

## THE ENVIRONMENTAL MOVEMENT, 1960s-

**G**rowing industrial pollution coupled with the emerging activist politics of the day created the environmental movement. Battles over big plans for dams, oil refineries, the nuclear power plant in Wiscasset and other industrial projects assumed legendary proportions. The result is that Maine's water and air are cleaner than they were 40 years ago, forests and animals have more protection, and millions of acres have been set aside for recreation. Critics of the movement argue it now costs a lot more to do business in Maine.

*One of the early environmental activists was Howard Trotzky of Bangor.*

By Susan Young  
Of the NEWS Staff

**D**uring a summer camp in 1954, a group of boys headed down the Kennebec River in canvas-and-wood canoes, hoping for a taste of white-water adventure. They didn't get very far down the river before they became stuck in logs that covered the water from bank to bank.

The teen-agers had to give up their trip and trudged into the town of Caratunk to call someone from the camp to come pick them up. The guide who led the expedition was dismayed. It was illegal for the logging companies to block the river, he said apologetically.

Those words — it was illegal to block the river — stayed with Howard Trotzky long after his summers at Camp Modin in Canaan.

Trotzky, a native of New York City who moved to Maine as soon as possible after his summer stays, became so fed up with the logs clogging the Kennebec that he filed a lawsuit to stop the use of the river to move and store wood.

The log drives stopped thanks to the Manhattanite with the thick accent and keen political acumen.

Shortly after graduating from college in New York, Trotzky moved to Maine and enrolled at the University of Maine to earn a master's degree in fisheries biology.

Working with the Maine fish and game department and the U.S. Department of the Interior, Trotzky was asked to do a study of the fish population in the upper Kennebec River. Residents of

Solon and Bingham thought the number of fish in the river was declining because of log drives that choked the water with pulpwood.

After sleeping in his car and anywhere else people would let him, Trotzky bought a house in Caratunk, a small town near the river. Later, he bought a one-eighth share of a dilapidated house across the street because it was an eyesore and a fire hazard. It turned out the house came with land that stretched all the way to the banks of the Kennebec.

As he studied the river, Trotzky concluded the log drives were damaging the underwater ecosystem. For example, less than half an hour after the Wyman Dam gates were opened, the current at the bottom of the river increased fourfold. This made it very difficult for fish to live in the river. In addition, methane gas bubbled up from the thick layer of bark that coated the river bottom.

More significantly, it would turn out, Trotzky had a hard time doing his studies because he had to dodge thousands of floating logs that came at him as the water level rose, and he couldn't paddle his canoe through the mess.

Trotzky remembered the words of his old summer camp guide on the ill-fated Kennebec River trip — it was illegal to block the river. He studied the laws of Maine and found this was, in fact, true because a 19th century statute designated waterways as public highways open to all.

He formed the Kennebec Valley Conservation Association and began lobbying Scott Paper Co. and a couple of smaller log driving and paper companies to stop using

the river to carry their logs. Scott repeatedly said it was studying the issue.

Not satisfied that the drives were nearing an end, Trotzky decided in 1970 to try a different tactic. Because he owned land that abutted the river, he had what are known as "riparian rights," and thus a standing to sue the logging companies that blocked the river. After a long search, he found a lawyer who would take on his case.

Jon Lund, who would go on to become the state's attorney general, filed Trotzky's lawsuit in November 1970. He sought no monetary damages, only that the companies pare back the log drives enough that the Kennebec could be used for recreational purposes. Trotzky said he knew this was not economically feasible, so if the case succeeded it would be the end of the log drives.

A clever tactician, Trotzky worded his lawsuit and lined up his supporters for maximum effect. Rather than engaging in a scientific argument that the logs, and the bark that fell off them, were harming the river's ecosystem, he argued the log drives were interfering with the public's use of the river. When a University of Maine student named Malcolm Hunter — now a UM ecology professor — asked what he could do to help, Trotzky advised him to collect signatures from other students on a petition asking the state's attorney general to file a lawsuit also.

The students' efforts paid off, and Attorney General James Erwin intervened in the lawsuit. Later the U.S. attorney for the state of Maine, Peter Mills Sr., filed suit based on the Rivers and



Howard Trotzky. (NEWS Photo by Nicholas Fedyk)

Harbors Act of 1899. A Solon campground owner also joined the suit, claiming the log drives damaged fishing, and therefore his business.

Trotzky was criticized by many as a radical outsider who sought to end a centuries-old Maine tradition. Even the state's mainstream environmental groups said his lawsuit was misguided.

In 1971, Scott Paper announced it would stop log drives on the Ken-

nebec by 1976. The same year, the Legislature passed a bill banning most log driving by the same year.

The state suit was put on hold while the federal case proceeded, and Scott ultimately agreed to clean up the logs from the shores and bottom of the river.

Logging on the Kennebec would have ended, Trotzky acknowledged, because of changes in the woods such as the move to hauling

tree-length logs and wood chips by truck.

"It was probably going to happen, but we speeded it up," he said.

After the log-driving suit, Trotzky decided the best way to help improve Maine's environment was to develop what he calls zoning laws, regulations that stipulate activities ranging from home building to motorboating are allowed in some parts of the state but forbidden in others. To do this, he needed to become politically active. He joined the Republican Party, because at that time, it was the party with the most power in the Legislature and the most support from Maine's residents.

In 1974, he won an upset election to take Bangor's Senate seat. He held onto the seat for eight years before leaving politics.

After his time in the Legislature, Trotzky began teaching at Forest Hills High School in Jackman and worked as a rafting guide on the Kennebec during the summers. He guided for 13 years, becoming one of the oldest guides in the emerging raft business.

He has remained active in environmental matters.

As a member of a commission set up to advise lawmakers on how best to regulate the business that has come to dominate the upper Kennebec, Trotzky argued against a 1996 proposal from several rafting companies to lift restrictions on the number of rubber rafts they can send down the river. Once again, he didn't win a lot of praise from his cohorts.

"Why should we break a logjam and create a raft jam?" Trotzky wondered.