



Beyond The Law: Michael Maines

Interview and Photos by Daniel J. Murphy

Perched on his large cable skidder, Michael Maines surveys the muddy woodlot where he has been performing selective cuts to thin out the forest. After a heavy rain, the ground is too soft to venture further into the woods. Instead, he brandishes his chainsaw and turns his attention to the stacks of logs at the site: softwood (for pulp); hardwood (for boards and flooring); and exceptional logs, which will be used for veneer. Maines has been a professional logger and licensed forester for more than two decades. In his other world, he practices law at Thomas Peters and Associates in Lewiston. He recently met with the *Maine Bar Journal* to discuss his interests.

MBJ: Please tell our readers about your background in forestry.

MM: My other life started long before my life in the law. I have been a licensed forester since 1994. I graduated from the University of Maine Forestry Program in Orono and have been working in this area since the early 90s. I am a licensed arborist in Maine and do quite a bit of work cutting wood with an old cable skidder and chain saws. Basically, I am involved with anything to do with trees and forestry.

MBJ: How did you become interested in forestry?

MM: It goes way back to when I was younger. For a time, I was like all of the other kids who wanted to be the next Fran Tarkenton and play for the Minnesota Vikings or whoever their sports hero was. By the time I was a teenager, I started to develop a strong interest in the woods and forestry. I would tag along with a family friend who was a state forester. On some of my school vacations, I would mark timber and go to logging jobs, doing

inventories. I really loved that kind of work. Also, as a kid growing up in Connecticut, I cut a lot of wood with my father for family firewood. We had a small John Deere crawler tractor and chainsaws. I loved it so much that by the time I was about 16, I started a little firewood business. I found that I enjoyed that more than the steady diet of school soccer, baseball and basketball. I love being in the woods.

MBJ: Could you tell us about the forestry industry here in Maine?

MM: It has changed a lot over the past 20 years. In the late 80s and early 90s, there was a large paper industry in the state. If you were to take a look at the ownership of forests in eastern and northern Maine, a lot of the land that was owned by paper companies is now owned by private investment firms, real estate investment trusts and mutual fund companies. In southern Maine, it is more of a mix with small woodlot owners, family forest owners, and some smaller corporate ownership like Hancock Lumber. I work with family forest

owners who may own anywhere from 10 to a few thousand acres. As far as the market for wood, things fluctuate, basically tracking the housing market. When prices for housing fell in 2008 or so, the price for logs and related products also fell. They are only now starting to pick up again.





MBJ: Does Maine have some competitive advantages in soft wood or hard wood?

MM: Yes. If you look at the big picture, Maine is in a transitional forest zone. We have a combination of both types, which is really quite unique. The state includes the northern edge of the hardwoods and the southern edge of the coniferous forest, so there is quite a mix of species. White Pine, the Maine state tree, is prevalent. Many people in the industry say that southern and western Maine, where we have a lot of sandy soil, grow some of the best white pine in the world. It's the right mixture of soil, climate and topography. However, in the north, we have a lot spruce and fir and a little bit of birch and maple and other northern hardwood species mixed in.

Regarding pricing, if we are looking at pure softwood pulp, it can be challenging to compete. Places like Brazil, Chile and New Zealand have huge pulpwood plantations. They have warmer climates and can grow trees like eucalyptus to huge sizes. In such places, you may be able to grow a tree that is 12 inches in diameter within 10 to 15 years. In Maine, a tree that size might take 50 or 60 years to grow. Our strength lies in our quality, such as the very high quality white pine and very high quality northern hardwood species, such as sugar maple, yellow birch and red oak, which have become popular in recent years. For these species, it is hard to find higher quality trees than those growing in this region.

MBJ: Do you have a favorite species of tree?

MM: It would have to be sugar maple. It's a beautiful tree. Not only do you have very valuable lumber, which is used for flooring and furniture and veneer, but you can get maple sap which is used for maple syrup and maple sugar. It also has beautiful fall colors, often bright orange. I think it is one of the most attractive trees out there.

MBJ: What are some of the challenges of your work in forestry?

MM: One of the biggest challenges is that the markets are global and they are very irregular. I could head out into the woods in the morning at 6 and put in a hard day of physical work. At the end of day, I may have the equivalent of 10 cords of wood sitting roadside and ready to be trucked to market. But depending on how the markets are doing at that time, that load of wood may sell for only \$300. If the wood is high-quality pine or quality veneer wood, it might sell for \$1,500 to \$2,000. But it can all change on a dime, depending on market conditions. For instance, after the housing crash in 2008, prices for high-quality logs were cut essentially in half. There are factors out of the logger's control, but those are the constraints that you work with. Aside from the big challenges, there are smaller ones, such as dealing with the weather, bugs and extreme temperatures. If you are going to be in the industry, you have to accept these challenges.



MBJ: What is it about forestry that brings you satisfaction?

MM: A big part of it is being outside and being active. As much as I enjoy legal work, I have days where I end up with a headache or eyestrain after looking at a computer or reading documents. This never happens to me outside. It can be physically demanding to work in forestry, but it is also healthy. You're in fresh air and moving all day long. You also can see what you accomplished right in front of you. With my legal work, it is rewarding to help people. With forestry, it is rewarding to look at a forest and improve it by taking out the poor-quality trees so the nicer ones can grow. You can feel like you accomplished something when you look at wood that has been cut, skidded and piled on the roadside.

MBJ: Any overlap between your legal world and then the world in forestry?

MM: There is some overlap. I do have some legal clients in the forestry community and among woodlot owners. On the forestry end, I have people I have helped with their management of

forests or writing forest management plans. Some of these people also need legal assistance concerning what do to with their holdings in the future and my firm has been able to assist them. There is definitely an overlap between the two worlds, and it seems to be working well.

MBJ: What's the best advice you've ever received?

MM: I would have to say that it came from my father-in-law, who is from New Brunswick. He always advised me to mix the academics with the physical work. And then one day, I found a great quote in a magazine that I was reading: "The great secret of education is to combine mental and physical work so that one kind of exercise refreshes the other." It really sums it up perfectly. Looking back, it is kind of what I've always done. I studied hard, but I liked to get out and use my chainsaws. And there aren't many licensed attorneys in Maine who spend part of the week on skidders and using chainsaws. Yet, it has been a great combination for me. You can exercise the brain getting to the point where you are tired and your eyes are strain-

ing, but you know the next day, you will be using your body cutting wood and being outside. I find that one form of exercise refreshes the other. So, my father-in-law's advice was really very beneficial to me and seems to keep me pretty happy. Having a wonderful wife and a strong faith are also key to the happiness in my life.



Daniel J. Murphy is a shareholder in Bernstein Shur's Business Law and Litigation Practice Groups, where his practice concentrates on business and commercial litigation matters.

Beyond the Law features conversations with Maine lawyers who pursue unique interests or pastimes. Readers are invited to suggest candidates for *Beyond the Law* by contacting Dan Murphy at dmurphy@bernsteinshur.com.