

# TIMBER TALK

Your Voice for South Carolina Timber Harvesting

November/December 2012

Inside ...



American Loggers Council

Quarterly Report to the States October 1, 2012 – December 31, 2012

The ALC Board of Directors has requested that a quarterly report be generated from the ALC office, highlighting the events and activities of the American Loggers Council. Our hopes are that you will use these reports to inform your members on how the American Loggers Council is working on their behalf to benefit the timber harvesting industry.

#### Executive Committee

The Executive Committee has held three meetings over the last guarter including the face-to-face meeting held during the annual meeting in Coeur d'Alene, Idaho. Topics discussed included the 2013 budget, the Service Agreement between Daniel J. Dructor -Consultant and the American Loggers Council for the administration and oversight of ALC activities and the Service Agreement between Washington Resource and the American Loggers Council to provide assistance in governmental affairs in Washington, DC. Both Service Agreements were formalized. Also, the committee heard updated reports from the legislative committee, the membership committee, the transportation committee, the biomass committee and the communications committee.

#### **Legislation**

The legislative committee did not formally meet during the quarter, but both Jim Geisinger and Danny Dructor continue to monitor what little legislation is still working in Congress. The ALC continues to work with a broad coalition of forestry organizations on the Clean Water Act/Forest Roads issue and has submitted comments when needed. The committee has also approved a list of priorities for 2012 which include the Silviculture Regulatory Consistency Act, Federal Timber Sale program, supporting youth in logging careers, truck weight legislation, and regulatory reform. With a limited number of days remaining in this session, there has been little opportunity to move anything new on the Hill.

Jim and Danny are currently setting appointments up for a January visit to Washington, DC.

#### **Transportation**

The ALC transportation committee did not formally meet from October through December, but ALC transportation committee chair Doug Duncan and others continue to monitor the development of Transportation Bill issues, CSA issues and receive comments on centralized trucking projects.

(Continued on page 2)

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Mark Your Calendar

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#### **Communications**

There have been monthly "As We See It" columns produced in October, November and December that have been authored by Travis Taylor, Mike Beardsley and Danny Dructor pertaining to the state of the industry and the political climate in Washington. All three articles have been well received by others and reprinted in many state and regional industry publications.

The "Log On!" campaign has been well received by Timber Harvesting Magazine, Loggers World Publications and TimberWest and is helping to guide others to the ALC web site.

The ALC web site and both the ALC Facebook® and Twitter® pages continue to be updated on a fairly regular basis, and Mike Beardsley had agreed to become another administrator on the Facebook® page to help with the updates.

More sponsors have requested copies of the ALC logo to use in their advertising, with Husqvarna being the latest to begin developing ads that show their support for the work that the Council is doing.

#### <u>Membership</u>

The membership committee held two conference calls during the quarter and began moving forward with the 2013 Sponsorship Drive and setting targets for both voting members and Individual Logger members. Packets for individual logger recruitment are being designed and will contain membership information as well as recently developed ALC bumper stickers.

The sponsorship drive has already reached 74% of its target for 2013 with commitments totaling \$92,500 out of a \$125,000 target, with several sponsors recommitting at a higher level than 2012.

#### **Biomass Committee**

The Biomass Committee presented a proposed model definition of woody biomass to be used on any federal renewable energy policies that might occur in 2013 to the Board of Directors in October and the definition was adopted. Co-chair Larry Cumming has been in touch with the ALC office to begin working n a strategy to garner support for the definition as 2013 approaches.

#### **Master Logger Certification Committee**

The Master Logger Committee agreed to look at the next revision process for the SFI standards beginning in 2013 and to weigh in on the requirements for logger training and education.

#### <u>Travel</u>

Travel in the 4th Quarter of 2012 included attending the annual meeting in Coeur d'Alene, Idaho, attending the Federal Timber Purchasers Council meeting in Fort Smith, Arkansas, traveling to Montgomery, Alabama to met with DK Knight with Hatton-Brown Publishers and guests from Sweden promoting the Elmia Wood show to be held in June of 2013 in Sweden, and attending a summit hosted by Husqvarna between leadership of the Forest Resources Association and the ALC to discuss the possibility of the two organizations working on issues where commonalities existed.

#### Washington Resource

The services of Frank Stewart (Washington Resource) have been retained for 2013 to assist with legislative activities in Washington, DC. Frank will attend meetings, deliver ALC positions to the Hill when ALC representatives are not available, and issue a monthly report to the ALC office on the current activities and issue being discussed in Washington, as well as other duties as assigned.

#### Annual Meeting

There were approximately 200 in attendance at the ALC annual meeting held in Coeur d'Alene, Idaho on October 4-6, 2012. Participation by sponsors increased as well as local (ALC-Idaho) attendance. Shawn Keough with the Associated Logging Contractors (Idaho) managed to raise more than \$12,000.00 to defray some of the expenses associated with the meeting. The ALC auction exceeded its goal of raising \$15,000.00 to be used in the general funds of the organization.

Past President Mike Wiedeman and Board of Director Richard Schwab both gave presentations on opportunities that existed outside of the country for logging businesses, while ALC President Steve Sherich showcased his current harvesting operations to the group.

## **GREETINGS FROM SCTPA**



Just wanted to provide an update on the association. First, THANK YOU to those that contributed more dues to help SCTPA get through our financial crunch back in October and November to make it to the end of the year. And THANK YOU to those members who paid renewal dues and joined as new members in 2012.

Our balance sheet is better, but still not where it needs to be. There are still outstanding 2012 renewals. Those past due renewals preceding October 1<sup>st</sup> were terminated effective December 31<sup>st</sup>. If dues are still owed for October 1st through December 31, 2012, please send that in. All 2012 non-paid dues members will be terminated January 31, 2013.

As for the 2013 Annual Meeting, things are moving along quite rapidly now as we prepare for an exciting and informative meeting. We had to make a change with a speaker, Travis Taylor, Travis Taylor Logging & Chipping & American Loggers Council President. Travis will not be with us due to his wife's health issue. But ... looks like Dr. Dale Greene will be on hand to present the Logging Costs Project where he and his staff studied five regions of the country to obtain reliable data. And he will present the results of his Logger Survey of South Carolina and Georgia. Both presentations should be informative.

Plus, we are excited to have G. Kent Mangelson of the American Society for Asset Protection to present ... How Loggers Can Save Thousands in Taxes and Become Invincible to Lawsuits. This 90minute presentation is a must see.

At the annual meeting on Saturday afternoon (Feb 2) after the luncheon and association business session, the SFI Training DVD Module for your July 1, 2012 - June 30, 2013 SFI Trained status will be presented.

Continuing education credits for Society of American Foresters Continuing Forester Education Credits will be available for Category 1 for 5.5 Credits and Category 2 for 1.5 Credits.

SCTPA will be announcing two New Member Programs at the upcoming 2013 Annual Meeting at Springmaid Beach Resort & Conference Center, Myrtle Beach, February 1 - 3. We will announce our Baldwin Filter Program where members can receive a 40% discount on Baldwin Filters. Also, we'll announce the American Income Life Insurance Program whereby active dues paid members will receive a FREE \$ 2,000 Accidental Death & Dismemberment Policy along with other benefits offered.

Come enjoy the meeting, speakers and fellowship and obtain your current SFI Trained status.

Just want to remind you about the Honda ATV, Honda Generator and Springmaid Beach Resort stay Drawing to be held at the annual meeting on February 2nd. Drawing ticket prices were cut in half this year to hopefully stimulate activity.

We had to make a change on the ATV... It's still the same Model, but NOW it is a CAMO Body. If you want to support SCTPA, buy or sell the drawing tickets. There is no limit. If you need more tickets, let SCTPA know. And remember, when you buy or sell more than 4 tickets, you get FREE Tickets.

10 tickets gets you 12 FREE. And if you sell the ticket, then the member gets any Free tickets available over 4 tickets.

If you need the annual meeting registration, sponsor, exhibitor, silent auction donation forms, just let me know.

Well, that's enough for now. I wish you a Happy New Year and for a brighter, more prosperous 2013.

See y'all at the 2013 Annual Meeting. Thanks for your support.

Crad



## 14<sup>th</sup> Annual Membership Meeting *Moving Forward*

### MEETING AT A GLANCE

#### FRIDAY, FEBRUARY 1

1:00 p.m. Board of Directors Meeting... Members & Guests Welcome

- 3:00 p.m. Registration Desk... Open Until 8:00 p.m.
- 7:00 p.m. Welcome Reception... Food, Music & Dancing with a DJ!

#### SATURDAY, FEBRUARY 2

- 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: Dale Greene, UGA Warnell School of Forest Resources Speaker: Cam Crawford, SC Forestry Association President Morning Break Speaker: G. Kent Mangelson, American Society for Asset Protection, How Loggers Can Save Thousands in Taxes and Become Invincible to Lawsuits
- 8:30 a.m. Ladies Breakfast

#### 11:45 a.m. Break for Luncheon

- 12:00 p.m. Membership Luncheon & Business Meeting
- 12:45 p.m. Chairman's Welcome, Board of Directors Introductions & Announcements Speaker: Deb Hawkinson, President, Forest Resources Association, Pulpwood & Politics
  - Business Session: Chairman's Report, Financial Report, Bylaws Report, Board Elections, Awards & Special Presentations, Door Prizes & Prize Drawings
- 2:45 p.m. Afternoon Break

#### 3:15 p.m. Workshop: SFI Trained TOP DVD Module for SFI Training For July 1, 2012 – June 30, 2013 SFI Trained Status

5:30 p.m. Adjourn Saturday Evening On Your Own. Enjoy Your Evening! DISCOUNTED CAROLINA OPRY TICKETS available through SCTPA.

#### SUNDAY, FEBRUARY 5

- 8:00 a.m. Prayer Breakfast
- 9:00 a.m. Special Guest: Sonrise
- 10:05 a.m. Silent Auction Announcements & Final Comments
- 10:30 a.m. Adjourn Meeting

SILENT AUCTION BIDDING HOURS - CONFERENCE CENTER

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

EXHIBITOR HOURS - CONFERENCE CENTER

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

#### Come Join Us For This Exciting 2013 Annual Meeting!

Meeting Speakers & Schedule Subject To Change



NOV/DEC

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**NEWS** 

RELEASE: December 10, 2012

CONTACT: Neil Ward (301/838-9385) <u>nward@forestresources.org</u> Danny Dructor (409/625-0206) <u>americanlogger@aol.com</u>

#### HUSQVARNA HOSTS SUMMIT FOR FOREST RESOURCES ASSOCIATION AND AMERICAN LOGGERS COUNCIL

#### Husqvarna hosts first ever ALC-FRA Summit

Rockville, MD – Leadership from both the American Loggers Council (ALC) and the Forest Resources Association (FRA) met on December 4th, 2012 at a summit hosted by Husqvarna at Husqvarna headquarters located in Charlotte, North Carolina to discuss the many issues that are impacting the timber harvesting industry.

Those attending the meeting that was moderated by Husqvarna's Gent Simmons included FRA Chairman Tom Norris, FRA Board member Joe Young and FRA President Deb Hawkinson. Those attending from the ALC included ALC President Travis Taylor, ALC Vice President Myles Anderson and ALC Executive VP Danny Dructor.

The focus of the one day summit included sharing thoughts and ideas on those issues that have been deemed most critical for the logging sector of the forest industry in recent surveys including a looming logging capacity shortage, legislative priorities for both organizations, and the opportunities for both organizations to work closer on all of the issues where commonality exists to promote the health and sustainability of the industry.

Following the summit, ALC's Travis Taylor commented that "this was by far the best meeting that I have had the opportunity to attend where everything was laid out on the table and a plan of action on how to move forward with some of the ideas that were generated during the discussions." Taylor went on to state, "Follow-up is the critical component of the meeting today, and I intend to make certain that the ALC is working to develop a closer working relationship with the FRA on the issues that both organizations agree on."

FRA Chairman Tom Norris commented that this was a "Great start to developing strategic alliances for both organizations," and thanked everyone for their time and the interesting discussions.

Both the FRA and the ALC recognized Husqvarna and in particular Gent Simmons for hosting the meeting and moderating the discussions.

The American Loggers Council is a non-profit 501(c)(6) organization representing timber harvesting professionals in 30 states. For more information contact the American Loggers Council office at 409-625-0206 or visit their website at <u>www.americanloggers.org</u>.

The Forest Resources Association Inc. is a nonprofit trade association concerned with the safe, efficient, and sustainable harvest of forest products and their transport from woods to mill. FRA represents wood consumers, independent logging contractors, and wood dealers, as well as businesses providing products and services to the forest resource-based industries.

#### WILL LOGGING INDUSTRY CREATE A LOGJAM FOR HOUSING?

**P** rivately held logging companies are posting healthy sales increases amid encouraging signs in the U.S. housing market, but their profit margins are weakening, according to preliminary estimates by Sageworks, Inc., a financial information company.

Meanwhile, logging companies that survived a downturn that wiped out a quarter of all such businesses in the U.S. are struggling to access credit needed to replace expensive, aging equipment, prompting concerns that industry dynamics could weigh negatively on a housing recovery.

"The health of that industry is really important, especially as we see the housing market recover," said Suz-Anne Kinney, communications manager for consulting firm Forest2Market, Inc. of Charlotte, N.C. She said there's significant industry concern that the U.S. will not have the loggers needed to ramp up production enough to supply the construction of 1.1 million to 1.3 million houses a year.

Sageworks analyst Tim McPeak said that preliminary estimates show sales among privately held logging companies (NAICS code 1133) have increased about 13 percent over the last 12 months. That's a solid increase after sales rebounded in 2010 and 2011 following a nearly 14 percent drop in 2009, he added.

"Sales have started to grow fairly decently," McPeak said. "At the same time, profit margin has never been high, but it has really gotten thin in the last 12 months."

After rebounding in 2010, average net profit margins for the private companies in Sageworks' database have been falling. Net margin was about 1.6 percent in 2011 and dropped to 0.28 percent, or near break-even, in the last 12 months, according to preliminary estimates.

Through its cooperative data model, Sageworks collects financial statements for private logging companies from accounting firms, banks and credit unions, aggregating the data at an approximate rate of 1,000 statements a day. Net profit margin has been adjusted to exclude taxes and include owner compensation in excess of their market-rate salaries. These adjustments are commonly made to private-company financials in order to provide a more accurate picture of the companies' operational performance.

McPeak said it's unclear what's driving those lower margins showing up in Sageworks' data on logging companies. But Kinney said timber prices since 2006 have been relatively flat while costs for logging equipment have gotten "exponentially more expensive" and fuel costs have jumped. Many loggers have received price adjustments related to fuel costs, but overhead costs such as insurance (workers' compensation, unemployment, etc.) have also risen. And smaller companies with one or two companies may be finding it hard to achieve economies of scale, given fluctuating demand, she said.

"The basic collapse of the housing market about four

years ago was devastating" to the industry, said Neil A. Ward, vice president of public affairs for the Forest Resources Association, a trade group representing loggers, wood dealers and forest products companies.

Indeed, the number of private-industry logging companies has plunged to 9,248 in the first quarter of 2012 from 12,444 in 2003, according to the latest data from the Census Bureau's establishment survey.

Financing for logging equipment – which can run into the hundreds of thousands or millions of dollars, is especially problematic for these companies, many of which are important employers in their rural areas. That credit crunch has prompted the forest Resources Association to lobby Congress for relief. One consultant's study last year found the structure of loggers' businesses and the prevalence of short-term contracts (a function of wood markets' volatility) have been obstacles for loggers aiming to establish creditworthiness.

"Most people think the housing recovery is real and will persist into 2013, and if loggers can get credit, they will upsize into that," said Ward.

And more recently, prices for long-term lumber contracts have risen in recent weeks amid expectations of increasing demand tied to housing and rebuilding from Hurricane Sandy.

"But there have been persuasive arguments that restoring the logging capacity that's been damaged will not be as easy as following previous downturns," Ward said. In addition to tight credit, it's not as easy to enter the logging business as it used to be, he said. Loggers need skills not easily picked up on the job in order to maintain compliance with various regulatory requirements related to harvesting trees.

McPeak said Sageworks' data shows that the logging companies' ability to service their existing debt looks OK. "Average interest coverage has been about 9 times over the last couple of years and is above pre-recession levels, and debt-service coverage has been in the four to five times range since 2007," he said.

At the same time, McPeak said he is keeping an eye on liquidity trends. He noted that the average current ratio for logging companies in Sageworks' database has gone comfortably over 2 for several years to just under 2 over the last 12 months, according to preliminary estimates. And the quick ratio, which measures cash and accounts receivable relative to total current liabilities, has been trending lower over the years, dipping below 1 in the last 12 months.

Those metrics are especially important if loggers look to purchase new machinery as business conditions improve. "You can't use old beat up equipment forever, especially if your volumes are increasing," McPeak said. "Eventually, you've got to pony up."

Article reprinted from the December 2012 issue of The Mississippi Logger magazine. Sageworks, a financial information company, collects and analyzes data on the performance of privately held companies and provides the Business Credit Report by Sageworks.

#### LOGGING INDUSTRY HAS CHANGED, IS SUFFERING, EXPERTS SAY

#### By - The Natchez Democrat

NATCHEZ – More has been falling in the timber industry than towering pine trees as of late.

With a stagnant national economy and changes in industry standards, business for those who grow, cut and process trees into lumber is simply not what it used to be, area industry professionals agreed.

It's a business that, according to fourthgeneration logger Buck Beach, owner of Harvey Beach and Son Logging, is fading away.

"Most people don't know what it takes to do what we do," said Beach who has been logging for 47 years. "Logging is rough, but in the last four to five years, it is as rough as I've ever seen it."

J. M. Jones Lumber Company owner Lee

Jones said business owners didn't know how well they had it 15 years ago. J. M. Jones is a sawmill that processes wood and sells it nationally and internationally.

Jones said stricter environmental and truck regulations, and higher costs have forced many logging crews to disappear or cut back.

"Fifteen years ago, those were the good old days," Jones said. "Now, there is less quality timber and truck drivers are harder to come by."

Beach said he reduced the number of people and trucks in his fleet considerably in the past five years.

"The many different regulations and fuel prices have been a nightmare," Beach said. "I can't afford to add to the payroll or buy new equipment." "One of the hardest things to do is to layoff guys that (you) have worked with 20 or 30 years because you couldn't afford to keep paying them" But layoffs are a move Beach has been forced to take.

Jones said the increasing difficulty of cutting, hauling, processing and selling timber has forced him to also make difficult decisions. "The business is horrible, and it's tough on loggers and sawmills," Jones said. "We have started taking in more lower -grade wood and less high-grade wood."

Jones said higher-grade wood is used for houses, cabinets and furniture, while lower-grade wood is developed into crossties and wood chips.

"This business has taken its toll on me, but like most other people, we find a way to make it,"

Matthew Netterville of Fred Netterville Lumber Company in Woodville (MS), said his company has also made adjustments to keep up with the changing market. "There are constant battles," Netterville said. "You're always looking at the books, and the prices are where it's hard to make money. We are like most other places, where we try to do more for less."

Netterville said the amount of timber tracts being sold and the decreasing number of loggers are what is holding him back. "It's hard to find good logger," Netterville said. "If you were to start a new crew and buy the equipment needed, it would cost \$1 million. For most, the risk is not worth the reward."

But Jones sees hope for the market. "After seven years of recession, there is optimism," Jones said. "Mainly because the supply (is) falling." Jones explained the supply of high-grade lumber had fallen and was beginning to match the demand not only in the U.S., but also in the inter-

> national market. "We sell to virtually anyone," Jones said. "(This week) I've talked to buyers in Mexico, Turkey, Belgium, Egypt, China, Vietnam and Italy."

Beach said being a part of the timber business is like a survival-

ist. "This business has taken its toll on me, but like most other people, we find a way to make it," Beach said.

Article reprinted for the October-November 2012 issue of The Mississippi Logger magazine.



TIMBER TALK



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C6D & C7F

## AAADD... KNOW THE SYMPTOMS!

Thank goodness there's a name for this disorder... Somehow I feel better, even though I have it!!!

Recently, I was diagnosed with A.A.A.D.D. – Age Activated Attention Deficit Disorder.

This is how it manifests:

- I decide to water my garden. As I turn on the hose in the driveway, I look over at my car and decide it needs washing.
- As I start toward the garage, I notice mail on the porch table that I brought up from the mailbox earlier.
- I decide to go through the mail before I wash the car.
- I lay my car keys on the table, put the junk mail in the garbage can under the table, and notice that the can is full.
- So... I decide to put the bills back on the table and take out the garbage first.
- But then I think, since I'm going to be near the mailbox when I take out the garbage anyway, I may as well pay the bills first.
- I take my checkbook off the table, and see that there is only one check left.
- My extra checks are in my desk in the study, so I go inside the house to my desk where - I find the can of Pepsi I'd been drinking.
- I'm going to look for my checks, but first I need to push the Pepsi aside so that I don't accidentally knock it over.
- The Pepsi is getting warm, and I decide to put it in the refrigerator to keep it cold.
- As I head toward the kitchen with the Pepsi, a vase of flowers on the counter catches my eye – they need water.
- I put the Pepsi on the counter and discover my reading glasses that I've been searching for all morning.
- I decide I better put them back on my desk, but first I'm going to water the flowers.
- I set my glasses back down on the counter, fill a container with water and suddenly spot the TV remote. Someone left it on the kitchen table.
- I realize that tonight when we go to watch TV, I'll be looking for the remote, but I

won't remember that it's on the kitchen table, so I decide to put it back in the den where it belongs, but first I'll water the flowers.

- I pour some water in the flowers, but quite a bit of it spills on the floor.
- So, I set the remote back on the table, get some towels and wipe up the spill.
- Then, I head down the hall trying to remember what I was planning to do.

At the end of the day:

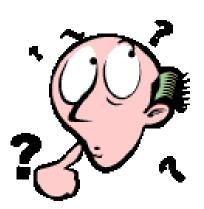
- 1. The car isn't washed,
- 2. The bills aren't paid,
- 3. There is a warm can of Pepsi sitting on the counter,
- 4. The flowers don't have enough water,
- 5. There is still only 1 check in my checkbook,
- 6. I can't find the remote,
- 7. I can't find my glasses,
- 8. And I don't remember what I did with my car keys.

Then... when I try to figure out why nothing got done today, I'm really baffled because I know I was busy all day, and I'm really tired.

I realize this is a serious problem, and I'll try to get some help for it, but first I'll check my email...

Do me a favor. Forward this message to everyone you know, because I don't remember who the hell I've sent it to.

Don't laugh.... If this isn't you yet ... Your day is coming!!!



## EPA Administrator Jackson announces resignation

By KEVIN FREKING Associated Press The Associated Press Thursday, December 27, 2012 1:08 PM EST

WASHINGTON (AP) — EPA Administrator Lisa Jackson, the Obama administration's chief environmental watchdog, is stepping down after a nearly four years marked by high-profile brawls over global warming pollution, the Keystone XL oil pipeline, new controls on coal-fired plants and several other hot-button issues that affect the nation's economy and people's health. Jackson constantly found herself caught between administration pledges to solve thorny environmental problems and steady resistance from Republicans and industrial groups who complained that the agency's rules destroyed jobs and made it harder for American companies to compete internationally.

The GOP chairman of the House Energy and Commerce Committee, Rep. Fred Upton of Michigan, said last year that Jackson would need her own parking spot at the Capitol because he planned to bring her in so frequently for questioning. Republican presidential nominee Mitt Romney called for her firing, a stance that had little downside during the GOP primary.

Jackson, 50, the agency's first black administrator and a chemical engineer, did not point to any particular reason for her departure. Historically, Cabinet members looking to move on will leave at the beginning of a president's second term.

"I will leave the EPA confident the ship is sailing in the right direction, and ready in my own life for new challenges, time with my family and new opportunities to make a difference," she said in a statement. Jackson will leave sometime after President Barack Obama delivers his State of the Union address, typically in late January.

In a separate statement, Obama said Jackson has been "an important part of my team." He thanked her for serving and praised her "unwavering commitment" to the public's health.

"Under her leadership, the EPA has taken sensible and important steps to protect the air we breathe and the water we drink, including implementing the first national standard for harmful mercury pollution, taking important action to combat climate change under the Clean Air Act and playing a key role in establishing historic fuel economy standards that will save the average American family thousands of dollars at the pump, while also slashing carbon pollution," he said.

## 2013 BOARD OF DIRECTORS NOMINATIONS NEEDED

 $T_{\rm February\ 2,\ 2013\ Annual\ Membership\ Meeting\ at}^{\rm hree\ Board\ of\ Directors\ Seats\ will\ be\ elected\ at\ our\ February\ 2,\ 2013\ Annual\ Membership\ Meeting\ at\ the\ Springmaid\ Beach\ Resort\ &\ Conference\ Center,\ Myrtle\ Beach,\ SC.$ 

The board terms for Seat 1 served by Chapman Timber, Inc., Newberry, Seat 3 served by Robby Crowder, Land & Timber, LLC, Greenwood, and Seat 8 served by Frampton Ferguson, Ferguson Forest Products, Inc., Luray, will expire December 31, 2012.

Rickey and Robby were appointed to the board in August to fulfill the seat terms. Both have indicated their desire to run for re-election. Frampton has served since being re-elected in 2008. Nominations are welcomed for these three seats.

Board member elections will be conducted during the Member Business Session of the Membership Meeting convening at noon on Saturday, February 2, 2013.

Board members serve four-year terms. Board responsibilities are to establish policies, direct legislative advocacy, guide programs and efforts to improve and benefit the timber harvesting industry, oversee fiscal responsibilities and charge association staff to fulfill the association's duties and daily functions.

Board members are responsible to attend board meetings. One board meeting is conducted at the annual meeting with bimonthly meetings held in Columbia beginning in February each year.

Any member <u>directly</u> engaged in the logging business and in good standing with paid dues as of December 31, 2012, may be nominated for an upcoming seat. Any member regardless of location is eligible for nomination. Members are encouraged to enter your name or the name of another logger member as an eligible candidate.

To enter your name or to nominate someone else, please contact the Nominations Committee or SCTPA office no later than January 15, 2013.

#### **Nominations Committee**

Chairman, Billy McKinney Highland Timber Co., LLC, Union Office 864-427-6173 ■ Fax 864-427-6173 Cell 864-429-6939 ■ <u>Highlandtimber@charter.net</u>

Tommy Barnes Ideal Logging, Inc., Edgemoor Office 803-789-5467 ■ Fax 803-789-3565 Cell 803-385-7994 ■ <u>ideallogging@truvista.net</u>

#### Donnie Lambert Leo Lambert Logging, Inc., Georgetown Office 843-264-8839 ■ Fax 843-264-2277 Cell 843-340-8408 ■ <u>leolambertlogging@yahoo.com</u>

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## **PPE - YOUR SECOND CHANCE**



#### Bryan Wagner

In the past 20 years, Personal Protective Equipment (PPE) use in the logging woods has risen dramatically. It is an oddity to see a professional saw-hand working without proper PPE.

I am sure OSHA and insurance mandates have played a role in getting our industry compliant. I do feel that over the years, the guys have seen the benefits of wearing proper PPE, it works!

This article will be a "multi-pronged" effort to give you the federal mandates on PPE and how it works, and finally, how to avoid from relying on your PPE. As a safety trainer, my ultimate goal is to teach risk reduction. If we get rid of the risk, there is no incident. We can reduce great risk by utilizing proper techniques and by using plans.

Do you remember the felling and limbing plans? Both the felling and limbing plans focus on body placement, if the body isn't in a bad place, it's not injured there! If the timber-cutter isn't under the snag, he doesn't have to rely on his hard hat working! If the topper's foot isn't inline with the bar and chain, his saw boots don't have to work! In the event of an unexpected or unplanned event, your PPE is your second line of defense, or your second chance.

#### **HEAD PROTECTION**

Proper head; eye and ear protection is mandated by OSHA. I feel the best way to be compliant, is to wear a helmet system. The helmet system has all of the required safety features that are mandated.

- The helmet or pot should be tested frequently for weakness. The UV rays from the sun tend to make the plastic material brittle after time. The employee should simply squeeze in the sides of the hard hat to check for flexibility. The hard hat is designed to deflect a falling or thrown object, if the hat is brittle, it may not work. The suspension of the hard hat needs to be checked for ware and strength. Never, put anything between the suspension and the top of the hat; that area is to absorb shock, should an impact occur.
- Eye protection can be obtained by the helmet system's visor or safety

glasses. North Carolina requires the visor and the safety glasses Same as South Carolina).

The logging helmet system has ear muffs. If the employee isn't comfortable with ear muffs, ear plugs may be used to protect the hearing. An important fact to bring out, once the hearing is damaged, it's irreversible, it can't be fixed! High frequency hearing loss is very irritating to live with. I have mild high frequency loss. High frequency hearing loss affects the ability to sort different sound sources. I have hearing problems in crowed rooms or any place that there is a lot different noise present. If I had worn hearing protection as a young timbercutter, I most likely wouldn't be irritated by this annoying thing.

#### **CUT RESISTANT LEG PROTECTION**

OSHA and most insurance companies require the use of cut resistant leg wear. Non-use of cut protective leg wear is considered a serious safety violation and can carry a very expensive OSHA fine. Protection can come in the form of chainsaw chaps or saw pants. The "big picture" of leg protection, is to protect the femoral arteries that are present on the inside of both legs, running up to the groin area. There is about 60 pounds of blood pressure in these arteries that come directly from the heart. A chainsaw cut to a femoral artery often proves fatal; often the victim is found life-less, less than twenty steps from the point of contact with the running saw chain. To really scare you, saw chain is designed to remove! If we are running 3/8 pitch chain, there is at least 3/8 of an inch of something that has been removed! (Flesh: Bone; Tendon; Ligaments: etc.) In many saw-cut cases, there will be more than one contact with the running chain, which means things are really getting removed! Modern leg protection comes in a "user friendly" variety of styles and colors. Kevlar and ballistic nylon are the major materials that are used for saw protection. Kevlar is pound per pound stronger than steel. Kevlar works to block the cutting action of the saw chain, giving the sawyer time to react. Ballistic nylon relies on its fibers to enwrap and jam the sprocket system of the saw, effectively stopping the running chain. Both materials (Continued on page 14)

#### (Continued from page 13)

work well and have the UL approval. No matter what type of protective leg wear chosen, it must be kept clean. Chaps must be worn "tight"; loose fitting chaps can be spun around the leg by the running saw chain.

As a trainer, my goal is to prevent contact with the leg protection. If there is no contact with the chaps, the chaps don't have to protect the femoral arteries! Most of all chainsaw lacerations are caused by kick-back. Kick-back happens 7 times quicker than the human brain can react to. By the time you move your hand or your leg, it's too late, it's been done, and you're cut! Please take the time to train your employees on how to avoid kick-back injuries.

- Are my employees using proper starting methods? No "Drop-Starting"!!
- Are my guys using the chain brake properly? No more than 2 steps with a running saw!!
- Is the "Thumb-Wrap Grip" being used?
- Are the guys avoiding the kick-back section of the bar?

Again, if we get rid of the risk, the PPE doesn't have to do its job.

#### **CUT RESISTANT FOOTWEAR**

If an employee is specifically hired to run a power saw, he is required to have cut resistant boots. A chainsaw cut to the foot can be catastrophic. Your foot is similar to your hand, not much flesh above the bones, tendons and ligaments. Remember, your saw chain is designed to remove! Good chainsaw boots can limit or prevent a crippling injury. "There he goes again", if the foot isn't in-line with the bar and chain, there is no opportunity for the saw boot to work! Chainsaw boots come in many styles and are available from logging supply shops and at your saw dealership.

#### PERSONAL FIRST AID KIT

All employees using a chainsaw away from the deck or landing area are required to have a personal first aid kit. The big first aid kit in the service truck doesn't do me any good when I'm up on the mountain. Again, if I avoid the risks around me, I won't need the contents of the kit.

The developers and manufactures' of personal protective equipment deserve applause. They are constantly working to improve their safety products to be lighter and more comfortable. Their industry must always react to the power-trade industry. The chainsaw industry is constantly striving to develop more power, torque and chain speed. The safety equipment companies have done a good job of keeping up with the technology of the power equipment people.

Our ultimate goal should be to avoid "testing" our PPE. Remember, if I'm not under the snag or dead limb, my hard hat won't be tested. If my bar and chain aren't in-line with my foot, my saw boots won't have to work. Let's continue to keep our PPE as a second line of defense, or my second chance! My first line of defense is between my ears, my brain!

Using a plan will result in a good decision being made. Using a plan and employing good techniques further reduce the risk of injury. Until next time, be safe out there!

Bryan Wagner is the professional chainsaw trainer for Forestry Mutual Insurance Company. Forestry Mutual Insurance Company is the SCTPA Endorsed Workers Compensation Insurance Carrier.

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#### SC CHAMBER OF COMMERCE COMPETITIVENESS AGENDA - INFRASTRUCTURE

S outh Carolina's population has increased by more than one million over the last two decades. Additionally, port volumes are expected to double to more than two million containers a year by 2025.

At the same time, the tourism economy continues to expand with more visitors traveling to the Palmetto State each year. These, and other factors, have overextended the state's infrastructure, which has not seen a dedicated revenue increase since 1987.

With other states focused on financing infrastructure to drive economic development, South Carolina policy makers must make infrastructure financing the top priority in 2013.

While South Carolina spends an average of \$15,000 per mile on its roads, Georgia spends \$35,000 per mile, and North Carolina spends more than \$150,000.

Investing in infrastructure is a core function of government responsibility and will drive economic growth and job creation.

#### The Chamber advocates for:

## Increasing investment in the state's roads and bridges, specifically prioritizing expansion of Interstates 26, 85 and 95 as well as secondary road maintenance.

An array of funding options exist that the Chamber supports, including:

- Dedicating General Fund dollars for investment;
- Allowing for a statewide referendum to increase the sales tax by 1 percent for the specific purpose of infrastructure financing;
- Raising the sales tax cap on automobiles to a level that is competitive with North Carolina and Georgia;
- Increasing the motor fuel user fee to a rate that is competitive with North Carolina and Georgia;
- Examining tolling options at the state's borders for expanded lanes;
- Examining user fee increases on drivers licenses and automobile tags as vehicles become more fuel efficient and with increasing use of alternative sources of energy.

## **REPORT: STATE TRANSPORTATION FACES \$29 BILLION FUNDING**

Published Dec. 11, 2012, *Columbia Regional Business Report* 

S outh Carolina is facing a funding shortfall of more than \$29 billion over the next 20 years to cover the cost of repairing roads, replacing bridges and investing in mass transit and rail transportation, according to a new report offered by the state. Transportation Department

The final report of the Transportation Infrastructure Task Force, chaired by Craig Forrest, vice chairman of the state commission, said the state faces a "guaranteed decline in the system over the next 20 years" if it doesn't come up with the money.

"To address this, it is clear that a bottom-up review of revenue policy is in order," the report added.

Statewide transportation needs through 2033 total \$48.3 billion, but anticipated funding — which

includes state and federal tax appropriations — will total \$19 billion, the report said. That leaves a 20year funding shortfall of \$29.34 billion.

In the 16-page report, the task force outlines new revenue funding needs from 2014 through 2033. Just in 2014, the Transportation Department will need \$450 million in new revenue, the report said. The amount steadily increases from there, reaching nearly \$1.9 billion in new revenue by 2033.

Funding needs through 2033 including \$3 billion for bridge replacement, \$17 billion for highway maintenance, \$11 billion for highway upgrades, \$11 billion for interstate highway upgrades, \$3.9 billion for mass transit, \$1.4 billion for passenger rail and \$1 billion for safety.

The report also covers the economic forces and politics that have led to the funding shortfall. "These forces include inflation, changing freight patterns, anti-tax sentiments, unfunded mandates, fragmentation of governance, and state government's high level of responsibility for highways vis-avis local government as compared to the national norm," the report said.

The report noted that the average state is responsible for only 19% of the public miles within its borders, but South Carolina's "level of responsibility is more than three times the national average."

The report aimed to provide a basic understanding of transportation policy in South Carolina. "While it is easy to assess blame or make excuses, there is clearly one logical and sensible conclusion that must be reached after reading this report. The time for action is now, before the decline of the highway system becomes irreversible," the report said.

## SCTPA IMPLEMENTS NEW RENEWAL DUES STRUCTURE

A t the December 13<sup>th</sup> board of directors meeting in Columbia, the board approved a revised member renewal dues structure. After fourteen years of not changing the member dues structure, the board felt it was time to do so.

A subcommittee was appointed prior to the December board meeting to study other logger, state forestry and other association dues structures and present options for consideration. After

several discussions and a subcommittee meeting along with analyzing our association financial data, it was determined the dues structure needed revisions.

While the subcommittee and the board recognize the economic challenges loggers, wood dealers and other members are encountering, it was determined a restructuring plan was in order.

The revised dues structure is not drastic. It simply brings the association more in line with similar associations and hopefully will assist in increasing dues revenue to help the association move forward.

Renewal dues invoices will be forwarded. The new 2013renewal dues structure is as follows:

#### 2013 Member Renewal Dues

MEMBER STATUS			2013 DUES \$	
Timber Harvester	Up to 670 tons / week		250	
	671—1340 tons / week		325	
	1341—2000 tons / week		400	
	2001—300 tons / week		600	
	3001+ tons / week		750	
Timber Dealer				
	Up to 1340 tons / week		300	
	1341—2000 tons / week		400	
	2001—3000 tons / week		600	
	3001+ tons / week		750	
Contract Trucker				
Harvesting Site to Mills for Logs, Pulpwood &/or Woody Biomass	1 Truck		125	
	Each Add'l Truck to Max	Dues @ \$500	25	
Contract Trucker			200	
General Forest Products from Non-Harvesting Sites—Poles, Chips, Lumber, etc.				
Allied Supplier		Level		
Equipment, Trucks, Trailers	s, Products, Services	Platinum	1000	
Insurance, etc., Providers		Gold	500	
		Silver	300	
			Cont	inued on page 18



Continued from	page 17		
	2013 Member Renewal Dues (	continued)	
	Forest Products Manufacturers		225
	Primary & Secondary Products Single		
	Location Sawmill, Pole Mill, Chip Mill,		
	Treating Mill, Woody Biomass Products		
	Allied Supporting	Level	
	National Forest Products Cos., REIT,	Platinum	1000
	TIMO, Consulting Forestry Firm	Gold	500
	(Large) & Forest Products Mills at		
	Multiple Locations		
	Supporting Associate		100
	Individual Supporting Members - Forester,		
	Retired Logger, Landowner, etc.		
	Other Members		225
	Reforestation Contractor, Road &/or BMP		
	Contractor, etc., Not involved in Timber Harvesting		

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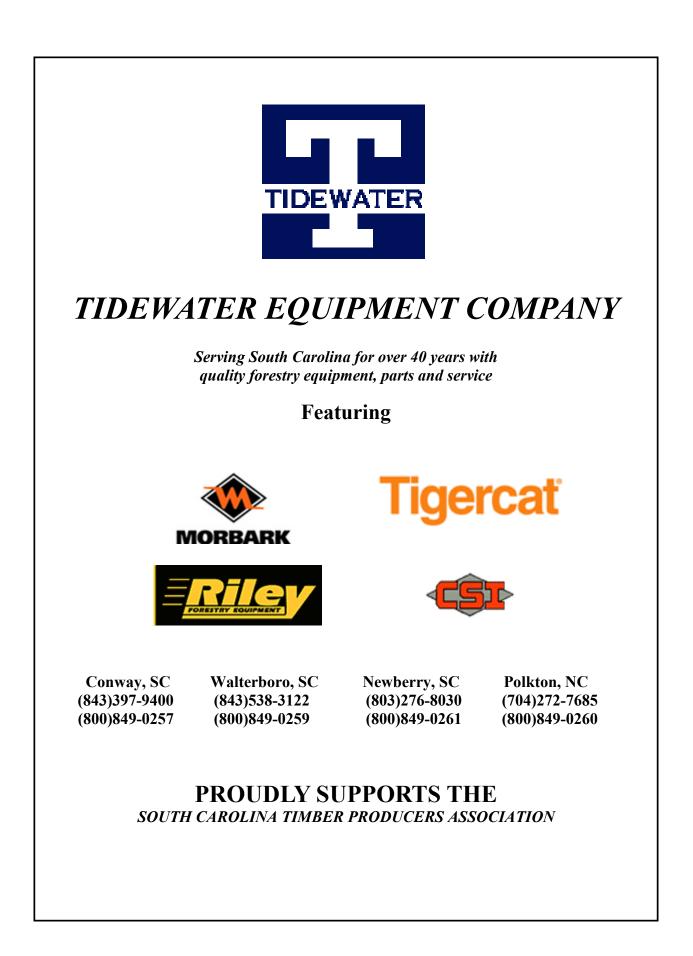
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#### **SC TIMBER PRODUCERS ASSOCIATION**

#### **CURRENT INTEREST POINTS**

2013 SC Legislative issues are:

- Protect the Sales Tax Exemption for Off Road Diesel and Agriculture Machinery Replacement Parts, includes logging equipment, in the SC General Assembly Tax Reform initiatives.
- Enhance the Right To Practice Forestry Law passed in 2009.
- Support funding to improve rural roads and bridges.
- Support SC Forestry Commission's budget requests and funding for SCFC's 20 x 15 Project. Support Clemson University PSA budget requests.
- Support protecting Agricultural Use Property Tax Exemption.

SCTPA, SC Forestry Association and SC Forestry Commission collaborated and successfully received a strong opinion from SC Attorney General Alan Wilson supporting the Right To Practice Forestry Act to prohibit counties and municipalities from enacting ordinances impacting timber harvesting and sustainable forestry on forestlands that meet the criteria of the Act. Counties and municipalities can no longer enact and enforce adversarial ordinances contrary to the Act.

SCTPA met with SC Department of Transportation's David Cook, State Maintenance Engineer, to revise the Encroachment Permit processes for Temporary Logging Roads to make the process simpler and more efficient. SCDOT is improving their training of Encroachment Permit Technicians to more readily work with loggers for Encroachment Permit enforcement.

SCTPA met with Colonel Leroy Taylor of SC State Transport Police to discuss issues of enforcement and cooperation to reduce crashes and fatalities involving unmanufactured forest products trucking.

SCTPA continues to support the efforts of American Loggers Council, the National Alliance of Forest Owners and other organizations to exempt Permitting of Logging and Forest Roads under the National Pollution Discharge Elimination System and Clean Water Act and supports passing of the Silviculture Regulatory Consistency Act in the U.S. Congress to codify the exemption.

Supported the 2012 Laws passed in the SC General Assembly enhancing SC's Timber Theft Law and the Prescribed Fire Law. Supported legislation providing funding to SC Forestry Commission to purchase new fire fighting equipment.

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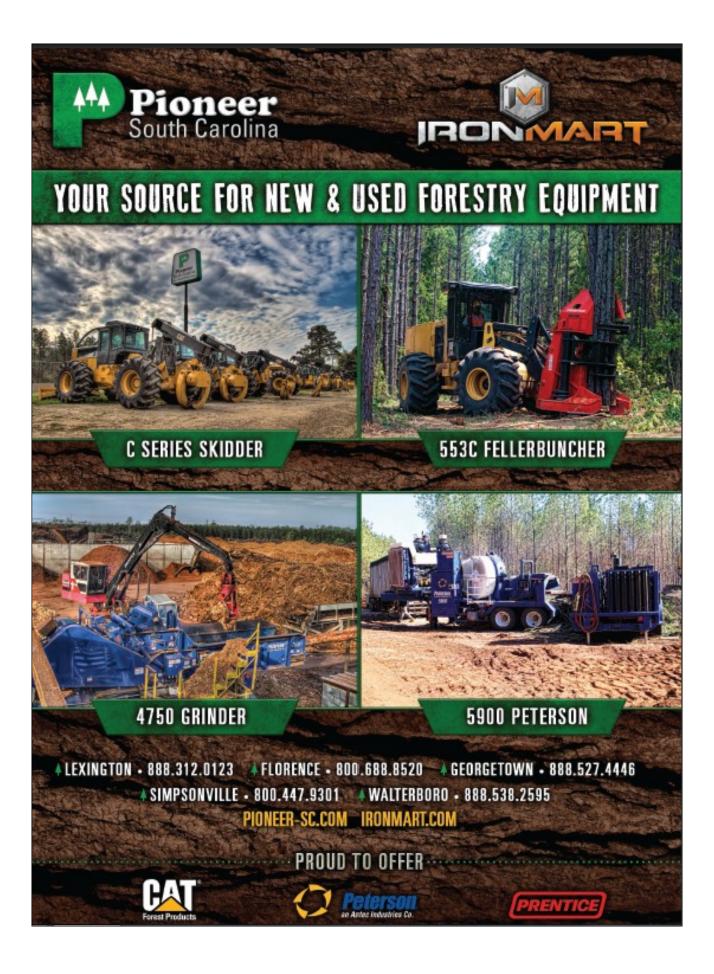
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## SUPREME COURT TO DECIDE HOW LOGGING ROADS REGULATED

Written by Jeff Barnard Associated Press

GRANTS PASS, ORE. — The U.S. Supreme Court will decide whether to switch gears on more than 30 years of regulating the muddy water running off logging roads into rivers.

At issue: Should the U.S. Environmental Protection Agency keep considering it the same as water running off a farm field, or start looking at it like a pipe coming out of a factory?

The case being heard today (Dec 3) in Washington, D.C., was originated by a small environmental group in Portland, the Northwest Environmental Defense Center.

It sued the Oregon Department of Forestry over roads on the Tillamook State Forest that drain into salmon streams. The lawsuit arqued that the Clean Water Act specifically says water running through the kinds of ditches and culverts built to handle storm water runoff from logging

roads is a point source of pollution when it flows directly into a river, and requires the same sort of permit that a factory needs.

"We brought this out of a perceived sense of unfairness." said Mark Riskedahl, director of the center. "Every other industrial sector across the country had to get this sort of permit for stormwater discharge," and the process has been very effective at reducing pollution.

The pollution running off logging roads, most of them gravel or dirt, is primarily muddy water stirred up by trucks. Experts have long identified sediment dumped in streams as harmful to salmon and other fish.

The center lost in U.S. District Court in Portland, but won in the

9th U.S. Circuit Court of Appeals in San Francisco. The Oregon Department of Forestry and Georgia Pacific-West appealed to the Supreme Court, and 31 states threw in with them.

The timber industry wants to keep things the way they are, with no permits for roads built under a system of best management practices. They contend requiring permits would cost timberland owners and logging companies too much money and thousands of jobs.

"EPA has been absolutely clear since 1976 in its rules and briefs explaining those rules and what it has done," said timber industry lawyer Timothy Bishop. "Never once has it required a per-

mit for discharges from forest service roads. It has been absolutely clear that is a bad idea."

The Obama administration petitioned the Supreme Court not to take the case, arguing that while the appeals court ruling was wrong, Congress and

EPA were taking steps to correct the situation already.

Last May, EPA formally proposed to revise storm water requlations to say logging roads don't need the point-source pollution permits that factories must get, and has gone ahead despite the court's decision to take the case. Congress enacted a temporary continuation of the status quo.

Jeffrey Fisher, a professor at Stanford Law School and codirector of its Supreme Court Litigation Clinic, is arguing the case for environmentalists. He said the court took the case after 31 states joined the timber industry in petitioning for appeal.

He said the Clean Water Act requires industrial activity to get a permit for stormwater that runs

TIMBER TALK

through ditches, pipes and channels.

"Industrialized logging operations with all the heavy machinery that takes place on lands at issue here is, we think, pretty clearly industrial in nature," he said. "That's the end of the case, right there."

Bishop said regulations developed by EPA and enforced by the states without permits have done a great job since 1976, and changing them to require EPA to issue permits would cost too much in jobs and money.

The National Alliance of Forest Owners commissioned studies that concluded new permits would cost landowners and logging operators nationwide upwards of \$1.1 billion in administrative costs.

Riskedahl said the timber industry has grossly exaggerated the costs. Each state can issue blanket permits to cover national forests, state forests, and private timberlands, as well as the logging and trucking companies that operate on them. It would be similar to the permit the Oregon Department of Transportation already has for state highways. Cleaning up the water requires low-tech solutions, such as putting roads on ridges, so ditches flow to the forest floor, instead of rivers.

"There is a cost to corporate entities to comply with the permits. The result is pollution reduction and jobs for local companies (working on logging roads)," he said.

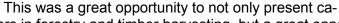
In legal terms, Bishop said the three judges from the 9th Circuit ignored court rules that they should defer to the expertise of the regulating agency, EPA, which has consistently found logging road runoff is a non-point source of pollution, Bishop said. In 1976 it adopted the Silvicultural Rule, exempting logging from point-source permits.



#### S. C. DUNN & SONS, INC. Pickens, SC

SCTPA participated in the Pickens County eighth grade career day at the Pickens County Career & Technology Center in Liberty on December 5<sup>th</sup>. Chip and Joe Dunn invited SCTPA to be there to discuss careers in forestry and timber harvesting.

Joe Dunn and SCTPA's Crad Jaynes explained the career opportunities to twelve groups from every county middle school. There were many professionals who participated such as military, emergency response, nurses, doctors, local business, technology, automotive, etc.





S.C. Dunn, 86 years young and still going strong



Joe and Chip Dunn

reers in forestry and timber harvesting, but a great oppor-

tunity to present facts and educate the students about our industry and sustainable forestry.

After the career day, SCTPA visited S.C. Dunn & Sons sawmill in Pickens. Still active in the business, founder S. C. Dunn works at the sawmill every day with sons Joe and Chip. Mr. Dunn has been in the business for sixty years. S. C. Dunn & Sons is a SCTPA manufacturing member. B & D Logging is

the company logging operation and is a timber harvester member and is headed up by Russell Burrell.

It was a great day to educate the eighth graders and talk about forestry careers and visit with Mr. S. C. at the sawmill.



Joe Dunn and Crad Jaynes at Career Day

















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## US FOREST SERVICE REPORT FORECASTS NATURAL RESOURCE MANAGEMENT TRENDS AND CHALLENGES FOR NEXT 50 YEARS

Study projects significant forest loss due to suburbanization and land fragmentation

#### NEWS RELEASE

**WASHINGTON, Dec. 18, 2012-**A comprehensive U.S. Forest Service report released today examines the ways expanding populations, increased urbanization, and changing land-use patterns could profoundly impact natural resources, including water supplies, nationwide during the next 50 years.

Significantly, the study shows the potential for significant loss of privately-owned forests to development and fragmentation, which could substantially reduce benefits from forests that the public now enjoys including clean water, wildlife habitat, forest products and others.

"We should all be concerned by the projected decline in our nation's forests and the corresponding loss of the many critical services they provide such as clean drinking water, wildlife habitat, carbon sequestration, wood products and outdoor recreation," said Agriculture Under Secretary Harris Sherman. "Today's report offers a sobering perspective on what is at stake and the need to maintain our commitment to conserve these critical assets."

(Continued on page 28)

#### (Continued from page 27)

U.S Forest Service scientists and partners at universities, non-profits and other agencies found urban and developed land areas in the U.S. will increase 41 percent by 2060. Forested areas will be most impacted by this growth, with losses ranging from 16 to 34 million acres in the lower 48 states. The study also examines the effect of climate change on forests and the services forests provide.

Most importantly, over the long-term, climate change could have significant effects on water availability, making the US potentially more vulnerable to water shortages, especially in the Southwest and Great Plains. Population growth in more arid regions will require more drinking water. Recent trends in agricultural irrigation and land-scaping techniques also will boost water demands.

"Our nation's forests and grasslands are facing significant challenges. This assessment strengthens our commitment to accelerate restoration efforts that will improve forest resiliency and conservation of vitally important natural resources," said U.S. Forest Service Chief Tom Tidwell.

The assessment's projections are influenced by a set of scenarios with varying assumptions about U.S. population and economic growth, global population and economic growth, global wood energy consumption and U.S. land use change from 2010 to 2060. Using those scenarios, the report forecasts the following key trends:

- Forest areas will decline as a result of development, particularly in the South, where population is projected to grow the most;
- Timber prices are expected to remain relatively flat;
- Rangeland area is expected to continue its slow decline but rangeland productivity is stable with forage sufficient to meet expected livestock grazing demands;

- Biodiversity may continue to erode because projected loss of forestland will impact the variety of forest species;
- Recreation use is expected to trend upward.

Additionally, the report stresses the need to develop forest and rangeland policies which are flexible enough to be effective under a wide range of future socioeconomic and ecological conditions such as climate change. The Forest and Rangelands Renewable Service Resources Planning Act of 1974 requires the Forest Service to produce an assessment of natural resource trends every 10 years.

The mission of the Forest Service is to sustain the health, diversity, and productivity of the nation's forests and grasslands to meet the needs of present and future generations. The agency manages 193 million acres of public land, provides assistance to state and private landowners, and maintains the largest forestry research organization in the world. Forest Service lands contribute more than \$13 billion to the economy each year through visitor spending alone. Those same lands provide 20 percent of the nation's clean water supply, a value estimated at \$27 billion per year.



#### A blog from Dave Tenny, NAFO President and CEO, January 8, 2013

#### THE FOREST ROADS LEGAL QUAGMIRE IS NOW HERE

As expected, the new U.S. Environmental Protection Agency (EPA) rule clarifying that logging is not an industrial activity under the Clean Water Act (CWA) has precipitated a legal quagmire. Last Friday the Northwest Environmental Defense Center (NEDC) filed a new lawsuit in the U.S. Court of Appeals for the Ninth Circuit, challenging the EPA rule. This comes just ahead of the Supreme Court's order today inviting further briefing on the impact of the EPA's rule on Decker v. NEDC currently pending before that Court.

Since the EPA rule applies nationwide, the new round of litigation initiated by NEDC will have nationwide implications. In other words, whatever the Ninth Circuit ultimately decides will apply not only on the West Coast, but also on the East Coast and every state in between. This is precisely why we urged EPA not to finalize a rule ahead of the Supreme Court proceedings. The result could be another round of costly litigation for forest owners.

Much will depend on the Supreme Court's response to the supplemental briefing from parties in NEDC v. Brown. Those briefs are due to the Court by January 22. It appears the Court has acknowledged that a more thorough review of the impact of EPA's rule on the case is warranted – a positive development following the irritation expressed by the Court in oral argument December 3. The Court's treatment of the rule is fundamental to the outcome of the case.

Still, it is clear that regardless of what the Supreme Court decides, the litigators on the other side will not stop. NAFO will continue to work with its partners to do what is necessary to defend EPA's longstanding treatment of forest roads as non-point sources best regulated through state-derived Best Management Practices. This will now require additional work before the Supreme Court, the Ninth Circuit and Congress. We will also continue to work with the EPA directly. Our work will not be done until we have established once and for all that forest roads are non-point sources and have preserved the policy that has been a CWA success for the past 35 years.

#### Dave Tenny, NAFO President and CEO

NAFO is an organization of private forest owners committed to advancing federal policies that promote the economic and environmental benefits of privately-owned forests at the national level. NAFO membership encompasses more than 80 million acres of private forestland in 47 states. Working forests in the U.S. support 2.5 million jobs. To see the full economic impact of America's working forests, visit www.nafoalliance.org/economic-impact-report.

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## February 2013

- 1 SCTPA Board of Directors meeting, Springmaid Beach Conference Center, Myrtle Beach, 1 p.m.
- 1 3 SCTPA Annual Meeting, Springmaid Beach Resort & Conference Center, Myrtle Beach. Contact SCTPA office for annual meeting registration & information.
   SCTPA Board of Directors meeting, SCFC Headquarters, Columbia, 10 a.m.

## March 2013

13 & 14 TOP 2-Day Class for SFI Trained Status, Harbison Environmental Education Center, Harbison State Forest, Columbia. Contact Sally Tucker, SC Forestry Association for registration, 803-798-4170.

## PLEASE NOTE:

Event & meeting dates may change. Notices are mailed prior to SCTPA events.

### **Need SFI Trained DVD Class or other training?**

SCTPA can provide the New DVD Training Module for SFI Trained status. SCTPA is an approved DVD training class facilitator and will be scheduling classes during the year. Other training programs are available 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.



Timber Talk

Your Voice for South Carolina Timber Harvesting

Contact Crad Jaynes at 1-800-371-2240 or <u>bcjpaw@windstream.net</u>

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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 statewide legislative activities, and aggressively promoting, supporting and conducting programs of state, regional and national advocacy.