



# Friends of White's Woods Monthly Newsletter



## White Township Timbering Plan Still On the Table?

It seems that saving White's Woods is a marathon - and not a quick fix. Hundreds of us, if not more, are going to have to keep working for months to come.

According to recent White Township news & statements, the Township plans to move forward with a forest management plan for White's Woods. It is still unclear what that plan for White's Woods will look like and who would be doing the actual work.

FWW sincerely hopes that the Township's commitment to include public input in all phases of the stewardship plan for White's Woods (as required by DCNR) is firm. We have to make sure that the public is heard!

And while we all agree that improving the long-term health and vitality of the White's Woods Nature Center is of paramount concern, FWW - and other foresters and biologists--still disagree with the township's assessment of the health of White's Woods. The woods are, overall, healthy. The plan proposed by Millstone would do much more harm than good.

This last (2020) plan - and the two that preceded it in 1997 and 2008--were based on the assumption that White's Woods should be treated as a commercial forest.

In 2020, it was suggested that timbering could pay for the forester's services.

But that makes no sense. The White's Woods Nature Center is a park. And the township could apply for a carbon sequestration contract and receive an annual check for somewhere between \$25,000 and \$30,000 for leaving the trees in White's Woods alone.

Nothing that we have seen or heard from the Supervisors indicate that they can see this park for what it is: A Project 70 natural area to be used exclusively for recreation, conservation, and historical purposes. Its purpose is very different from those of the East Pike Recreational Center, Getty Heights and Kennedy King.

FWW believes that DCNR's role in the management of all Project 70 lands is more substantial than the supervisors yet understand.

But even if that is true (and we believe that it is) public input will make all the difference.

Please help Save White's Woods in every way that you can.

Please fill out the FWW survey regarding deer hunting. FWW is trying to find out what members think about this - and

the NUMBER of responses (regardless of the survey's outcome) will indicate the STRENGTH of continuing interest in the future of White's Woods.

Consider donating. Additional legal action may become necessary.

Volunteer to help any way that you can: meeting people at the 12th street entrance, writing letters, filling out future surveys, sharing your ideas, frequenting our website for latest information and documents, supporting FWW events, and, if our pandemic allows, attending future FWW meetings.

Together we can Save White's Woods.

**On the 50th Anniversary of Dr. Seuss' "The Lorax," we fight the same battles to save the trees**



The Aug. 12th edition of NPR featured a story by Elizabeth Blair titled: "The Lorax' Warned Us 50 Years Ago, But We Didn't Listen."

"The greedy Once-ler ravages the land by chopping down Truffula Trees. He needs them to make his "thneed" garment.

The Lorax is apoplectic.

'I speak for the trees, for the trees have no tongues.

And I'm asking you, sir, at the top of my lungs' — he was very upset as he shouted and puffed --

'What's that THING you've made out of my Truffula tuft?'"

See the full article at <https://www.npr.org/2021/08/12/1026385429/the-lorax-dr-seuss>

### Upcoming Events

**Sept. 16, 2021:** 5:30 p.m., Medicinal Plant Walk in White's Woods conducted by Dana Driscoll, IUP faculty member and traditional western herbalist. (see July's newsletter at [www.friendsofwhiteswoods.org](http://www.friendsofwhiteswoods.org) for more information).

**September/October:** "Painting in the Woods: The White's Woods Open Air Painting Experience," coordinated by Indiana artist Chuck Olson. (see August's newsletter online for more information).

**Oct, 2, 2021:** "A Walk in the Woods" in partnership with the statewide "Walk in Penn's Woods" October program that highlights the beauty of Pennsylvania's wooded areas.

For more information, visit: [friendsofwhiteswoods.org](http://friendsofwhiteswoods.org)

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**Court Case Outcome:  
An Opinion by Sara King,  
FWW President; endorsed  
by the FWW Board**

*(from The HawkEye online)*

WHITE TOWNSHIP — Senior Judge William J. Martin's August 5 ruling regarding Friends of White's Woods Inc. vs White Township Board of Supervisors was a surprise and disappointment. It has little impact on the status of White's Woods, though.

However, some implications of the decision are concerning.

The ruling concluded simply, "the Plaintiff's request for injunctive relief [to prohibit Millstone Land Management's invasive species removal plan] was denied." But the plan had already been stopped.

Ten months after FWW filed its lawsuit against White Township on May 22, 2020, to request the injunction, the Pennsylvania Department of Conservation and Natural Resources made clear that it was not supportive of Millstone's intention to remove invasive plant species in the White's Woods Nature Center by extensively mulching the forest floor. (Because White's Woods falls under Project 70, being purchased in part through a state grant, DCNR has final approval over any stewardship plans).

DCNR's March 23 Bureau of Forestry review noted that:

- DCNR is "not familiar" with mulching a forest floor to a depth of 6 inches and is "highly concerned about the unintended consequences." (p. 6)

- "Forest mulching is not a recommended method of invasive removal." (p.6)

- "Mulching this entire tract is highly concerning and not recommended." (p. 8)

- "[D]isturbing the soil typically promotes the spread of invasive plants and is even more concerning when coupled with opening the canopy and allowing more sunlight to the forest floor." (p.2)

SO WHY did FWW persist with this court case after DCNR's March 2021 ruling had essentially nullified the need for the injunction?

Because the heart of this case was about good government. FWW kept this case going because our organization felt that there was money being improperly awarded to Millstone.

Despite the fact that the township won this case, the concern is still there and still valid.

Consider these facts:

- Millstone was hired as a forestry consultant without a Request for Proposals from others in the area who were qualified to perform this professional service (The township did do RFPs for forestry consultants in 1995 and 2006, but not 2019).

- The resulting Millstone forestry consultant

contract called for the company to assist in contract specifications (labeled "bid specifications" in contract documents) for invasive species removal and timbering work and to supervise the work of the successful bidder as well.

- Millstone was permitted to bid on the bid specifications it helped to create.

- Millstone provided the names of the two other companies that the township contacted to solicit additional (ultimately deemed incomplete) bids for invasive treatment.

- Millstone was awarded the contract for Tract 1 of the White's Woods invasive species removal and would have been paid for both performing the work and the supervising of itself, except that DCNR blocked the method of invasive species removal and the amount of timbering proposed in the Millstone's draft Stewardship Plan.

- Millstone was paid for performing the invasive species removal at the East Pike Recreation Center and, contract documents indicate, for supervising its own work.

For Tract I, Millstone was lined up to receive over \$30,000 — roughly a third of that for consulting fees, the remainder for invasive species removal and selective timbering.

While the specific payment amounts to Millstone for any work in the remaining six "tracts" have yet to be identified (and FWW truly hopes that the management of White's Woods, with the benefit of DCNR involvement, will take a different direction entirely), some numbers are available.

In 2020 documents, Millstone estimated that the payment for the actual removal of invasive species in these six remaining tracts to be about \$94,000. And the per-tract "consulting" fees for the remaining six tracts, documents suggest, would parallel Millstone's charges for Tract I.

According to the court ruling, no bidding is required for any of the work in White's Woods — even though the entire project was expected to cost well over \$100,000.

WHY? According to the court, this no-bidding process is acceptable because it is classified as a "professional service" — a category of municipal contract that is exempt from bidding. FWW understands the court's ruling. But the organization remains concerned.

FWW believes that the "professional services" loophole is unfair to the public: In this case, it allows tens or even hundreds of thousands of dollars to be handed off to a single contractor without formal bidding. It is also unfair to other professionals who would be equally qualified to conduct the work.

Without bids or RFPs, taxpayers are deprived of the advance notice and information necessary for a meaningful role in township decision-making. And businesses are deprived of the chance to bid on lucrative municipal

contracts.

The Governor's Purchasing Handbook (p. 5) cautions that "Local officials should be very cautious in claiming one of the exemptions from competitive bidding. Competitive bidding requirements are a public policy established to prevent fraud and favoritism and to protect public funds. Courts interpret statutory requirements for bidding in a way to broadly further this policy. Any exception to competitive bidding is narrowly construed...."

THIS GUIDANCE indicates the need to double-down in our efforts. We urge citizens to attend White Township Board of Supervisors meetings (in person or virtually), check the agendas, read the minutes, ask questions (even though the recently instated rules for public comment severely curtail discussion), and keep an eagle's eye on no-bid contract awards.

After all, it's our money.

And it's our community forest.



**FWW receives  
2021 Evergreen Award**

Friends of White's Woods received the 2021 Evergreen Award from the Evergreen Conservancy Aug. 12 for their work in educating the public on environmental issues and for their collaboration with other environmental agencies.

In the presentation by Robert (Bob) Lankard to FWW President Sara King, Lankard noted the educational programs FWW made available to the community via Zoom on topics such as invasive species and their removal, the value of the woods to the physical and psychological health of the community, how to inform rural communities on climate change, and the benefits of community forests to birds and people, among others.

Lankard commended FWW for their outreach to other environmental groups. In addition to the Evergreen Conservancy, these include the Sierra Club, the Western Pennsylvania Conservancy, the Todd Bird Club, the Pennsylvania Parks and Forests Foundation, and the Climate and Rural Systems Partnership of Western Pennsylvania.

King said: "Friends of White's Woods is honored to receive the Evergreen Award because it is from the organization that has been a leader in protecting Indiana County natural resources for over two decades. The Evergreen Green Conservancy's steady work, particularly in environmental education, land remediation, and stream restoration in Indiana County is so important - and contributes so much to the future wellbeing of our land and its residents alike."

**For more information, visit: [friendsofwhiteswoods.org](http://friendsofwhiteswoods.org)**

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