM

Thanks for the comments David.

Take care,

Ethan

Ethan Hipple

Deputy Director

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On Mon, Apr 1, 2019 at 1:52 PM David Little <authorartist775@gmail.com> wrote:

Hi Ethan. Sorry not to attend the meeting on Thursday.

I guess my issue with off-leash dogs in Baxter Woods is the multitude of dog doo deposits that lie hidden just off the trails. I can't tell you how many times I have stepped in dog shit while going off trail to look at a particular tree, pit and mound, view, and so on. Even setting up one's easel to paint in Baxter Woods can become unpleasant.

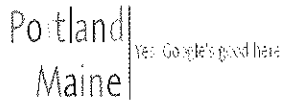
I have been wheeled around, and knocked over by dogs that don't obey voice commands or where the owner is out of sight.

I believe that were JPB alive today, he would be just fine with keeping dogs on leashes.

That's my 2 cents.

David Little

142 Brentwood St, Portland, Maine 04103



Ethan Hipple <ehipple@portlandmaine.gov>

Baxter Woods - public comment

Ethan Hipple <ehipple@portlandmaine.gov>

Mon, Apr 1, 2019 at 4:00 PM

To: Sarah Hilzinger Kellogg <sarah.h.kellogg@gmail.com>

Hi Sarah,

Thanks for the thoughtful comments. The program in Boulder looks very interesting and worth looking into.

I'll share your comments with the Parks Commission.

Take care,

E

Ethan Hipple

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On Mon, Apr 1, 2019 at 11:07 AM Sarah Hilzinger Kellogg <sarah.h.kellogg@gmail.com> wrote:

Hello Ethan,

I am writing to share my perspective on the Baxter Woods leash vs. no leash debate since I will be out of town this Thursday night.

I am someone who walks in Baxter Woods many mornings before work (irrespective of whether it is 9 or 90 degrees). In fact, we walk there so frequently that when my dog and I walk out the door of our house in the Back Cove, she takes me straight to Baxter Woods.

I can unequivocally say that the community of dog walkers that use the park is exceptional. We moved to Portland 3 years ago and the community of people that use the park as part of their daily routine are some of the most kind and welcoming people I have met as we've started to put down roots here. It is one of the examples I often cite when telling family/friends about how Portland is different than most cities: there is a degree of implicit trust the city imparts on its people to do the right thing, and it is not uptight or overly restrictive (particularly in contrast to bigger East Coast cities where we grew up/moved from). I think of Portland as a city that aims to strike the right balance between the Maine "frontier" spirit (channeling the type of mindset that is more pervasive Downeast) with the realities of a growing city.

I urge you to consider this balance, trusting your citizens to do what's right (while nudging them in the right direction as needed) and making the woods a place where the greatest number of people and wildlife can co-exist in peace. I am strongly of the mindset that moving from the status quo to a leash-only environment would be a detriment to a robust community, not to mention disband a group that I imagine inadvertently prevents nefarious activity.

On the point of nefarious activity - I think it is critical to be realistic about the state of drug use in the city. We also walk frequently in other wooded areas and have unfortunately had to deal with the aftermath of our dog finding drugs. If we assume the imposition of a leash law would make a large portion (if not all) of the Baxter Woods dog walking community to go elsewhere for their morning and evening (rain or shine) walks, its possible this could have unintended consequences on the safety of the woods. While I appreciate dog poo is

not a minor nuisance... we can all certainly agree that needles and edibles are a more acute safety issue. The community of dog walkers are out in the woods early in the morning and evening, when the park may otherwise be empty, and also the vast majority of us are picking up garbage as we go. To think that the existing community will continue to use the woods in this manner and to this degree (just with their dogs on leashes) is not realistic - we will go elsewhere. I urge you to fully consider what this will mean for how the woods WILL be used.

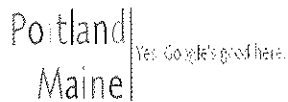
With this in mind, I feel strongly that there must be other ways to address the concerns that others have raised without jumping to a unilateral leash law. While I do not expect I have a full line of sight into the entire suite of concerns, here are just a few thoughts:

- On/off leash hours?
 - I am in full support of the neighboring schools feeling safe when they want to use the woods as outdoor exploratory space. I could fully understand and respect restricting a certain window of time during the school day where dogs must be on leash.
- Seasonal on/off leash?
 - I am not an expert, but I would expect ground bird nesting is particularly sensitive during certain times seasonally - restrictions that limit impact during sensitive times would also be entirely reasonable to me
- Bags/garbage bins?
 - I do not disagree that dog walkers can do a better job of picking up their dogs' poo. Bags and garbage cans at each entrance of the park can make a huge difference in this - there is 1 entrance without a garbage can, several without bags, and where bags are typically available they were not stocked most of this past winter.
- More publicity for park cleanup days?
 - One of the community members organizes this informally in the spring and fall, and a good group does get together to clean things up - but this type of effort may benefit from extra visibility (e.g., promotion by the city and/or Portland Trails)
- Off leash program?
 - I have heard some concern for walkers who do not have/like dogs feeling as if the off leash dogs are running wild and frightening. To address this, other cities have instituted off leash dog programs that allow dog owners that are responsible about off leash behavior to take advantage of it (rather than treat the woods like they are a "dog park"). Boulder (CO) is one example of a well established program that may be worth investigating, but the general model would be the cost of an off leash "tag" covers the cost of verifying that the dog has been trained to respond to basic off leash commands.

The easiest route forward would be to put in place a leash restriction and feel like the job is done. I urge you to take a route that endeavors to find a compromise on all fronts, which may be more challenging/more work, but also takes into account the positives that this community of dog walkers brings to Baxter Woods.

Thank you for your consideration!

Best,
Sarah Kellogg
908-399-9109



Ethan Hipple <ehipple@portlandmaine.gov>

Baxter Woods

Ethan Hipple <ehipple@portlandmaine.gov>
To: kevin@ktcole.net

Mon, Apr 1, 2019 at 4:40 PM

Thanks Kevin, we will pass your comments on to the Parks Commission.

Take care,

Ethan

Ethan Hipple

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On Mon, Apr 1, 2019 at 4:37 PM <ktcole@fairpoint.net> wrote:

Ethan, I'm not sure what's being suggested with respect to Baxter Woods. Unfortunately, I will be out of state when the meeting is to occur on Thursday, so I'm hoping I can add my two cents to the discussion via this e-mail.

Baxter Woods is one of the only really good off-leash areas in the city. I walk my dog there frequently. It's a pleasant stroll and I've not met anyone there who either caused a problem or expressed a complaint. The dogs almost always interact well with each other. I would be very sad to have the rules change to make the area less dog-friendly.

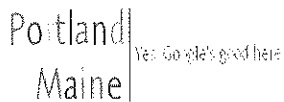
Thanks.

Kevin T. Cole

33 Fessenden Street



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Ethan Hipple <ehipple@portlandmaine.gov>

Baxter Woods Leash Proposal

Carolyn Ehringhaus <carolyn.ehringhaus@gmail.com>
To: Ethan Hipple <ehipple@portlandmaine.gov>

Wed, Mar 27, 2019 at 9:21 AM

Hello Ethan: I wrote to you last week regarding the proposal. After reading the materials from the links that you provided, I have written another letter for both you and the commission.

I had thought that the proposal to restrict dogs to leashes was due to negligent owners, particularly regarding waste disposal and dogs not being under voice control. Reading through the proposal documents, however, I see that the ecological report has major emphasis.

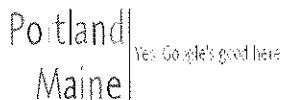
I would like to point out the following, keeping in mind the proposal's suggestion: *"Recreation use. Use trail cameras or other monitoring methods for fixed periods of time to quantify and describe recreation use and evaluate the potential impact of unleashed dogs on wildlife."*

1. Bird nesting: Regarding the ecological study, how many ground-nesting birds reside in or migrate to Baxter woods? I am not a bird expert, yet I do know that Baxter woods are not suitable for at least some of the more common New England ground nesters. We do have a diverse wildlife population, and I suspect that the dogs help to keep down some of the predators that kill birds, such as foxes.
2. Enforcement: With respect to the waste and voice control, signage is posted, yet nothing has been enforced. Additional patrolling and enforcing fines, possibly with the cameras suggested in the report, could quickly change behavior.
3. Previous incidents: As shown in the lengthy attachment documenting letters to the Park service, over a period of six years, there were actually very few letters concerning dog aggression incidents (again, monitoring can determine whether or not incidents occur with greater frequency in off-leash areas as compared to on-leash areas).
4. Alternatives: Baxter Woods is primarily a destination for local residents. It is not a "dog park" (Quarry or Valley St. are not options for many of us due to aggressive dogs and irresponsible owners). There is inadequate parking at these alternatives if Baxter users did switch, and neither Canco Rd. nor Evergreen are good options regarding space and/or parking. (Given the thicker growth behind Evergreen, wouldn't ground bird nesting be an issue?)
5. Dog waste: Lack of picking up has become a problem in Baxter woods and elsewhere. The PPH had an article about Hinckley Park (3/22/19) discussing this. Their Park ranger had planted 300 flags to encourage awareness and promote pickup prior to a predicted rain storm.

6. Lyme disease: In my 17 years of daily trail walking, including walking into growth to pick up waste, I have never found a tick. Given that Lyme disease is a serious health threat, the lack of tall grass and migrating deer in Baxter woods makes it a safer place for many residents and their dogs and/or children.
7. Safety: Prior to the woods becoming popular with dog owners, it was used by alcoholics, drug users, homeless people, and teenage partiers. I continue to pick up large quantities of broken glass, trying to keep the park clean and protect my dog's feet, as do other walkers. If dedicated dog walkers were not there daily taking care of the woods, glass and debris would only accumulate. Given the safety in numbers, there have not been incidents with aggressive humans, yet this could easily change without the presence of dogs.
8. Winter ice/falls: The paths have been covered with ice for much of 2018-2019 and recent winters due to the changing weather cycle. If dog walkers have to go elsewhere, the woods will be under-used much of the year. In addition, I have tried walking with my dog on leash under these conditions, and it is treacherous as even with cleats it is difficult to stabilize against the slightest pull. Many of the walkers are seniors, only adding to these potential human injury problems with increased risk of falling.
9. Quality of life: daily life for many of us has been enhanced greatly by being able to walk outdoors with our dog in Baxter Woods. Many of us walk to the woods and do not need to consume fossil fuels for transportation, and we value and take pride in this neighborhood asset.

I hope that, as a minimum, the council will decide to monitor the situation and will recommend increased patrolling before making any permanent changes. Although I care about wildlife, I think it is prudent to also consider resident quality of life.

Carolyn Ehringhaus
11 James St.
Portland, Maine 04013



Ethan Hipple <ehipple@portlandmaine.gov>

Baxter Woods On-Leash policy

Chelsea Malacara <chelsea.malacara@gmail.com>
To: Ethan Hipple <ehipple@portlandmaine.gov>

Thu, Mar 28, 2019 at 10:50 AM

Thank you for the clarification.

On Thu, Mar 28, 2019 at 10:26 AM Ethan Hipple <ehipple@portlandmaine.gov> wrote:

Hi Chelsea,

Yes, if the rule change is approved, we would enforce the rule using existing fines. \$75 first offense, and goes up from there.

Unfortunately, we have limited funds for Park Rangers, so it would be enforced at strategic times, not 24/7.

Take care,

E

Ethan Hipple

Deputy Director

Parks, Recreation and Facilities Department

City of Portland

212 Canco Rd, Suite A

Portland, Maine 04103

207.808-5400

ehipple@portlandmaine.gov

www.portlandmaine.gov

Portland, Maine | Yes. Life's good here.

On Wed, Mar 27, 2019 at 8:19 PM Chelsea Malacara <chelsea.malacara@gmail.com> wrote:

Ethan,

I just recently saw that there is going to be a council hearing on the proposed rule changes to Baxter Woods. Based on public concerns and most importantly, the ecological impact report, I fully support the decision to require dogs be on leash in Baxter Woods.

I was curious as to how the city intends on enforcing this rule? Will there be a fine, will there be new signage and rangers patrolling especially during peak times and the initial roll out?

Thank you for all your hard work.

Best,

Chelsea Malacara

--

Chelsea Malacara

chelsea.malacara@gmail.com

207-405-1009

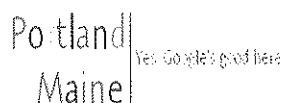
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--

Chelsea Malacara

chelsea.malacara@gmail.com

207-405-1009



Ethan Hipple <ehipple@portlandmaine.gov>

parks 4/4, leash laws, and other concerns

Ethan Hipple <ehipple@portlandmaine.gov>

Fri, Mar 29, 2019 at 9:05 AM

To: D Leland <lelanddm@gmail.com>

Yes, we are proposing that dogs in Baxter Woods are on a 25 foot leash. See attached memo for more information.

Take care,

E

Ethan Hipple

Deputy Director

Parks, Recreation and Facilities Department

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ehipple@portlandmaine.gov

www.portlandmaine.gov

Portland, Maine | Yes. Life's good here.

On Thu, Mar 28, 2019 at 7:19 PM D Leland <lelanddm@gmail.com> wrote:

Hi - Thanks! I'm reading this as leashing IS going to be proposed. Right?

— Dawn

On Thu, Mar 28, 2019 at 10:20 AM Ethan Hipple <ehipple@portlandmaine.gov> wrote:

Thanks for your comments Dawn. I know it's a tough issue with strong feelings on both sides, so thanks for your efforts to find common ground.

I will share your comments with the Parks Commission.

Our primary concern here is abiding by the deed that calls for Baxter Woods to be maintained as sanctuary for wild birds. However, as you know, there are many properties within Portland where we do allow off-leash dogs, so this isn't an across the board policy change, it's just a change to how we manage this single property. We also hear from the public about dog safety issues at Baxter Woods.

You are correct that picking up feces is a separate, but important issue. I know you have been very instrumental in helping model positive behavior on that! We are working on enforcement, but with only a single full-time Park Ranger, we could use help from groups like yours, and we are always open to new ideas of how to increase enforcement.

We aren't proposing leash vs non leash times at Baxter Woods as that would address just the safety issues, not the underlying deed issues.

We currently have one full time Park Ranger and 4 seasonals that come on in the summer.

Hope this answers your questions.

Take care,

Ethan H

Ethan Hipple

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Portland, Maine | Yes. Life's good here.

On Wed, Mar 27, 2019 at 3:01 PM D Leland <lelanddm@gmail.com> wrote:

Hi Ethan,

I met you briefly some time ago at One Longfellow-- I do the Facebook page Responsible Dog Owners of Baxter... Please check out what I've been posting. I'm trying to strike a balance. Those who walk dogs there really do care about the park, the community it enhances, and having space for dogs to interact and run. And they're generally conscientious.

On the plus side

- It's a hub where we've gotten to meet others, and I have several friends I've met there.
- Some dog owners routinely pick up trash and beer cans, too.
- If drinking and drug deals go on, it's at night. There was an instance a year ago when one person saw some suspicious behavior and a group of us walked to the area and that seemed to be a deterrent to the people there. Then it occurred again, same thing.

Enforcement will always be with us

Enforcement is always an issue and it's not feasible to have park staff in there all the time.

- Some people didn't make a big effort over the winter to plow through a foot of snow into the trees to retrieve poop--and of course, that's where the kids go to do projects. The paths have also been littered with it.
- I've seen a couple men who have been unconcerned about picking up after their dogs or have been unpleasant in response to people not wanting dogs jumping on them or accosting their own dogs.
- Dog walkers have to be concerned about bikers who tear through the trails, often giving no warning, with little attention to whether people or dogs can get out of the way.
- We are adults and should know enough to behave--but we're talking about humans.

Some thoughts about leashing

I'm sure you know that most dog owners hate the idea but understand.

- Leashing won't stop people who won't pick up feces.

- What are the main issues that you/parks staff are hearing about? I know the environment is one. Is it any different than other parks? Worse? Better?
- If leashing is the goal, could there be consideration about off-leash times, such as 7-9 a.m. when dogs are most active, and use is greatest?
- What are the staffing and budget situations these days?

It would be lovely to have feedback that I could put on the FB page. Thanks so much.

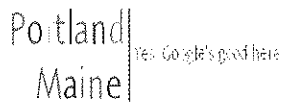
– **Dawn**

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Baxter Woods Off Leash Memo 3-7-19.pdf

142K



Ethan Hipple <ehipple@portlandmaine.gov>

Baxter Woods - Dogs Off Lease

Ethan Hipple <ehipple@portlandmaine.gov>
To: Rick Lorello <rick@informationssystemsmaine.com>

Thu, Mar 28, 2019 at 3:17 PM

Thanks for the comment Rick.

Take care,

Ethan

Ethan Hipple

Deputy Director

Parks, Recreation and Facilities Department

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On Thu, Mar 28, 2019 at 1:35 PM Rick Lorello <rick@informationssystemsmaine.com> wrote:

Hello

I don't agree with the request to make Baxter Woods a place to leash the dogs. No ground birds in the park.

--

Rick Lorello

Principal

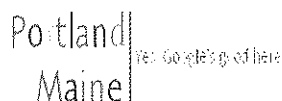
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Ethan Hipple <ehipple@portlandmaine.gov>

Baxter Woods Dog Policy - Parks Commission April 4th Agenda

Brooks More <brooksmore@gmail.com>
To: Ethan Hipple <ehipple@portlandmaine.gov>

Fri, Mar 29, 2019 at 1:29 PM

Thank you Ethan.

Have a great weekend.

Regards,
Brooks

On Fri, Mar 29, 2019 at 12:47 PM Ethan Hipple <ehipple@portlandmaine.gov> wrote:
Thanks for your thoughtful comments Brooks. I will share with the Parks Commission.
Thanks,
E
Ethan Hipple
Deputy Director
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ehipple@portlandmaine.gov

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On Fri, Mar 29, 2019 at 12:42 PM Brooks More <brooksmore@gmail.com> wrote:
Hi Ethan,

I saw your email address on some of the correspondence regarding Baxter Woods. So, I'm hoping that you can include these comments as part of the upcoming deliberations.

My name is Brooks More and I live at 7 Tremont St. in Portland. Our family owns a 2 year old dog and walk him every morning in Baxter Woods. In my experience, there is a consistent group of people that walk their dogs in Baxter every morning before work. For us, it is the only way for the dog to get a little bit of exercise in the morning (walking on-leash isn't really exercise for our dog).

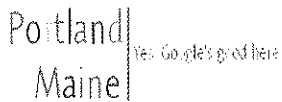
My sense of reading through the agenda materials is that the on-leash policy is inevitable and for good reasons. That being said, I'd like to ask if the Parks Commission could consider some compromises. For example, SoPo went through this type of issue with Willard Beach and decided to allow dogs off-leash for restricted hours and months. Rather than prohibit all off-leash activity in Baxter, would it be possible to limit it to a few hours in the morning? Say 6:00 a.m. to 8:30 or 9:00 a.m. After that window of time, all dogs would have to be on-leash. I realize that this may not address the bird sanctuary issues.

If all off-leash activity is prohibited, my expectation is that everyone will start driving over to the trails behind Evergreen. As a result of this consolidation of use, neighbors over there will then start complaining and it too will become off leash. If there is a chance for compromise, we would greatly appreciate it.

Thanks for your time and consideration.

Brooks

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Ethan Hipple <ehipple@portlandmaine.gov>

Baxter Woods Leash Proposal

Ethan Hipple <ehipple@portlandmaine.gov>
To: Jessica Marino <jbmarino77@gmail.com>

Mon, Apr 1, 2019 at 9:39 AM

Thanks for your comments Jessica. I will pass them on to the Parks Commission for their meeting this Thursday. Take care,

Ethan

Ethan Hipple

Deputy Director

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Portland, Maine | Yes. Life's good here.

On Mon, Apr 1, 2019 at 8:37 AM Jessica Marino <jbmarino77@gmail.com> wrote:

Hello Ethan,

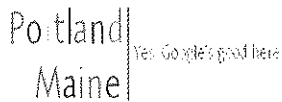
I'm not able to attend the meeting on Thursday night but wanted to share my thoughts. I've lived just blocks from Baxter Woods for 12 years and, even though I am a dog owner, I support enacting some kind of leash law and/or limiting times when dogs may be off leash there. I feel that I cannot safely walk my own dog there. I keep him on leash because he is a squirrel chaser and would gladly run into traffic after one. But we have had countless negative encounters where off leash dogs run up to him and get tangled in his leash. I have had those dog's owners scold me for bringing in a dog on a leash because "this is an off-leash dog park" and have had other times where an owner is nowhere to be found.

I have three children and when they were much younger their babysitter used to take them to the pond in the summer. A few years ago she stopped taking them because she felt like the number of dogs had increased and some were out of control and she didn't feel safe bringing the kids. One of my daughters did Cross Country running at Lincoln last year but after being chased by dogs during practice and during meets she did not sign up this year. There have been other cases where they have gone to Baxter Woods for science class and been approached by dogs with no owners in sight.

Most parents I know will not let their kids walk through Baxter Woods. Nobody will ride their bike there anymore.

I understand that Baxter Woods is a special place for dog owners who want to let their dogs off leash. But they are the minority. There is a huge community of people who cannot use those woods because of the influx of off-leash dogs. Baxter Woods is not a dog park. We have dog parks in Portland for those who want to let their dogs off leash. It is unfair that it is being used primarily by dog owners at a cost of the other neighborhood residents. It's a beautiful place and should be filled with walkers and bike riders. Nobody is saying dogs can't enjoy that park too, but everyone would be safer with those dogs on a leash. I would also support some kind of compromise; perhaps there could be times of day where dogs are allowed off leash and those times could be clearly marked.

Thank you for taking on this issue, which I know people feel passionately about on both sides.



Ethan Hipple <ehipple@portlandmaine.gov>

Dogs and Baxter Woods

Ethan Hipple <ehipple@portlandmaine.gov>
To: Barbara Doughty <babsy1000@yahoo.com>

Mon, Apr 1, 2019 at 8:24 AM

Thanks Barbara. I will share your comments with the Parks Commission.

Take care,

Ethan

Ethan Hipple

Deputy Director

Parks, Recreation and Facilities Department

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On Sun, Mar 31, 2019 at 8:18 AM Barbara Doughty <babsy1000@yahoo.com> wrote:

Mr. Hipple:

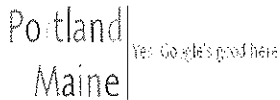
Please do not pass an ordinance that forces dogs to be on a leash in Baxter Woods. For years, I have enjoyed the beauty of that special place and especially seeing dogs running free and interacting with other dogs and humans.

This is a very special community of dog lovers. Incidents of bad behavior by dogs are so rare.

Governor Baxter proclaimed the Woods as a special place to be enjoyed by humans. As a dog lover himself, I can't believe he would have wanted to see them leashed. Doing so will deplete the Woods of many good folks who love to be there with their dog companions.

Barbara Doughty
35 Brook Road
Portland 84103

617-899-2583



Ethan Hipple <ehipple@portlandmaine.gov>

re: Baxter Woods

Ethan Hipple <ehipple@portlandmaine.gov>
To: J Godsey <joycegodsey@gmail.com>

Mon, Apr 1, 2019 at 8:27 AM

Thanks for your comments Joyce. I will send along to Parks Commission.

Take care,

Ethan H

Ethan Hipple

Deputy Director

Parks, Recreation and Facilities Department

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Portland, Maine 04103

207.808-5400

ehipple@portlandmaine.gov

www.portlandmaine.gov

Portland, Maine | Yes. Life's good here.

On Sat, Mar 30, 2019 at 11:04 AM J Godsey <joycegodsey@gmail.com> wrote:

I'm really aghast at this proposed leash restriction in Baxter Woods.

This is a case of a very tiny minority spoiling things for the majority of people.

We visit this park several times a week at various times of day.

And I have never experienced a negative incident in Baxter with my dog or other dogs!

This is a great place for dogs to learn to be social and learn to be off leash and under voice command. Fenced dog parks trap you and your dog with dogs that are unsocial and cannot behave off leash. I simply can't take my dog to a small fenced area, large unsocialized dogs tend to dominate smaller dogs.

It would be appropriate to TICKET people with unsocialized dogs who cause problems and ban those that are unsocialized. You KNOW that a proposed leash law will drive people with well behaved dogs from the park....and almost immediately be violated and you will end up trying identify people to ticket for letting their dogs BE dogs.

Nearly ALL walking and hiking trails on public land in the state are dog friendly. Imposing leash restrictions are usually dictated by the natural environment, to protect ground nesting birds or sensitive plantlife or erosion areas.

Imposing a leash restriction because a few people have caused problems is NOT a way to handle this situation.

From Personal Experience:

My dog and I hike and walk all over the state.

Our few negative experiences are with TOURISTS DOGS who aren't socialized and are off leash and FENCED DOG PARKS where people who refused to properly train their BIG DOGS bring them to wrestle with other untrained big dogs. I have literally had to pick my dog up and FLEE!

We love Quarry Run but that's just too far to go very often. It's practically in Falmouth!

Joyce Godsey
joycegodsey@gmail.com
BookRepairSupply.com
82 Devon St
Portland, Maine 04102
978-918-6031



Ethan Hipple <ehipple@portlandmaine.gov>

Baxter Woods/Dogs

Ethan Hipple <ehipple@portlandmaine.gov>
To: Mary Najarian <pickensmountainmama@gmail.com>

Mon, Apr 1, 2019 at 8:29 AM

Thanks for your comments Mary. I will forward your comments to the Parks Commission.

Take care,

Ethan

Ethan Hipple

Deputy Director

Parks, Recreation and Facilities Department

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Portland, Maine | Yes. Life's good here.

On Sat, Mar 30, 2019 at 9:10 AM Mary Najarian <pickensmountainmama@gmail.com> wrote:

I understand there is a move on again to require dogs to be on leashes. I am strongly opposed. The woods make a healthy outlet for dogs to run, to be free to chase squirrels if so inclined or to chase each other. The owners enjoy a relaxing social time as well. Please do not impose this unnecessary restriction. Mary Najarian



Ethan Hipple <ehipple@portlandmaine.gov>

Baxter woods

Ethan Hipple <ehipple@portlandmaine.gov>
To: Toji Perlman <tojiperlman@hotmail.com>

Mon, Apr 1, 2019 at 8:30 AM

Thanks for the comments Toji. I will share your comments with the Parks Commission.

Thanks,

Ethan

Ethan Hipple

Deputy Director

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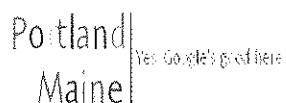
On Sat, Mar 30, 2019 at 4:02 PM Toji Perlman <tojiperlman@hotmail.com> wrote:

Hello,

I read the report concerning the leash laws in Baxter woods. I live next to the woods and walk my dogs there regularly. In the last 6 years, I haven't had one issue with unruly dogs. I think that the reason there have been more complaints than letters of support is because those who enjoy Baxter woods as it is don't feel the need to write to you. I think it would be a big loss for the residents around here to change the leash law. I also think it was largely due to more people using the the park to walk there dogs that pushed out those who where using the woods for sketchy purposes. Limiting its use for dog owners (mostly local families) not a good idea. Thank you for considering my thoughts.

Toji Perlman

Sent from iPad



Ethan Hipple <ehipple@portlandmaine.gov>

dog issues

Ethan Hipple <ehipple@portlandmaine.gov>

Mon, Apr 1, 2019 at 8:33 AM

To: D Leland <lelanddm@gmail.com>

Thanks Dawn. I'll make sure the Parks Commission sees your comments.
Take care,
Ethan

Ethan Hipple

Deputy Director

Parks, Recreation and Facilities Department

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207.808-5400

ehipple@portlandmaine.gov

www.portlandmaine.gov

Portland, Maine | Yes. Life's good here.

On Sun, Mar 31, 2019 at 1:28 PM D Leland <lelanddm@gmail.com> wrote:

Hi Ethan

Maybe you can consider a couple things that came up:

- I tried out a 25' leash today. Did anyone ever actually do that? Dogs can't really play. Mine caught in brush beside the path and then tangled up and tripped another German shepherd and wrapped around people. The leash became covered in mud. It's laughably impractical and just got eye-rolls from people. Try to imagine 10 people with dogs on max. 25' leashes, trying to socialize their dogs.
- Ticks over at Evergreen appear to be an ongoing complaint and several folks mentioned that today. Is the city doing anything to eradicate them, aside from adding toxics to the environment? The deer aren't going away.
- Valley St. park is a poop swamp, a few responsible people come in the early morning, and many of those who do come sit on benches with cell phones and ignore dogs going off to the edges to poop. I've also found piles by the benches, and one day found THREE piles right by the gate.
- If you have a chance, check out (as I did a few weeks ago) the pathetic effort at a "dog park" over in Westbrook: A fenced square, with two broken gates, NO trees or shade or benches, and positioned at a busy intersection near Wm Clarke Dr. and the Hannaford. With snow a foot deep, nothing had been plowed. No one showed up while I was there.

There was nothing about it that said "community."

I realize the decision has probably already been made by those who heard only a few overheated complaints over the years, and no happy messages from those of us who enjoy the space with dogs. It would be interesting to see the place a year off and review the trash left in the woods, which walkers now pick up.

Attached: Leash fun, kids, regular walkers who pick up trash, walkers scouting for dog poop off-path. Enjoy.

Thanks!

— **Dawn**



Ethan Hipple <ehipple@portlandmaine.gov>

FYI: Baxter Woods - Fully eliminating the off-leash policy...

Ethan Hipple <ehipple@portlandmaine.gov>

Mon, Apr 1, 2019 at 9:24 AM

To: "Lesperance, Marc" <Marc.Lesperance@anthem.com>

Hi Marc,

Thanks for your thoughtful comments. I will send them along to the Parks Commission.

Take care,

Ethan

Ethan Hipple

Deputy Director

Parks, Recreation and Facilities Department

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207.808-5400

ehipple@portlandmaine.gov

www.portlandmaine.gov

Portland, Maine | Yes. Life's good here.

On Fri, Mar 29, 2019 at 8:59 PM Lesperance, Marc <Marc.Lesperance@anthem.com> wrote:

Mr. Hipple: I am writing to you out of my concern that the off-leash policy at Baxter Woods (BW) in Portland will be fully eliminated per the City's proposed ordinance change. My dog (Marco) and I are "regulars" in BW and I think I can speak for other "Regulars" in saying that - we all appreciate the hard work that the City staff and Portland Trails crews put in to keep BW safe, clean and gorgeous! First and foremost we dog owners realize how lucky we are to have BW as an off-leash place to enjoy with our canine loved ones! We respect and appreciate the City's role in protecting BW and honoring the deed governing how BW is to be maintained in perpetuity as a sanctuary for people and birds.

Marco and I walk in BW pretty much every day of the week, and even twice per day sometimes. Marco's ability to be off-leash in BW is a benefit to both he and I, as it allows us to each get the physical exercise and social experience we seek in the forest setting. Science shows that dogs are most fit and happy when they are allowed to sniff and mark territory freely. <http://digest.thefarmersdog.com/the-importance-of-letting-your-dog-sniff/> Requiring a 25ft. or shorter leash would drastically limit all dogs experiences in BW and generally make every one of our dogs lives (who love and need their woods romps) less rich and fulfilling.

If the off-leash allowance is fully eliminated - the thought of 25 ft. leashes being used by multiple dog owners during the same visit to BW causes me to envision people tripping over the long lines, dog leashes getting wrapped together potentially leading to dog fights, and dogs coiling their leashes around young trees or shrubs. People, likely dogs and possibly forest flora are going to get hurt! Even worse, with potentially dozens of leashed dogs around BW at peak use hours – passing runners, bikers or even pedestrians will be endangered. Requiring leashes on the BW setting will likely cause more problems than currently exist with the off-leash allowance.

Touching on the complaints and comments the City has purportedly received concerning off-leash dogs – I

have heard about and experienced first-hand some difficult situations in BW. I think I can speak to some people's concerns. While dog fights are not a common occurrence in BW, the worst I've seen happened when one of the dogs was actually on leash! Similarly – as I noted above – kids and people will not necessarily be safer in BW if a leash-law is enforced. Lastly on this topic - I've never heard of a dog biting a person in BW – so I trust that is not an argument for enacting a full time leash requirement. As for kids or other pedestrians being fearful of dogs – we handlers need to be aware of those situations and typically remove our dogs from the setting as needed. This too is not a reason to disallow off-leash dogs.

Looking at the history of Baxter Woods, I recall an initiative in the mid-1990s to ban dogs, and more recently in 2014, when citizen complaints caused the City to rethink the leash rules for BW. The City has considered leash rules before. But if you go back to the original intent, you may already know that both Mayor Baxter and Governor Baxter – namesakes of the BW park - were huge dog and animal lovers! You can see evidence of this at their Pet Cemetery on Mackworth Island – where a dozen or so dogs, horses and even cats I think are interred. While the BW Deed may not mention dogs – the Baxter's allowed their dogs a free run of their homestead on Mackworth Island. I believe the Baxter's would wholeheartedly support the current off-leash ordinance at BW. While there is no mention of dogs in the BW Deed, likely because Portland had no leash laws back in the 1940's - the Deed clearly disallows HORSES in BW and refers to BW as a bird sanctuary. I cannot imagine there is any evidence that ground-nesting or ground-feeding birds have been adversely impacted by off leash dogs in BW. Squirrels perhaps – but birds have not been threatened by the presence of dogs in BW in recent memory. I do not feel birds can be used as a reason to keep dogs on leashes in BW!

In closing I am ALL for keeping the BW off-leash/voice-command rules as is, but can live with an alternative or a compromise. I would suggest allowing dogs to be off-leash during certain hours in the morning and evening (e.g. 7-9am and 4-6pm per se) during the weekdays, with longer off-leash hours on weekends (say 7-10am and 4-7pm). I urge the City to reconsider fully eliminating the off-leash allowance in a wholesale manner! Allowing dogs to be off-leash for certain hours is a good compromise I think, and one that all impacted parties can find some agreement with.

Thanks, Marc

Anthem, Inc.

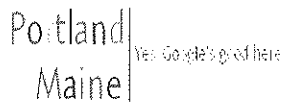
Marc Lesperance, 103 Candlewycck Terrace, Portland, ME
04102

W: (207) 209-0517 | M: (207) 329-4953 | H: (207) 774-6584

marc.lesperance@anthem.com

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Ethan Hipple <ehipple@portlandmaine.gov>

Baxter Woods leash/off leash issue

Ethan Hipple <ehipple@portlandmaine.gov>
To: Shannon Wong <shannonmwong@hotmail.com>

Mon, Apr 1, 2019 at 11:10 AM

Thanks for your comments Shannon. I will pass along to the Parks Commission.

Take care,

E

Ethan Hipple

Deputy Director

Parks, Recreation and Facilities Department

City of Portland

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207.808-5400

ehipple@portlandmaine.gov

www.portlandmaine.gov

Portland, Maine | Yes. Life's good here.

On Mon, Apr 1, 2019 at 11:08 AM Shannon Wong <shannonmwong@hotmail.com> wrote:

Dear Ethan Hipple,

As a lifelong citizen of Portland and a life long dog owner I'm passionate that we need to have access to off leash opportunities for our pets. Portland has such a great network of trails and park spaces yet, not all of them offer off leash opportunities. As a resident in the Highlands neighborhood, a great joy has been walking with my family and dog to Baxter Wood and letting him run off leash to socialize with other people and dogs. For me, this is one of the reasons Portland is such a great place to live. Our outside spaces are shared spaces, and Baxter Woods is a particular gem. These spaces are becoming fewer and fewer, so I urge you to help to find a way that this park can be maintained as a shared space for humans and off leash dogs.

I understand that the issue of owners not picking up after their pets is a concern. Perhaps, as in South Portland, a ranger could patrol and place flags where there are incidences and volunteer responsible dog owners can organize days to go in and pick up the mess. I know I'd be more than willing to go to the woods and spend an hour once a month to help maintain the cleanliness.

Baxter Woods has offered a special spot for my dog to socialize with other dogs, which is vital for his wellness, simultaneously offering opportunities for me to be social with other dog owners too which can sometimes be rare in the winter months. It's a space that the community can gather for a common purpose. This is a niche need for some people.

Just know that the site is such a valuable space for our particular family, and I know we are not alone. I'm sure we can come up with a way to compromise usage so everyone wins. Please don't take away the freedom of all the because of the short fallings of a few.

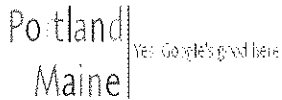
My best,

Shannon Wong

Shannon Wong
Massage & Pottery
Portland, ME
207-329-4386

<http://www.shannonmwong.com> (massage)

<http://www.wongpottery.com> (pottery)



Ethan Hipple <ehipple@portlandmaine.gov>

Comments regarding the Proposed Changes to Baxter Woods Off-Leash Rules

Ethan Hipple <ehipple@portlandmaine.gov>

Mon, Apr 1, 2019 at 2:27 PM

To: Don Caton <dcaton@maine.rr.com>

Cc: "Mavodones, Nicholas" <nmm@portlandmaine.gov>, Justin Costa <jcosta@portlandmaine.gov>, "Kimberly M. Cook" <kcook@portlandmaine.gov>

Thanks for your thoughtful comments Don. I will share them with the Parks Commission.

Take care,

Ethan

Ethan Hipple

Deputy Director

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On Mon, Apr 1, 2019 at 1:04 PM Don Caton <dcaton@maine.rr.com> wrote:

My understanding is that you are encouraging public comment for the proposed changes that will require all dogs in Baxter Woods to be on a leash 25 foot or less. I have lived in the same house within walking a short distance of Baxter's Woods for 43 years. My children are the 5th generation of my wife's family that have lived in our house and 2 of them still live in the Deering Center neighborhood with children of their own. I have walked 4 generations of dogs in these woods and I am opposed to such a change:

- The large majority of dog owners are responsible and are self-policing. Each time that the Parks Dept. has brought up issues, things have improved. I doubt that adding another restriction will change the actions of any 'bad actors', only harm the responsible owners and their dogs.
- Baxter Wood's is a neighborhood meeting place for many of these dog owners, including a lot of our older residents. They walk together or meet at the field to let their dogs play, while they enjoy the outdoors and each other's company. Can you imagine what it will be like if groups of 2 or more dog owners try to gather or work together and have a discussion while their dogs play on 25 foot leashes? Someone will get hurt or just as bad: the conversations and gatherings of neighbors will just stop happening. Is that what the Parks & Rec Dept. is trying to achieve?
- During winter, the ice on the paths in the woods is a hazard. Walkers use "grippers" on their boots just to try to stand up. Adding leashes to the mix will cause injuries and force older residents to stop walking there completely.
- I find the argument regarding 'not qualifying' as a bird sanctuary to be a weak and laughable attempt to come up with reasons to leash the dogs. Has the Park & Rec Dept ever provided any education regarding any birds, let alone ground nesting birds, when they nest, or how to protect these nests the woods? There are signs describing trees in the woods – I've nothing to identify birds or that these woods are a bird sanctuary.

· You also state that there alternatives for off-leash. This is a lot like what the federal government did to the American Indians: slowly taking away all the available good land and forcing us to less than desirable alternatives: the woods behind Evergreen Cemetery have a lot of ledge and are more dangerous in the winter time when it is icy. The cemetery is gated and locked, it's hours are 8 am – 4:30 pm: open too late for people that work and not open late enough for those that want to walk after work. The other options mentioned are not very desirable.

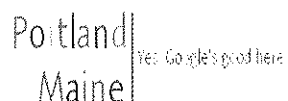
I have to admit that I do agree with the fact that these woods should be available for EVERYONE. I feel bad for those that are just plain scared of any dogs, but I don't agree that the majority of dog owners should be penalized for a few bad actors. Perhaps, you could look at some compromise, something similar to East End Beach: off-leash only before 9am and after 3:30pm (which as it turns out is when most dog owners walk their dogs there). It's not perfect, but it would provide plenty of worry-free access time for families with children, those afraid of dogs, school children.

I appreciate your willingness to request comments and hope your committee and the city council can consider the needs of the dog owners.

Don Caton

14 Holly St

Portland, ME 04103



Ethan Hipple <ehipple@portlandmaine.gov>

Baxter Woods Neighborhood Meeting

Ethan Hipple <ehipple@portlandmaine.gov>
To: Eva Humeniuk <evahumeniuk@gmail.com>

Mon, Apr 1, 2019 at 2:28 PM

Thanks for your comments Eva. I will share with the Parks Commission.
Take care,
Ethan

Ethan Hipple
Deputy Director
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ehipple@portlandmaine.gov

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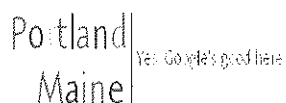
On Mon, Apr 1, 2019 at 1:09 PM Eva Humeniuk <evahumeniuk@gmail.com> wrote:

Hi Ethan, I won't be able to attend the neighborhood meeting on Baxter Woods but wanted to share my email thoughts and suggest a solution.

I walk through these woods quite often with my young children and pup. While, we have not had any bad experiences with dogs off leash I have no doubt others have.

One solution is that, perhaps the woods could have off leash "hours", similar to our beaches likes Willard. Perhaps a time early in the morning (before 7am) and evenings (after 7pm) dogs can be off leash but all other times dogs must be on a leash, (or whatever time everyone thinks is best).

Thank You, Eva



Ethan Hipple <ehipple@portlandmaine.gov>

Dogs in Baxter Woods

Ethan Hipple <ehipple@portlandmaine.gov>

Fri, Mar 29, 2019 at 12:54 PM

To: Michael Mertaugh <michaelmertaugh@gmail.com>

Cc: Sally Deluca <SLD@portlandmaine.gov>, "Waxman, Dory" <mermaidst@gmail.com>, Allison Carroll <acarroll@portlandmaine.gov>

Thanks Michael. Sorry to hear about the incident.

So the language we will use will be what is currently in Chapter 5 of City Code--we are simply proposing to move Baxter Woods from the "off leash/voice control" section (5.15-1(e)) to the "25 foot leash" section (5-15.1(c))
<http://www.portlandmaine.gov/DocumentCenter/View/1069/Chapter-5-Animals-and-Fowl---Revised-9182017>

See you on Thursday,

E

Ethan Hipple

Deputy Director

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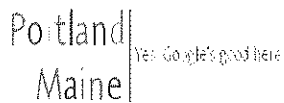
On Thu, Mar 28, 2019 at 1:37 PM Michael Mertaugh <michaelmertaugh@gmail.com> wrote:

Ethan,

I'd like to add my voice to the comments on dogs in Baxter Woods. I frequently ride my bicycle through Baxter Woods enroute to Pat's market on Stevens Avenue or the fish market on Forest Avenue. I was attacked by an off-leash dog there when I was bicycling on the path recently, and the dog owner limply explained: "I'm sorry, my dog freaks out over bicycles." I have seen many other examples of unwelcome behavior by dogs there.

I heartily support the proposed change, with a slight change in wording. I propose: "Dogs in Baxter woods are to be restrained at all times on a leash not exceeding 25 feet in length." This wording makes it clear that the dog owner is responsible for **restraining** his or her dog, which means much more than allowing any behavior within a 25 foot radius. We have all seen examples of aggressive behavior by dogs that are on leash but not restrained by their owners.

Michael



Ethan Hipple <ehipple@portlandmaine.gov>

Baxter Woods, Dogs, etc.

Ethan Hipple <ehipple@portlandmaine.gov>

Mon, Apr 1, 2019 at 12:59 PM

To: Adam Victor <adam_victor@yahoo.com>

Thanks for the comments Adam--I'll pass along to the Parks Commission.

We do receive a lot of citizen comment on off-leash dogs at Baxter Woods--more than for any other open space in the city.

I'll see you at the meeting, and hopefully can answer some of your questions there.

Take care,

Ethan

Ethan Hipple

Deputy Director

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Portland, Maine | Yes. Life's good here.

On Mon, Apr 1, 2019 at 11:21 AM Adam Victor <adam_victor@yahoo.com> wrote:

Hi, Ethan,

I understand you've received some complaints about unruly dogs in the Woods. I'd be curious as to the volume of complaints -- I've spent a good amount of time there myself (have lived in the neighborhood since 2003), and certainly have seen some rambunctiousness, excitement, and exuberance amongst the dogs — they are dogs, after all — but I've never witnessed danger, attacks, or people cowering in fear. I'm sure it's happened, but it's certainly not characteristic of the space, the dogs, the owners, or even the non-dog-owning bystanders (like myself).

I noted that this morning's Press Herald article does not reference dog attacks, danger, or anything of the like. It does mention that a pregnant woman was "nearly knocked over," and the owner wasn't "apologetic." OK...um...well, that doesn't really sound like a crisis. Also, some middle school students were "terrified" of dogs. That sounds more like a people problem than a dog problem.

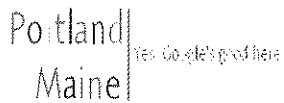
I understand the bird issues, but are we at the stage where if there are negative consequences for any person, or group of birds, we need to make this kind of change? A change that impacts not only the hundreds of dogs and taxpayers who enjoy the park daily, but also the surrounding community?

If you've ever been in Baxter Woods at 7 o'clock in the morning, there is life, there is conversation, there is joy, there is animation, and there is community. People who look out for each other and their dogs. And it is all incredibly enhanced by the untethered nature of both dog and owner.

The net effect of making this change will be a reduction in the park's usage. It will become more sparse, less trafficked, less safe, and less of a community gathering place. Is that what Portland citizens want? I hope not.

See you Thursday night, and thanks for your consideration.

Adam Victor
224 Coyle St.
Portland, ME 04103
207-766-6807



Ethan Hipple <ehipple@portlandmaine.gov>

Baxter Woods for dogs

Ethan Hipple <ehipple@portlandmaine.gov>

Wed, Apr 3, 2019 at 2:25 PM

To: Caroline Robinson <robinc@portlandschools.org>

CC!! Good to hear from you, and thanks for the comments. I'll pass them on to the Parks Commission.

It is a tough one--I've got many friends and neighbors (you included!) who love to use it as an off-leash dog area, but we are trying to balance that with other uses and the deed restrictions to preserve it as a bird sanctuary. Definitely a good case study of the challenges of balancing the multiple uses of public land.

Take care,

E

Ethan Hipple

Deputy Director

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ehipple@portlandmaine.gov

www.portlandmaine.gov

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On Tue, Apr 2, 2019 at 10:26 PM Caroline Robinson <robinc@portlandschools.org> wrote:

Howdy!!!!

I hear you are the one sifting through everyone's perspective on the old Baxter Woods leash question!

As a massive fan of Baxter Woods (Lewis and I walk George in there twice a day!) I want to say that it's my favorite part of our neighborhood and watching George gallop around with his buddies is often the best part of my day. I am definitely in the 'please keep off leash permission there' camp.

The community of dog owners there is pretty awesome, very responsive and responsible, and fun to walk with.

That being said....I utterly respect cross country runners who want to not have dogs get excited when they fly through!

Good luck with this one....it's dear to the heart of many!

CC

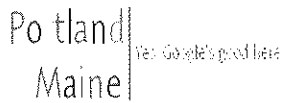
--

CC Davies Robinson
English Teacher
Senior Humanities Team
Casco Bay High School

"Love allows understanding to dawn, and understanding is precious. Where you are understood, you are at home." -John O'Donohue

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Ethan Hipple <ehipple@portlandmaine.gov>

Comptemplation of leash law in Baxter Woods

Ethan Hipple <ehipple@portlandmaine.gov>

Tue, Apr 2, 2019 at 2:24 PM

To: Lita Semrau <lita@portcityarch.com>

Hi Lita,

I've attached a memo that we wrote to the Parks Commission that helps explain the reasoning. Hope it helps answer your questions. FYI... We allow off-leash dogs on approximately 495 acres in Portland. Valley St Dog Park and Quarry Run account for about 6 acres together, and Baxter Woods is 29 acres.

Take care,

Ethan

Ethan Hipple

Deputy Director

Parks, Recreation and Facilities Department

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207.808-5400

ehipple@portlandmaine.gov

www.portlandmaine.gov

Portland, Maine | Yes. Life's good here.

On Tue, Apr 2, 2019 at 12:21 PM Lita Semrau <lita@portcityarch.com> wrote:

Just want to know what would motivate even considering a leash law in Baxter Woods – there are already many place in Portland where leashes are required and very few where dogs can run . . . please do not mention the dog park below Maine Med (that place is overused and too small for an adequate walk for me) and we need to more spaces for humans and their dogs to be able to take in a little exercise at their own pace . . . las

Lita Semrau, AIA, NCARB, LEED AP

Port City Architecture

65 Newbury Street

Portland, ME 04101

p: 207.761.9000

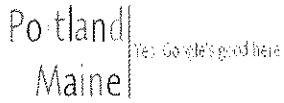
w: www.portcityarch.com





Baxter Woods Off Leash Memo 3-7-19.pdf

142K



Ethan Hipple <ehipple@portlandmaine.gov>

Baxter Woods off-leash issue

Ethan Hipple <ehipple@portlandmaine.gov>

Tue, Apr 2, 2019 at 2:26 PM

To: Rochelle Spiegel <rochellespiegel@gmail.com>

Thanks for your comments Rochelle. I will pass them on to the Parks Commission.

Take care,

Ethan

Ethan Hipple

Deputy Director

Parks, Recreation and Facilities Department

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ehipple@portlandmaine.gov

www.portlandmaine.gov

Portland, Maine | Yes. Life's good here.

On Tue, Apr 2, 2019 at 10:00 AM Rochelle Spiegel <rochellespiegel@gmail.com> wrote:

Hello Mr. Hipple,

I am writing to you because I am a small dog owner and I regularly take my dog off-leash into beautiful Baxter Woods. My husband and I bought our house in the neighborhood to live within walking distance of Baxter Woods. We are responsible dog owners and have always respected this place. Our dog is very well trained and always stays with 15 feet of us. We are also nature lovers and love admiring all of the trees, shrubs, wildflowers, mushrooms, mosses, and birds up in the trees.

We walk there in the mornings before work and I know our presence there has made many strange and or drugged-out homeless people feel very uncomfortable. I've seen them move on and pack up their sleeping bags because they see us coming. I've even called the police many times to report tents and crazy people acting oddly. We've even scared away groups of teenagers smoking pot on their way to school. Responsible and respectful dog owners make a huge difference in this park.

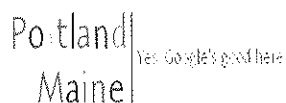
My elderly neighbor has lived in this neighborhood her whole life and will not set foot into Baxter, not because of the dogs, but because that is where the "Bad people hang out", because she only knows that drug addicts used to hang out in there. I try to tell her it's not like that anymore but she is terrified of being mugged or raped by a drug addict living in there.

If this park becomes a leash-only park I'm afraid it will turn into a homeless and druggie haven again, especially on the back trails. Personally, my husband and I would no longer use this park and I know many of us responsible people would just go somewhere else where our dog can run and play with other dogs.

Maybe a better solution would be to have a multi-use park by setting times of the day that are off-leash and leash only, like Willard Beach. This way everyone could use the park.

Please do not take this place from us.

Respectfully,
Rochelle Spiegel
503-307-4091



Ethan Hipple <ehipple@portlandmaine.gov>

Baxter Woods public comment

Ethan Hipple <ehipple@portlandmaine.gov>
To: Marissa Bodnar <marissabodnar@gmail.com>

Tue, Apr 2, 2019 at 3:54 PM

Thanks for the comments Marissa--we'll forward on to the Parks Commission.

Thanks,

Ethan

Ethan Hipple

Deputy Director

Parks, Recreation and Facilities Department

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ehipple@portlandmaine.gov

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Portland, Maine | Yes. Life's good here.

On Tue, Apr 2, 2019 at 1:39 PM Marissa Bodnar <marissabodnar@gmail.com> wrote:

Hi Ethan,

I'm writing to weigh in on the proposed leash rule in Baxter Woods. I can't make it to the hearing on Thursday, but am hoping the committee will take this under consideration with the other public comments.

As a dog owner who visits these woods multiple times a week, every week, I strongly oppose this proposal. I can't really speak to the bird sanctuary part of the memo, but do feel it's important to share my experiences regarding "safety concerns."

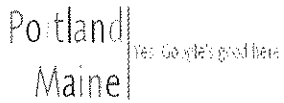
I've been bringing my rescue dog there for more than three years and have never worried for my safety or his. I don't doubt there are occasional incidents – sometimes a dog gets excited and jumps up on someone – but that can also happen anywhere, leash or no leash, rules or no rules. From my experience, the suggestion that dogs in Baxter Woods are "unruly" or a threat to people or other dogs is completely absurd. In fact, I actually see owners of less friendly dogs taking the preemptive step of putting them on a leash.

As a former resident of Deering Center, I can tell you this is the heart of the neighborhood for any dog owner. It's a wonderful community of people and dogs. I've made friends in these woods and so has my dog. The location is still five minutes away from our home and allows us to meet up with other folks to get some activity in, especially on busy work days and the part of the year when daylight is in short supply.

In my opinion, a 25-foot leash just makes for a tangled mess of a walk with brush and trees right along the trails, and as dogs greet each other. The questions I'm left with: How will this be enforced? And if passed, is the city willing to look at making other locations available for off-leash dogs?

Thanks for your time.

Marissa Bodnar (& Atlas)
207-653-3446.



Ethan Hipple <ehipple@portlandmaine.gov>

Baxter Woods - in support of off leash

Ethan Hipple <ehipple@portlandmaine.gov>
To: Adrienne Fine <adrienne.fine@gmail.com>

Wed, Apr 3, 2019 at 2:07 PM

Hi Adrienne,
Thanks for your comments, we will share with the Parks Commission.
Take care,
Ethan
Ethan Hipple
Deputy Director
Parks, Recreation and Facilities Department
City of Portland
212 Canco Rd, Suite A
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207.808-5400
ehipple@portlandmaine.gov

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On Wed, Apr 3, 2019 at 2:05 PM Adrienne Fine <adrienne.fine@gmail.com> wrote:

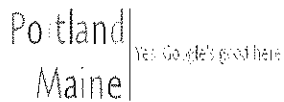
Hello Ethan,

Thank you for accepting emails prior to the meeting in regards to the Baxter Woods dog leash issue. I just wanted to email you as a citizen and neighbor to Baxter Woods (27 Florence St, Portland) to say that I am in support of continuing to allow dogs to be off lease within Baxter woods.

In general I see users of Baxter woods following the current rules of voice command, not letting your dog out of sight, and picking up after them (even off trail). It would be a shame to take away one of the few areas that dogs are allowed off leash within the City limits, especially one that is walking distance from many neighborhoods. Forcing dog owners who chose to buy homes in dog friendly neighborhoods walking distance to Baxter Woods to now drive to the City limits to get to other off leash areas is not favorable. Portland is a dog friendly City and removing this central off leash area would change that perception.

I appreciate your time on this matter.

Thank you,
Adrienne Fine



Ethan Hipple <ehipple@portlandmaine.gov>

Baxter Woods

Ethan Hipple <ehipple@portlandmaine.gov>
To: Mollie Bash <mbash2@gmail.com>

Wed, Apr 3, 2019 at 3:50 PM

Thanks for the comments Mollie. We will share with the Parks Commission.

Take care,
Ethan

Ethan Hipple
Deputy Director
Parks, Recreation and Facilities Department
City of Portland
212 Canco Rd, Suite A
Portland, Maine 04103
207.808-5400
ehipple@portlandmaine.gov

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Portland, Maine | Yes. Life's good here.

On Wed, Apr 3, 2019 at 9:05 AM Mollie Bash <mbash2@gmail.com> wrote:

Hi Mr Hipple,

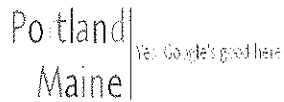
I am writing to you as a citizen of Portland who visits Baxter Woods daily with her two dogs. I live in Portland and am a Portland taxpayer. Baxter Woods is a fantastic off leash space for dogs to be able to play in Portland. As someone who visits daily, changing the leash law would have a significant negative impact on my quality of life as Portland citizen. Every dog owner that I have encountered there is conscientious about watching their dogs and cleaning up after them. There are very few places like Baxter Woods in Portland available for dogs and there are many more places for people to walk if they do not wish to be around dogs.

A far bigger concern in terms of the park being family friendly is the amount of broken glass that can be found in the Woods. This is something that I pick up whenever I see it and I know other people walking their dogs do the same. This will continue to be a bigger problem for children and families if the number of people walking their dogs decreases due to this proposed law.

I am unable to attend the meeting tomorrow due to work but it would be extremely disappointing to lose this space.

Thank you,
Mollie Goldenberg

Sent from my iPhone



Ethan Hipple <ehipple@portlandmaine.gov>

Baxter Woods

Ethan Hipple <ehipple@portlandmaine.gov>
To: Debra Flynn <debra_ann@maine.usa.com>

Wed, Apr 3, 2019 at 4:03 PM

Thanks very much Debra, I will make sure the Parks Commission sees your comments.
See you tomorrow,
Ethan

Ethan Hipple
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On Mon, Apr 1, 2019 at 11:07 AM Debra Flynn <debra_ann@maine.usa.com> wrote:

Hello,

I live on Hartley Street and I wanted to let you know that I will be there at the meeting to support the city in it's obligation as a trustee of Baxter Woods.

This is not only a public safety issue, a waste issue but dogs that are loose are detrimental to the environment. Baby birds learning to fly as well as other wildlife are at risk from loose dogs.

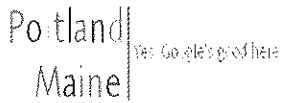
We have 2 greyhounds that have been attacked in the day in these woods, so much that they now refuse to enter or go near them during the day when there are loose dogs. We hear people all the time calling or whistling for their loose dogs. We've had loose dogs come into our yard, no person in sight or dogs come after us walking on the sidewalk past the woods. This isn't a dog park, yet people seem to forget how to be responsible for their pet.

Thank you for addressing this issue of Baxter Woods not being in compliance with the deed.

Debra Ann Gorneault

--

Sent from my Android phone with mail.com Mail. Please excuse my brevity.



Ethan Hipple <ehipple@portlandmaine.gov>

Baxter Woods leash law change

Ethan Hipple <ehipple@portlandmaine.gov>
To: Anne Callender <anne@whipplecallender.com>

Wed, Apr 3, 2019 at 4:06 PM

Hi Anne,
Thanks for your comments and thoughtful letter. I will make sure the Parks Commission gets a copy.
Take care,
Ethan
Ethan Hipple
Deputy Director
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212 Canco Rd, Suite A
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On Tue, Apr 2, 2019 at 3:03 PM Anne Callender <anne@whipplecallender.com> wrote:
Hello Ethan -

Please include my letter enclosed with the comments on proposed changes to the leash law in Baxter Woods.

I have enjoyed walking my dog in Baxter Woods for the past 15 months (at least twice a day) and have had many wonderful experiences and relationships because of it. Your proposal will deny me and my husband the happiness that we enjoy by having a place near by to let our dog run. Dogs bring a lot of joy and comfort to humans, and they are a big part of a healthy life. Your proposal will impact my life negatively.

Sincerely,
Anne Callender

April 1, 2019

Mr Ethan Hipple
Deputy Director
Parks, Recreation and Facilities Department
City of Portland
212 Canco Road, Suite A
Portland, ME 04103

RE: Baxter Woods Off-leash Policy

Dear Mr. Hipple -

I am disappointed to read your recommendation of having dogs leashed in Baxter Woods. The study commissioned by the City solely looks at the use of the Woods from an ecological assessment bias that puts more weight on the "sanctuary for wild birds" than it does on the "benefit of the people of Portland for public recreational purposes".

I am frustrated that staff has not taken the time to survey users of Baxter Woods and appears to be heavily influenced by complaints rather than observing those who regularly use it and keep it vibrant. If you did, you would find that the regular users have formed a community that enjoys seeing each other on a regular basis for walks and while allowing their dogs to play. This might sound like a joke, but I used to have regular walks with a Rabbi, a Priest and a professed Communist, and found that we would enjoy each other's company discussing a wide range of topics. None of us would have ever had that opportunity to meet and form such a meaningful relationship if it wasn't for this park.

If the dog owners of Portland knew that we had to regularly write comments to staff about our love and joy of walking with and meeting other people in our community in Baxter Woods, we would fill your in box on a daily basis. The majority of the users are responsible in keeping their dogs under watchful eyes, picking up their feces, and keeping the play under control. The park has allowed us to socialize our dogs as well as ourselves. For over 15 years, I have enjoyed the benefits of this park, it seems capricious to change the rules now.

I disagree that there ample access to other open spaces for dogs to run free in Portland. Baxter Woods proximity to 3 streets has an advantage for my safety. I would not be comfortable walking alone in Evergreen Woods because of its lack of visibility and proximity from habituated areas. The same can be said for Canco Woods, and Valley Street doesn't present itself with a way for me to get exercise in unison. There are more dogs than children in the blocks surrounding Baxter Woods and it provides a welcomed break from walking dogs on leashes on the street.

In this era of disconnectedness, Baxter Woods has given me a way to connect with my neighbors and form bonds with my community that aren't available to me in any other form. Introducing leashes into the park will make it difficult to have the same interactions. Dogs behave differently on leashes when interacting with other dogs. Some appear more aggressive to protect their owners and themselves since they can't retreat to assess the situation. Dogs that enjoy playing with each other will get tangled up in leashes. Twenty-five foot leashes threaten to entangle more humans and do bodily harm.

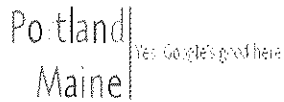
I respectfully request that you and the Parks Commission consider that the benefit for the people of Portland and leave the off leash provision in place. The report did not find that this park had any high-value plant or wildlife habitats. There isn't a lack of wildlife in Baxter Woods with its owls, woodpeckers, hawks, raccoons, squirrels, chipmunks, skunks, foxes and opossums. Evergreen Cemetery with its larger acreage and less light pollution is a greater draw for migrating birds. In 1946 when this land was deeded to the city, dogs could run free without much fear of being hit by cars or being lost or stolen. My mother's dog would walk her to school in the morning, return at lunch to walk her home, and repeat the exercise again at the end of the day. Those days are long gone and dog owners would like to have places to allow them to play with their dogs off leash. There is a big need and desire for these types of spaces and they should be accommodated in similar fashion to providing ballfields for another portion of the population.

Governor Baxter was a tremendous dog fan and I have a hard time believing that he won't have left the woods to the dogs if he knew how limited the options would be for them to roam free and play today.

Thank you for your consideration.

Respectfully,

Anne Callender and Dash the springer spaniel
138 Pleasant Ave
Portland ME 04103



Ethan Hipple <ehipple@portlandmaine.gov>

Keep Baxter Woods off-leash!

Ethan Hipple <ehipple@portlandmaine.gov>
To: Stephan Spiegel <stephan@stephanspiegel.com>

Wed, Apr 3, 2019 at 4:35 PM

Thanks for your comments Stephan, I'll get them to the Parks Commission.

Take care,

Ethan

Ethan Hipple

Deputy Director

Parks, Recreation and Facilities Department

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ehipple@portlandmaine.gov

www.portlandmaine.gov

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On Wed, Apr 3, 2019 at 4:19 PM Stephan Spiegel <stephan@stephanspiegel.com> wrote:

Dear Mr. Hipple,

I'm writing to voice my strong opposition to the proposal to revoke the off-leash status of Baxter Woods.

I'm both a dog walker and a property owner. I walk my dog almost daily at Baxter Woods. While having to take my dog elsewhere for off-leash activity would be an inconvenience, I'm much more concerned about what the rule change would do to the value of my property.

My wife and I bought our house three years ago. We specifically wanted a home within walking distance to Baxter Woods, because of its status as an off-leash area. We paid significantly over asking for our home, in large part because of its location, and I know we're not the only home buyers in our neighborhood for whom this is the case.

Some of our long-time neighbors have not set foot in Baxter Woods since the 80s or 90s. They are afraid, not of dogs, but of "shady people" who supposedly hang out there. Having never seen anyone of that description in Baxter Woods, it's clear to me that the presence of dog walkers keeps drug users and urban campers out. In fact, some of the wooded areas immediately adjacent to Baxter Woods, on private property and thus off-limits to dog walkers, show signs of recently inhabited encampments.

To summarize, I believe banning off-leash dogs from Baxter Woods will lower the surrounding property values in two ways: One, by making the area less desirable to home buyers who are also dog owners, and two, by making the woods themselves more attractive to drug users and homeless people, with the ensuing rise in crime and refuse.

Please don't allow the unattainable "unspoiled" woods imagined by some who would use it once or twice a year ruin it for those of us who use it daily, and to take money out of the pockets of all of us who own property around Baxter Woods!

Regards,

Stephan Spiegel

151 Prospect Street
Portland ME, 04103



Ethan Hipple <ehipple@portlandmaine.gov>

Baxter Woods

Ethan Hipple <ehipple@portlandmaine.gov>
To: Aimee Kudlak <akudlak@maine.rr.com>

Fri, Apr 5, 2019 at 3:18 PM

Thanks for the comments Aimee.
Take care,
Ethan

Ethan Hipple
Deputy Director
Parks, Recreation and Facilities Department
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212 Canco Rd, Suite A
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207.808-5400
ehipple@portlandmaine.gov

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On Fri, Apr 5, 2019 at 2:50 PM Aimee Kudlak <akudlak@maine.rr.com> wrote:

Dear Ethan,

Thank you for reaching out to all of us who love Baxter Woods. I too am a dog walker there. My 16 1/2 year old dog, Freddy, has outlived almost all of his former friends. There are a lot of both old and new dog owners walking in the woods these days. Some of the new dog owners need as much training as their dogs. But I can't imagine that there is so much damage being done by the dogs that they would have to be kept on leashes.

When I first started walking in Baxter, there was a huge forest of trees behind the Mother House on Stevens Avenue. These were cut down to make a ball field for Cathrine McAuley high school which was very rarely used. No one seemed to complain about the destruction of these woods and all the wildlife it destroyed. Now plans are in the works to build five or six buildings on this ball field. The noise and traffic and commotion coming from the construction will do more harm to the wild life in Baxter Woods than any dog can do, not to mention the influx of all the people that will be moving into those condos.

The dog walkers actually do a lot to clean up the woods. We do a poop cleanup weekend in the Spring, pick up broken bottles and trash and try to keep the woods as natural as we can. One time, someone tossed a bunch of metallic confetti on one of the paths. It took weeks to clean it up, but we did.

I hope this situation can be resolved in a way that will benefit all living things: dogs, cats (yes some people walk their cats), birds, squirrels, fox, raccoons, chipmunks, salamanders, frogs, fish, turtles, trees, but most of all the people who love Baxter Woods and want to keep it just as it is and has been for the past 73 years.

Sincerely,,
Aimee A Kudlak



Ethan Hipple <ehipple@portlandmaine.gov>

Re: A Baxter compromise — set hours

shambaugh@gwi.net <shambaugh@gwi.net>
To: Ethan Hipple <ehipple@portlandmaine.gov>

Fri, Apr 5, 2019 at 5:02 PM

Thank you Ethan, for all your work and your love of the parks!

On 2019-04-05 12:55, Ethan Hipple wrote:

Thanks for the suggestion Ben.

We are looking at some compromise options and weighing that with the possible impact on safety and bird sanctuary habitat.

I appreciated the civility shown at the meeting last night by all involved. I know it is a tough topic that folks are passionate about.

Take care,
Ethan

Ethan Hipple
Deputy Director
Parks, Recreation and Facilities Department
City of Portland
212 Canco Rd, Suite A
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207.808-5400
ehipple@portlandmaine.gov

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On Thu, Apr 4, 2019 at 6:09 PM Shambaugh <shambaugh@gwi.net> wrote:

Dear Ethan,

Thank you for a good hearing and your great research. I appreciate your points and suggest a possible compromise, which you mentioned but did not include in your bullets points. Off leash 7-9 and after 5 pm. Leashed at other times. That allows the middle of the day for all and does limit bird threats. It works on the beaches and Robinson woods and could work here too.

Thanks again
Ben Shambaugh

Sent from my iPhone

On Apr 1, 2019, at 3:44 PM, Ethan Hipple <ehipple@portlandmaine.gov> wrote:

Hi there Ben,
Thanks for the thoughtful comments and sorry to hear about the loss of your dog Sasha.

We will make sure the Parks Commission gets a copy of your comments for the meeting this Thursday.

Take care,

Ethan

Ethan Hipple

Deputy Director

Parks, Recreation and Facilities Department

City of Portland

212 Canco Rd, Suite A

Portland, Maine 04103

207.808-5400

ehipple@portlandmaine.gov

www.portlandmaine.gov

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On Mon, Apr 1, 2019 at 2:33 PM <shambaugh@gwi.net> wrote:

March 1, 2019

Dear friends,

My dog Sasha died of old age a few months ago. She and I walked in Baxter Woods at least two times a day for 14 years. Baxter is just a block from my home and -- along with Portland High, Longfellow and Lincoln -- is a large part of what makes the Deering Neighborhood great. It was at Baxter Woods that I got to truly know my neighbors, catch up on people's lives, and take time to nourish my soul. This happened in many ways, because of connections made through people with dogs. Again and again, I knew the dog's name long before I knew the owner. Because the dogs were off leash, they were able to greet me as well as my dog, and we built community, one sniff and pet at a time. The pure joy of animals and owners freely wandering the woods is a gift and wonder to share. Though my dog is gone, going to Baxter woods every day fills me with joy.

Today I walked around Mackworth Island and made a point of visiting the cemetery of Baxter's many generations of Irish Setters. Yes, he loved birds. He also loved dogs and during all my time in Baxter woods, I have never seen the one bother the other. In fact, dogs keep the number of cats -- who do bother the birds -- to a minimum.

I was part of community conversations with the city regarding dogs in Baxter Woods that happened at the Wilde Chapel a few years ago. As a result of those meetings, the city put in more trash cans to collect poop and the owners picked it up. Since then, the winter snows and annual "spring thaw" have been much cleaner -- proof that the vast majority of dog owners are responsible and responsive and that we can work together, while still maintaining what is a treasure to us all.

Yes, there are rare occasions when a careless owner or poorly trained dog behave less than perfectly. These, however, are very limited and -- as those folks don't seem to worry about rules or norms I do not think that new rules will change their behavior. They would, however, have a huge negative impact on the quality of life, the sense of community, and the joy that makes our neighborhood and our city special.

Thank you for keeping it as it is today -- a gift to us all. Thank you for your continued great work on our behalf.

Sincerely,

Ben Shambaugh

147 Clinton Street

Portland, ME 04103

207 400-7516

Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.

Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.



Ethan Hipple <ehipple@portlandmaine.gov>

Baxter woods and Quarry Run dog park

Ethan Hipple <ehipple@portlandmaine.gov>

Mon, Apr 8, 2019 at 11:10 AM

To: Audrey Bergeron <audrey.b.bergeron@gmail.com>

Thanks Audrey.

We are looking at possible compromises and studying whether that could have a positive impact on safety and the bird sanctuary issues.

Enforcement is still required during off-leash voice control times because many people do not comply with voice control rules (dog 50 feet from owner, must return when called).

But either way, we will be looking at alternatives.

Our Parks Maintenance crew is capping the debris that is exposed each Spring--most likely will happen next week. And the piece of metal will be removed sooner. Thanks for letting us know!

Take care,
Ethan

Ethan Hipple

Deputy Director

Parks, Recreation and Facilities Department

City of Portland

212 Canco Rd, Suite A

Portland, Maine 04103

207.808-5400

ehipple@portlandmaine.govwww.portlandmaine.gov

Portland, Maine | Yes. Life's good here.

On Sun, Apr 7, 2019 at 9:42 AM Audrey Bergeron <audrey.b.bergeron@gmail.com> wrote:

To the Deputy Director, Dept of Parks, Rec, & Facility:

I would first like to thank you for all that you do to ensure that Portland has so many beautiful parks for the public to enjoy. I attended the public comment hearing regarding Baxter woods this past week and, although I disagreed with your suggestion regarding the leash law, I appreciate the time and effort you put into your presentation.

I have two requests for your department. The first is regarding Baxter woods and the second is regarding Quarry Run dog park.

My request for Baxter woods is to follow a model similar to East End beach where dogs must be on leash for a certain time (like 9-5) for certain months (April through October). This would be easier to enforce because it limits the enforcement period to 8 hours a day. It would also give people who want to enjoy the woods without meeting dogs a time of day to do so and this time lines up well with the school day and cross country meets. This would also encourage dog walkers to bring their dogs outside of these hours so they can let their dogs off leash. I know that you expressed concern over birds not knowing this schedule, but based on the research you presented, I don't believe you can definitively say the presence of dogs is the only thing affecting the bird population. For example, you compared the number of bird species to places like Wolfe's Neck, but these places do not experience the noise pollution from planes and traffic, the amount of people, or nearby construction that Baxter woods does.

My request regarding Quarry Run dog park has to do with the bricks and chunks of metal that are currently sticking out of the dirt in the open area at the top of the hill where people and dogs tend to congregate. My understanding is that this is an old land fill and this is a recurring issue. My concern is that the sharp corners of these bricks and metal parts are trip hazards for humans and could cut dogs' paws. Is there a plan with the weather warming up to fill in more dirt in this area or to have these items pulled out?

Thank you for your consideration.

Audrey Bergeron
14 Florence St Apt 2



Ethan Hipple <ehipple@portlandmaine.gov>

Question: Baxter Woods - Complaints about dogs, Support of a Leash Law in Baxter Woods...

Ethan Hipple <ehipple@portlandmaine.gov>

Mon, Apr 8, 2019 at 6:33 PM

To: "Lesperance, Marc" <Marc.Lesperance@anthem.com>

Cc: "sld@portlandmaine.gov" <sld@portlandmaine.gov>, "mlesperance@maine.rr.com"

<mlesperance@maine.rr.com>, Jessica Grondin <jgrondin@portlandmaine.gov>, Matthew Coleman <mcoleman@portlandmaine.gov>

Hi Marc,

I've answered your questions below in red. Jessica Grondin will be responding to your FOAA request.

Take care,
Ethan**Ethan Hipple**

Deputy Director

Parks, Recreation and Facilities Department

City of Portland

212 Canco Rd, Suite A

Portland, Maine 04103

207.808-5400

ehipple@portlandmaine.govwww.portlandmaine.gov

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On Mon, Apr 8, 2019 at 4:17 PM Lesperance, Marc <Marc.Lesperance@anthem.com> wrote:

Mr. Hipple: I am following up on your presentation at the Parks Commission meeting last Thursday, April 4, 2019 and have a few questions for you and the Parks Department.

At the meeting on Thursday you mentioned that the City has received "many complaints" from Portland citizens about off leash dogs at Baxter Woods, and in your 3/7 memo (attached) to the Parks Commission – you note that the Parks Department "...regularly receive(s) verbal and written comments from the public about the current policy: primarily the comments are opposed to the off-leash policy, with a smaller number in favor."

While my unofficial tally of speakers at the Thursday meeting polled 24 who spoke against the leash law, I counted only 1 and possibly a 2nd person who favor the leash law in Baxter Woods. As a discounting of the overwhelming public response against the leash law at Thursday's meeting – both you and at least one member of the Parks Commission pointed out that the written comments submitted to the City and in the Commission's packets were more "50/50" in favor of the leash law.

Being compelled to verify the written complaints the City attests to, I reviewed the Public Comments pdf (attached) and tallied the following comments:

- 10 distinct complaints about off-leash dogs in Baxter Woods
- 11 neutral or general statements or communications about Baxter Woods (e.g. concerning tree trimming, replacing signage, ducks in the Baxter Woods Pond, etc.)

- 15 written comments in support of Baxter Woods as-is – and most directly against a full time leash law

I can provide a written summary of the comments tally if you'd like, but clearly the written comments are not, by the numbers, in favor of a leash law!

My questions are:

1. How does your statement in the 3/7 memo, that comments received are "...opposed to the off-leash policy" reconcile to the tally above of public comments released in the PDF (attached) and summarized above?

EH Response: I think most reasonable people would conclude that 10 written complaints about a single property would qualify as an issue worth addressing, but you are free to disagree. The tallies are interesting, but we are not aiming to simply count up which side has more "votes" in favor and going with that. Sometimes land management decisions require thoughtful choices that don't please everyone--our job as Park professionals is to try to balance the many uses of parks: open space, athletics, habitat, play, trails, access to water, accessibility, dog play areas, etc... The bottom line is that we receive many complaints about off-leash dogs at Baxter Woods, and we also have deed issues, so that prompted us to work with the Parks Commission on creating some reasonable recommendations to address that. As you know, public comment is encouraged as part of that process. One of the things the Parks Commission asked us to do is to explore possible compromises (such as designated off-leash hours, which you suggested in your earlier email), which we are currently evaluating and will discuss at the June meeting.

2. What did the Parks Department receive for verbal comments about off-leash dogs in Baxter Woods, and how does it tally and validate such complaints?

EH Response: Verbal complaints were generally made to our Rangers in the field, or phone calls to our office. We do not log verbal comments.

3. Will the Department release the verbal comments, or a summary of the verbal comments received about Baxter Woods (dog-related or not)?

EH Response: We do not log verbal comments.

4. The most recent written public comment (see PDF) was dated January 2019, and many go back as far as 2013 – will the Parks Department share new, previously unreleased public comments it has received since January 2019? I submitted an e-mail just last week, that you graciously acknowledged and forwarded to the Commission – and I am certain many others submitted written comments as well that should be tallied and considered before the Commission votes on the proposed leash law.

EH Response: Yes, our proposal has generated a lot of written public comment, mostly opposed to the proposed change, and we have shared all written comment we received with the Parks Commission prior to their meeting last week. Those comments also get posted as backup material on the agenda website. I've attached that for you in the meantime.

Lastly – I submitted a Freedom of Access Act request to Jessica Grondin earlier today (4/8/2019) for the City of Portland's communications with Forest Synthesis, LLC and/or Robert Bryan concerning the Forest and Wildlife Habitat Management Plan for Mayor Baxter Woods – report dated May, 18, 2018. I am seeking any City (Parks or other Department's) communications with Forest Synthesis, Robert Bryan or any other consultants related to the work Forest Synthesis and/or Robert Bryan did on the City's behalf as it relates to Baxter Woods. Please let me know if you have any questions about this FOAA request. **Good to know, thanks. Jessica will work with you on that.**

Thanks, Marc

Marc Lesperance, 103 Candlewyck Terrace, Portland, ME
04102

W: (207) 209-0517 | M: (207) 329-4953 | H: (207) 774-6584

marc.lesperance@anthem.com

[Quoted text hidden]

5 attachments



4, leash laws, and other concerns.pdf
162K



2019-01-10 City of Portland Mail - Fwd_ Baxter Woods concerns.pdf
125K



Public Comments Baxter Woods Off-Leash.pdf
1489K



Public Comments Baxter Woods Off-Leash 4-3-19.pdf
434K



Public Comments Baxter Woods Off-Leash 4-1-19.pdf
1243K



Ethan Hipple <ehipple@portlandmaine.gov>

Fwd: City Park Inquiry

Ethan Hipple <ehipple@portlandmaine.gov>
To: Avril Williams <adandyline@gmail.com>

Thu, Apr 11, 2019 at 4:34 PM

Hi Avril,
Presumpscot River Preserve is lovely (but a long walk in). Deering Oaks is another option, or Fore River Sanctuary.

Here is a good map of city parks and forests: <https://www.google.com/maps/d/viewer?mid=1a4gsFhxy7BDqsN0NtlS2IDkhsA&ll=43.663640789674496%2C-70.28501602131433&z=14>

Take care,
Ethan
Ethan Hipple
Deputy Director
Parks, Recreation and Facilities Department
City of Portland
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ehipple@portlandmaine.gov

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On Thu, Apr 11, 2019 at 1:55 PM Avril Williams <adandyline@gmail.com> wrote:

Thank you so much for getting back to me! Curious if you know an area that would be better suited. Was interested in Baxter due to having a surrounding wooded area as opposed to a wide open park but not opposed to other options. Thanks so much for your time!

Avril Williams
A Dandy Line Studios

On Apr 11, 2019, at 9:26 AM, Ethan Hipple <ehipple@portlandmaine.gov> wrote:

Hi Avril,
Typically for yoga or fitness classes under 25 people, we don't require a permit, so you should be all set to do your class. Copying Rusty Groh, one of our Event and Permitting Coordinators who can get you more information if you need it.

FYI, Baxter Woods does have a high number off off leash dogs (and a high amount of dog waste), so just tread carefully! You are free to do the class there, just wanted you to be aware.

Take care,
Ethan

Ethan Hipple
Deputy Director
Parks, Recreation and Facilities Department
City of Portland

212 Canco Rd, Suite A
Portland, Maine 04103
207.808-5400
ehipple@portlandmaine.gov

www.portlandmaine.gov
Portland, Maine | Yes. Life's good here.

----- Forwarded message -----

From: **Ethan Owens** <eowens@portlandmaine.gov>
Date: Thu, Apr 11, 2019 at 8:44 AM
Subject: Fwd: City Park Inquiry
To: Ethan Hipple <ehipple@portlandmaine.gov>, Matt Coleman <mcoleman@portlandmaine.gov>

Could one of you guys give her a shout?

Ethan Owens CPRP, CPSI, AOLCP
Parks Assistant Director, Athletic Facilities and Playground/Courts Manager
City of Portland - Parks, Recreation and Facilities Management Dept.
212 Canco Road Portland, Maine 04103 ~ USA
207-808-5400 eowens@portlandmaine.gov

----- Forwarded message -----

From: **Avril Williams** <adandyline@gmail.com>
Date: Fri, Apr 5, 2019 at 1:54 PM
Subject: City Park Inquiry
To: <eowens@portlandmaine.gov>

Hi! My name is Avril Williams and I'm a certified yoga instructor. I am looking for a space to teach outdoor yoga and was really interested in Baxter Woods as I think it would be amazing to offer a yoga class that is in nature while still being in the city! I would love to teach the classes regularly throughout the summer and early fall for one hour and offer them by donation, pay what you can. Is that possible? Do I need some kind of permit? Looking to start next month if possible so any direction you can offer would be so helpful. Feel free to read more about me on my web site, www.adandyline.com. Thanks for your time.

Avril Williams
A Dandy Line Studios

Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.



Ethan Hipple <ehipple@portlandmaine.gov>

Baxter Woods

Ethan Hipple <ehipple@portlandmaine.gov>
To: sarah furman <sarahfurman@msn.com>

Thu, Apr 11, 2019 at 10:02 AM

Thanks for the comments. We are working on some compromise proposals right now. I'll make sure the Parks Commission sees your comments.

Take care,

Ethan

Ethan Hipple

Deputy Director

Parks, Recreation and Facilities Department

City of Portland

212 Canco Rd, Suite A

Portland, Maine 04103

207.808-5400

ehipple@portlandmaine.gov

www.portlandmaine.gov

Portland, Maine | Yes. Life's good here.

On Wed, Apr 10, 2019 at 6:40 PM sarah furman <sarahfurman@msn.com> wrote:

Dear Mr. Hipple,

I have been a resident of Portland for the last 20 years, and have been enjoying Baxter Woods for the last 14 years with my dogs. I walk my dog at Baxter Woods at least 4 times a week. We have met many people in the park, and many dogs. I have to say that all the dogs I have met have been well behaved, and the owners have been respectful of the park. Additionally, I have only seen one incident of drug use in the park. I do fear that if dogs are not allowed off leash, then this park will become a place for drug use and for the homeless to stay. I do hope you will reconsider the leash law that may go to vote in the future as it will certainly change the safe, clean, and friendly park that we all enjoy at Baxter Woods.

Thank you for your consideration,

Sarah Furman



Ethan Hipple <ehipple@portlandmaine.gov>

ground-nesting birds

Ethan Hipple <ehipple@portlandmaine.gov>
To: david victor <dvictor242@gmail.com>

Thu, Apr 11, 2019 at 3:29 PM

Thanks David,

I did hear that comment at the meeting, but I can't vouch for the source or validity of it. If you're interested, I've attached our Management Plan, completed by licensed Forest Ecologist Rob Bryan.

We are working to protect habitat for ground nesting *and* ground feeding birds, which are not necessarily the same. There are also many birds that utilize the pond, which is at ground level.

Either way, we have two issues at Baxter Woods: dog and human safety issues, as well as a bird sanctuary issue. We are exploring some potential compromises that may help improve both. We'll discuss those at the June meeting.

Take care,
Ethan

Ethan Hipple
Deputy Director
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On Thu, Apr 11, 2019 at 3:00 PM david victor <dvictor242@gmail.com> wrote:

at last week's meeting, Mark said that there are only three ground-nesting birds that he knew of (in the area , I assume) , whippoorwills, killdeers and another , but that none of these was in Portland. I didn't hear you respond to this. have you verified this? do you know his source?

it seems to me that the question regarding how many ground-nesting birds we might expect has to be quantified. for example, if only one or two species would be coming to the woods ,if dogs were leashed is that a sufficient number to change this long-lasting situation so drastically?

we have to have a sense of proportion in a democracy or it doesn't work. and given the relatively few complaints (I've been told that the average per year is quite low) what remains of the argument that is pro-leashing?

david victor
portland



Baxter Woods Ecological Assessment and Plan FINAL 2018-5-18.pdf
5435K



Ethan Hipple <ehipple@portlandmaine.gov>

our email exchange yesterday on baxter woods

Ethan Hipple <ehipple@portlandmaine.gov>

Thu, Apr 18, 2019 at 11:36 AM

To: david victor <dvictor242@gmail.com>

Cc: Matthew Coleman <mcoleman@portlandmaine.gov>, Sally Deluca <sld@portlandmaine.gov>

Hi David,

There are many species of ground nesting birds in the Portland area, including oven birds, ground sparrows, wood cock, wood thrush. Maine Audubon estimates 10-12 species of ground nesting birds that can be found in the area, as well as hundreds of species of ground-feeding birds. Our goal is to create suitable habitat where these birds can live and reproduce, while balancing that with other community needs like biking, walking, and dog walking.

You are correct that the presence of barking dogs can scare away birds. That is one of the things we are working to address so that the woods can once again serve as a viable habitat "bird sanctuary" as stated in the deed.

You can read many of the complaints and comments we've received over the years in the [materials we submitted to the Parks Commission](#). That should give you an idea of the type of comments, and the quantity.

Thanks for letting us know about the trees--they were actually tapping pine trees, so they won't get too far making edible syrup! We did go address it though, thanks for the tip.

Take care,

Ethan

Ethan Hipple

Deputy Director

Parks, Recreation and Facilities Department

City of Portland

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ehipple@portlandmaine.gov

www.portlandmaine.gov

Portland, Maine | Yes. Life's good here.

On Fri, Apr 12, 2019 at 8:44 AM david victor <dvictor242@gmail.com> wrote:

thanks for your response, but you didn't answer a couple of my questions: 1. how many ground-nesting birds are in the portland area; Mark effectively said "none." is this true?, and 2. how many complaints about unleashed dogs in the woods are you receiving annually?

without quantifying , how can any justification be made for changing the rules.

it's also worth pointing out that ground-feeding birds would surely be alerted to the sounds of dogs bounding through the woods to get them and would quickly fly away. cats, which run free and our plentiful in deerling center, are surely a greater threat than lumbering and noisy dogs.

and finally, please remember that for almost five months of the year, the paths in the woods are ice-bound. the only people who are in the woods then are people walking their dogs off-leash. the woods would effectively be empty if leashes were required. often during the winter homeless people inhabit the woods and people presence is comforting.

incidentally, today we noticed that someone is tapping some of the maple trees in the woods. is this authorized by the city?

thanks for listening.

david victor



Ethan Hipple <ehipple@portlandmaine.gov>

Baxter Woods

Ethan Hipple <ehipple@portlandmaine.gov>
To: Stanley Beretsky <beretsky4444@gmail.com>

Wed, Apr 17, 2019 at 8:39 AM

Hi Stanley,
Thanks for your message.
Take care,
Ethan
Ethan Hipple
Deputy Director
Parks, Recreation and Facilities Department
City of Portland
212 Canco Rd, Suite A
Portland, Maine 04103
207.808-5400
ehipple@portlandmaine.gov

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On Wed, Apr 17, 2019 at 8:35 AM Stanley Beretsky <beretsky4444@gmail.com> wrote:

Dear Mr Hipple

Please allow me to keep walking my dog offleash in Baxter Woods. Thank You.

Stanley



Ethan Hipple <ehipple@portlandmaine.gov>

Baxter Woods

Ethan Hipple <ehipple@portlandmaine.gov>
To: Teresa Valliere <woodfordscorner@gmail.com>
Cc: Parks Commission <parkscommission@portlandmaine.gov>

Wed, Apr 17, 2019 at 8:47 AM

Hi Teresa,
Hope all is well with you. Answers below in red...
Take care,
E

Ethan Hipple
Deputy Director
Parks, Recreation and Facilities Department
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ehipple@portlandmaine.gov

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Portland, Maine | Yes. Life's good here.

On Wed, Apr 17, 2019 at 8:12 AM Teresa Valliere <woodfordscorner@gmail.com> wrote:
Hi Ethan,

Hope you are well!

Been following the Baxter Woods leash proposal and have some questions -

- when is the next public meeting? Will there be time for public comment at the meeting? **Next regular meeting is first Thursday in June. Final date TBD as some staff and commissioners may be out of town that day. Either way, it will be posted here. Public Comment will be allowed for folks who haven't already made public comment on the issue.**
- Is there a Parks Commission meeting on 5/2? There is your event about public spaces, so I am assuming the next regular meeting is on 6/6 **See above**
- still possible to send public comments via email? and to you or the commission? **You bet. We are sharing all email we get on the topic with the commission.**
- the article in the Forecaster you are quoted saying that dogs are allowed off leash at Evergreen. The friends of Evergreen site says dogs on leash (max 25'). I've been stopped with my dog off leash there by cemetery staff in the past, so I am confused. What is the rule? **The article misquoted me and they issued a correction last week. Off leash dogs are allowed in the Evergreen Woods, behind the cemetery. Dogs in the cemetery itself must be on 25-foot leashes.**

[Quoted text hidden]



Ethan Hipple <ehipple@portlandmaine.gov>

ground-nesting birds in baxter woods.

Ethan Hipple <ehipple@portlandmaine.gov>
To: david victor <dvictor242@gmail.com>

Fri, Apr 19, 2019 at 10:59 AM

Thanks for the feedback David.

I also would remind you that we are proposing changes for a variety of reasons that have been brought up by the public: both safety/nuisance issues with off leash dogs, as well as the bird sanctuary issues.

Either way, you raise some interesting points. Human and dog activity have altered the natural habitat at Baxter Woods. Our understanding from the experts in the field is that Baxter Woods could serve as exceptional bird habitat if properly managed. Of course, we would have to monitor and evaluate whether that is true once changes are implemented.

We'll be sure to look at the issues you raise as we are coming up with the best possible policy.

Take care,
Ethan

Ethan Hipple
Deputy Director
Parks, Recreation and Facilities Department
City of Portland
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ehipple@portlandmaine.gov

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On Fri, Apr 19, 2019 at 9:15 AM david victor <dvictor242@gmail.com> wrote:

thanks for you response, but you neglected to mention the fact that a number of these birds do not like habitat like that of baxter woods. for example, oven birds like sites with little undergrowth (baxter woods is filled with undergrowth) and wood thrushes like habitats with running water. woodcocks like young forests. i'm sure that among the other species there are water birds and shore birds. so , how many species are we talking about here, especially when we factor in the urban area that the woods are situated in and the preferable area behind evergreen?

finally, you keep ignoring what I keep pointing out: there are feral cats in the deering center neighborhood and many domesticated cats that run free. cats are the biggest killers of birds, by far, in the u.s. why harp on dogs?

david



Ethan Hipple <ehipple@portlandmaine.gov>

Baxter Woods input

Ethan Hipple <ehipple@portlandmaine.gov>
To: E Hamlin <ehamlin@maine.rr.com>

Fri, Apr 26, 2019 at 8:31 AM

Thanks for the thoughtful comments. I will make sure the Parks Commission gets a copy.

Take care,

Ethan

Ethan Hipple

Deputy Director

Parks, Recreation and Facilities Department

City of Portland

212 Canco Rd, Suite A

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ehipple@portlandmaine.gov

www.portlandmaine.gov

Portland, Maine | Yes. Life's good here.

On Sun, Apr 21, 2019 at 8:34 PM E Hamlin <ehamlin@maine.rr.com> wrote:

Hi, Ethan,

My wife and I were not able to make the City meeting/discussion about Baxter Woods because of our work schedules, but I wanted to weigh in on it before the formal discussion happens in June. For the record, we do not own any dogs (or pets of any kind), but we do enjoy seeing wildlife.

In case you don't have the time or inclination to get through all that follows, I have thought about this quite a bit, and would vote **in favor of a requirement that dogs be leashed**.

If you are patient, my thoughts follow:

I understand how nice it is for dog owners to have a place where they can take their dogs to play and to visit with other dog owners. It is obvious that the trips to the park are absolutely the highlight of the day for the dogs and probably rank high with the owners, so I don't blame them at all for wanting so badly to keep the current system in place. In my experience, most of the dog owners are fairly responsible about keeping their dogs in line and cleaning up after them. Unfortunately, not all are so good, and when walking through the park it is not uncommon to have dogs run up to and sometimes jump up on us, and on a couple of occasions I have been approached by off-leash dogs and had the owners suggest that I not pet them because they are not good with strangers. Overall, a mixed bag.

When people come visit our house for the first time and note the location, I generally hear myself telling them that Baxter Woods is an off leash dog park. I realize there is more to it than that, but it very much feels like the park use is dominated by off leash dogs and their owners. As noted, many are great people and most of the dogs are nice - with a few painfully obvious exceptions. I discussed this with my wife, and we both acknowledged that we tend NOT to enter the park when we go for walks simply because it is usually full of dogs. I have no idea if others feel the same way, but most of the people I see entering the park have dogs with them.

I was surprised to read that Baxter had indicated a desire for the park to serve at least partly as a refuge for birds. I absolutely agree that the presence of off leash dogs is a deterrent to ground-nesting and to some

extend ground-feeding birds. Given the number of squirrels that I have seen with partially missing or obviously deformed or damaged tails and other injuries, I suspect the dogs are pretty rough on anything at or near the ground. The squirrels seem to thrive regardless, but I doubt other animals are as resilient.

I have been reflecting on the park and how it is used more frequently lately, largely because of the publicity around the upcoming discussion about off-leash dogs, but also in light of events where the park has been misused. A couple of these were recent; I think it was you who I corresponded with recently about the guy who backed his pickup over the sidewalk and into the woods to chainsaw and take wood from the side near Hartley Street. There was also a more recent discussion on a neighborhood social media site ("Nextdoor.com") about someone who drilled into some of the large pine trees in Baxter trying to tap them for resin to make some kind of folk medicine. These are a couple of the more egregious abuses I have seen, but because I live directly across from the wooded section of the park along Hartley, I am painfully aware of how many less responsible dog owners walk their dogs along the sidewalk and allow them to defecate in the park without cleaning it up. This happens frequently when I am home and happen to be looking out, so I assume it occurs many times throughout the day. I cringe every time I see a small child walk into that section of woods to pick up a stick or look at something, and on a rainy day when I have the windows open I can sometimes even smell it in my house or when walking by.

I also frequently see several people dumping their leaf and yard waste, plant material from old windowboxes, etc. I have also seen at least one person dumping other organics such as corn husks, vegetable scraps, and other material. Once this included a turkey carcass, but I retrieved that for proper disposal. I also occasionally see people cutting vegetation (something that looks like trout lilies, but I'm not sure that's what they are) and bagging it up to take away - one guy said he was feeding his animals...another one simply apologized and left. I have also seen people cutting small evergreen boughs in the early winter - presumably for holiday decor. Needless to say, all of this drives me a bit nuts. When I see it and have the opportunity I try to dissuade people, but doubt I am getting much traction. It is very frustrating to see how many people use or treat the park in a way that I feel damages or diminishes it.

I guess it's obvious that I have a number of gripes and concerns, but I think maybe some improved signs encouraging people not to take, cut, tap, or harvest things, and to clean up after their dogs might help. I also think that requiring dogs to be leashed would give the park wildlife a better chance to thrive and might encourage people who do NOT own dogs to use the park more.

Thanks very much.

Sincerely,

Eric Hamlin (90 Hartley)



Ethan Hipple <ehipple@portlandmaine.gov>

Keep Baxter Woods leash free, here's why

Al Ghanekar <al.ghanekar@gmail.com>
To: Ethan Hipple <ehipple@portlandmaine.gov>

Fri, Apr 26, 2019 at 12:45 PM

Thanks for the info, Ethan.

Al Ghanekar 777
<http://alghanekar.com>
al.ghanekar@gmail.com 777

On Fri, Apr 26, 2019 at 11:15 AM Ethan Hipple <ehipple@portlandmaine.gov> wrote:

Thanks Al. Appreciate the comments.
Just so you know, we have 495 acres of open space in Portland where dogs are allowed to run off leash.
[Check out our Parks page here to find them.](#)

Take care,

Ethan

Ethan Hipple

Deputy Director

Parks, Recreation and Facilities Department

City of Portland

[212 Canco Rd, Suite A](#)

[Portland, Maine 04103](#)

207.808-5400

ehipple@portlandmaine.gov

www.portlandmaine.gov

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On Thu, Apr 25, 2019 at 11:16 AM Al Ghanekar <al.ghanekar@gmail.com> wrote:

Hello Mr. Hipple,

Please allow dogs to remain off leash at Baxter Woods. I've had my dog for 3 months and I alternate between Baxter Woods and two others in Sopo. A leash law would just force me to only go to Sopo.

I would never walk him around Baxter Woods on a leash because that would be pointless. Dogs need freedom and stimulation, playing with other dogs. They still are biologically wild animals and need to interact with their kind.

We Portland citizens can enforce people to pick up after their dogs if they are not doing it. Putting in a leash law will reduce these dogs' quality of life.

Al Ghanekar 777
<http://alghanekar.com>
al.ghanekar@gmail.com 777

Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.



Ethan Hipple <ehipple@portlandmaine.gov>

Fwd: Best Park in Portland!!!!

Parks Commission <parkscommission@portlandmaine.gov>

Fri, May 10, 2019 at 3:17 PM

To: Dory Waxman <mermaidst@gmail.com>, Ethan Hipple <ehipple@portlandmaine.gov>, Matt Coleman <mcoleman@portlandmaine.gov>, Sally Deluca <sld@portlandmaine.gov>

Please see below email.

----- Forwarded message -----

From: **Jason Kaplan** <jasonrkaplan@msn.com>

Date: Thu, May 9, 2019 at 6:12 PM

Subject: Best Park in Portland!!!!

To: parkscommission@portlandmaine.gov <parkscommission@portlandmaine.gov>

Hello to whom ever is reading this.

I just wanted to thank you for having such a wonderful park. The baxter woods park I have been walking threw my entire life. From as a Kid chasing my father threw it on my bike, walking to Deering High school for 4 years. And now as a just someone who enjoys a safe fun play to enjoy nature. The dog community there is wonderful!!! so many happy dogs. Every time you go there are respectful dogs there playing and so much fun to watch and enjoy. Even on the worst days I can go there and watch them play and frolic and feel better. On cold winter days when no one is in the park there are still the loving dog owners who are there clicking around with their cleats trying to stay upright on the ice. I am really sorry its easier for people to complain and people don't appreciate the finer things in life and wright you about all there happy experiences. It would be a real shame if you were to kick so many happy people out of the park with a dog leash law and create such a hostel and dangerous environment for humans and dogs there. I hope you guys have done more research then last time and learned that 25 foot leashes just don't work and are very destructive of the environment. I can't imagine going there and not seeing smiling faces watching people and there dogs playing threw the park like its intended to be. I know people take jobs and everyone wants to make a change that they can say "I made that happen" but leashes make dogs more aggressive and also less trained. Every time I've gone there its the dog crew, that have bought houses in the neighborhood so they could let there dogs play off leash there, that are picking up the trash from all the school kids and calling the cops when they see people drinking or smoking there. I remember the park before the dog people were there and it was not as nice and people didn't take pride in the park. You go there now and people smile when they say this is my park, "I walk my dog here twice a day and love chatting with my dog's friends owners". I understand your hoping that birds that don't exist there will hopefully move in but it doesn't make sense to pick on the dogs. What about the fox, cats, hocks, skunks.... I really hope your not going to try and leash them. It just seems sad to me to ruin something so positive that Portland has for maybe and what ifs. Its a safe park surrounded by friendly neighbors. It would be like suggesting to go to evergreen woods where its hard to see and homeless people pop out from around the bend and there are tones of ticks and no parking with limited hours. 25 foot leashes would be dangerous for dogs. They would

be able to play due to chocking/ strangulation, rope burns and it would make it hard for runners and bikers to enjoy the park. Theres no way they could predict a 25 foot leash. If your worried about the ground nesting birds maybe you could do something like they do for piping clovers. Where they put a fence and a top on it. So the birds won't at least eat them or their eggs. But its nature and thats why we love the park. Who are we to control nature and say who lives. We all wish we could live in harmony but everyone has an off day, even dogs and its not our job to ruin it for everyone but to just smile and say hi to people and hope by being kind we can make their day better.

I hope you don't ruin an amazing park for what ifs and what could be while bending the rules for yourself but you will do what ever you want to.

Thank you for your time and I hope you continue to allow me and everyone ells enjoy the amazing park Baxter provided for us.

Jason Kaplan.
Life time Portland resident

--

You received this message because you are subscribed to the Google Groups "Parks Commission" group. To post to this group, send email to parkscommission@portlandmaine.gov.



Ethan Hipple <ehipple@portlandmaine.gov>

Baxter Woods Leash Law

Ethan Hipple <ehipple@portlandmaine.gov>
To: Jennifer Baldwin <jenbaldwin563@yahoo.com>

Wed, May 22, 2019 at 12:28 PM

Thanks for your comments Jennifer. I'll make sure the Parks Commission gets them as well.

Take care,
Ethan

Ethan Hipple
Deputy Director
Parks, Recreation and Facilities Department
City of Portland
212 Canco Rd, Suite A
Portland, Maine 04103
207.808-5400
ehipple@portlandmaine.gov

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On Tue, May 21, 2019 at 8:58 PM Jennifer Baldwin <jenbaldwin563@yahoo.com> wrote:

Dear Ethan,

I have been a frequent visitor to Baxter Woods (minimum 1 often 2-3 visits per day) for the last two years since I got my first dog. Prior to that, I would often visit with my sister's dog while dog sitting him, we both live within walking distance of the woods. As I understand it, the developers of the property the abuts Baxter Woods were required to do some environmental impact study as part of the purchase of the previous Maine Girls Academy and determined that the presence of unleashed dogs had a negative impact on ground feeding birds. There are still birds in the woods. I've witnessed three different woodpecker species, turkeys, warblers, owls, crows and the famous falcon from Deering Park was sited there last fall.

I am both a dog lover and a bird lover. I've witnessed many species in the woods on our regular visits and don't believe dogs are negatively impacting the bird sanctuary, putting them on leashes will not change their patterns.

I am opposed to the suggestion that dogs should be required to be on leash at all times in Baxter Woods. It's not necessary. One of the things I love about my neighborhood is the access to the woods and the dog owners who frequent that space. My two year old dog and I have developed a social circle of dog walkers and dogs with various personalities during the last two years. It's often a respite from my high stress professional career and the challenges of family member dealing with Stage IV cancer treatment. Like-minded insofar as our interest in four-legged friends, we've developed a community. I fear this ruling should it pass would upset the patterns and the support I receive daily from my

neighborhood.

Both my dog and I were attacked by a dog (Sherman Rosenberg) who was not under voice command in the fall of 2017. We took this up with Rue and the prosecutor and several months later another neighbor was attacked by the same dog on a sidewalk near the woods. This unruly canine was on leash during the second attack but still exhibited similar aggressive behavior. While I don't think Sherman has the skills or the owner to command his behavior off leash, I'm not letting this experience keep me away from the woods.

I would much prefer some ruling that would limit the human practice of littering the woods both with trash and feces. That has presented a bigger issue for me in the past.

I doubt I will make it to the next public hearing on this topic but wanted to share my thoughts and support for keeping Baxter Woods as a safe area for responsible dog owners to let their dogs frolic off leash.

Thanks,
Jennifer Baldwin



Ethan Hipple <ehipple@portlandmaine.gov>

another Baxter Woods question

Ken Jones <KenJayJay@hotmail.com>
To: Ethan Hipple <ehipple@portlandmaine.gov>

Sun, Jun 2, 2019 at 1:56 PM

Hi Mr. Hipple,

I wrote to you a little over a month ago for some information about dogs in Baxter woods. I appreciated your quick response to my questions.

I have another question now.

Amid the concerns about dogs in Baxter, I haven't heard any similar outcry about the campers in the woods leaving litter. Campers are what I call the people who sleep overnight in Baxter woods. Surely their presence on a regular basis must have some negative impact on the woods, I'm guessing even more so than people walking dogs.

I walk in the woods very early in the morning. I've seen individuals and hiking groups and bicycle groups sleeping in hammocks and tents. Since these campers mostly leave by the time the late morning regulars come through, I don't think many people are aware of them. But they do leave an enormous amount of litter behind. Actually, to be fair, the bicycle group that slept in hammocks did not leave any litter behind.

Last Friday morning (May 31), a couple set up a large tent off the field on the school side of the woods. several dogs started rummaging around at this camp site because of food the pair left near what looked like their camp fire from the night before. When another walker and I tried to get the dogs away, the man in the tent became quite rude and threatening.

I called the police. they showed up very quickly and had the pair take down their tent. the pair left the woods about an hour later, but they also did not remove their litter.

I've attached some pictures I took that afternoon. the pictures include a plastic garbage bag full of who knows what, drink cans, and a sawed off tree limb near their fire. Those white piece of paper you see in the one picture are used toilet paper. This is not the first time in the last year we've seen such evidence of people defecating in Baxter woods.

As much as some people seem outraged by dogs in the woods, I find it hard to believe this kind of thing doesn't seem to concern anyone.

So now to my question: Who is supposed to clean up stuff such as this mess the campers left last Friday? This mess was just from two people one night.

I pick up several beer cans weekly and often several pieces of clothing, even shoes and backpacks.

But I draw the line at cleaning up used toilet paper. There are several of the regular late morning dog walkers, much more ambitious than I am, who come through with trash bags and pick up litter.

Thanks for your help,

Ken Jones

4 attachments



thumbnail_IMG_1653[2].jpg
481K



thumbnail_IMG_1654[1].jpg
579K



thumbnail_IMG_1655[2].jpg
448K



thumbnail_IMG_1652[1].jpg
574K



Ethan Hipple <ehipple@portlandmaine.gov>

another Baxter Woods question

Ethan Hipple <ehipple@portlandmaine.gov>

Mon, Jun 3, 2019 at 3:40 PM

To: Ken Jones <kenjayjay@hotmail.com>, Jill Mulkern <jmulkern@portlandmaine.gov>

Hi Ken,

My Ranger informs me that the camp has been removed. Please let us know of any other issues that come up.

Take care,

Ethan

Ethan Hipple

Deputy Director

Parks, Recreation and Facilities Department

City of Portland

212 Canco Rd, Suite A

Portland, Maine 04103

207.808-5400

ehipple@portlandmaine.govwww.portlandmaine.gov

Portland, Maine | Yes. Life's good here.

On Mon, Jun 3, 2019 at 6:52 AM Ken Jones <kenjayjay@hotmail.com> wrote:

Thanks, I appreciate your quick response.

Ken

From: Ethan Hipple <ehipple@portlandmaine.gov>**Sent:** Sunday, June 2, 2019 3:17 PM**To:** Ken Jones; Jill Mulkern; Matthew Coleman**Subject:** Re: another Baxter Woods question

Thanks for letting us know about the trash. Unfortunately, we are regularly cleaning up after people and removing campsites in Baxter Woods and throughout many parks and open spaces in the city.

Our Rangers will swing through and get this.

Take care,

Ethan

Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.



Ethan Hipple <ehipple@portlandmaine.gov>

Baxter Woods Comment

Ethan Hipple <ehipple@portlandmaine.gov>
To: Logan Puck <logpuck@gmail.com>
Cc: Justin Costa <jcosta@portlandmaine.gov>

Tue, Jun 4, 2019 at 12:39 PM

Thanks for the comments Logan. We are working on a compromise proposal right now, to allow a limited amount of off-leash dog activity there.

Keep an eye on [Parks Commission agendas here](#) if you'd like to attend a meeting. Ultimately, any change to an ordinance will need to be considered and approved by City Council.

I will share your comments with the Parks Commission.

Take care,

Ethan

Ethan Hipple

Deputy Director

Parks, Recreation and Facilities Department

City of Portland

212 Canco Rd, Suite A

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On Tue, Jun 4, 2019 at 12:15 PM Logan Puck <logpuck@gmail.com> wrote:

Dear Deputy Director Hipple,

I was distressed to learn of the proposal to prohibit off-leash dogs from entering Baxter Woods. My family and I have lived in the Woodford's Corner area for three years now and we bring our dog to Baxter Woods four to five times a week. It's a great place for both us and our dog to exercise and socialize with others. I have made many good friends with other people who walk their dogs at Baxter Woods. I even regularly schedule walks with someone who I met at the park because both us and our dogs get along so well.

Baxter Woods is an ideal space for off-leash dogs. The wooded setting gives dogs the ability to run, meet other dogs, and explore, thus stimulating their minds, senses, and bodies. Additionally, having the dogs on a walking path gives them a purpose and thus reduces potential conflicts. I try to avoid fenced in dog parks with no real walking paths, such as the one on Valley Street, because the dogs get bored and often end up fighting with each other. Moreover, dogs that are leashed tend to become fearful and defensive when coming across one another as opposed to when they have the freedom to run away.

In addition, walking an off-leash dog is much more convenient for myself and many others who have infants and toddlers. Pushing a stroller through the park while also holding onto the dog with a leash can be quite an unwieldy experience. The elderly and people with disabilities may also have trouble walking their dogs on a leash and, therefore, Baxter Woods serves as an excellent space for them to take their dogs, exercise, and socialize with others.

Finally, most of the people I see in Baxter Woods are fellow dog walkers. Making it an unfriendly space for dog owners could turn the park into an unfrequented area that serves as an ideal space for individuals who want to

drink alcohol and do drugs out of view of the public and law enforcement.

I hope you will reconsider this proposal. Baxter Woods is a special space that promotes community, health, and well-being. Please don't take that away from us. Thank you.

Sincerely,

Logan Puck

83 Woodford St
Portland, ME 04103



Ethan Hipple <ehipple@portlandmaine.gov>

Baxter Woods - Off Leash Hi Tech Smartphone App Solution

Ethan Hipple <ehipple@portlandmaine.gov>
To: Joel Bolton <joelkbolton@gmail.com>

Fri, Jun 7, 2019 at 11:09 AM

Hi Joel,
Thanks for the email and the out of the box thinking!

We'll certainly look at that along with our other options. Right now we are considering a compromise to allow off-leash dogs during certain hours. There will be more info coming on that as the next public meeting gets closer. It's currently scheduled for July 18--[keep an eye on the Parks Commission Agenda here](#).

Take care,

Ethan

Ethan Hipple

Deputy Director

Parks, Recreation and Facilities Department

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www.portlandmaine.gov

Portland, Maine | Yes. Life's good here.

On Thu, Jun 6, 2019 at 5:11 PM Joel Bolton <joelkbolton@gmail.com> wrote:

Dear Ethan,

My wife and I are part of the "dog community" at Baxter Woods. Through the years we've had three Golden Retrievers. All have enjoyed off leash privileges there. As responsible dog owners... which seem to be the vast majority who bring dogs to Baxter... we clean up after our dog. We certainly leash up our dogs if we see others in the park who may be fearful of dogs, when we see small children, track teams running, or other groups enjoying the park. In our 15+ years of near daily trips to Baxter with hundreds of interactions of dogs (if not thousands actually), it is rare occurrence to see a dog act in a vicious manner to other dogs. And I don't think I've ever seen one vicious interaction with a human in those years. Good dogs bring together and good neighbors. Most all seem committed to respecting the underlying vision of Mayor Baxter's park. And I echo the many, many public comments that speak much more eloquently than I can as to how important Baxter is to providing a safe, beautiful space where dogs can be off leash for the exercise they crave without having to drive and further pollute our climate with carbon.

That said, I especially want to commend and acknowledge the signage placed in the park, especially the "Dog Ownership" signs. It's dignified language clearly states the expected behavior and spirit of park enjoyment by all that we as dog owners are responsible for. If all dog owners heed that sign, there should be no problem keeping Baxter an off leash park.

SOLUTION????? I would encourage the Council to consider a low-cost, hi-tech solution. How about putting Smart Lights (solar powered and wi-fi driven) at the various entry points to the park. Those lights when activated would indicate to dog owners the need to "leash up". Any school group, after school group, track team, or anyone sensitive/fearful of dogs who are entering the park could trigger the Smart Lights from their smartphone app... sort of like how I can control my Nest thermostat remotely. Dog owners who use the park could also receive an alert notification that they should "leash up". The alert would time out after perhaps 30 minutes or 1 hour if the "sensitive/fearful" group or individual fails to deactivate the alert or "renew" it. Might be worth exploring. Certainly the technology exists for this. And I suspect the City might even be able to engage

our school computer science programs in a competition to create this, and/or I've bet that many of us who want to keep Baxter off leash would fund a Leash Alert app.

Kind regards,
Joel Bolton - April Fry & Camper
149 Ashmont St.
Portland
207.221.7600



Ethan Hipple <ehipple@portlandmaine.gov>

Fwd: Baxter Woods

Allison Carroll <acarroll@portlandmaine.gov>

Fri, Jun 7, 2019 at 1:51 PM

To: Amy Segal <amybellsegal12@gmail.com>, Ana Lagunez <analagunez@gmail.com>, Brian Batson <bbatson@portlandmaine.gov>, Caitie Whelan <caitie.whelan@gmail.com>, Chelsea Malacara <chelsea.malacara@gmail.com>, Colette Bouchard <coletteb1821@gmail.com>, Craig Lapine <craig@cultivatingcommunity.org>, Cynthia Loebenstein <cloebenstein@yahoo.com>, Dory Waxman <mermaidst@gmail.com>, Ethan Hipple <ehipple@portlandmaine.gov>, Marie Gray <mariegray263@aol.com>, Matt Coleman <mcoleman@portlandmaine.gov>, Michael Mertaugh <michaelmertaugh@gmail.com>, Nathan Robbins <npalmer.robbins@gmail.com>, Sally Deluca <sld@portlandmaine.gov>, Zack Anchors <zack.anchors@gmail.com>

Another comment from the public for your records.

Take care,

Alli Carroll

Senior Administrative Officer
City of Portland, Parks, Recreation & Facilities
[212 Canco Road, Suite A, Portland, Maine 04103](#)
207.808.5428

----- Forwarded message -----

From: **Peggy Akers** <kizzypax@maine.rr.com>
Date: Thu, May 23, 2019 at 7:02 AM
Subject: Fwd: Baxter Woods
To: <parkscommission@portlandmaine.gov>

Sent from my iPad

Begin forwarded message:

From: Peggy Akers <kizzypax@maine.rr.com>
Date: May 22, 2019 at 2:56:26 PM EDT
To: parkscommission@portlandmaine.gov
Subject: Baxter Woods

How disappointed I felt after the long meeting last month when so many of us shared our thoughts and feelings and concerns about changes in the leash law in the park. It seemed that emailing was more important than the passionate voices of the neighborhood dog walkers.

I have had the privilege of walking in that park for over twenty years and meeting so many wonderful friends and dogs. I am a nurse practitioner who works hard to help folks age in place. Older residents walk with their pets there daily and meet friends and comrades. They keep active both physically and mentally. It is a joy to

talk together while our dogs run and play.

I have read what Mr Baxter wrote and knowing that he was a big dog [lover](#) as are other members of his family...I do not believe this is what he was wanting for the use of the park. You have closed the Western Cemetery which was a most special place to be with dogs. I remember how fun it was to watch nuns and teens talk and laugh together as their dogs played. Now you will try and take this joy from us.....please please listen to all our voices. Evergreen cemetery is open for non dog folks and it is so beautiful. Let us have our one little corner of Portland.

Thanks for listening

Peggy Akers

[187 Concord street](#)

[Portland, Maine 04103](#)

207 232 7695

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You received this message because you are subscribed to the Google Groups "Parks Commission" group.
To post to this group, send email to parkscommission@portlandmaine.gov.



Ethan Hipple <ehipple@portlandmaine.gov>

Question: July 18th Parks Commission Meeting...

D Leland <lelanddm@gmail.com>

Tue, Jun 11, 2019 at 8:10 AM

To: "Lesperance, Marc" <Marc.Lesperance@anthem.com>

Cc: "sld@portlandmaine.gov" <sld@portlandmaine.gov>, "ehipple@portlandmaine.gov"

<ehipple@portlandmaine.gov>, Parks Commission <parkscommission@portlandmaine.gov>, Anne Callender <anne@whipplecallender.com>

Ethan and Sally,

I was negligent in not thanking you! I do appreciate our friendly conversation in the coffee shop. Thanks so much.

– Dawn

On Sun, Jun 9, 2019 at 10:02 AM Lesperance, Marc <Marc.Lesperance@anthem.com> wrote:

Sally, Ethan: First off thanks for meeting with Dawn and me on Friday, 5/31. We appreciate the extra effort the Parks Department is putting into the desired ordinance change for Baxter Woods. As we discussed briefly on 5/31, I am following up on our request to be allowed the opportunity to present PowerPoint slides at the 7/18 Parks Commission meeting, in support of off-leash dog-walking and our community of family walkers at Baxter Woods.

Since 5/31 I've reviewed the Ch.18 City Code Ordinance covering Parks Commission meetings, and see the following from Ch. 18:

(8) Adopting reasonable rules for the conduct of its meetings, which rules shall include provisions for public comment.

(Ord. No. 50-83, 6-20-83; Ord. No. 70-09/10, 10-5-09; Order 203-13/14, 5-28-2014; Ord. No. 116-14/15, 1-5-2015)

I haven't see anything in Ch. 18 or anywhere else in the City Code that precludes the Commission from granting anyone the right to make a presentation. Nor does our request seem unreasonable or improper given the impact of the ordinance change. But digging deeper into the City Code I found the Council's Rules of Procedure for conducting meetings – with the following provision noted that does allow the City Council to grant additional time for public comment:

*8. Persons addressing the Council on an item prior to start of deliberation on such item by the Council shall be permitted to speak only once on an item, and shall limit their remarks on each item to three (3) minutes. **From time to time, the Presiding Officer may grant an extension of this three (3) minute requirement.***

I would imagine the Parks Commission meetings would have the same or more generous allowances for public comment – especially as the proposed ordinance change in Baxter Woods will directly impact the daily devotions of over 1,000 Portland residents. We are seeking no more than 10-15 minutes of continuous presentation time at the 7/18 Parks Commission meeting, for which 5 or more people will gladly relinquish their public comment time.

We respectfully ask again that the Parks Commission allow us this additional time beyond the 3 minute allotments to present at the 7/18 meeting.

Thanks, Marc

Marc Lesperance, [103 Candlewyck Terrace, Portland, ME 04102](#)

Tel: 207-774-6584; **Cell:** 207-329-4953; **Work:** 207-209-0517

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Ethan Hipple <ehipple@portlandmaine.gov>

Baxter Woods

Ethan Hipple <ehipple@portlandmaine.gov>
 To: Teresa Valliere <tvallier@maine.rr.com>

Mon, Jul 15, 2019 at 9:02 AM

Thanks Teresa,
 We will add to the record!
 Take care,
 Ethan
Ethan Hipple
 Deputy Director
 Parks, Recreation and Facilities Department
 City of Portland
 212 Canco Rd, Suite A
 Portland, Maine 04103
 207.808-5400
ehipple@portlandmaine.gov

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On Mon, Jul 15, 2019 at 7:49 AM Teresa Valliere <tvallier@maine.rr.com> wrote:
 Hello Ethan and Parks Commission,

I'm hoping I can still offer my perspective on the **proposed leash law change for Baxter Woods** up for discussion this week. Unfortunately, I cannot attend the meeting due to conflict.

Here's why I think the current rules should remain in place

- Within a 15 min walk of Woodfords Corner there are 8 public green spaces, many underutilized. Baxter Woods is the only one where dogs can run off-lead and many dog owners use the space appropriately.
- The city comp plan promotes walkable neighborhoods, but to get to an "off-leash" dog park should Baxter rules change, people like myself will have to drive to one of the 2 dog parks in the city. This is a waste of gas and time for many people.
- The city wants people to use the green spaces - keeping parks active keeps them safer. The only folks in Baxter Woods in the early mornings are the dog walkers and some joggers.
- In the 17 years I've been walking there in the early mornings, I have never seen any problems with dogs interfering with kids, joggers, etc, nor have I ever seen people with small children in the park in those hours
- All the owners in the early morning have voice control of their dogs
- I hear and see birds within the woods every day (except deepest cold winter days) - birds are clearly nesting there. There are plentiful woods in the back of Evergreen, and there are multitudes of birds there as well and dogs are allowed off leash. I trust the birds figure it out.
- How this will be enforced if it should pass? Will the city waste resources monitoring something that doesn't require monitoring?
- I doubt Governor Baxter leashed his dogs on his walks in the woods. I read the materials presented from the city website, and believe the intention is to prevent the cutting of trees or removing the water features. There is no language about leashing dogs.

If the decision is to make a change, I propose that the rule be dogs off-leash, under voice command, until 9 AM all year round.

Thank you,

Teresa Valliere, LCSW, LADC, CCS

Valliere Counseling and Professional Support
phone 207.233.9276

MAILING LIST

<http://valliarecps.com>

FMI about counseling, supervision, training or consultation, please contact me at tvallier@maine.rr.com

<http://Therapists.PsychologyToday.com/rms/68128>

Office: 57 Revere Street #1
Portland, ME 04103

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Teresa Valliere
tvallier@maine.rr.com

1/10/2020

City of Portland Mail - Baxter Woods Remain Off-Leash Dog Park



Troy Moon <thm@portlandmaine.gov>

Baxter Woods Remain Off-Leash Dog Park

Shradha Miller <shradhamiller@gmail.com>
To: thm@portlandmaine.gov

Thu, Jan 9, 2020 at 1:27 PM

To whom it may concern,

I have lived in Portland for 7 months and walk my dog off leash in Baxter Woods twice a day. This is best place I've found in the greater Portland area for her to run around with dogs that are well trained and responsive to their owners when called. I've never had a bad experience. The dog walking community is strong and everyone understands the two most common goals: dogs playing (getting exercise) and no person or dog getting injured in the process.

Baxter should remain an off leash dog park. Otherwise the Quarry Run is the next option, every time I've taken my dog their she is attacked by many large dogs whose owners are not paying attention or flat out don't care. I've never found that to be the case at Baxter Woods.

Sincerely,

Shradha
Sent from my iPhone

1/10/2020

City of Portland Mail - Dogs in Baxter woods



Troy Moon <thm@portlandmaine.gov>

Dogs in Baxter woods

Shell Wake <shellwake@gmail.com>
To: thm@portlandmaine.gov

Thu, Jan 9, 2020 at 2:09 PM

Please require dogs in the Baxter woods on leashes. I don't dare to go in there because I've been bitten more than once. The owner's got their dogs under control but not before they bit me. It's dark in there and when they attack you there are never witnesses. No one is around to help other than the owner who sometimes seems more concerned about getting in trouble than getting their dog away. It's just too dark and there is no way to avoid them when they run down the trail and get you. There are better lit places with witnesses for the dogs. I miss being able to walk there.

To: Councilor Thibodeau and members of the Sustainability & Transportation Committee
From: Troy Moon, Sustainability Director
Date: January 10, 2020
RE: 2020 Sustainability Work Plan

The Sustainability and Transportation Committee had a very busy and productive 2019. Some of the key issues the committee completed action on include:

- Extending the E-Card bulky waste program to the owners of residential properties
- Advancing the Libbytown and Portland/South Portland Corridor Studies
- Updating the Energy Benchmarking Ordinance to begin implementation in 2020
- Advancing work to create a memorial for Dr. Martin Luther King, Jr.
- Creating regulations for golf carts on Peaks Island
- Advancing an ordinance to prohibit the distribution of plastic straws
- Advancing a Declaration of a Climate Emergency in support of youth climate strikers
- Reviewing LD 1748 (C-PACE) and the ME DEP's recycling reform bill to the Legislative Committee with a recommendation to support. (Public hearing for LD 1748 is January 23)

Members began work on several other policies and initiatives last year that they may wish to continue working on. These include:

Opportunities to improve transit including last mile solutions

Last year the committee received a presentation from Greg Jordan, Executive Director of Metro, about efforts to improve transit service in the greater Portland area. They also received a presentation from Patricia Quinn, Director of NNEPRA, about moving the Portland Transportation Center to improve Downeaster rail service. MDOT Commissioner Bruce Van Note will be available to attend the committee meeting in March to discuss options.

Parking

Last year the committee saw a presentation regarding the Peninsula Parking Study and expressed interest in looking at some of the recommendations. City staff continue to work on improvements along Commercial Street. Some residents have asked that the committee explore options for residential parking permits and staff are prepared to offer recommendations on this topic in February.

Creation of a tree protection ordinance

The committee directed staff to draft an ordinance to protect trees on both public and private property. Staff from the Sustainability Office, Parks, Recreation, and Facilities, and Corporation Counsel are working on this for presentation later this year.

Green and resilient buildings

The committee spent quite a bit of time looking at the current green building ordinance that covers City buildings and building projects that receive City funding. Representatives from the School Department and members of the public offered testimony on various approaches. The Council directed staff to support several building energy bills last session that address building efficiency that were adopted. One of these directs the Code Board to adopt a more rigorous energy standard in the building code. Another directs the Code Board to create a “stretch code” requiring higher energy performance that municipalities could voluntarily adopt. Staff anticipate participating in discussions with members of the code board to implement these statutes. Staff from the Sustainability Office and the Planning Department also presented a draft Climate Resilience Overlay Zone that we continue to refine based on comments from the committee, the Planning Board, and members of the public.

Continue work to limit the use of single use plastics

During work on the Straw Ordinance the committee decided to pursue action on straws and other single use plastic items such as plastic cutlery separately.

Work on a fertilizer ordinance to complement the pesticide ordinance

The committee asked staff to observe work in South Portland regarding the development of a fertilizer ordinance to complement the pesticide ordinance that took full effect this year. We have observed and participated in discussions in South Portland.

Reports and other actions

City ordinance requires the Pesticide Management Advisory Committee to submit a report about their work to the committee by March 31, 2020.

Corporation Counsel has asked the committee to consider repealing the packaging ordinances because they have been preempted by statewide bans on plastic bags and foam packaging.

The Sustainability Office will complete the One Climate Future plan by the end of June 2020. The committee may wish to receive this for recommendation to the full Council.

We look forward to discussing how the Sustainability Committee wishes to proceed with these issues as well as any other topics that will advance its goals.