



TIMBER TALK

Your Voice for South Carolina Timber Harvesting

November/December 2008

MEMBER ALERT

SC PAYMENT OF WAGE LAWS

One of SCTPA's goals is to keep our members informed regarding appropriate laws and regulations. Knowing and complying with applicable laws and regulations is indicative of operating a professional business.

When businesses do not know applicable laws and regulations, legal compliance is not met. Certainly unintentional mistakes and deviations may occur, but the law is the law. Non-compliance could lead to unwanted legal liabilities, audits, citations and fines. Simply not knowing and understanding the law, is not an excuse.

Questions have been asked about the payment of wages in the timber harvesting industry in South Carolina. To obtain the correct informa-

tion and learn more about how the SC Wage Office governs wage payments in the timber harvesting industry, board member Joe Young, Low Country Forest Products, Inc., and Crad Jaynes, SCTPA president, met with Investigator Tim Moulton, Division of Legal Services, on October 23rd at the Columbia SC Wages and Child Labor Section office.

The Wages and Child Labor Section in the SC Department of Labor, Licensing and Regulation administers the payment of wages and child labor laws. In fiscal year 2006, the office investigated 761 wage complaints and issued 472 warnings and 377 citations.

Mr. Moulton related wage investigations might be triggered by an employee calling to report wage discrepancies, inaccuracies in wage payments, violations of employer policies or state laws or simply because an employee is disgruntled.

Several topics regarding the ac-

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TEAM views Quick Fire video.

TEAM MOVES FORWARD

The Timber Equipment Applications Management (TEAM) committee convened its Fall meeting on October 21st in Raleigh to continue its work on current projects and discuss issues relevant to TEAM's mission.

Fourteen members attended to move forward with developing an organizational structure, website and organization housing, and to discuss further projects to reduce fire risks on logging equipment.

Representatives from insurance, fire forensic and investigation, logging equipment manufacturers and dealers, loggers, logger associations, fire suppression manufacturers, and loss control consultants continue working cooperatively to improve

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tual laws were discussed. The main point of interest was how and what is legal in wage payments in the timber harvesting business.

An explanation of the timber harvesting business was provided. The point was related that logging is a production-based business and the payment of wages may be performed using various methods. So how do state wage laws relate to logging businesses?

Mr. Moulton graciously detailed the applicable laws referring to SC Payment of Wages, Title 41, Chapter 10, Sections 41-10-10 through 41-10-110.

State law requires an employer of five or more employees to notify each employee in writing at the time of hiring of the wages agreed upon, the time and place of payment, and the deductions which will be made from wages, including insurance programs. State law does not require an employer to provide an employee with benefits such as vacation, sick leave, health insurance, lunch hour, break time, etc. However, if an employer decides to do so, employer must give notice of the policy to the employee in writing and abide by the policy. The employer has the option of giving individual notification or posting the terms conspicuously at or near the place of work. Any changes in these terms must be given to the employee in writing at least seven calendar days before they become effective.

The employer must furnish each employee with an itemized statement showing employee's gross pay and the deductions made from employee's wages for each pay period.

When an employee is separated from the payroll, voluntarily or involuntarily, every employer

must pay all wages due to the employee within 48 hours of the time of separation or the next regular pay day which may not exceed 30 days.

SCTPA appreciates Mr. Moulton's time and expertise to review our wage laws.

Here are excerpts of the discussions and review of our state laws.

- South Carolina does not have a minimum wage or overtime law. These are addressed by Federal Laws in the U.S. Department of Labor.
- In SC, if an employer has 5 or more employees, the law requires the employer to have written terms of employment with each employee. SC Law enacted in 1987, SC Statute 41-10-30.
- Mr. Moulton presented a blank example and completed example of a Terms of Employment Notice. He noted an employer does not have to use the state form. Employer may have an Employee Manual addressing items on the SC Form and that is fine. Employee must have seen the manual and signed off on the terms of the manual.
- For wages, the agreed upon wages are the wages agreed upon by employee and employer and employee must sign off on this. SC Law states employee must sign off on the agreed upon wages.
- Employer can specify deductions made in wages as long as in writing and signed off on by the employee. Deductions may be for insurance, etc.
- Wage advancement(s): Can be done by specifying such advancement(s) in writing on the employee's check and/or specifying in writing on the employee's payment record. Employer can do a form in a generic version. The form must be posted in a conspicuous place for employee viewing.
- Wage payment: If employer pays employees, employer must specify the wage payment place and any other conditions related to wage pay, such as a termination policy, and have and post a written notice that employees can review.
- Bonus policy: Have any bonus policy in written form, such as "back to school bonus for employees," and indicate bonuses are paid at the discretion of the employer. Have in written form for the employer to have as policy.
- Drug testing: Employer have a written policy, and employer can state such a policy that if employee fails a drug test, then cost of testing will be deducted from employee's wage.
- Severance pay: Severance pay is not wages under SC Law, and employer does not have to have a written policy nor notify employees. It is the employer's discretion to pay severance pay.
- Benefits: Vacation is a benefit and must be in written form and has to have qualifications and disclaimer that separation payment (termination) for the benefit is at the employer's discretion. Vacation policy must be in writing and explain the qualifications for vacation and have any disclaimer necessary. May need to have a policy in writing for vacation benefit. If a change in vacation benefit or any other benefit, change(s) must

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be in writing and posted seven (7) days in advance of effective date of changes.

- Pay raises: Should not be put in writing. Just give the raise to avoid problems with payment not being rendered for some reason such as separation from employment.
- Sick leave: Is looked at as wages, but a SC court judge ruled it was not. So SC does not view sick leave as wages. If an employer pays an employee for time they did not work, such as sick leave, and the employer does not have a sick leave policy, then this pay can be considered an advance and can be taken back by the employer.
- Holiday pay or holiday policy: If employer doesn't have a policy then considered discretion advance. If employer has a holiday policy, specify employee must work scheduled day before and scheduled day after holiday to get holiday pay.
- If employee works outside the state in another state, then employee is subject to outside state's laws during time worked in other state. Has to do with where work is performed.
- If employee is separated, termed from employment, employer needs to put in a policy for wage pay that payment will be mailed to the last mailing address of record in employer's records.
- Employer does not have to release wage payment to any other person except employee. Employer can have a statement on record that someone other than employee can receive wage payment. Example – statement on file that spouse can receive wage payment.
- If an employee does not receive wage payment on scheduled pay day, then employee can file a suit at magistrate's court against the employer for three times the wage, plus court costs and attorney's fees.
- Payment upon separation: If employer feels employee may be a problem, then wage pay can be held for up to thirty (30) days. Employer must have a written policy. Example – company provides uniforms to employees. Employer must have a policy that states the dollar value for the replacement uniform(s), have written policy that employee must return uniform(s) within 24 hours, or whatever hours specified, or the cost of uniform replacement will be deducted from wage pay.
- Employer must have written policy for deductions such as employer providing uniform(s).
- Deductions for health insurance: Employer must have a policy in writing that the deduction will be made.

- Vacation: Employer must have a policy the employee will earn vacation, whatever time frame set by employer, and employer should "state" in vacation policy "after continuous" employment.
- Employee cannot enter into any agreement or set aside agreement that is contrary to SC Law.
- SC Wage Office can investigate an employer due to an employee complaint and conduct an investigation at the business location.
- If requested and invited, SC Wage Office Investigator will visit an employer and perform a voluntary review of policies, procedures, manuals, etc. and not issue any citations or fines to employer.
- Payment methods: Employer can have production bonus, but must be specified in writing in a policy such as on the SC Terms of Employment Notice form. Employee must sign and date the policy. Employer can designate in writing the production bonus is paid at the discretion of the employer.
- Employer is to have hourly wage or salary rate policy and everything else can be paid at the discretion of the employer. Must have written policy for this and stating such policies.
- Under SC's payment of wage law, if employer has an employee and employer wants to separate (terminate) employee, the employer can state in a policy that only federal minimum wage will be paid for the final week of pay. Employer can only deduct taxes and no other deductions.
- U.S. Department of Labor (USDOL) governs federal laws for minimum wage and overtime laws. Salary Exempt or Salary Non-Exempt employees would have to be paid salary plus overtime. Employers need to refer to federal laws. Need to check with USDOL about paying by the ton, load, etc.

A meeting with Herman Washington, USDOL Columbia office, is being scheduled to obtain federal wage payment information. This will be made available to members.

If you have questions regarding SC Wage Laws contact Tim Moulton, 803-896-7761, or email Tim at moulton@llr.sc.gov. For Federal Wage Law questions, contact Herman Washington, USDOL Columbia at 803-765-5981.

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logging equipment design and engineering, develop fire prevention educational materials and improve fire suppression systems for the logging industry.

Joe Young, Low Country Forest Products, Inc., and Crad Jaynes represented loggers and SCTPA at the meeting. Forestry Mutual Insurance Company's Jimmie Locklear has spearheaded the group's efforts that have led to improvements in fire prevention education, equipment engineering and reduced logging equipment fire losses.

As is the usual format, the insurance representatives provided updates in the equipment insurance market. John Klages, Redwoods, LLC, provided an update on insurance markets and noted markets were soft presently and there was excess capacity with competitive pricing in markets. Despite the economy problems, markets were still soft and likely would remain so for a period of time. He noted fire losses seemed down over the last year for logging equipment in his market. This helps keep prices down and markets competitive.

Jimmie Locklear asked about the government bailing out insurance companies. John noted that no insurance companies such as AIG on their insurance side were being bailed out as it was on the financial side. Jimmie noted markets would eventually harden for pricing. John noted that the soft markets are in a short window now of about 1.5 to 2 years. Investments coming into the insurance markets like past years would slow down due to the economic problems now facing the industry and national economy.

J. J. Lemire, FMIC, noted insurance is regulated on a state basis and this helps the insurance industry keep a stable base economically due to state regulations. Jimmie said it all comes back to preventing losses on logging equipment.

Joe Young noted one of the safest steps is to wash equipment, but that was getting tougher because of BMP's, environmental regulations and not being able to wash equipment in the woods. He talked about the practical design of some type of trailer equipped

with washing system to take to the woods that would capture the residual water and cleaned up materials allowing the water and materials to be taken to a dump site. He also noted the changes in landownership has affected the ability to clean equipment in the woods because some landowners just don't want it done due to environmental risks.

John Walker, Walker Fire Forensics, noted it's difficult to clean equipment after a fire and that creates problems with onsite soil and water resources contamination, materials disposal and environmental regulations.

Scott Critzer, Gaines & Critzer, talked about a 2003 model feller buncher loss his client had and how the logger emptied six dry chemical fire extinguishers on the unit, but was unable to save the unit. The loss would be a total for \$75,000. He noted there had not been anything in Virginia out of the ordinary over the past year. There had been fewer losses that could be attributable to the lower number of loggers and slower work.

John Walker discussed how 2003 model units were not as accessible. The changes that have been made have helped for access into units for fire suppression and fire fighting. He discussed early warning devices and how many loggers are now more in favor of this at reasonable costs if installed by manufacturers. If you can extinguish a fire with one or two extinguishers then the loss will be lower.

David Miller, Consultant, discussed how fire intensity affects equipment fires. If you can get it suppressed early then the better chance to save the unit. Robin Barker, Tigercat, asked, "If a small fire occurs, will a detection system be activated?"

John Walker noted there are three systems: Rate of Rise System, Fixed System and Infra Red System. The system has to be matched to the normal equipment and engine system re-

lated to normal operating temperatures. Airflow affects systems and the detection system needs to match the machine's system. He noted installing fire extinguisher ports on older machines might be a consideration. Doug Duncan, NC Association of Professional Loggers, suggested preparing a Technical Release on this subject as to how to retro-fit older model machines for fire access ports.

The group conducted a discussion regarding the organizational structure. Jimmie Locklear discussed TEAM may have to handle funding in the future.

John Walker noted the effectiveness



TEAM in Raleigh.

of TEAM. However he noted the changes in the logging industry because of pushed production for wood has created reduced time for fire prevention plus the EPA changes with the new Tier engines has created higher fire risks with higher engine temperatures. Equipment changes have been good and will continue to help along with discussions by TEAM members to help reduce fire risks on logging equipment.

The group discussed potential organizational structures. TEAM groups such as the insurance group, logger group, manufacturers group, suppression group and the investigative group may need to have a representative on an executive committee or steering committee.

J. J. Lemire updated the status of TEAM using the Forest Resources Association (FRA) as a vehicle for

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TEAM's website. There were some issues related to some technical aspects of that. However, FRA had approved TEAM being under FRA's umbrella.

Tony Tijerina, Tijerina Investigations, asked about why TEAM needs to be under FRA. David Miller talked about how Forestry Mutual Insurance Company had steered the effort thus far, but what if FRA wanted to change the focus of TEAM. David talked about how the FRA Southwide Safety Committee (SWSC) has helped steer FRA in the past and how the TEAM has steered and brought folks together to have discussions.

Tony Tijerina talked about how TEAM should consider having and retaining its autonomy. Joe Young offered how TEAM might fit into FRA, since he serves on the FRA board, and how the Wood Supply Research Institute evolved and worked under FRA. J. J. Lemire talked about the TEAM website being posted on the FRA website.

Discussions ensued about the TEAM proposal to FRA about housing the website with FRA. Group reviewed the proposal and took comments. Website is attached to FMIC website now. The Timber Harvesting And Transportation Safety Foundation (THAT'S) might be available to assist TEAM. J. J. Lemire indicated FRA approved in theory the concept, but needed additional details to be worked out.

Group discussed the potential costs, etc. It was noted TEAM already has purchased a domain name, with website developed and now it needs a host. Talked about possible host sites and costs. It was suggested TEAM members consider paying a share of the costs for hosting.

Randy Smith, AFEX Fire Suppression Systems, discussed exposure to members and companies and how the website could be potential income stream for TEAM, and develop a networking scheme.

Discussion held about organizational structure might be similar to FRA's Southwide Safety Committee. Might consider having a Chair and Vice Chair serve and form an exploratory committee to look at organizational structure.

Tony Tijerina talked about how TEAM needs to take a step in organizational structuring. Joe Young talked about if TEAM does have a Chair and Vice Chair, what about the liability to

those folks. Need to have some official structure for protections to TEAM members. Joe suggested that before TEAM does that, group should form a formal organization for protection of the responsibilities to each member. Need to settle formal

organization structure before moving forward with an officer structure or executive committee structure. He suggested possible election of contingent officers to be put into place when a formal organizational structure is determined.

John Walker made the point there needs to be accountability of TEAM members if the group should acquire funds that would need to be administered.

A motion was approved to propose placing TEAM under FRA similar to SWSC at no charge to TEAM from FRA with J. J. Lemire and Doug Duncan being the contact points for this. Joe Young offered support since he serves on the FRA board.

A motion was approved for establishing a succession of officers of Chair, Vice Chair and Secretary to serve a one-year term. Later the motion was revised and approved for officers to serve two-year terms.

A contingent slate of officers were elected with Tony Tijerina as Chair, Robin Barker Vice Chair and Crad Jaynes Secretary.

Doug Duncan discussed possible logos for TEAM. He distributed examples of logos for group review. Discussion was held as to having a graphic logo rather than a photo. Hopefully TEAM will blend in other safety areas in the future. Talked about staying away from the "flame" symbol that somewhat negative. Group suggested leave the logo open for other suggestions.

Member discussion regarding a DVD project and J. J. suggested that at last meeting this topic was tabled until the website was operating. Group tabled the topic again for further discussion at next meeting pending results of FRA proposal.

Jimmie Locklear talked about contacts from fire suppression manufacturers that wanted to be involved with TEAM. Suggested the inclusion of fire suppression folks may need to be revisited.

Tony Tijerina talked about the fire suppression system from Quick Fire

called Fire Foe that contains EnviroGel as a suppressant. Interesting product and has some potential for logging equipment. He discussed the tube cost is between \$300 and \$500 depending on tube size. Tube constructed of nylon with a indicator gauge and one side of the tube is thinner. The suppressant is activated at 316 degrees with the gel turning into a gas that is dispersed for fire suppression. Some testing is being done at higher temperatures in engine compartments and the question was, will the tubes work in higher temperature environments? Group reviewed the Quick Fire video of the Fire Foe Automated Fire Extinguisher.

Randy Smith talked about testing of some new products such as newer suppressants and newer monitoring panels. Different profiles for extinguishers such as lying on the canister side are being looked at. Smaller fire monitoring panel profiles for interior cab use are being developed because area in an operator's cab is critical. Detection systems are costing around \$5,000 with installation cost being variable.

Robin Barker talked about fire extinguisher and suppression system representatives attending TEAM meetings. He talked about an AEM meeting that allowed fire extinguisher and suppression representatives to give presentations. He suggested TEAM consider this with representatives having a fixed schedule and time with a previous message about what TEAM wants to hear from these folks. The group suggested allowing fire suppression manufacturers to be invited.

John Walker talked about wanting to know manufacturers' loss/incident experience, field tests with success rates and do they know what their experience has been, etc. Problems occur with what are the success and loss rates because of poor reporting from the field. David Miller talked about the systems now as to how successful systems are or are not. J. J. Lemire talked about using the website to report incidences to track successes and losses.

Joe Young suggested having an actual demonstration of all the systems in the field to see the systems work. Robin Barker suggested the field demonstrations would be good, but the problem goes back to system cost to the buyer.

John Walker related his experiences with fire suppression systems and the

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question being asked “why didn’t the system work to suppress the fire?” He would like to see the data from vendors as to how good their systems actually work. Tony Tijerina talked about Acadia Insurance Company’s requirements for fire suppression systems on their clients’ logging equipment in Maine.

Tony Tijerina discussed preparing an email to TEAM members to get information on what members want to hear and see from manufacturers for a fire suppression demo day. He suggested it needed to be fair to all manufacturers in order to have such an event.

Robin Barker talked about the possibility of TEAM deviating from its mission to get information out to prevent fire losses through cleaning, etc. John Walker related fire suppression being a needed precaution in the event of an incident such as a ROPS is needed on equipment. John said you hope you don’t need it, but good to have if needed.

Joe Young talked about the problems with cleaning equipment and the problems with dropping belly pans on logging equipment. He described a problem with one of his machines and getting the dust out from around the engine. He suggested considering a logger forum to look at logging equipment design with logger input for equipment design for fire prevention.

David Miller mentioned the continuing need to emphasize fire prevention, equipment maintenance and proper fire suppression. TEAM needs to push forward with both endeavors.

John Walker suggested the manufacturers provide data on experience of their systems. He mentioned Don Curtis with Acadia probably has data on their experience with fire incidences in Maine.

Larry Loudermilk talked about CAT investigating fire suppression ports on machines. David Miller, retired from Blount, discussed Blount machines except loaders having fire extinguisher ports. Larry said CAT is trying to look at fire detection systems and sensor systems on logging equipment. He said CAT is looking at ease of cleaning on their machines in design and engineering.

Robin Barker noted fire access ports are located on Tigercat equipment and AEM is looking at size of ports for standardization because there is not a standard size now. Fire extinguishers do have different size nozzles and usually 5 out of 6 will fit ports now. He talked about the Tier 4 engines presenting new challenges for loggers and manufacturers due to increased fire risks. These engines have to meet the new guidelines for removal of nitrous oxides, black smoke and more particulate matter by burning the matter off. He talked about the trucking engines and more maintenance thus raising cost. He discussed Cummins and Mercedes engines and how they are going to the use of urea to rid the system of particulate matter. Problem will be more costs on machines and higher risks.

Larry Loudermilk talked about the fuel line routing on machines and how this is a fire risk. John Walker discussed

in looking at the newer engines he has seen he has noted higher fire risks.

Joe Young related the higher technology equipment on machines now is creating problems with not having “high-tech” mechanics and personnel in the logging woods capable of maintaining the equipment and working on the equipment. Joe mentioned the need for simpler machines.

Robin Barker countered Joe’s position by explaining the need for high technology because of other functions needing to operate off the systems. Due to regulations such as Tier 4 engines having to meet new air quality standards, high tech is needed. It’s improved technology that needs more technology.

Robin mentioned he wished there were more insurance reps at the meeting. Occasionally, Tigercat gets invited to investigate fire incidences. Insurance reps need to talk with machine operators about the fire incidence on particular machines to get input from operators. He described an incidence he was involved with on a fire loss. Operator described the incidence and explained why he quit the logger. The operator said the logger did not repair the fire suppression system after the first fire. The operator felt his life may be in danger and felt he needed to find other logging employment.

David Miller described an investigation where the investigator could not talk with the logger’s employees. Robin Barker stated there is a need for more input from operators to loss investigators and insurance representatives.

Scott Critzer talked about the lack of continuity in carriers using qualified field adjusters due to turnover and knowledge of what they are looking at with logging equipment. Tony Tijerina discussed how adjusters interact and sometimes get it wrong due to lack of knowledge and experience with the logging industry.

In closing the meeting, the group made comments about the meeting. Scott Critzer talked about the problem with not enough standardization within the insurance industry as for requirements for fire prevention and fire suppression systems. Regional carriers trying to get business and may not require certain steps as other insurance carriers require.

John Klages talked about the suggestions from Joe Young about the real logging world. David Miller talked about the value of loggers being involved in TEAM and the need for better cooperation between equipment manufacturers and insurance providers and the progress needed to prevent fires and working together for improvements. Joe Young mentioned the costs to loggers are going up as the result of increased costs to insurance companies and manufacturers.

TEAM is a working group that continues proving you can get different groups together and cooperatively make improvements for logging equipment and loggers.

As I See It ...

AMERICAN LOGGERS COUNCIL

PRESIDENT ALLEN RIBELIN, FLAGSTAFF, ARIZONA



"ENERGY INDEPENDENCE"

I am certainly grateful that the exorbitant fuel prices of this past summer are only a bad memory but my real fear of the current situation is that we will be all too quick to forget how painful getting and paying those fuel bills were. Many dialogues were started on varying fronts to find alternatives as a result of \$140+/barrel crude and many of the proposed solutions only made financial sense because of the extremely high raw material costs for typical fossil fuels. Now, even though we are currently at 2004 prices (didn't we complain about that price then?) we need to keep focused on developing alternatives and that can keep America independent from the extortion of the OPEC group and its manipulation of the oil supply. What I fear is a situation similar to what happens here in the southwest during an extreme wildfire season...when the sky is full of smoke and homes are being threatened or lost...the poor forest condition is front page news; but when the summer monsoons start and the risk is greatly reduced it has proven difficult to keep the conversation progressing forward about landscape forest improvements. I am thankful for Arizona Governor Napolitano's support of landscape forest projects and her encouragement of the USDA Forest Service to implement the strategies developed in the southwest region Wood Supply Analysis recently produced by Northern Arizona University and the ForestERA (The Wood Supply Analysis project was supported through funding from the Southwestern Region of the USDA Forest Service).



Biomass use/conversion, in all of its flavors, needs to be further developed and utilized; understanding that some of these processes will not be economically viable under the current economy. My friend, Jim Petersen (The Evergreen Foundation) says it best: *"Of all the opportunities I see, none looms larger than biomass. When the price of oil was nearing \$150 a barrel the whole country suddenly found biomass. Of course, you and I know that our industry has been processing and using biomass in its various forms for decades. But the fact that biomass has now been 'discovered' opens the door to a host of opportunities involving not only biomass-to-energy but, more importantly, the wide range of forest policies that need to be in place in order to encourage private investments in harvesting and processing technologies, as well as public investment in basic research needed to build a firmer scientific floor beneath the en-*

tire forestry-biomass discussion."

The **Evergreen Magazine** started discussion on its pages almost years ago, much before there was since of urgency; the "sky wasn't full of smoke quite yet." In fact, Jim is currently in the early stages of a 12 installment project focusing on various aspects of the biomass potential in the United States which will be posted on the new Evergreen Foundation web site next year. Fund raising for this project is currently underway and I would encourage all of us to support this series, information can be found at: <http://www.evergreenmagazine.com>.

Technologies have been or are being developed to utilize what was once deemed "waste" from harvesting operations on the forest. Biomass-to-energy certainly has been in for forefront of discussions with high fossil fuel prices, but it is only one of hundreds of wood fiber conversions into useful products that technology has solutions for.

As the nation faces uncertainty with the future, we need to keep focused on the need for energy independence; biomass can and will be an important part of the energy needs of this great land. Rona Johnson, Features Editor for **Biomass Magazine**, states: *"...in the case of energy independence, I believe our leaders need to take a look at the giant steps that are already being taken to wean us off fossil fuels. I don't think they realize just how much gasoline has been displaced by ethanol, and could be further displaced as production increases and cellulosic feedstocks (woody biomass comes to mind) are utilized. Furthermore, I don't think they have a clue what biomass is or how it's being used to make many products that were once made with petroleum."* The American Loggers Council will again take this message to Washington DC in the spring, pressing ever forward with this vital message to our elected officials.

We need to keep the urgency in the biomass discussions for when crude skyrockets again, and it will; the time to then act will be too late.

Allen Ribelin is the 2009 President of the American Loggers Council, which represents over 50,000 logging professionals in 28 states. Allen's family's operation, High Desert Investment Company is headquartered in Flagstaff, Arizona. For more information please contact the American Loggers Council office at 409-625-0206 or e-mail at americanlogger@aol.com.

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YEAR END MESSAGE & THANKS

By Crad Jaynes, SCTPA President

As 2008 quickly closes and establishes its chapter in the history books as probably the toughest year I have witnessed in my thirty-one year career being associated with the timber harvesting and forest products industries, to say "tough" is probably an understatement.

Professional loggers have witnessed incredibly high fuel prices earlier in the year, thank goodness fuel prices have backed down some, higher operating costs for needed services, the financial and housing crisis, wood receiving markets curtailing production with some temporary or permanent closings, production capacities both in the logging woods and at mills facing downturns and future uncertainties and national leadership changes affecting policy making have created apprehensions, concerns, challenges and even down right despair never before seen in our industry. But there are positives and reasons for cautious optimism despite an uncertain future.

Looking back at last year's message, the keynote was survival. Professional loggers have survived, endured to the best of their abilities. Professionals operating their businesses first and in the occupation of timber harvesting have persevered, and will do so.

Just being an "ole" logger and not tending to business cannot and will not cut it any more. The strong, business savvy professional will survive and be better off in the long run. And I still believe that today. But again, surviving is the challenge.

The number of loggers has decreased. Those now removed from the industry probably were not the best professionals by any measure. With reduced numbers and reduced production capacities this could lead to opportunities. Yes, there will still be challenges for everyone, but opportunities too.

As long as there are receiving facilities using wood to manufacture products, there will be the need to have professionals supplying wood. There is still the need for philosophical changes within the wood supply chain for enhancing mutually beneficial partnerships for all the links to survive and prosper again.

Here in South Carolina, the increased 15% tolerance allowing more GVW for unmanufactured forest products trucking on intrastate roads was certainly cause for optimism. I believe our loggers and truckers have benefited by being able to increase revenues even if it was used to chase the fuel bill. But this important action was a positive for the industry. And I extend my sincere thanks to everyone who cooperated in this effort.

I believe optimism lies in the emerging opportunities for woody biomass utilization that will offer alternative markets for wood and wood residues. Loggers, landowners, wood suppliers and consumers will benefit.

As our industry takes a leap of faith into 2009, survival and sustainability of not only loggers is in question, our entire forest products wood supply chain is questionable. All links will certainly be challenged.

My crystal ball is cloudy. We know the solid wood products markets will not turn around until housing and construction return to some sense of normalcy. Paper, packaging and paper products while still holding some stability will hopefully continue to see more upward than downward trends. But the crystal ball is cloudy still and predicting the future is just unpredictable.

"When the going gets tough, the tough get going." Loggers are tough, but need to "Know Their Knows. Know your costs and Know when to say No." The ball is in your court. Be strong, professional and survival will take care of itself.

So we close 2008, put it in the history books, and say yes we survived, yes we are here and yes we will continue to be professionals. Let's pray for our industry, our country and have the cautious optimism of looking forward rather than backward while seeking opportunities and meeting the challenges for a better 2009.

JUST TO SAY THANKS

I just wanted to take the opportunity to express my sincere thanks to everyone for your support and confidence. We've had a tough few months as our Chairman's letter described in the last issue. But through the generous support of members and the efforts of the board, it looks like SCTPA will make it to the end of the year.

Thanks very much to all SCTPA members for your continued support and belief this association is providing the service and representation deserved. I cannot express how much I appreciate all those who added more to their dues and even paid more during our financial crisis to keep this association going.

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Thanks to our board of directors who have provided leadership, support and confidence to fulfill the association's charges.

Thanks to those whom I work with from other associations, organizations and companies to help improve our industry and address the issues affecting timber harvesting.

Thanks to my family. Brenda, Erin and Jason's support keeps me going because they know my passion is working for this association and the people I love that make up this great profession we call Logging. I love y'all.

And most of all thanks to the Good Lord for leading me, giving me strength and allowing me this wonderful opportunity to represent this industry, its causes and most of all, its people.

I do want to encourage everyone to come join us for our 10th Anniversary Annual Meeting, January 30 – February 1, 2009 in Myrtle Beach. Come celebrate our ten years of service as we look forward to our future.

So, on behalf of this association, our board, and my family I wish you and your family a Blessed Happy Holidays, Merry Christmas and Happy New Year.

Sincerely,

Crad

Crad

GOOD NEWS FOR THE FUTURE

BOSTON, Dec 10, 2008 - RISI today through its Wood Biomass Market Report, indicated that wood fiber will play a major role in any new green energy spending plans in the U.S. The Report stated that as of Dec. 12, estimates from the ever-expanding federal stimulus package suggest the green component (wood, wind, solar, etc.) will be a whopping \$50 billion over two years.

If 20% falls to wood energy, that near term spending of \$10 billion would spur formidable growth, providing tens of thousands of new jobs -- and wood demand of perhaps 120 million green tons, long-term. Compared to an estimated 215 green tons of consumption currently by the nation's pulp & paper industry, this new demand will be significant, and could create a \$3 billion per year wood energy market at current prices.

The Report also projects that a good bit of this expansion is already underway, with current projects topping 32 million tons. Wood-derived fuels already account for a full third of the nation's renewable energy, 50% if hydroelectricity were excluded. RISI projects that this increased demand will occur most in the U.S. South, followed by the U.S. West, and then the U.S. North.

Chris Lyddan, Contributing Editor of the Wood Biomass Market Report, comments, "How soon we might see this increase in demand take place ultimately rests heavily in the hands of President-elect Barack Obama and the next Congress." He continued, "Regardless of the actual timing, an ongoing RISI assessment of the plan reveals wholesale changes to forestry and traditional wood users are on the way. More than \$13 billion in public and private investment capital was pumped into US clean energy industries in 2007, according to the Department of Energy. Interestingly, the newly proposed government incentives exclude the many billions of dollars of private sector funding required in new projects. As such,

wood energy investments could dwarf failing paper and lumber operations in just the next several years, almost an undeniable outcome."

The Wood Biomass Market Report is a monthly publication that focuses on wood biomass feedstock pricing, project development and capital investment, government incentives and regulations and policies as it tracks the rapidly growing market. A one-year subscription to the Wood Biomass Market Report can be purchased for \$497 at <http://www.risiinfo.com/woodbiomass>, by calling 866.271.8525, or by sending an email to wt@risiinfo.com.

In addition, RISI is producing a multi-client study on Biomass entitled The Emerging Biomass Industry: Impact on Wood fiber Markets. This new study will be published this summer and is currently available for pre-order at a discounted price of US\$7,500. To order or for more information, please visit <http://www.risiinfo.com/biomass>.

About RISI

RISI is the leading information provider for the global forest products industry. The company works with clients in the pulp and paper, wood products, timber, tissue, nonwovens, printing and publishing industries to help them make better decisions.

Headquartered in Boston (Bedford), Massachusetts, RISI operates offices in Brussels, Belgium; Atlanta, Georgia; San Francisco, California; Portland, Oregon; Sao Paulo, Brazil; Shanghai, China; Singapore; and Charlottesville, Virginia. More information can be found at <http://www.risiinfo.com>.

Article received via internet message from undisclosed source with full credit given to RISI for information provided.

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10TH ANNIVERSARY CELEBRATION & DINNER

Since January 1999 S C Timber Producers Association has been the organization dedicated to representing and servicing the professionals harvesting, supplying and trucking South Carolina's sustainable and renewable timber resources.

SCTPA will celebrate its 10th Anniversary at the 2009 Annual Membership Meeting, January 30 – February 1, at the Crown Reef Resort & Conference Center, Myrtle Beach.

For our 10th Anniversary, a dinner with entertainment will be conducted Saturday evening January 31st beginning at 7 p.m. in the Tradewinds Ballroom at the Crown Reef Conference Center.

A plated dinner will be served with entertainment provided by Dana Watkins performing her full costume fantastic tribute to Country Music Legend Patsy Cline.

Dana auditioned at the October board meeting. And honestly with your eyes closed it sounded just like Patsy was in the room singing.

SCTPA's President will address the gathering highlighting ten years service to the timber harvesting industry. Brenda and Delaine are planning a decorative event to celebrate our 10th anniversary. A cash bar will be available.

Advance tickets must be purchased to confirm event attendance with the Crown Reef. Tickets may be ordered on the Meeting Registration Form and are \$25 Per Person.

Prepaid 10th Anniversary Dinner Tickets will be included in registration packages. If space available, dinner tickets can be purchased at registration or maybe at the door for \$35 per person.

Plan Now To Join Us for Our 10th Anniversary Dinner & 2009 Annual Membership Meeting.



Dana Watkins

OBAMA NAMES AGRICULTURE & INTERIOR SECRETARIES

President-Elect Barack Obama named Iowa Governor Tom Vilsack as his nominee to serve as Secretary of Agriculture, and Colorado Senator Ken Salazar as his nominee for Secretary of the Interior.

Gov. Vilsack is known as a strong advocate of renewable energy as well as for a cap-and-trade program for greenhouse gases. At a press conference announcing the selection, President Elect Obama said "Tom understands that the solution to our energy crisis will be found not in oil fields abroad, but in our farm fields here at home. That is the kind of leader I want in my Cabinet."

Vilsack is thought of as a centrist, who briefly ran for President before dropping out and endorsing Obama. His ties to traditional agriculture are deep, and, like most Secretaries, he has little background in forest management.

The announcement of Senator Ken Salazar as his pick for Interior Secretary drew praise from conservation groups and Western leaders, including current Secretary and Former Idaho Gov. Dirk Kempthorne, who called him "an excellent selection."

At the Chicago press conference, Obama said "I want a more proactive Interior Department; I also want an Interior Department that very frankly cleans up its act. There have been too many problems and too much emphasis on big-time lobbyists in Washington and not enough emphasis on what's good for the American people, and that's going to change under Ken Salazar."

Salazar held a number of leadership positions in Colorado, including serving at the State Department of Natural Resources and as State Attorney General, before being elected to the Senate in 2004. Several environmental groups issued statements of support, including the Trust for Public Land which called him "a true conservation hero" and said he takes a pragmatic and balanced problem-solving approach. A few more radical environmental groups decried the selection.

Decisions on key sub-cabinet posts, such as the Under Secretary of Agriculture for Natural Resources and Environment, are not expected for several weeks.

2008 Logger Activist Nomination

Nominations for SCTPA's **2008 Professional Logger Activist of the Year Award** are being sought. Award will be presented at the 2009 Annual Membership Business Luncheon and Meeting convening at noon, Saturday, January 31, 2009 at the Crown Reef Resort Conference Center, Myrtle Beach, SC.

This award recognizes a Professional Logger who has demonstrated an exceptional desire to positively promote and represent the timber harvesting profession by actively participating in association activities, educational efforts, community action, industry advocacy, and engendering the public's trust with commitment to the American Loggers Council Professional Logger Code of Practices and by displaying a commitment to sustainable forestry principles and practices.

You may nominate a SCTPA Logger Member or yourself. Contact the Nominations Committee or SCTPA office by January 21, 2009. Thank you for your nomination.

Joe Young, Chairman, Low Country Forest Products, Inc.

Office 843-546-1136 Fax 843-527-3040 Cell 843-833-0475 papajoe@sc.rr.com

Clyde Brown, Mt. Bethel Logging, Inc.

Office / Home 803-276-2915 Fax 803-276-9232 Cell 803-924-1194

Steve Thompson, Thompson Logging, Inc.

Office 864-474-3870 Fax 864-674-1998 Cell 864-490-2905 Thompson_logging@yahoo.com

2008 Logger Activist Nomination

Nominee Name(s) _____

Business Name _____

Address _____

City _____ SC Zip _____

Contact Office _____ Home _____

Mobile _____ Email _____

Nominated By _____ Date _____

Contact #'s Office _____ Home _____

Describe nominee's activities:

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Spouse/Guest Name _____ Badge Name _____

Please list any additional names & badge names on the back. Thanks!

	Early Registration	After January 12, 2009
	# \$	# \$
Member *	_____ @ \$ 175 = _____.	_____ @ \$ 200 = _____.
Member Spouse *	_____ @ \$ 75 = _____.	_____ @ \$ 85 = _____.
Active Member Employee **	_____ @ \$ 90 = _____.	_____ @ \$ 100 = _____.
Active Member Employee Spouse	_____ @ \$ 65 = _____.	_____ @ \$ 75 = _____.
SATURDAY, JAN. 26 ONLY	_____ @ \$ 150 = _____.	_____ @ \$ 175 = _____.
Non-Member	_____ @ \$ 215 = _____.	_____ @ \$ 240 = _____.
Non-Member Spouse	_____ @ \$ 85 = _____.	_____ @ \$ 95 = _____.
Children – Per Child Under 18	_____ @ \$ 35 = _____.	
10th Anniversary Dinner & Entertainment	_____ @ \$ 25 Per Person = \$ _____.	
Saturday Evening, January 31, 7 p.m.		
Advance Tickets Should Be Purchased.		
Dinner Tickets Received At Registration.		
\$35 per person at door, if available.		
TOTAL \$ DUE & PAID \$ _____.		
Please Refer to Member & Active Member Employee Descriptions		

Return Completed Registration & Check Payable To: SC Timber Producers Association (SCTPA)

*Members ** = Active Members, Allied Supplier Members & Allied Supporting Members with Paid Dues.
*Active Member Employee *** = Active Logger, Dealer or Trucker Member Sponsored Employees Only not involved as an owner, partner or corporate officer of the active member business. Supervisors & employees are encouraged to attend.

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Direct Room Inquiries to Crown Reef Resort. Crown Reef Room Cancellation Policy Applies.

SCTPA Cancellation Policy: Full refund if written cancellation received by January 1, 2009. 50% refund if written cancellation request received by January 11, 2009. NO REFUND after January 12, 2009.

TIMBER/ARSON CASES TO KEEP FORESTRY COMMISSION OFFICERS BUSY INTO 2009

By Scott Hawkins, Public Information Director, SCFC

December 12, 2008, Columbia: Recent investigations and subsequent arrests promise to keep law enforcement officers with the South Carolina Forestry Commission busy as the agency heads into its winter fire season and into the new year.

Charges have varied in the past few months, but each case will be prosecuted aggressively. The crimes range from unauthorized pine straw removal (theft/trespassing) all the way up to arson and are not limited to any particular part of the state:

- Edwijes Hernandez, 41, and Wilma Cruz-Flores, 18, of Gaston, SC, were charged with trespassing and raking pine straw without permission despite signs being posted in English and Spanish. This occurred in September in Swansea in Lexington County.
- SCFC officers will appear in Court in February when Michael Huntley, 52, of Lenoir, NC answers to charges that he sold off valuable timber from another person's land. Huntley is specifically charged with obtaining a signature under false pretenses. Huntley was paid \$8,250.00 for the victim's timber. This case originated on 10 ½ acres of land in Orangeburg County.
- A person who buys timber from a landowner in South Carolina has 45 days to pay that landowner for his or her share of the revenue of the sale of timber products. Jerry Tucker, 40, of Liberty, SC failed to pay an Anderson County man for timber within that time frame.
- Rushdan Hakim Habeeb, 28, and Walter James Cue, Jr., 62, both of Cheraw, each face 12 counts of theft and trespassing after attempting to rob state lands of merchantable forest products.
- Jeffrey Robert Pound, 31, of Gaston is currently in the Lexington County Jail having confessed to four counts of woods arson. He's awaiting trial on three of those counts.
- David Lawter, 40, of McCormick has just been given five years of prison time and another five years of probation for lighting fires. The case gained headlines after the fires he set endangered a home and destroyed a small barn full of farm equipment.

These crimes threaten the number one manufacturing industry in South Carolina — Forestry. South Carolina's forests, be they publicly owned or privately owned, are sustained and managed to produce revenue.

When our state's forests are burned or stolen from, it impacts our economic well being. Woods arson in particular is a felony.

The South Carolina Forestry Commission is dedicated to wildfire suppression. Theft and woods arson crimes will be prosecuted in South Carolina.

*ALL SUBJECTS SHOULD BE CONSIDERED INNOCENT
UNLESS PROVEN OTHERWISE IN A COURT OF LAW.*

#

The SC Forestry Commission's mission is to protect and develop South Carolina's forest resource. For every \$1.00 invested by SC in the Commission, the industry produces more than \$1,000.00 of economic impact.

***SCTPA Comments:** SCTPA was instrumental in assisting the SC Forestry Commission develop and pass strengthened timber theft and timber fraud laws. Timber theft, timber fraud and arson are serious crimes whereby any perpetrator found guilty in a court of law should be punished to the full extent of the law.*

10th Anniversary Annual Membership Meeting
Adjusting To Change

MEETING SCHEDULE AT A GLANCE

FRIDAY, JANUARY 30

Conference Center

- 1:00 p.m. Board of Directors Meeting... Members & Guests Welcome
- 3:00 p.m. Registration Desk... Open Until 6:30 p.m.
- 7:00 p.m. Welcome Reception... Food, Music & Dancing with a DJ!

SATURDAY, JANUARY 31

Conference Center

- 6:30 a.m. Member & Guests Breakfast
- 6:45 a.m. Registration Desk Opens
- 8:00 a.m. General Session: Welcome, Invocation, Antitrust Statement & Announcements
 - Speaker: *Richard Lewis, President, Forest Resources Association, Rockville, MD*
 - Speaker: *Danny Dructor, Executive Vice President, American Loggers Council, Hemphill, TX*
 - Speaker: *Rick Todd, President, SC Trucking Association, Columbia*
 - Morning Break
 - Speaker: *John Long, Chief Financial Officer, East Coast Ethanol, LLC, Newberry, SC*
 - Speaker: *Erika Hartwig, Woody Biomass, SC Energy Office, Columbia*
 - Speaker: *Elizabeth Kress, Engineer for Renewable Energy, Santee Cooper, Moncks Corner*
 - Speaker: *Collin Franceschi, Manager Project Development, Rollcast Energy, Inc., Charlotte*
- 8:30 a.m. Ladies Breakfast
- 11:45 a.m. Break for Luncheon
- 12:00 p.m. Membership Business Luncheon & Meeting
- 12:45 p.m. President's Welcome, Board of Directors Introductions & Announcements
 - Speaker: *Kathy Abusow, President, Sustainable Forestry Initiative, Washington, DC*
 - Speaker: *SC Senator Jim DeMint, U.S. Senate, Washington, DC (Invited)*
 - Speaker: *Representative Jeff Duncan, SC House of Representatives, Laurens*
 - Business Session: President's Report, Financial Report, Bylaws Report & Vote, Board of Directors Election, Awards & Special Presentations, Door Prizes & Prize Drawings
- 3:30 p.m. Afternoon Break
- 4:00 p.m. Workshop:
 - Logging Cost Model Developed By Mathew Smidt & Team at Auburn University.*
 - Project Funded by the Wood Supply Research Institute.*
- 5:30 p.m. Adjourn
- 7:00 p.m. *10th Anniversary Celebration, Dinner & Entertainment by Dana Watkins Performing as Country Music Legend Patsy Cline*

SUNDAY, FEBRUARY 1

Conference Center

- 8:00 a.m. Prayer Breakfast
- 9:00 a.m. Special Guest: *Victoria Huggins, Victoria Huggins Ministries, St. Pauls, NC*
- 10:15 a.m. Silent Auction Announcements & Final Comments
- 10:45 a.m. Adjourn Meeting

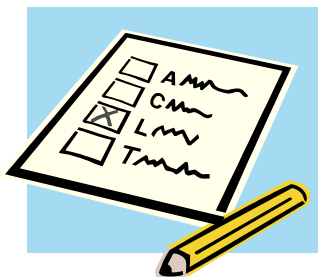
SILENT AUCTION BIDDING HOURS - CONFERENCE CENTER

Friday, 5:00 – 9:30 p.m. Saturday, 7:00 a.m. – 6:30 p.m. Sunday, 7:00 – 9:15 a.m.

EXHIBITOR HOURS - CONFERENCE CENTER

Friday, 6:00 – 9:30 p.m. Saturday, 7:00 a.m. – 5:00 p.m. Sunday, 7:30 – 10:30 a.m.

Come Join Us For This Exciting 10th ANNIVERSARY 2009 Annual Meeting!



BOARD MEMBER NOMINATIONS SOUGHT

If you are interested in having your name or another name nominated and considered by the Nominations Committee, wish to enter such name into nomination, and have it printed on the election ballot, you must contact a Nominations Committee member no later than January 21, 2009. Nominations will also be accepted from the floor during the election process for election to the Board of Directors.

Eligibility requirements for serving as a Board of Directors of the South Carolina Timber Producers Association, Inc. are:

- Nominee is an active, dues paid member directly engaged in the business of logging and in good standing as of December 31, 2008.
- Elections to fill Seats 2, 3 and 8 will be conducted at the 2009 Annual Membership Meeting, January 31st at the Crown Reef Resort Conference Center, Myrtle Beach.
- Board seats for election or re-election are: Seat 2 – Billy McKinney, McKinney Brothers Logging, Inc., Union; Seat 3 - Norman Arledge, Arledge Logging & Timber, Inc., Landrum; Seat 8 - Frampton Ferguson, Ferguson Forest Products, Inc., Luray.

2009 Nominations Committee

Chairman, Joe Young, Low Country Forest Products, Inc., Georgetown

Office: 843-546-1136 Home: 843-546-6072 Fax: 843-527-3040 Cell: 843-833-0475

Clyde Brown, Mt. Bethel Logging, Inc., Newberry

Office / Home: 803-276-2915 Fax: 803-276-9232 Cell: 803-924-1194

Steve Thompson, Thompson Logging, Inc., Jonesville

Office: 864-474-3870 x 224 Home: 864-674-1998 Fax: 864-674-1998 Cell: 864-490-2905

As a member, you should plan to attend the 2009 Annual Membership Meeting. This is a member privilege and wonderful opportunity to get involved in your Association.

You can participate in the decision making process through the election of Board of Directors. Your vote is needed for the adoption of Bylaws recommendations, if Bylaws changes are needed. Your active participation in your association is important plus the sharing of your ideas will help shape the association's future and the timber harvesting industry in South Carolina.

Take advantage of this opportunity to play an active role in SCTPA. Make plans to join us for our **10th Anniversary Annual Membership Meeting January 30 – February 1, 2009 at Myrtle Beach's Crown Reef Resort & Conference Center.**

Contact SCTPA office for registration, sponsorship, exhibitor, silent auction donation and meeting packages.



10TH ANNIVERSARY ANNUAL MEETING

“Adjusting To Change”

Our 2009 Annual Membership Meeting celebrating our **10th Anniversary** will be January 30 – February 1 at the Crown Reef Resort & Conference Center, Myrtle Beach.

The timber harvesting and forest products industries have faced drastic changes over the past year. Fuel costs skyrocketing to all time highs have been the greatest change resulting in reduced wood supply capacities, reduced timber harvesting operations, reduced production and severely changed already slim bottom lines.

The housing crisis changing solid wood products markets, the continued devaluation of the U.S. dollar in the global economy changing global competitiveness, a U.S. presidential, Congressional and state elections changing the political climate and future woody biomass markets changing wood supply systems have distinct impacts of change for our industry creating new adjustments in the way business is done.

“Adjusting To Change” will be our 10th annual meeting focus. As the timber harvesting segment and the entire forest products industry faces the challenges of change, there must be changes in the way loggers, wood suppliers, wood consuming companies and landowners do business for the future. Whether it is cultural, economic, efficiency, relationship or system changes, changes and adjustments are needed and must be enacted in order for the links of the wood supply chain to improve and prosper.

Interesting facets will be explored as to how the industry adapts to changes and how the changes will affect the industry in South Carolina as well as nationally and globally.

We are proud to have distinguished speakers to address changes in our political landscapes, our industry and future changes of alternative wood markets.

General Session Speakers

Danny Dructor, Executive Vice President, American Loggers Council

Richard Lewis, President, Forest Resources Association

Rick Todd, President, SC Trucking Association

Erika Hartwig, SC Energy Office

John Long, Chief Financial Officer, East Coast Ethanol, LLC (invited)

Elizabeth Kress, Renewable Energy Principal Engineer, Santee Cooper

Collin Franceschi, Manager, Project Development, Rollcast Energy, Inc.

Luncheon Speakers

Kathy Abusow, President, Sustainable Forestry Initiative, Inc.

Senator Jim DeMint, United States Senate (invited)

Jeff Duncan, SC House & Agriculture Committee Chairman Candidate (invited)

Registration is Friday afternoon with an evening Welcome Reception featuring a DJ offering a variety of dancing tunes and entertainment accompanied by plenty of food, beverages and fun so everyone can meet and greet on our first evening.

Saturday's General Session, Membership Luncheon and Business Session will feature our speakers. At the luncheon and business session we'll present our 2008 Logger Activist Award and Distinguished Service Awards, hold board member elections, hear association financial news, vote on any bylaws changes and give away door prizes. We'll draw winners for a Honda ATV, \$1,000 cash and four days and three nights stay at the Crown Reef Resort.

We are pleased to have Mathew Smidt and his Auburn University team. They will present their Logging Cost Model on Saturday afternoon to help loggers in their business. This project was developed through the Wood Supply Research Institute.

Our 10th Anniversary Celebration Saturday evening will feature a dinner with entertainment provided by Dana

(Continued on page 19)

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Frankly, the trees haven't moved an inch. But that can't be said for the front end on a Kenworth T800. Kenworth moved the steering gear ahead and the front axle back to give you a nimble 40 degree wheel cut and a turning radius up to 25 percent tighter than standard log haulers. Then they also sloped the hood 20 degrees for a better view out front. So do a good turn for yourself by taking a test run. Afterwards, the trees may not be growing farther apart. But you and your old trucks will be.

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Greenville, SC 29611
(803) 220-3033

(Continued from page 18)

Watkins performing her rendition of Country Music Legend Patsy Cline. Association president Crad Jaynes will address the gathering to provide thoughts about ten years of service. Tickets must be purchased for this event. Tickets are \$25 per person. Dress for the dinner is business casual.

We are excited to have back for our Sunday Prayer Breakfast the little package of dynamite Victoria Huggins who thrilled us with songs and testimony back in 2006.

Our Silent Auction to raise funds for the association will be back with a variety of nice items for bidding. A special 10th Anniversary quilt is being made for the silent auction.

Exhibitors will be on hand with their products and services. And of course there will be plenty of door prizes. Uncle Buck will be heading up our on-site Raffle. ATV Raffle tickets can be purchased on site for the ATV drawing.

Seven (7) SFI Trained Continuing Education Hours will be awarded for attendance. Registered foresters can receive Category I Continuing Forester Education Credits.

Our meeting is a casual family atmosphere. We encourage you to bring your family and employees. Dress is business casual for our entire meeting.

Go ahead now ... *Reserve Your Room ... Send In Your Registration* to join us January 30 – February 1 for our 10th Anniversary Celebration and 2009 Annual Membership Meeting. I look forward to seeing you in Myrtle Beach.



Victoria Huggins

Yours truly,

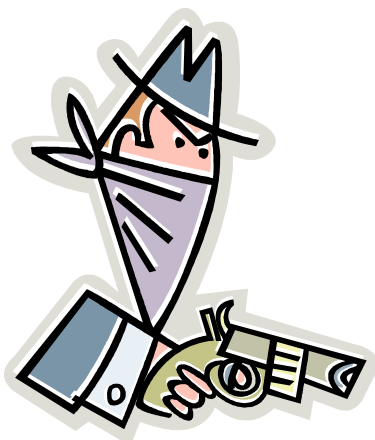
Crad Jaynes

President & CEO

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SPECIFY SCTPA GROUP NUMBER 4583.
*Rooms blocked at the same rates as last year.***

PORTRAIT OF A THIEF

Lugoff, SC - November 21, 2008 -



The forestry industry has always struggled with fraud and theft, for a variety of reasons, most of which are peculiar to the nature of the work and the industry. A somewhat unexpected problem however is in identifying the potential perpetrators themselves. Thieves are often ordinary, otherwise upstanding people. You wouldn't pick them out in a line-up and you wouldn't suspect them in day-to-day interactions. You trust them to have integrity in managing your assets, often without direct supervision. As such, it is difficult to anticipate or predict if, when or where fraud will strike in the fiber supply chain. With multiple hand-offs and a variety of players in the process, no one has control over the whole chain of activities nor of all the people working in it. Opportunities for break-down abound.

PEOPLE POTENTIAL FOR A SECURITY BREACH

John Kula is a Senior Manager in the Deloitte & Touché Forensic and Investigative Services practice in Chicago. An experienced white-collar crime investigator and an expert in corporate security, he is one of the leaders of D&T's Corporate Loss Prevention (CLP) service line. His studies have shown that 40% of people will never steal or be dishonest, regardless of the situation. These are the people you depend on each day to get the job done. Identifying these people in the recruitment process is a real win for security. For them, no security program is necessary. For the other 60%, no security program will ever be completely full-proof as people can always find new, creative ways to get around your defenses. Finding them by "pre-screening" employees, vendors and contractors is difficult, but still must be done. In this group, 30% will steal or be dishonest depending on the situation. That situation can change depending on your own security processes, but it can also be impacted by personal situations that make stealing a tempting solution. The final 30% will steal or be dishonest on a regular basis, if given the chance and if the risk and consequences of getting caught doesn't offset the advantages.

SO WHAT DO THIEVES LOOK LIKE?

Unfortunately, the 60% who might steal look very much like the 40% who wouldn't under any circumstances. Most are male, with an average age of 36-45. They are married with a happy family, often-times an active church member. They are generally educated, achievers with high self-esteem, highly motivated and have no criminal record. So you can't tell by looks. Usually, it's just that circumstances align themselves in such a way that the person sees theft as a viable solution to other problems. The gain from a successful fraud becomes just too tempting to pass up, especially if the risk of getting caught is minimal.

It boils down to values. The challenge is to set up a system that supports the otherwise honest intentions of the people in the process. But what leads to values compromising? Just as there are three elements that have to be present for a fire to take place (heat, fuel, oxygen), there are three elements that must be present for fraud to take place - opportunity, pressure and rationalization. Here's how they work:

1. **Opportunity:** This simply means that the person involved in the fraud had the opportunity in their day-to-day operations to commit the crime. If your operations has processes established that make that opportunity less accessible and creates a perception of detection, the perpetrator may be deterred.

(Continued on page 22)

STATE OF THE INSTITUTE



By Jim Fendig, WSRI Executive Director

The Wood Supply Research Institute, WSRI, will have its 11th Annual Meeting on March 13, 2009 at the Hilton Head Marriott. It seems an appropriate time to review what WSRI has done in the last 10 years to help improve the processes involved in the Supply Chain - and what it needs to do to improve the usefulness of the 14 research projects provided for by WSRI members.

When you review the 14 Projects undertaken thus far, it seems that virtually every link in the chain has been researched to seek better ways to carry out the mission of improving the bottom line of the Landowner, Logger, Trucker, Equipment Manufacturer and the Consumer. Yet the Bottom Lines are in red ink!

WHY? There are many reasons that we really couldn't control, or could we, such as building too many houses, making stupid loans, not modernizing mills to stay in front technologically, not unifying lobbying efforts such as the environmentalist have in order to have meaningful clout on trucking, labor and environmental issues.

Well, its not too late and maybe that is where WSRI fits into future strategy! Many of the true leaders of the Forest Industry of the past recognized that poor economic times were an opportunity to adjust those strategies that had failed and think out of the box of despair and prepare for the future. WSRI can help to analyze what the future needs for fiber are and in what form it needs to be in and the most profitable way to grow, produce, transport and convert it. That translates into PROFIT!

Our industry has always had the malady of the "herding instinct." Has that led the industry to the "slaughtering pen?" I don't think so! The U.S. has the best resources in the world and they are readily accessible.

That includes natural resources, human resources, education, infrastructure, and the spirit of entrepreneurs! We enjoy the competitiveness between individual organizations and that spirit and the law keep the playing field level. However, there are certain "wheels that have been invented" that can and should be shared for the good of the industry.

That is where WSRI comes in! WSRI can legally, on a third party basis, provide collective information through research and with the help of FRA, communicate it to the forest industry as a whole. The industry survives. That's a win/win result.

WSRI has taken the position that it will produce the data in research projects, but it will be implemented by the users, if applicable. That has not worked by in large and very valuable information that you have paid for has gone on the shelf or "file 13."

How many logging associations and companies have distributed the reports to its members? I dare say, "not many." And you wonder why they are not receiving any good from WSRI projects?

WSRI will implement a plan in 2009 to be sure the opportunity to receive training and assist in implementation of all past and future projects will be available. The use of this new resource will be up to you.

Details of the implementation plan will be announced at the Annual Meeting in March. I hope to see you there!

(Continued from page 20)

2. **Pressure:** People who wouldn't ordinarily steal, may be tempted to do so when they are experiencing personal financial pressure at home. Financial pressure can be exacerbated during a tough economy and especially today with a recession impacting companies and their employees in devastating ways. Most families need multiple wage-earners to survive and when one is impacted the entire family is impacted. Other financial pressures aren't as concrete but can be just as real -- a "keeping up with the Jones's" mentality that is exacerbated when the social status of a peer group is rising but you are staying the same. Although there is little a company can do about this, recognizing employee's value and worth and having solid business controls in place are good counter-measures to prevent a negative turn.

3. **Rationalization:** Even though people may think fraud is wrong, they can sometimes rationalize why they need to do this and why it's ok. It generally starts with thinking they have been mistreated. "I do this because..." For example, "I worked for this company for 30 years and they owe me." Open two-way communication, education and creating a culture that supports honesty and integrity is crucial.

Just as in a fire, if one element is missing, the likelihood of a person carrying out the fraud successfully is greatly diminished. Even if there is pressure at home and the person can rationalize the action, there can't be a theft without opportunity. Even with opportunity, if the cultural and risk pressure not to steal is greater than the pressure to do so, most people will resist. Understanding these dynamics should provide perspective and a foundation for any fraud prevention plan.

RECOMMENDATIONS

A company needs to start with a security plan that reduces the opportunity for fraud and theft as much as possible. That plan would include proper checks and balances, well established processes and controls and real consequences for violation. But how does a company create a plan that addresses personal pressures and rationalization? How does a company create a security plan that supports right values?

Here are some suggestions:

- Build an effective pre-employment screening process for company employees, vendors and contractors. This will not only help you work with people who don't steal, but will also set the standard up front that integrity is your expectation. Review your security policy and expectations as part of a rigorous new hire orientation.
- Communicate a zero tolerance policy. This should be done on a regular basis for all employees, vendors and contractors.
- Conduct a business ethics promotion throughout the organization.
- Have well-defined and well-communicated policies and practices that include appropriate checks and balances and division of authority.
- Stay current on the changing scene of security breaches. The types of issues are ever-changing. Update your procedures to anticipate new potential problems.

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<http://www.pprc.info>

December 18, 2009

To All PPRC Supporters:

First, I would like to say thank you all for your involvement and support of the PPRC in the past. It is with a heavy heart that we hear about so many recent curtailments, and closures.

This brings me to the issue I wanted to discuss with each of you. The new administration and the new congress will bring us some of the toughest issues we have had to face since the PPRC was established some 17 years ago. The PPRC National Steering Committee believes we can be a very strong and positive voice for our industry and our jobs with this new congress. Obviously, we have strong ties with labor as does this congress and this administration. The PPRC must be the voice for this industry and for the jobs in this industry.

The upcoming D.C. fly-in is crucial to make our positions known to the administration and to the new congress. We hope to focus on key congressional members and the Blue Dog Coalition along with all the new members. We will continue to visit with our personal congressional members and any member who has a mill in their district. I have heard from several locations who either will not send anyone to D.C. or the number attending will be greatly reduced. The PPRC National Steering Committee believes the industry needs the PPRC working these issues more than ever before. We are all aware of the drastic measures that most all the companies have had to take to survive these very difficult times. The PPRC must have all the support that can be raised to influence the legislation which could cause more industry shutdowns and job losses.

The issues the PPRC will focus on with this fly-in are ENERGY, CLIMATE CHANGE (cap & trade), and FIBER SUPPLY. I believe if we do not make our positions clear, early, with this new congress it may be too late a year from now. I plead with you to each do what you can to have as many hourly people in D.C. as possible. I know money is tight, but I can't imagine a better investment than trying to secure a place for our industry well into the future.

Please help our industry to survive by having representation from your mill site at our Washington, DC fly in. Make your reservations soon, because the cut-off date for the Washington Court Hotel is January 3rd. Also, remember to send Don Wesson a registration form with who will be coming.

I'll close with a simple reminder that we have used before. IF YOU DON'T SHOW UP AT THE TABLE THEN YOU ARE LIKELY TO BE ON THE MENU.

Melvin Dixon, PPRC National Chairman

(Continued on page 24)

LETTER FROM MELVIN DIXON

Crad's Comments: SCTPA and the American Loggers Council has had the pleasure to get to know and communicate with PPRC regarding issues of mutual interest affecting loggers and PPRC workers. PPRC recognizes the important role professional loggers play in the wood supply chain. Without wood at the mills, PPRC workers have no jobs. PPRC has been a supporter of ALC and has voiced support for logger issues. Likewise the logging industry needs to recognize issues affecting mill workers that might also impact timber harvesting. PPRC's upcoming efforts in Washington, DC will be one of many voices from the forest products industry attempting to plow new ground with a new administration. But it takes everyone to speak up and let our elected and appointed officials both at the federal and state levels know what the issues are and what our positions are and how can they help. As Montana Logger Bruce Vincent says, "The world is run by those that show up."



DANA WATKINS as *Patsy Cline*

On August 7, 2006, Dana Watkins performed as "Patsy Cline" at the Leisure Years Club in Graniteville, SC. Her favorite Aunt Nita, who is 80 years old, asked her to come and entertain the group, and requested her favorite song, "Crazy." Dana sang several Patsy Cline songs and included a little comedy skit, dressed as Patsy. It was supposed to be a one-time performance for about 75 retirees of the historic textile industry known as **The Graniteville Company**. However, the show was a big hit and spun off several invitations to various other organizations and local church groups and eventually led to out-of-town events. The show now has a name: **"Remembering Patsy"** On Saturday evening January 31st at our 10th Anniversary Celebration and Dinner, we will have the opportunity to see and enjoy Dana's performance as the late, great Patsy Cline.

Dana is from Aiken, South Carolina. She is married to Don Watkins. They have three children. Erin, 22, is married to Joey Rader and they have a baby girl, Ansleigh. Brandon is 18 and a senior at Midland Valley High School. Brett is 12 and in the 7th grade at Leavelle McCampbell Middle School.

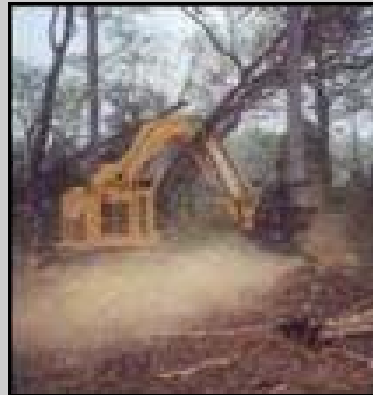
Dana is the music director at Stiefeltown Baptist Church, where she also teaches the youth Sunday School class, and helps with the children's activities and programs. She loves singing, playing softball, and spending time with her family. She is a student at Aiken Technical College pursuing a degree in Multimedia Graphic Arts and Design. Dana loves her Lord with all her heart and gives Him all the honor and praise for allowing her the opportunity to share her talents and testimony with others through her churchwork and **"Remembering Patsy."**



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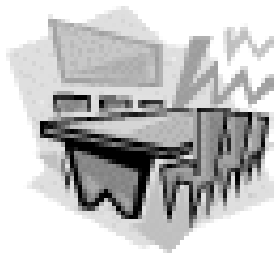
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BOARD MEETING HIGHLIGHTS

SCTPA's board of directors convened at the SC Forestry Commission headquarters, Columbia, for the December 11th meeting. Highlights are:

- President reviewed Wood Supply Research Institute renewing and non-renewing members for 2009. Several members had notified WSRI of reducing their 2009 commitments and non-renewing due to present economic conditions. Board reviewed and discussed the association chairman's letter to WSRI's regarding the inability to pay the 2008 pledge due to association's poor financial status as well as SCTPA's contingent and reduced 2009 commitment. Both commitment payments are contingent upon the association's financial ability to pay and may have to be paid over time. Board approved the letter from Chairman Barnes to WSRI's Executive Director Jim Fendig.
- President reviewed the status of the association's Property & Casualty and Health insurance programs for commission revenue received to date.
- President provided AgTEC, Agricultural Transportation Efficiency Coalition, update related to efforts to raise the gross vehicle weight on interstate highway systems. Board agreed to continue supporting the American Loggers Council position of state allowed gross vehicle weights on interstate highways and continuing to monitor AgTEC's position.
- President reviewed the status of the 2009 annual meeting program and speakers, and reviewed the registrations, sponsors, ex-

hibitors, and raffle proceeds received to date.

- President reviewed the December 9th SC Biomass Council meeting held in Columbia. SCTPA continues to be active in the Council.
- President reviewed the reciprocal membership agreement with the NC Association of Professional Loggers for NCAPL members desiring to join SCTPA and vice versa.
- President provided an update on the status of the development of a Logger Strobe Light by Marpac Corporation. Dave Thiesen had notified president that due to changes in the Georgia strobe light law, development of a multi-directional lens strobe light by Marpac had been placed on hold. Email from Dave reviewed as well as the Georgia law changes.
- President invited Guy Sabin, SC Forestry Commission BMP Chief to provide a review of the recent BMP Expert Review



Guy Sabin speaks to the board.

Team site visits. Guy's PowerPoint presentation highlighted the visited sites. Guy indicated timber harvesting BMP compliance has increased. Based on preliminary data, water quality compliance is estimated at 99% and overall

BMP program implementation estimated at 92%. Guy indicated the review went well and proved to be well worth the time. He indicated there were no strong discrepancies in opinions among the various participants regarding the BMP program with the participants offering positive feedback for the BMP work being performed by the timber harvesting industry. SCTPA board member Clyde Brown, Mt. Bethel Logging, Inc., participated on one of the review teams. President suggested SCFC and SCTPA consider conducting a joint BMP Water Bar Layout & Construction Work-

(Continued on page 27)

(Continued from page 26)

shop consisting of indoor and outdoor training with an actual site to show how to correctly layout and construct water bars. Guy Sabin and Crad Jaynes will pursue this for 2009.

- President updated the status of 2008 active member renewals, past due renewals and new members. President noted the members that have contributed more funds to assist in the financial crisis. President noted past due renewals totaled \$7,950 if the past due members paid at the minimum level. These members would be terminated in December if not paid.
- President reviewed the meeting with Tim Moulton at the SC Wage office attended by Joe Young and himself. SC Payment of Wage Laws distributed to board members and the excerpts of the meeting noted.
- President reviewed the upcoming board members whose term would be expiring December 31, 2008. Board discussed prospective board member candidates.
- President updated board as to the 2008 Log-

ger Activist Award and that no nominations had been received to date. Nomination form had been published in the newsletter.

- Board discussed the current dues structure and requested the president do a survey of other comparable associations and report to the board. Discussion tabled for next meeting. Board requested president research the prospect of obtaining a credit card service for dues payment. President will contact various vendors and report to the board. Board requested president to research the prospect of allowing quarterly dues payments and advertise as such for 2009.
- President reviewed the current financial status of the association's operating account and insurance revenue account. Financial status has slightly improved, but still critical for ending the year with adequate operating funds. President to keep board informed of operating accounts financial status.
- Next board meeting is January 30, 2009 at 1:00 p.m. at the Crown Reef Conference Center, Myrtle Beach in conjunction with the 2009 annual meeting.

FSC-US Forest Management Standards Available for Public Comment

Forest Stewardship Council – U.S. released its revised forest management standards for a 60-day public comment period on November 17th. The revisions to the FSC standard include:

- Unifying the regional standards into one national standard with regional variation where appropriate;
- Developing a High Conservation Value Forest (HCVF) Framework;
- Including extensive guidance for the application of the standards;
- Implementing the new requirement that forest management operations must comply at the Indicator level instead of the Criterion level;
- Including new issues, such as recreation;
- Developing 'Family Forest' relevant indicators to address scale issues. This component is being accomplished in a parallel process and a draft standard will be available for public comment later this year.

FSC-US anticipates that the comments will be considered by the Standards Committee, and a draft standard will be finalized for approval by the FSC-US Board in early February.

After approval by the Board, a 60-day public appeals process will occur, and the standard will be submitted to FSC-International for final approval.

FSC also indicated that they are developing 'Family Forest' relevant indicators in a parallel process and a draft standard will be available for public comment later this year.

Comments are due by January 17, 2009. To comment on the standard, visit http://www.fscus.org/standards_criteria/standards_revision_process.php to submit your comments.

DECEMBER 16, 2008
CONTACT: Charles Lardner
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Charles_Lardner@afandpa.org

AF&PA CALLS ON CONGRESS TO ENACT HOUSING STIMULUS PLAN

WASHINGTON – Today the American Forest & Paper Association (AF&PA) joined its coalition partner Fix Housing First in calling for a housing recovery plan to revive the economy. Fix Housing First is 600 organizations, home building companies and manufacturers pressing for a major stimulus package to stem the decline in home values, stabilize financial markets and reignite consumer demand.

"Reviving the housing sector is essential to reviving the nation's economy. It's also essential to the \$200 billion forest products industry and the hundreds of often rural communities that our one million employees call home," said AF&PA president and CEO Donna Harman. "The strategies we're proposing are proven winners that I hope Congress can approve quickly. We need fast action now more than ever."

To get the economy moving again, the coalition is urging Congress to increase the current \$7,500 home buyer tax credit to a range of \$10,000 to \$22,000 and apply it to home purchases from April 9, 2008 to Dec. 31, 2009. The credit would be available at closing so it could be used as a down payment. Repayment would be required if the home were sold within three years. A similar initiative in 1975 led to two-thirds of the unsold housing inventory being purchased and was a key factor in helping lift the country out of recession.

The second component of the stimulus plan would provide qualified home buyers with 30-year fixed-rate mortgages at 2.99 percent until June 30, 2009 and 3.99 percent on closings between June 30 and Dec. 31, 2009. The coalition has also announced its support for continuing foreclosure prevention measures to keep people in their homes.

To learn more about Fix Housing First, visit www.fixhousingfirst.com.

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The American Forest & Paper Association is the national trade association of the forest products industry, representing forest landowners and pulp, paper, paperboard, and wood products manufacturers. Our companies are in the business of producing products essential for everyday life from renewable and recyclable resources that sustain the environment. The forest products industry accounts for approximately 6 percent of the total U.S. manufacturing. Visit AF&PA online at www.afandpa.org.

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FOREST2MARKET'S ECONOMIC OUTLOOK

The pace and scope of interventions into the financial and other markets exploded during the past month as governments and central banks around the world attempt to head off a global economic catastrophe. U. S. gross domestic product contracted in 3Q2008 amid employment concerns that slowed consumer spending.

In October, the Institute for Supply Management reported the following changes in the performance of the wood and paper industries from September:

Category	Wood Products	Paper Products
Overall growth	▼	▼
New orders	▼	▼
Production	▼	▼
Employment	▼	—
Pace of supplier deliveries	▼	▼
Inventories	—	▲
Customers' inventories	▼	▲
Input prices	▲	▲
Backlog of orders	▼	▼
New export orders	—	▼
Imports	▼	—
▲ = increase, higher or faster — = no change ▼ = decrease, lower or slower		

Forest products manufacturers should anticipate more adverse conditions as the U.S. housing market continues to search for a bottom, the dollar appreciates against most currencies, and falling oil prices cheapen transportation of imports.

The above is an excerpt from the November issue of the Forest2Market® Economic Outlook.

Article appeared in the Forest2Market December Newsletter.

FOREST ACQUIRES KEY PARCELS

Nature Conservancy transfers more than 250 acres
With help from Charleston County Greenbelt

By Doug Pardue
The Post and Courier, Charleston

December 16, 2008: The Nature Conservancy recently provided two small but important parcels of land to the Francis Marion National Forest as part of the conservation organization's ongoing efforts to help protect and enhance the forest.

One of the parcels, the 57-acre Walleye Tract, lies in Berkeley County near Big Ocean Bay. The other, the Bulls Bay Tract, contains 196 acres on the east side of U.S. Highway 17 near Awendaw.

The tracts, valued at a total of nearly \$2 million, were what is known as in-holdings, land inside or mostly inside the national forest that was privately owned. The Nature Conservancy obtained the two tracts in 2005 from International Paper. The conservancy transferred the land to the park service last week after obtaining federal grants, private donations and \$623,700 from the Charleston County Greenbelt Program for the Bulls Bay Tract.

Michael Prevost, project director for the conservancy, said the organization would use money from the transaction in an effort to obtain more land to protect Francis Marion's ecosystem. The conservancy has donated some 8,000 acres to the national forest since the late 1990s.

The conservancy has focused on obtaining parcels of land that help link or unite the national forest's holdings. The land deals are a way for the conservancy "to protect the integrity of the entire national forest and Cape Romain National Wildlife Refuge," Prevost said.

Jerome Thomas, supervisor for the Francis Marion and Sumter national forests, praised the conservancy for its efforts to help the service obtain land for Francis Marion. He said the organization's efforts have "greatly enhanced" the Forest Service's ability to effectively manage the forest for wildlife habitat, plant diversity and public use.

Thomas also praised Charleston County for helping buy the Bulls Bay Tract. He said he knows of no other county government that provides money to help the federal government with land acquisition.

"Charleston County is leading the way to protect green-space for its residents and visitors," he said.



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25x'25 Offers Congress, New Administration Recommendations To Spark Economic Recovery and Clean Energy Future

The National 25x'25 Alliance Steering Committee today presented to Congress and the incoming Obama administration a wide-ranging package of new recommendations that will bolster the U.S. economy, create new jobs and insure a clean energy future. The recommendations take aim at all objectives - research, innovation funding for start-up businesses, financial assistance to established firms, infrastructure development and job growth, all in a wide variety of renewable energy sectors - targeted by President-elect Barack Obama and Congressional leadership in their efforts to address the ongoing economic downturn.

The 12 recommendations boost federal renewable energy programs by calling for additional investments totaling some \$4.14 billion, an outlay that could ultimately help generate hundreds of billions in new annual revenues and millions of new jobs. The proposals target programs that accelerate markets the wind energy, solar power, biomass, geothermal energy, hydropower and biofuels industries. The package also calls for a renewed look at government support for advanced biofuel production, including increased funding in the form of grants specifically aimed at the construction of commercial-scale, cellulosic production facilities. The proposals underscore the critical role USDA and its programs can and will play in the promotion of a clean energy future and a robust economy.

The Steering Committee believes these recommendations can best address our troubled economic times and now is the best time to implement renewable-energy and energy-efficiency initiatives that can drive and maintain economic recovery. The recommendations also underscore the long-standing 25x'25 position that a renewable-energy and energy-efficient future will not only boost our economy, putting hundreds of thousands of people back to work, but also enhance our national security and improve our environment.

The potential for benefit from these recommendations for economic recovery are underscored by a national study undertaken by the University of Tennessee Department of Agricultural Economics that shows that if America's farms, ranches and forestlands are empowered with the policies and incentives needed to meet 25 percent of the nation's energy needs with renewable resources - biofuels, biomass, wind energy, solar power, geothermal energy and hydropower - an estimated \$700 billion in new, annual economic activity would be generated, and 4 million to 5 million new jobs would be created. The recommendations will lead to a long-term, comprehensive energy development that will accelerate the production of all forms of renewable energy and create new renewable energy markets.

The following summarizes each of the 12 recommendations. For the detailed recommendations, go to www.25x25.org.

Increase funding for the Rural Energy for America Program (REAP), which provides grants or loan guarantees for renewable energy systems and energy efficiency improvements for agricultural producers and rural small businesses, to \$250 million annually, and \$500 million over two years.

Increase funding for the Repowering Assistance Program, which provides loans and loan guarantees to help biofuel plants convert their heating and power fuel supply to biomass and reduce their dependence on fossil fuel-powered boilers, to \$150 million annually, and \$300 million over two years.

Broaden the authority and increase funding for the Biorefinery Assistance Program, which provides loans and loan guarantees to construct commercial-scale advanced biofuel facilities. The recommendations call for increasing and fully funding mandatory and discretionary spending levels of \$500 million in year one and \$1 billion in year two; and considering modifications to provide grants that facilitate the construction of first-generation cellulosic biofuel plants.

Implement the Bioenergy Crop Assistance Program (BCAP), which supports the establishment and production of eligible crops for conversion to bioenergy, in 2009 and fund it at \$250 million annually for two years.

Fund the Community Wood Energy Program, which provides grants to state and local governments and communities to develop wood energy plans, at \$20 million annually for two years.

Extend Clean Renewable Energy Bonds (CREBs), which are incentive instruments for not-for-profit utilities (comparable to the Production Tax Credit that is available to investor-owned utilities) to support wind, biomass, geothermal, solar, municipal solid waste, small irrigation power and hydropower projects, through 2010 and provide additional bonding authority of \$2.5 billion.

Restructure the federal Production Tax Credit and Investment Tax Credit for all sources of renewable electricity to allow for accelerated depreciation, refundable credits and transfers between persons/entities, and enable projects to utilize other financial incentives without a reduction in the amount of ITC and PTC that an entity can claim.

Extend the Production Tax Credit and Investment Tax Credit for renewable electricity sources for five years.

Create a level playing field for producers of renewable electricity by increasing the Production Tax Credit for biomass, marine, hydro, marine, green gas, waste and other renewable energy sources of electricity to a level equivalent to that received by wind and geothermal energy producers.

Improve tax incentives for Community Wind projects - development that focuses on investment from local communities, rather than from an outside investor - by allowing community wind developers to count the tax incentives against active income.

Fund the Smart Grid Investment Matching Grant Program at \$1.3 billion and improve electricity transmission by reimbursing 20 percent of investments made in qualifying Smart Grid Investments.

For more information and background on the recommendations, contact 25x'25 Policy Committee Chairman Bart Ruth at 402-641-6692, or by e-mail at bdruth@alltel.net; or 25x'25 Project Coordinator Ernie Shea at 410-952-0123, or by e-mail at eshea@25x25.org.

AF&PA 2008 FEDERAL WRAP-UP

Economic Recovery Package

Legislation Summary

On October 3, the President signed the Emergency Economic Stabilization Act of 2008 after several changes were made to secure its passage in the U.S. House, which first rejected it. The law authorizes the Treasury to purchase up to \$700 billion in defaulted mortgages and other assets from financial institutions, which will provide stability and confidence in the credit market and the economy as a whole. Key changes made by Congress to the Administration's original proposal limit Treasury's authority, make the funding authorization available in periodic increments, provide Congressional oversight, and increase FDIC insured levels for savings account holders. The Senate passed the bill by a vote of 74 to 25. The House passed the bill by a vote of 263 to 171.

AF&PA Actions in Support

As the forest products industry is capital-intensive and serves capital-intensive customers, stability in the nation's credit markets is essential to our success. To that end, AF&PA urged Congress to support the legislation through letters to the House and Senate, media outreach, and an action alert to grassroots allies.

Tax

IRS Netting Rule

On June 25, the IRS formally withdrew its objectionable "netting rule" under Section 45. Two years ago, the IRS established a netting rule, which significantly restricted the industry's ability to qualify for the Section 45 tax credit. Subsequent to the IRS ruling, this victory will result in the industry being able to benefit from the Section 45 tax credit as Congress contemplated when open-loop biomass was added as a qualifying resource in 2004.

Housing Stimulus Bill

The Housing Stimulus bill that was enacted in July included the following AF&PA supported tax provisions: refundable first time homebuyer credit, some Real Estate Investment Trust (REIT) modernization/simplification measures, and allowing companies to monetize some of their accumulated AMT or R&D credit---thus providing them with necessary cash to expand their businesses.

TREE Act

A one-year modified version of the TREE Act was enacted as part of the Farm Bill. The provision provides a maximum 15 percent corporate tax rate on qualified timber gain for both regular and AMT purposes. Timber must be held more than 15 years to qualify. Also included are a number of REIT modernization provisions. These provisions are due to expire in May 2009. Efforts are under way to extend the provisions through 2009 to keep them in line with other tax provisions which expire at that time. Long term, companion bills have been introduced by Sen. Lincoln (D-AR) and Rep. Artur Davis (D-AL) to make the TREE Act provisions enacted in the Farm Bill permanent.

Energy Tax Provisions

A number of Energy Tax provisions were included in the enacted Emergency Economic Stabilization bill. The bill extends the Section 45 placed-in-service date for two years, through 2010, and expands the definition of qualified biomass facility to include added capacity (i.e. new units) to existing facilities to the extent of the increased amount of electricity produced at the facility as a result of such new unit. It also expands the existing 10% Investment Energy Tax Credit under Section 48 of the Internal Revenue Code to include combined heat and power systems.

Federal Forest Policy

AF&PA worked with a large coalition of 44 conservation, industry, and professional forestry groups to support repaying the Forest Service the funds that were redirected to firefighting this summer. The final continuing resolution, which funds the agency through March, 2009, repaid nearly all of the funds which had been redirected to firefighting, including over \$130 million in K-V funds, and provided additional funding which should support the timber sale program. The continuing resolution provided level funding for the remainder of the Forest Service programs that we supported.

After the June mark up, the Interior bill failed to progress further due to controversies over the development of offshore oil and gas. This impasse lasted all summer and led to the Continuing Resolution mentioned above.

AF&PA strongly supported legislation to create an emergency fund to help cover fire fighting costs, to hopefully end the practice of redirecting funds from other programs. A bill was approved by the House of Representatives in July but moved no further than that.

On the Administrative front, the Forest Service finalized both a new planning rule and a new set of procedures for compliance with the National Environmental Policy Act. AF&PA was successful in getting some important changes made to these rules that should lead to a streamlined planning process and less redundant NEPA work on both forest plans and specific projects.

As the fiscal year comes to a close, early indications are that the Forest Service will badly under perform on their timber targets for this fiscal year, due in part to soft timber markets and to problems with the agency's appraisal system.

Energy

As gas prices reached historic highs and the Presidential campaign focused on the issue of domestic production over the summer, both the House and Senate undertook energy legislation. At the end of July, two primary energy packages were unveiled. In the Senate, the "Gang of 10" released an energy proposal that would expand offshore production, provide incentives for fuel conservation and alternative fuel vehicles. In the House, a group of bipartisan members, led by Reps. John Peterson (PA-5) and Neil Abercrombie (HI-1), introduced H.R. 6709, which also would expand offshore drilling, and access to biomass on public lands, among other provisions. Working with member companies, AF&PA devised and executed a strategy to educate

(Continued on page 35)

(Continued from page 34)

members about industry issues such as Section 45 Tax Credit Third Party Sale Rule, the Renewable Fuels Standard (RFS), Energy Conservation through an increase in Truck Weights, a Renewable Portfolio Standard (RPS), and Domestic Energy Production in the Outer Continental Shelf (OCS).

Outer Continental Shelf (OCS) Access

Working with allies and members AF&PA successfully prevented the renewal of the federal ban on OCS oil and gas exploration from being included in the Continuing Resolution for Fiscal Year 2009. However, it is important to note that the Interior Department in this Administration and the next will be critical to actually issuing leases for exploration of oil and gas in the OCS. And it is likely that the ban will be reconsidered in Congress in 2009.

Renewable Portfolio Standard (RPS)

In September, the House passed H.R. 6899, the Comprehensive American Energy Security and Consumer Protection Act. Among other items, the bill included a 15% RPS by 2020, permitting a quarter of the RPS to be obtained through efficiency. AF&PA strongly opposed that legislation on the basis of the RPS inclusion. The bill was not considered by the Senate. RPS proponents in Congress are expected to strongly continue their efforts in 2009.

Renewable Fuels Standard (RFS)

AF&PA worked to amend and improve the federal RFS, enacted as part of the Energy Security and Independence Act of 2007. Our goal is to broaden the current overly restrictive definition of "renewable biomass" in the statute and to clarify that a state's petition for a waiver from the RFS mandate should be granted if compliance with the mandate would severely harm the long-term agricultural and silvicultural capability of a region. Legislation amending the RFS did not pass either the House or Senate in 2008, but will likely to continue to be considered in 2009.

Climate

Senate Legislation

In June, the Senate considered the Lieberman-Warner Climate Security Act (S. 3036). The bill was only debated on the Senate floor for a week and no amendments were formally considered. The vote to invoke cloture on the bill failed 48-36. AF&PA sent letters to the Senate voicing opposition to the bill. The bill did not provide a sufficient allocation of long-term carbon emission allowances to energy intensive manufacturers, nor did it recognize the contributions of managed forests and forest products, and it did not harmonize the timelines in the bill to available technologies.

Several amendments were drafted about aspects of the legislation important to AF&PA, including Sen. Sherrod Brown's (D-OH) amendment regarding energy intensive manufacturers, and at least six Senators worked on amendments to recognize the positive contributions of managed forests and forest products.

Finally, ten Democrats sent a letter to Majority Leader Reid (D-

NV) and EPW Chairman Boxer (D-CA) setting forth specific concerns with S. 3036 and outlining principles for future climate change legislation. The letter focused on the economic impact of climate legislation, the importance of connecting emissions reduction targets to available technology, the competitiveness of energy-intensive manufacturers, and the role of forestry in addressing climate change.

House Legislation

Despite promises at the beginning of 2007, no climate change bills were taken to the House floor in the 110th Congress. The House Energy and Commerce Committee, and other leading committees, held a litany of hearings on the subject and many bills were formally introduced, including those by leading Democrats such as Rep. Markey, and Rep. Waxman. The Energy and Commerce Committee issued a series of White Papers focused on key elements of climate change policy. AF&PA used the white papers as an opportunity to advocate industry views via comment.

On October 7th, Energy and Commerce Committee Chairman Dingell and Energy Subcommittee Chairman Boucher released draft climate change legislation. Also, Reps. Inslee and Doyle introduced a bill at the end of September (HR 7146) that is designed as an output-based rebate for energy intensive manufacturers. AF&PA shared initial concerns with the bill to the key staff, and will continue to work with them moving forward.

Illegal Logging

For well over a year AF&PA staff has been working on legislation aimed at addressing the problem of illegal logging. AF&PA's goal has been to ensure that legislation does not result in burdensome nor costly requirements for AF&PA members. The legislation took its final form in Section 8204 of the 2008 Farm Bill and was supported by AF&PA. Specifically:

- Section 8204 amends the Lacey Act and now makes it a Federal crime to import into the U.S. any plant or plant product where the plant was harvested in violation of specified laws of a foreign country or a state.
- In addition, the amendment specifies that all plant or plant product imports, including wood and paper products, will need to be accompanied by a declaration specifying the plant species and the country of origin.

Phase-in of Declaration Requirements

Based on recent discussions and recommendations made by AF&PA and other allied organizations, the U.S. government is likely to delay enforcement of the declaration requirements until a electronic filing system is in place, making the filing of a paper declaration voluntary. Once an electronic system is available (expected no sooner than April 2009), the declaration requirements will be phased in based on the Harmonized Tariff Schedule (HTS) chapters and product codes, focusing on wood and wood products first.

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Trade

President Bush transmitted the U.S.-Colombia Trade Promotion Agreement (TPA) to Congress for approval on April 9, 2008. The agreement was signed in November 2006 under the Trade Promotion Authority (TPA). Under TPA, Congress has 90 days to consider a free-trade agreement under so called fast track authority. However, in the case of the U.S.-Colombia agreement, the House voted on April 10 to suspend the 90-day timeframe in a vote largely along party lines. Congressional approval of the U.S.-Colombia TPA is stalled over Democrats' claim that the Colombian government is not doing enough to eliminate violence against labor leaders. AF&PA, along with a broad range of business organizations, supports the passage of the Colombia TPA.

Green Building

In 2008, three primary green building bills were considered in the U.S. House. Working with member companies, labor organizations, and allied groups, AF&PA succeeded in either removing LEED mandates or including Green Globes in all three vehicles:

- In January, the House passed community redevelopment grant program legislation (HR 3524). AF&PA worked to remove the LEED mandate from the bill on the House floor. As a result, all commercial green building rating systems qualify under the program.
- In June, the House passed legislation funding school construction and repair (HR 3021). AF&PA was successful in getting an amendment added to the bill that makes Green Globes eligible to be used as one of the rating systems for the funded projects. The amended bill was also included in economic stimulus legislation passed by the House in September.
- In July, the Financial Services Committee passed a bill (HR 6078) containing a variety of measures aimed at encouraging energy efficient and environmentally beneficial residential constructions in both the public and private sectors. AF&PA worked with allies to gain recognition in the bill for both Green Globes and for the National Association of Home Builders "National Green Building Standard" system for residential buildings, which was also included in the large energy bill that passed the House in September.

The passage of these bills by the House serves to enhance the credibility of Green Globes at the federal level, and will serve as a good benchmark for green building legislation in the 111th Congress.

Waters of the United States

AF&PA, working through a coalition, was successful this year in preventing the advancement in both the House and Senate of the Clean Water Restoration Act, a bill that would dramatically expand the federal government's jurisdiction over virtually all waters in the U.S. The Transportation and Infrastructure Committee and the Environment and Public Works Committee both held hearings on the bill, and at both hearings numerous forest products industry representatives expressed their opposition. In

addition, through the work of AF&PA and the coalition, several Administration witnesses testified in the House hearing that the bill would be an expansion of federal jurisdiction in several respects, thereby lending support to the coalition's position. In the face of this opposition, the bill sponsors have been unable to move the bill to a mark up. AF&PA will continue to work through the coalition to maintain opposition to the bill and to ensure any legislative compromise considered adequately protects AF&PA members' interests.

Transportation

Rail

Rail customers made significant legislative progress in the 110th Congress. The work AF&PA participated in to advance the issue marks the greatest advancement of rail reform legislation in Congress in more than 25 years.

- AF&PA worked in a coalition with other shippers to support the Railroad Antitrust Enforcement Act of 2007 (H.R.1650/S.772). Due to the work of the coalition, each bill passed its respective chamber's Judiciary Committee. Those bills will be ready for early action in the next Congress.
- Members of Congress who support rail customers worked with shippers to obtain no less than eight pro-rail customer amendments on various bills as they moved through Congress and toward enactment. Three government studies authorized by some of these amendments are now underway in the Executive Branch, including one in the 2008 Farm Bill on the impact of railroad practices on rural America.
- Finally, almost all Members of Congress and relevant staff now know about and have been briefed on the concerns of rail customers about the lack of competition in the national rail system. This work will have significant benefit to the effort of improving rail cost and service in the next Congress.

Truck

This Congress AF&PA focused its truck weight reform efforts on preparation for the reauthorization of the Highway Bill in 2009.

- AF&PA joined the Executive Committees and was active with the Americans for Safe and Efficient Transportation (ASET) Coalition and the Agricultural Transportation Efficiency Coalition (AgTEC). AF&PA worked with the groups to promote increasing Federal Interstate weight limits from 80,000 to 97,000 pounds with an additional axle through multiple congressional fly-ins and hill visits.
- Further, AF&PA became part of the founding group of a third very broad coalition of interested industries also meeting to discuss the potential of increasing truck weight limits. Approximately 50 shippers and trade associations across a wide range of industries are participating.

Press release – For Immediate Release

Seattle, USA. December 18, 2008

Wood costs fell for many pulpmills worldwide in the 3Q 2008, reports WRQ

Wood fiber costs, the cost component that often determines a pulp manufacturer's competitiveness, fell for the first time in many years in practically all major pulp-producing regions around the world in the 3Q/08, according to the market report Wood Resource Quarterly (WRQ). This drop was the result of two main factors: a strengthening US dollar against most major currencies combined with a reduced demand for pulpwood.

The average global softwood pulpwood price fell two percent to US\$110.43/odmt (oven-dry metric ton) in the 3Q/08. This was the biggest quarter-to-quarter decline since 2001. The average price was up 11% from 2007 and was 26% higher than two years ago. Despite the fall, the price was still the second highest ever recorded since 1988 when WRQ started tracking global wood markets. Softwood fiber costs were lower in practically all 16 regions covered by the WRQ in the 3Q (in US \$ terms). The only exceptions were in the US South, France and Norway, where prices were higher because of tight supply. With the global decline in paper demand and many pulpmills cutting back production, it is likely that wood cost will continue down in early 2009.

The Global Average Wood Fiber Price is a weighted average of delivered wood fiber prices for the pulp industry in 17 regions tracked by the publication Wood Resource Quarterly. These regions together account for 85-90% of the world's wood-based pulp production capacity.

The average hardwood wood fiber cost was up almost two dollars in the 3Q, reaching a new record-high of US\$110.71/odmt. The increase was mainly a result of higher costs in the US South and Japan since most other regions had lower costs this quarter. This was only the third time in 20 years that the global average hardwood price was higher than the softwood price. During the past five years, wood fiber costs have gone up in practically all major regions that produce hardwood pulp, including Brazil, Indonesia, Australia, the US South, Finland, Russia and Japan.

Global pulpwood and sawlog market updates are included in the 50-page publication Wood Resource Quarterly. The report, established in 1988 and with readers in over 20 countries, tracks wood prices in most regions around the world and also includes regular updates of international pulp, lumber, timber and biomass markets.

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Mark Your Calendar

JANUARY 2009

- 1 Happy New Year To Everyone!
30 – SCTPA 10th Anniversary Annual Membership Meeting, Crown Reef Resort
Feb. 1 & Conference Center, Myrtle Beach.

FEBRUARY 2009

- 14 Valentine's Day. Don't forget your sweetheart!

MARCH 2009

- 11, 12, TOP 3-Day Class, Columbia. Contact Susan Guynn, Clemson Extension,
& 19 864-656-0606.

APRIL 2009

- 15 TOP Safety Management for Pro Loggers Class, Florence. Contact Susan
Guynn, Clemson Extension, 864-656-0606.
16 TOP Harvest Planning Class, Florence. Contact Susan Guynn, Clemson
Extension, 864-656-0606.

Join Us & Celebrate Our 10TH ANNIVERSARY
ANNUAL MEMBERSHIP MEETING
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PLEASE NOTE:

Event & meeting dates may change. Notices are mailed prior to SCTPA events.
SCTPA events & meetings qualify for SFI Trained Continuing Education Credits.

Need Training & SFI Trained Credits?

SCTPA can provide training programs for members for SFI Trained Continuing Education Credits. Programs offered for safety, driver training, equipment lockout & tagout, hazardous materials spill control on logging sites and forestry aesthetics.

Truck Driver Training Workshops will be scheduled. Watch the Mark Your Calendar section of this newsletter for dates. Notices for SCTPA workshops & events will be forwarded.

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Our Mission

The **Mission** of the *South Carolina Timber Producers Association* is to serve as the voice for timber harvesting and allied timber businesses to advance the ability of its members to professionally, ethically, efficiently, safely, environmentally and profitably harvest, produce and transport timber to meet the timber supply demands of our state by providing continuing educational and training opportunities, distributing timber harvesting, hauling, manufacturing and selling information, representing our members in national and state-wide legislative activities, and aggressively promoting, supporting and conducting programs of state, regional and national advocacy.