



TIMBER TALK

Your Voice for South Carolina Timber Harvesting

May/June 2011

2011 SC Teachers Tour

South Carolina Forestry: Wow! I Had No Idea!

"Wow! I had no idea" echoed clearly throughout the 2011 SC Teachers Tour as 29 statewide teachers gathered in Florence the week of June 21st. The teachers toured the beautiful Pee Dee region and visited private and public forests, forest products industries, a timber harvesting operation and learned how our sustainable and renewable forest resources are being grown, managed, harvested, reforested, manufactured, managed for wildlife and experienced the socio-economic-enviro impacts our forests provide the Palmetto state. .

The four days of on site learning of what sustainable forestry practices, professional timber harvesting, forest management, forest products manufacturing and the forest products industry is all about on the ground and what our industry offers South Carolina turned out to be an eye opening experience.

This group was enthusiastic and full of questions right from the start.

They came with some preconceived ideas about the industry, but departed with a deeper sense of appreciation, more facts and knowledge, and vastly improved attitudes about sustainable forestry, our timber harvesting and forestry professionals, forest products, forestry practices and how our industry conducts its business as stewards of our state's forest resources.

For three days the prior week at the Harbison Environmental Educa-

The logging industry's reputation is not always positive and this experience has allowed me to experience the reality of logging so I don't have to rely on the reputation. I think the difference between deforestation, clear cutting, and thinning has been most helpful to me so that I am better able to explain it in my classroom.

Michella Kippes
Greenville Middle Academy
Greenville, SC

tion Center, Columbia, the teachers learned the basics of forestry, such as how to measure trees, learned about the Sustainable Forestry Initiative, Best Management Practices, Endangered Species, Fire Ecology and other aspects related to sustainable forestry, the SC Forestry Commission and other agencies.

During the four-day tour the teachers traveled via motor coach to various sites to view first hand sustainable forestry, the forest products industry, the Sustainable Forestry Initiative®, private, commercial and public land management goals, professional timber harvesting, forest products, tree farming, wildlife and wildlife habitat management, paper and lumber manufacturing, engineered wood products manufacturing, environmental conservation,

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while enjoying the fellowship along the way. These teachers now realize and understand how important our industry is to the Palmetto State.

This was the second tour for the two-year cycle for the historical and forest rich Pee Dee area. Accurate and scientific information about sustainable forestry was presented on the ground and in presentations, unlike the misinformation presented by those whose agenda is anti-forestry.

SCTPA is a proud SC Teachers Tour sponsor and participant. Thanks to all the cooperators who provided tour sites. Low Country Forest Products, Inc., Sonoco Products Company Forest Resource Division, Carolina Particle Board, Cattail Tree Farm, Sandhills State Forest, RockTenn, Ingram Lumber Company and Resource Management Services.

Thanks to all the wonderful tour sponsors and a host of forest products companies that made the teachers' experience so meaningful.



Jerry opens Teachers Tour

Thanks to Jerry Shrum for organizing and administering the tour again, even though he is retired from the SC Forestry Commission. And thanks to Dean Carson, also retired from the SC Forestry Commission, for again volunteering to be with the tour.

Crad Jaynes, SCTPA President, Jerry and Dean spent the week with the teachers visiting tour stops, answering questions and helping the teachers understand the real sustainable forestry story.

Tuesday's opening session began with SC Forestry Commission's Environmental Education Coordinator, Jerry Shrum, introducing the program and outlining the week's agenda.

Next Joe Young, Low Country Forest Products, Inc., Georgetown, talked about his fifty-plus year career as a timber harvester and how the industry has changed to having professionals who are "business people" and not just "damn ole loggers."

Joe spoke about how timber harvesting had evolved from cutting and hand loading five-foot pulpwood onto short trucks to now being fully mechanized harvesting. He asked the teachers to honestly relate their perception of a logger and our industry. Of course the opinions varied. Not as many of the usual comments were heard like "uneducated," "dirty job," "unregulated," "unprofessional" and "hard working" which was a shift from other tours. But the comments were real and some very interesting.

He followed up by talking about how professional loggers are working in the Sustainable Forestry Initiative® in order to further the practice of sustainable forestry. He spoke of how the logging industry is made up of third and

fourth generation family businesses such as his own with his daughter, grandson and son-in-law all being in the business. He spoke of the importance of our nation's rural resource providers such as loggers, farmers and ranchers are dwindling in numbers due to economics, regulations, reduced markets and age.

He spoke about how the industry has changed; he noted the improvements in harvesting equipment technologies and harvesting practices such as compliance with our state's Best Management Practices for timber harvesting.

Joe noted today's professional logger is a professional business-person first in the business of timber harvesting.

Next SCTPA's Crad Jaynes spoke and stated, "Loggers today are truly stewards of our renewable and sustainable forests. Sure, every profession has its bad actors and logging is no exception. But by and large the industry today is truly a profession to be proud of. We are doing the right things on the ground to sustain our healthy forests while providing the raw materials to produce over 5,000 products used daily to enhance our quality of life. The industry is policing itself better and improving its image."

Crad thanked the teachers for the jobs they do to educate our children and young adults. He told them this week of active learning and seeing our industry up close and personal will provide the facts and science about sustainable forestry in order for them to form an educated opinion about our industry.

He related how perception is reality to many people. Often times what you see is not the case. The public sees land being harvested for timber and then cleared for development; therefore, the perception is that loggers are cutting all the trees.

He related personal stories and experiences where public perception and even a teacher's perception can be skewed from receiving misleading information and the lack of the real knowledge and truths about our industry.

He went on to relate how knowledge, even teacher knowledge about sustainable forestry, timber harvesting and the forest products industry is often swayed in the wrong direction due to the misinformation distributed by environmental obstructionists.

He explained that he calls them "environmental obstructionists" because their agenda is not telling the truth about the real story of sustainable forestry. He said, "Professional loggers are environmentalists. Why wouldn't loggers be?"

Loggers want to sustain healthy forests because that's where loggers work. Loggers have a vested interest in our healthy forest resources and sustainable forestry just like landowners, foresters and the forest products companies do."

Crad spoke about how the logging industry was raising the professional bar. He explained how the American Loggers Council was formed and how that organization represents professional loggers nationally.

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Joe Young speaks about logging.

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Speaking for the forest products industry and not just loggers, he told the teachers that during the week they would see the passion our industry's people have for what they do whether it was growing our forests, harvesting timber, or working at a manufacturing facility. It's the great passion to do what is right to sustain our renewable and sustainable forest resources that makes what our industry does a "sincere passion."

He thanked the teachers for taking the opportunity to learn about sustainable forestry, professional timber harvesting and the forest products industry so they would be more informed to educate their students with the correct information.

The teachers received a SCTPA folder filled with information about timber harvesting, human interests stories of loggers, facts about logging, *Timber Talk* magazine and association and ALC stickers and an individualized SCTPA Honorary Timber Harvester Member certificate.



Cooling off at Kalmia Gardens

Next it was off to Kalmia Gardens in Hartsville for a tour of the gardens and dinner. The garden is full of many native and exotic plant species and is quite a unique place. Then it was back to Florence for discussions and refreshing pool time.

Wednesday started early as the tour headed to tour the Sonoco Bottomland Hardwoods on Witherspoon Island to see how that company manages hardwood tracts. Next it was a stop at Carolina Particle Board's plant in Bennettsville to see Particle Board manufactured. Next stop was Cattail Tree Farm in Wal-



Particle board plant tour



Robyn's Neck dinner

view a tree farm and then on to Sandhills State Forest for public lands management and Endangered Species protection. Then the tour headed for Robyn's Neck Trophy Club outside Society Hill on the Cox property for supper sponsored by the Pee Dee Chapter Society of American Foresters. To help cool off the group when they arrived at Robyn's Neck, Crad bought watermelons at a roadside stand, iced them down, cut them up as a cold appetizer before the barbecue dinner.

Thursday began early, and it was really a hot week, as the tour headed to Low Country Forest Products, Inc.'s first thinning harvesting operation near Francis

Marion University.

Low Country's job supervised by Marvin Cribb demonstrated a first thinning on the Ingram Lumber Company owned pine plantation using a feller buncher, grapple skidding and a whole tree chipping process.

Ingram Lumber Company forester Jesse Moore explained the forest management plan for the tract and how the first thinning would promote growth to produce sawtimber for their sawmill.

Low Country president Joe Young toured the teachers around the job describing every piece of logging and chipping equipment in an up close and personal way. The teachers even took the opportunity to climb aboard the units and see what it looks like from inside the operator's cab.



Touring the sawmill

The teachers were amazed as the logging and chipping job cranked up to full production. Under a tent for display were chipper knives and delimber chains that supervisor Marvin Cribb described. Each teacher received a bag of clean chips.

SCTPA prepared a full description of Low Country's logging operation explaining the thinning and whole tree chipping operation, and provided a list of the equipment spread with costs so the teachers could see the investments.

The teachers were amazed at how mechanized the entire operation was. They were also amazed at how the tract was cared for while being harvested.

Joe talked about how loggers want to do a good job on the ground because it is a professional responsibility to sustain our forests and the environment. Thanks to Low Country Forest Products for an excellent stop.

Next it was off to the RockTenn (formerly Smurfit Stone Container) mill in Florence for lunch and a mill tour. Unfortunately due to safety precautions due to paper machine repairs, the teachers were unable to tour to the mill. However, the staff provided an excellent presentation on the mill's operations, linerboard making process and facts and figures about the mill's productivity. Then the bus toured around the woodyard to see roundwood, chips and woody biomass trucks being unloaded and how the wood was stored and fed into the mill. The wood chips they saw on Low Country's job earlier were going into the linerboard being made. Thanks to RockTenn for the lunch at the mill.

Next stop was Ingram Lumber Company to see pine lumber manufacturing. Ingram's president Furman Bro-

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die presented the Ingram story and the teachers toured the mill operations. A great presentation by Furman explained their processes and investments into their two mills.

Then it was off to a Resource Management Services tract to view how the Real Estate Investment Trust (REIT) intensely manages the 7,000-acre Ellerbe Bay tract for return to their investors. The group traveled the tract to see how RMS manages, reforest and harvest their timber tracts. Different aged stands were viewed showing how RMS manages their lands such as reforesting using containerized improved seedlings, teenage stands, ready to thin stands, middle aged stands ready for a second thinning and stands ready for a total harvest to then be prepared for reforestation. Thanks to RMS's Joey Ferguson for a great job explaining RMS's sustainable management goals and how the company operated as a REIT.

Then it was off to "The Track Too Tough To Tame," Darlington Raceway, to the Checkered Flag Club for the sponsors reception and dinner. Positioned under the third turn grandstands this facility provided much needed cooling relief after a long, and very hot day. It was a great opportunity for the teachers to meet and fellowship with guests and sponsors.

One of the highlights is when the teachers offer their thoughts regarding their experience and how their perceptions and knowledge have changed regarding our industry as well as thank the sponsors for their generous contributions.

Many mentioned they did not have any idea about the forest products industry and sustainable forestry prior to the tour. But now the teachers have new information to promote the facts about our industry. One overwhelming comment heard was, "Wow! I had no idea. My eyes are now open."

Friday was wrap up day with Dean Carson discussing engineered wood products. He showed various products manufactured with this technology and described the many uses of each as well as some experimental products.

Crad made closing remarks emphasizing the importance of how each teacher is now a stakeholder in sustainable forestry. He challenged them to go forth and preach the gospel of sustainable forestry, professional timber harvesting and the forest products industry.

Then the teachers viewed the *Trees Are The Answer* video by Dr. Patrick Moore and individually spoke about their week's experience and offered personal thoughts about how they now understand sustainable forestry and our industry.

Every teacher began the tour with individual ideas and perceptions about sustainable forestry, the forest products industry, timber harvesting, forest and land management and reforestation.

After witnessing the passion displayed by our industry's people about caring for our forest resources, the environment and the jobs each segment does, every

teacher had a new found respect for our industry, our mission and its people.

The teachers were troopers in the Pee Dee's brutal heat and endured to learn about South Carolina's Forestry Industry. Wow! I had an idea - they'd come away better understanding what "we" are all about.

I enjoyed being educated about the logging and timber industry. I can't believe the lack of knowledge I had coming into this tour and now I feel as though I can adequately explain and talk to others about the value of the industry to our state. I had no idea how many careers were involved and the positive environmental impact it has on our lands.

Ansley Merritt
Powdersville Middle School
Greenville, SC



Joe explains chipping process



Marvin Cribb explains thinning & chipping job



New SCFA President Cam Crawford learns about timber harvesting & chipping

Teachers Tour Teacher Comments

Participants of the 2011 SC Teachers Tour were asked to evaluate and comment on the program. Participants were asked what “new perceptions” they gained as a result of their experience. The following are quotes from this evaluation.

Foresters are “environmentalists” with all the passion, drive and desire to see our forests managed for future generations. I leave knowing our trees are safe and our forests are managed properly!

Kerry Dempsey, EP Todd Elementary, Spartanburg, SC

I have a new perception about the scope of timber production in all areas of this state and how growth is greater than the amount harvested. Many organizations and agencies support this industry and there are many outstanding individuals who grow, harvest, and process wood products.

Tim Maye, Central High School, Pageland, SC

It was refreshing to see the strong desire that the people in forest industry has for being good stewards of the resources we have been entrusted.

Barry Burdette, Woodmont High, Greenville, SC

I enjoyed seeing the passion and dedication of the individuals in different parts of the industry and see the big picture of how it all works together. I don't think that I had a clue to the many interlocking pieces of the puzzle that makes up the forest products industry. The diversity from the management practices of the different landowners to the end products and uses was vast.”

Rebecca Roberts, St. John's Christian Academy, Moncks Corner, SC

I now understand the importance of the topics relating to forestry, including their importance to the economy and economic well being of South Carolina. I also have received a tremendous amount of information which negates the common “environmental” information being given to today's teachers. I appreciate the passion of the foresters and other professionals, and have gained a whole new perspective about these topics. I look forward to spreading the news and changing the perceptions of others.

Susie Reed, St. John's Christian Academy, Moncks Corner, SC

Forestry is not the enemy! Foresters are very skilled individuals who take their jobs seriously and take pride in their work. Forest products are found in more everyday items than I realized.

Amy Tate, Bell's Crossing, Simpsonville, SC (1)

Trees are really the answer to environmental, social, and economic issues in our state and country. I have learned that foresters are environmentalists too. Trees are the answer! No more save the trees posters for me.

Jaymi Wilbanks, Newberry Academy, Newberry, SC

Being new to South Carolina I was unaware of the impact that forestry had on the state. The career opportunities are great in the Southeast in forestry. If we are going to have sustainable forests we need a sustainable group of educated foresters for our future!

Kay Wood, Berea High School, Greenville, SC

Our forests are sustainable and we are not destroying the environment. It was interesting to learn how many products we use that comes from wood. There are two sides to every story and we often only hear the side of the ‘tree-huggers’ and not the forestry side.

Terry Wood, Greenville High School, Greenville, SC

Since my family is in forestry, I had the misconception that everyone knows foresters are ‘good guys’ that use wise practices. This was a good reminder to keep my eyes open to educational opportunities.

Karen Hill, Thomas Sumter Academy, Sumter, SC

I have been overwhelmed by my ignorance of what forest, foresters, and the forest industry do for our state. The process, dedication, variety of skills, education, careers involved is amazing. I am excited about being able to share this information with my colleagues, students, and family.

Treva Davis, Powdersville Middle School, Anderson, SC (2)

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I was surprised to learn that forestry is the #1 manufacturing business in the state and all the great and interesting jobs that are created by the forest industry. The great passion and love of the land and the overwhelming generosity of the sponsors and foresters was awesome.

Teresa Elam, St Joseph School, Columbia, SC

I have many new perceptions about forestry; that our forests are in better condition than ever, that every part of the tree is utilized in one way or another, that so many by-products from trees are used in other application other than wood products, and that wood production is more than just harvesting trees. Our forests are in much better hands / stewardship than I ever knew.

Jim Olsen, Coosa Elementary, Beaufort, SC

I have new perceptions of how important sustainability of our forests really is, the importance of management by people who are educated in this area and who actually do know what they are doing; rethinking and recognition of quite a number of misconceptions in texts and other literature; and the importance of biodiversity in all of this.

Kathy Lee, Carolina Springs Middle School, Aiken, SC (3)

I have never taught information about forests before and now I have carefully checked off several lessons about forests for my classroom and my environmental student groups that I work with in my school. I am excited about the volume of information I have received regarding the forest industry and the value of trees.

Veronica Glotz, St. Peter Catholic School, Bluffton, SC

I have many new perceptions. Forests are better now than in the past. The foresters have the education and means to improve the environment. The whole tree is used by many people in many ways that I never even considered. Foresters love what they do. Everyone who we met had a definite passion for their way of life.

DonnaHey, Joseph Shamklin Elementary, Beaufort, SC (4)

Like many people in my generation, I was a young child during the 60's and 70's when the whole 'green' thing started. As a young adult, I was influenced by the Sierra Club and Greenpeace. Forestry was a 'destructive' profession. What I now understand is that our forests are a valuable, renewable, and manageable resource. It is important to our future as a nation that we dispel the myths of the 'evil' forestry industry and promote understanding of this eco-friendly sustainable industry.

Wendy Lacombe, St. Peter Catholic School, Beaufort, SC (5)

I feel I can look at the woods and have a better suspect of all that work in the forestry business. I really appreciate the passion that they have for what they do. I can appreciate also how much a tree gives us. It is in everything!

Mary Hughes Walker, St. Joseph Catholic School, Columbia, SC

First, I have a much greater understanding of the far-reaching impact of forestry. Before this tour, my perception was limited to such products as timber and paper; however, there are countless products that come from our forests. My greatest shift in perception, however, is in regards to how I viewed people in this industry. I have met such genuine, hard working people committed to stewardship of our land and have been forever changed as a result of this opportunity."

Tess Pratt, St. Joseph Catholic School, Columbia, SC

What new perception don't I have! My whole idea of forestry has changed. When I first came into the tour, I thought that foresters were in it all for the \$ and the ability to work alone. However, now I have learned that, like teachers, the forest industry runs on the love of the woods and not on the love of money."

Sarah Faulds, St. Joseph School, Columbia, SC

Everyone and anyone who is involved in this profession has a love and passion for the land far deeper than I would have ever imagined. Seeing this first hand has had a profound impact on the already enormous respect and love I have for our forests. Now I even have a deeper love for the people who dedicate their lives to ensuring my greatest love in life, 'the woods' never goes away.

Deanna Zuleg, Black Water Middle School, Conway, SC

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I am amazed by the diversity of careers related to sustainable forestry. My eyes have been opened to my own misguided opinions and to the importance of the forest industry in our state. I had never given much thought to trees as a crop.

Lisa Perry, Lexington Middle School, Lexington, SC

They actually are saving trees! Cutting trees is not a bad thing; in fact, all people in the industry are looking out for our future as well as theirs. If they get rid of all the trees they will no longer have jobs.

Mindy Hudson, Clover High School, Clover, SC

I was impressed with the amount of knowledge and education of the people that we met and heard speak. I was impressed with the technology that is used in the various aspects of the forest industry. I was impressed with how the people know each other and work together to help them, our environment, and our future.

Dorothy Grieve, South Aiken Baptist Christian School, Aiken, SC

Forests are a sustainable resource; foresters, loggers and managers are very well educated; there are excellent careers for the future; and forestry is a great money producer for the state with jobs.

Tammy Rudd, South Aiken Christian School, Aiken, SC

I have a new perception of a monoculture (a corn field is...a forest plantation is not!). How far reaching the forest industry is in our global economy.

Matt Schnabel, White Knoll High School, Lexington, SC

I now know we have more trees than ever; a red bug is actually a bite and not a bug under your skin; I know what a lumber mill, saw mill, and logging outfit is, and the many career opportunities involved with forestry.

Terry Sue Sandifer, Orangeburg Prep., Orangeburg, SC

OTHER COMMENTS:

(1) I had heard that this was a great class to take but was not prepared for the paradigm shift that would occur in my own thinking due to experience. I am in awe of the hard work, determination, and good will that goes into the business of forestry. I have been so impressed with the people we've met, the operations we've observed and the passion that has been expressed. For lack of sounding dramatic, this has been life-changing, and I'm looking forward to sharing the information I've gleaned with my students in hopes of giving them a broader and more informed perspective of forestry.

(2) This has been one of the most amazing learning experiences. I am eager to share what I have learned and have started the process of having some family land managed for ultimate benefits for all involved.

(3) I would also like to thank the program for treating us like real professionals! Thanks!

(4) At this time when many things are being taken away from teachers and the profession is becoming more challenging, it is wonderful that the forestry professionals open their doors, hearts, and wallets to share this experience with us!

(5) I truly enjoyed being treated so professionally. So many times, teachers are given or sent to workshops that are researched based, but the information does not translate to the classroom. This class was research based and developed in a way that is useful, useable and relevant to both myself and my students.





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AS I SEE IT ...

AMERICAN LOGGERS COUNCIL

PRESIDENT MIKE WIEDEMAN, ENTERPRISE, OREGON



July 2011

The 2012 presidential field is starting to materialize even though we are a year and a half away from the election. The economy and job creation are high on the list of priorities. There have been very few presidents in American history that have won reelection when the unemployment rate has been above eight percent.

The current economic reports are showing very little sign of positive growth. President Obama has said publically, many times, that our country needs to invest in the future to help us achieve positive economic growth. What the President means on investment in the future and what I think may be slightly different, but to some degree I agree with that assessment.

Investing in the future doesn't mean giving out dollars or programs as political favors for the past election and now pre-election. Investment in research and development of broad based alternative energy uses like biomass, biodiesel, etc., along with current energy like natural gas and oil by private business would benefit the U.S. economically. Until our government officials realize that increasing energy production domestically and in all areas that are efficient without long term subsidies, we will continue to have large fluctuations in energy prices.

It seems more evident in recent years that whenever the U.S. economy is starting to show positive growth that can be erased easily by OPEC and others who set oil production levels and prices. Do you think they have our number? I don't think giving billions of dollars a year to some of these countries in hopes that they will like us is the answer. I can't help but think they are laughing all the way to the bank.



Speaking of investment in the future, I am sure many loggers across the country have been to an open house at one of the paper mills or sawmills that they supply. Generally the event is a time for fellow logging contractors to socialize with each other, the wood procurement personnel, and the mill management. The mill managers will usually give a report on how the facility is doing financially, the coming year's production and possibly the capital investments they will make to improve their bottom line. As a logging contractor and a capitalist, I want the facilities where we deliver fiber to be profitable and financially strong.

I don't want to assume what the management people are thinking, but I wonder if they have noticed some of the trends in the logging industry? The average age of a logging contractor according to recent surveys is around fifty years old. Many logging contractors have a less than positive outlook on their future in the business. There are a low percentage of contractors who would consider expanding their business.

I know we are in a supply and demand economy, but a contract in the logging industry, in most cases, isn't worth the paper it is written on because the contract can be changed with just a phone call from a wood procurement person.

Many of you may have seen the show "Swamp Loggers" on the History Channel. In my opinion, the popularity of the show has risen because most loggers can identify with the volatility and the day to day challenges of being a professional logging contractor.

Secondly, the general public can't believe what Bobby Goodson's company goes through just to make a living. When the mill procurement person makes the call to tell Bobby

they don't want any more wood for the week or that they want a certain species other than what their current job has, it makes me wonder what would happen if the tables were turned. I wonder if someone from the mill facility were suddenly told they weren't going to get paid that week or their pay was going to be reduced unexpectedly even though their work was performed, how they would react? What if it happened to them several times throughout the year?

My hope is that our industry considers the idea of investing in its loggers. Automatic fuel adjustments and rewarding companies that perform at a higher level like being a Certified Master Logger would be an appreciated investment. I know some wood using facilities work for the betterment of the industry, but I would hope the pulp, paper and lumber companies will all join the American Loggers Council when it comes to improving the future of its logging force and supporting environmental policies that support sustainability.

Consistency in production quotas and pricing are two major factors that logging companies need to achieve stable, dependable and profitable businesses. After all, I have heard many times that we are all in this together.

August 2011

As I am writing this month's article I realize that 2011 is flying by and my term as the American Loggers Council President will soon be over. Following in the footsteps of some really great ALC presidents, I can't help but ask myself if I and the ALC leadership are serving our nation's loggers well. In my opinion,

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being a positive and professional spokesman is a large part of our duties and responsibilities and I definitely feel that all of us, as ALC members, reflect that.

Currently one of the big issues facing our industry on the federal level stems from the Ninth Circuit Court of Appeals decision that storm water runoff from forest roads into ditches and culverts is considered a "point source" of pollution under the Clean Water Act. With this ruling, loggers and forest land owners would be required to file for National Pollutant Discharge Elimination System [NPDES] permits. With a stroke of a pen, the silvicultural exemptions that this industry has been operating with over the past 30+ years in the Ninth Circuit jurisdiction have been wiped out, and we can expect the impacts of this decision to be felt nationwide.

Even though most States have adopted Best Management Practices (BMP's) that protect water quality, and studies show that silvicultural activities account for less than 4% of water impairment issues nationwide, the courts determined that the EPA did not have the authority to allow any exemptions for industrial activities, under which timber harvesting is classified. The companies that were involved in the case are seeking an appeal to the Supreme Court.

From the legislative side of this issue, the American Loggers Council members first began discussing this ruling with our representatives in Washington, DC last March. There are bills being drafted in both the House and the Senate that would amend the Clean Water Act to specifically allow for silvicultural exemptions, including harvesting activities and use of forest roads, and we support them.

At a time when our nation is still worrying about double-digit unemployment and the economies of timber-dependent rural communities are still reeling due to the collapse of the housing market, it is our hope that our representatives in Washington will seek a solution to what can only be considered as another unnecessary regulatory burden on the U.S. economy. Drafting legislation to allow for the continued use of the exemptions for silvicultural practices will save jobs

here in the United States, and also help to keep our forested acres forested. Hopefully, by the time you read this article, there will be some movement on this issue.

This is one example of the many issues that cross the desk of ALC staff and its Board of Directors. Many times all of us are reactive to things that affect our logging businesses and jobs and that puts us in a defensive mode, but our goal at the American Loggers Council is to be more proactive on issues and ideas that help to create solutions that will benefit us all. With the input, dedication and professionalism of loggers from throughout the Nation, there is no limit to what we can accomplish for this profession that we call "Logging."

Many of you may have seen some recent advertising of the ALC's annual meeting to be held in Minocqua, Wisconsin September 29th, 30th and October 1st, 2011. Hosting the meeting in northern Wisconsin in the fall of the year will be a great time for everyone to see the natural beauty of our lakes and autumn colors, and I would personally like to invite you to attend.

There are many events planned along with the Board of Directors meeting and Membership meeting and we would welcome your participation. You will have the opportunity to meet some of the finest loggers this nation has to offer and sponsors that support loggers and our industry with unmatched dedication.

My wife Jody and I are excited and honored to be representing Wisconsin and the American Loggers Council. If you want to know more, or want to register on-line, please visit our web site at www.americanloggers.org. We hope to see you there!

Matt Jensen is the President of the American Loggers Council, which represents over 50,000 logging professionals in 30 states. Matt's operation, Whitetail Logging, is headquartered in Crandon, Wisconsin. For more information please contact the American Loggers Council office at 409-625-0206 or e-mail at americanlogger@aol.com.



Timber Talk

Your Voice for South Carolina Timber Harvesting

Contact Crad Jaynes at
1-800-371-2240 or bcjpaw@windstream.net

IDEAL BUSINESS SOLUTIONS

Crad Jaynes, SCTPA

At my invitation, Ideal Business Solutions attended our April 28 Board meeting in Columbia. This is a 14 year-old Greenville based company offering a one-source service package that could be valuable to our membership.

Having toured Log Creek Timber Company logging sites with Log Creek's Tim Williams and myself for a day, Ideal's Richard Marvel and Denny McGurer obtained a better understanding of our industry's unique culture, as well as the various issues faced daily in timber harvesting businesses.

For them, it was a great learning experience as they were not familiar with logging. And thanks to Tim for his time and tremendous job to explain the business, operations and all the nuances that go along with running the business.

The handout Ideal Business Solutions provided our Board generated a lively dialogue on how their services might benefit our members. Quite important is the fact they solve problems by dealing directly with the various State Departments on their clients' behalf.

One Board member commented he had an employee quit to take another job only to find the employee had illegally filed with the state for unemployment benefits.

To resolve this problem, it cost \$1,500 in legal fees.

Ideal would have dealt directly with this situation in Columbia so the employer would not have to take time away from business or incur an expense. This is one of many services under Ideal Business Solutions Human Resources umbrella.

Another service is Workers Compensation management that presents the opportunity for significant cost savings. Others include: safety risk management, federal and state employee tax filings, employee benefits administration and payroll service.

As a matter of corporate policy, Ideal will not disrupt any existing insurance relationships. Their goal is to assist so business owners and principals can more effectively and efficiently manage and run their businesses.

SCTPA is working with Ideal Business Solutions to develop a partnership to offer their services thus complementing some of the services the association currently provides. I would encourage our members to explore their offerings by contacting Ideal Business Solutions.



*Ideal's Dick Marvel with
Tim & Crad*

Steve Ivester is the principal of the company. He can be contacted at 864-335-4070, fax 864-286-0009, steve@yourhrpros.com. Ideal's website is www.yourhrpros.com

Ideal Business Solutions

Ideal Business Solutions is one of thirteen South Carolina based Professional Employer Organizations (PEO) licensed by and responsible to the South Carolina Department of Consumer Affairs.

PEO's relieve small businesses of the unfortunate, unintended burdens that come with being an employer. Since we are technically an administrative co-employer, we are able to deal directly with each department, on our clients' behalf, to resolve any employee related issue.

Services typically include:

- Tax and compliance expertise
- Recruitment and retention assistance
- Human resources
- Time attendance and labor management
- Help with workers compensation and risk management
- Payroll and related services

1. Government Initiated Issues

- Immigration Compliance
- OSHA
- Independent Contractor vs. Employee
- Exempt Employee vs. Non-Exempt Employee

2. Employer Protections and Defense

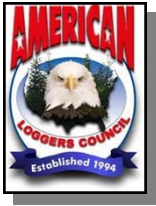
- Time management procedures that can save you money and avoid overtime abuse.
- Workers Compensation cost control and management.
- Avoiding costly fraudulent unemployment claims.
- Policy and Procedures - Basic Steps
- Dealing with problem employees, and those with family or financial problems.
- Retaining and rewarding just those key employees that contribute to your success through their job skills, work ethic and positive attitude.

3. Insurance Management - Your exposure when you engage subcontractors.

Summary

Ideal Business Solutions can provide all of these services to clients for a small percentage of payroll.

American Loggers Council 17th Annual Meeting



September 29 – October 1, 2011
Minocqua, Wisconsin

Experience Wisconsin

On behalf of the American Loggers Council, I invite you to attend our 17th Annual Meeting in beautiful Minocqua, Wisconsin. The Minocqua-Woodruff area is home to more natural lakes per square mile than any other region of the U.S.

Your flight into Wausau or Rhinelander will allow to take the short drive north to Minocqua, or for the more adventurous, you may wish to fly in to Green Bay, Wisconsin or Minneapolis-St. Paul, Minnesota. Regardless of your choice of airport, there will be many scenic views as you make your way to Minocqua.

Enjoy all that north central Wisconsin has to offer as you communicate with those that make things happen in our industry.

There is an optional "Falls Color" tour being offered by Caterpillar Forest Products on Thursday for those of you wishing to make that a part of your agenda during your visit, and we have a great line up of activities and events scheduled for the rest of the week in and around Minocqua.

Jody and I are excited that you are visiting our part of the country, and she and I, as well as the Great Lakes Timber Professionals Association will do all that we can to make this a trip that you will enjoy.

Come relax in the surroundings and find out why we are proud to call this part of Wisconsin our home.

Matt Jensen

President
American Loggers Council



SCTPA Comments: ALC Annual Meeting information can be obtained at the ALC website

www.americanloggers.org, by emailing ALC's Danny Dructor at AmericanLogger@aol.com, calling the ALC office at 409-625-0206 or contacting SCTPA. SCTPA encourages loggers to attend the ALC meeting and see first hand how The American Loggers Council represents our nation's professional loggers.

SC TORT REFORM PACKAGE NOW LAW

House Bill 3375 by Speaker Bobby Harrell with 80 co-sponsors was approved by the General Assembly on June 2nd. The Tort Reform package crafted by the Civil Justice Coalition establishes a procedure to claim punitive damages and caps awards on punitive damages. The act takes effect on January 1, 2012.

Award limitations will depend upon the nature of a defendant's conduct. For cases that prove clear and convincing evidence that harm was the result of willful, wanton, or reckless conduct punitive damage awards may be three times the amount of compensatory damages or \$500,000 whichever is greater.

For conduct that is proven to be motivated primarily by unreasonable financial gain and proven to be unreasonably dangerous, known or approved by a company's managing employee, or that could subject a defendant to conviction of a felony, awards may be the greater of four times the amount of compensatory damages or \$2 million dollars.

Appeal bond caps limit the amount of bond or other surety to guarantee the payment of a judgment pending appeal. The bond or surety would not be allowed to exceed the lesser of the amount of the judgment - \$25 million for businesses with 50 or more employees and gross revenue over \$5 million in the previous year OR \$1 million for all other entities or individuals.

Violations of building codes are not considered per se fraud, gross negligence, or recklessness but would be admissible as evidence of fraud, negligence, gross negligence or recklessness.

Circuit Solicitors may employ outside counsel without the approval of the Attorney General for civil forfeiture proceedings arising from criminal activity or from estreatment of bail bonds. However, in any other matter, circuit solicitors must obtain written approval from the Attorney General prior to retaining counsel to or filing a civil cause of action.

Insurers providing automobile insurance coverage in South Carolina which are liable for claims covering private passenger insurance must provide within 30 days of receiving a written request from a claimant's attorney, a statement regarding insurance coverage limits. Fleet policy limits, umbrella and excess coverages are exempt. All policy information is confidential.

Language relating to the admissibility of non-use seat belts in civil cases and the private attorney retention sunshine act were removed from the compromise bill.

SCTPA Comments: This reform package strengthens the tort reform law passed previously by the General Assembly about four years ago. Limits on damages have been contentious issues during the legislative process. But this reform is good for SC's business climate. SCTPA supported the Civil Justice Coalition and its efforts to enact tort reform.

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NEGOTIATORS AGREE ON UNEMPLOYMENT TAX RELIEF

By James T. Hamond, jhammond@scbiznews.com
Published in the *Columbia Regional Business Report*,
June 27 – July 10, 2011 issue.

Negotiators in the House-Senate budget conference committee agreed to earmark \$146 million to begin repaying the federal government the \$900 million it borrowed when the state's unemployment benefits trust fund was exhausted during the recession.

The Senate originally earmarked \$100 million for the purpose, and the House later raised the figure to \$146 million. The budget that emerges from the conference committee still must be approved by the full House and Senate and approved by the governor to become law.

The \$146 million would allow taxes employers pay to support the unemployment benefits system to be reduced by about 24% from levels set January 30. Because of the soaring demand for unemployment benefits during the recession, and the necessary borrowing from the federal government to keep the system afloat, taxes on employers have soared as much as 800%.

Gov. Nikki Haley signed into law bill H.3762, so called enabling legislation that establishes rules for the budget bill, which is separate legislation.

"We believe this bill will keep companies from laying off thousands of employees and allow them to start hiring thousands of folks back to work," said John DeWorken, who has represented staffing companies and other large employers on this issue.

The higher rates resulted from the impact of the recession, which created waves of people losing their jobs and seeking unemployment benefits.

"We believe this is the most important bill the Legislature passed all year," DeWorken said. "We now will wait to see how much the General Assembly will appropriate toward relief."

DeWorken said the law does the following:

- Directs that appropriations go toward state unemployment tax relief for businesses in tiers

2 through 20, which results in reductions up to 25% for 2011.

- State unemployment tax reductions are retroactive to January.
- Seasonal employees may be ineligible for unemployment benefits, resulting in a 3% reduction in state unemployment tax costs to businesses.
- New companies come in at tier 12 for the first 12 months, which is a savings of approximately \$200 per employee per year for new companies.
- For 2011, companies on a payment plan will pay 0.25% penalty per month (previously set at 1% per month).

"We believe this is the most important bill the Legislature passed all year."

- Companies that have a positive state unemployment tax balance will be in no class higher than class 12 for 2011 only.

- Reduction of benefits for the newly unemployed to 20 weeks from 26 weeks, resulting in an 8% reduction in overall state unemployment tax costs to businesses.

The taxes businesses pay go toward unemployment benefits that laid-off workers receive when they lose their jobs through no fault of their own. During the recession, South Carolina exhausted the trust fund that paid those benefits, and that forced the state to borrow \$900 million from the federal government to support the swelling ranks of the unemployed.

Now the loan must be repaid. The January 30 tax rates were calculated to keep the unemployment benefits system afloat, and to begin repaying the federal government.

The Department of Employment and Workforce also has taken steps to stop the practice of granting unemployment benefits to people who are fired from their jobs for cause. DeWorken estimates that alone could save the system \$30 million a year.

DeWorken said the relief is needed because the higher unemployment taxes could cost more people their jobs.

The rates will be reduced but remain high compared with those rates in effect before January 30.

"It's still a big increase," DeWorken said. "But I think the Legislature responded the best way they could given the tight budget circumstances."

SC UNEMPLOYMENT TAX RELIEF NOW LAW

With business community input, Senator Hugh Leatherman (Florence) and Senator Greg Ryberg (Aiken) crafted a scenario providing nearly 25% tax relief to businesses on their 2011 Unemployment Insurance Tax. Governor Nikki Haley has signed the legislation into law.

The relief's key measures are:

- Provides \$146 million in tax relief in the state budget.
- Reduces the number of state benefit weeks from 26 weeks to 20 weeks (8% savings).
- Allows seasonal employers the ability to restrict benefits to seasonal workers (3% savings).

In addition, SC businesses may also soon see a reduction in their Federal Unemployment Tax Act (FUTA) liabilities after the federal government announced it will not seek to extend the 0.2 percent employer FUTA surtax scheduled to expire.

On July 1st, the FUTA tax rate will decrease to 0.6 percent – down from 0.8 percent – on the first \$7,000 of each employee's wages, which equals approximately \$55 million in savings for employers.

COMPETITION OVER GLOBAL WOOD FIBER SUPPLY SET TO TAKE OFF

Demand for some types of paper, like newsprint and other printing and writing paper, will decrease in the next decade, but many other uses for wood fiber will mean dramatic increases in global demand overall, according to a new report from PricewaterhouseCoopers (PwC).

"Companies from a diverse array of industries – energy, utilities, chemicals and potentially many more as biomaterials evolve – will compete with FPP companies for control of forests, or at least access to their fiber, and the best economic use of the resources they provide," says PwC's Canadian Forest, Paper and Packaging Leader Bruce McIntyre.

"The world's forests will make a reduced contribution to meeting our increasing needs for wood fiber," says McIntyre. "Many of these forests are economically inaccessible or are sensitive to disturbance. Instead, these forests are going to be valued for their conservation benefits and that will result in restrictions on industrial wood output."

Wood fiber needs are increasingly being met from planted forests which currently cover approximately 272 million hectares (ha) or 7% of the world's total forest area. The World Business Council for Sustainable Development estimates yield and harvest from planted forests will need to increase threefold by 2050, with planted land-area increasing 60%.

In 2005, there were nearly 141 million ha of plantation forests globally, an increase of over 12.8 million ha compared to 2000. Brazil stands out as the world leader in forest plantation agriculture, with nearly 6 million ha of plantations producing significant amounts of fiber for the global market. Brazil's largest trading partner is now China, and large shipments of pulp are one reason for the increased demand.

The report also finds that in North America and

Europe, many existing mills won't be needed for newsprint or printing and writing paper. But increasing populations and wealth will mean more fiber is needed, regardless of the reduction in traditional paper use.

In the European Union (EU) for instance, 340-420 million cubic metres of woody biomass per year is forecast to be needed solely for energy purposes by 2020, if current government policies continue. That level of demand could lead to a forest fiber deficit of 200-260 million metres by 2020.

Asia's emerging markets are also booming. In China and India, absolute demand for paper will still go up, although it won't increase as quickly as overall Gross Domestic Product (GDP) growth. China has a large fiber deficit, so pressure to secure access will grow in order to achieve its 2020 goal of 20 million ha for additional woodland planting to fuel bioenergy projects. In 2009, China imported over 100 million metres on a roundwood equivalent basis – roughly as much as Canada's entire timber harvest in that year.

New methods of accessing available fiber may emerge in response to the growing pressures. PwC sees international fiber exchanges and the emergence of a new biomass aggregation industry as two possibilities, but there may be others as well.

"The focus will shift from accessing fiber to using fiber more efficiently. There will be viable alternatives to woody biomass, although land availability may be a limiting factor," says McIntyre. "Technologies can help, but those businesses that control, or have secure access to competitive sources of fiber will be the best positioned for growth."



Increasing populations and wealth will mean more fibre is needed, regardless of the reduction in traditional paper use.

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- Members Only Tire Pricing can be obtained by contacting the SCTPA office. The tire pricing is not public and for Member Use Only. Only qualified members can receive the pricing. The tire pricing is not to be disclosed to others by a qualified member.
- Qualified Members cannot purchase tires for a non-member. If such abuse results, member will be terminated from participating in the programs.
- Qualified Dues Paid Members can visit participating dealers.
- The tire dealer or the member **must** contact SCTPA for an official **Member Verification Form** showing the member's information and membership identification number.
- A Member Verification Form will be provided to the member for use or sent to the tire dealer directly.
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Environmentalists Blasted Over Wildfires at Arizona Forest Panel

By Howard Fischer, Capitol Media Services East Valley Tribune, July 5, 2011

The first meeting of a House panel on forest health Tuesday turned into a forum for lashing out at "radical environmentalists" -- and, to an extent, the federal government -- as the cause of the size of the recent fires.

Republican Congressman Paul Gosar, asked to testify by state Rep. Brenda Barton, R-Safford, who chairs the special committee, said the state's commercial timber industry needs to be resurrected to deal with thousands of acres of "badly overgrown" forests.

"But bureaucratic red tape, preventing the private sector from participating in the stewardship of our public lands, combined with the excessive litigation initiated by some extreme environmental groups, resulted in the loss of Arizona's timber industry and the jobs provided by the responsible management of our natural resources," he said.

Gosar said he is pushing for changes to federal law to cap the legal fees that environmental groups can collect when they successfully sue the government for violating environmental regulations.

That theme was more than echoed by Andy Groseta, the incoming president of the Arizona Cattle Growers Association. He said environmental groups have used federal laws and regulations to "create a paralysis" within federal agencies, to the point where employees "can no longer manage their lands unless it's for the fish, the frog or the owl." That refers to various actions taken to protect the habitats of species.

"Did these radical environmentalists get a bill for the fire-fighting costs?" he asked.

And Groseta said the time for talking with environmental groups is done. He said all the discussions since the last big fires have shown the only thing they will agree to is cutting only small-diameter trees and thinning of forests to protect communities.

But he said there are trees of all sizes in the forest.

"All of them need to be harvested selectively," he said. Similarly, Groseta said, there is a need to allow live-stock to graze in the forests to reduce grasses and recover burned areas.

"They have had the past 10 years to collaborate," Groseta told lawmakers. "It's time for the cows and the chainsaws."

State Rep. Chester Crandell, R-Heber, said the solution to the problem of federal lawsuits and federal inaction is to let each state manage its own public lands.

Gosar said he already is thinking along the same lines.

"The federal government is subjugating both states and communities and people instead of working with them," he said. And Gosar said he thinks much of what is going on probably is illegal, pulling out his pocket edition of the U.S. Constitution.

"Last time I looked in this little book here, the only thing the federal government is allowed to own is D.C. itself," he said, referring to the District of Columbia.

Gosar conceded going back to that was unlikely in the near future. "But we can work together ... with the states and the communities and the resources," he said.

The rhetoric appeared to annoy the two Democrats on the five-member panel. Rep. Bruce Wheeler, D-Tucson, said he is open to looking at all possible options to improving Arizona's forest health.

"With all due respect to the congressman, however, to come here and hear attacks against certain interests without having any backup, to me is counterproductive to what we're trying to do," he said.

"To say 'extremist environmental groups,' excuse me, but I have no idea of what you're talking about or who you're talking about," Wheeler continued. "All I'm asking is that the rhetoric and the politics stay out of this committee."

And Rep. Albert Hale, D-Window Rock, said Tuesday's hearing was just a one-sided view of the problem. He said Congress enacted the National Environmental Policy Act because corporations, interested primarily in their financial bottom line, paid little attention to what they were doing to public lands, "the resources of the people, resources that belong to the people."

Hale said it may be that the pendulum has swung too far in that direction. But he said that lawmakers need to hear from all sides to make an intelligent decision of what to do now.

Barton promised to invite environmental interests the next time the panel meets.



... the state's commercial timber industry needs to be resurrected to deal with thousands of acres of "badly overgrown" forests."

(Continued on page 21)

After the hearing, Gosar defended the use of the phrase "radical environmentalists" even as he said people need to sit down and figure out what to do next.

"I think that's letting the chips fall where they may," he said. He said while there are some "common sense environmental groups," others have taken the issue "too far."

"We have to have protection of the environment," the congressman said. "But we also can't have this gridlock that takes six years in NEPA processes."

Sierra Club lobbyist Sandy Bahr, who attended Tuesday's session, said she was not told about it sufficiently ahead of time to prepare the kind of testimony presented by others.

She disagreed with Groseta's analysis that there has been no compromise, saying that environmental groups seek to protect only "old growth" forests and that 95 percent of all trees are 12 inch diameter or less, trees Bahr said should be trimmed.

Catastrophic Wildfires? Thank the Greenies and Forest Service

By Katie Pavlich, July 11, 2011

Arizona is burning and the Forest Service, pressured by green environmental groups are to blame for their massive, uncontrollable devastation. The Wallow fire, raging in eastern Arizona near Alpine, Nutrioso and Springerville has burned 408,887 acres, over 600 square miles and is the second largest fire the state has ever seen.

The largest in Arizona history was the 2002 Rodeo-Chediski fire, which burned 468,638 acres or 732 square miles of Ponderosa Pine forest. The Wallow fire is only 6 percent contained with high winds on the way and easily could pass the Rodeo-Chediski fire in size.

Gary Kiehne is a 5th generation cattle rancher and business owner in Springerville, Ariz. His ranch, located near Reserve, New Mexico, sits 20 short miles away from the Wallow forest fire.

"The Wallow fire is a result of the U.S. Forest Service mismanagement," Kiehne says to Townhall.

His father, who will turn 90 in March of 2012, saw a fire like the Wallow coming for years based on observations of the green movement's influence on how the U.S. National Forest Service (USFS) has managed, or rather grossly mismanaged, the forests for years.

"I predicted years ago that when the weather conditions were right, the Gila Wilderness, a waste of natural resources and the Gila National Forest would go up in flames. Much to my sorrow that day has gone," Emil Kiehne wrote in a letter to his son. "All of this is a result of overprotection of our natural resources, timber and grass that has grown into a dog hair thicket that cannot be contained. The USFS must go back to allowing multiple use of forest lands to prevent forest fires."

Under the disguise of non-profit organizations and saviors of the environment and endangered species,

groups like the Sierra Club, Friends of the Forest Guardians and the Center for Biological Diversity have been strong advocates against logging, the burning of small natural fires, and grazing on federally held forest land. Excessive Forest Service regulation, Endangered Species Act regulations, clean water regulations and more, prevent the salvaging of dead trees and cleanup of excess dead vegetation. This has resulted in a dangerous and large build up of extremely dry dead trees, excess brush and thick vegetation undergrowth. A ticking time bomb waiting for a single lightening strike to set it off.

"We can't go in and do anything now because essentially the greens control the USFS," R.J. Smith, director of the Center for Private Conservation at the Competitive Enterprise Institute tells Townhall. "The environmental regulations and the philosophy prevents them from doing anything to restore the forests to a healthy condition. You literally can't go in anymore."

Before the U.S. Forest Service was founded in 1905, with a purpose of managing public lands in national forests and grasslands, smaller, natural fires would clear out excess fuels on a regular basis from the forest floor. Private industry practices such as logging and cattle grazing also kept excess fire fuel to a minimum. However, due to the influence of green environmental groups in the past 30 years, logging and cattle grazing have been essentially outlawed on public lands, resulting in the overcrowding of trees. In some areas of our forests, Ponderosa Pine trees grow at a rate of 300 to 700 trees per acre. The natural amount of trees per acre in Ponderosa Pine forests is between 20 and 50 trees per acre and with an overcrowding of trees, comes more competition for water, prolonging western droughts beyond normal time periods, resulting in more dead trees and more excess fire fuel.

In the 1940's when Emil Kiehne, a former Marine, came home from WWII, there were over 40,000 head of sheep, 20,000 head of cattle and 30-50 sawmills operating in Catron Country New Mexico.

"Today there are no sheep, very little cattle and only two sawmills that work part time, but there are hundreds

(Continued on page 22)

(Continued from page 21)

of government employees doing little or nothing waiting for a vacation or retirement," Emil Kiehne said in a letter.

On top of that, according to Smith, the majority of the people employed by the Forest Service aren't foresters at all and instead focus on biology, zoology, among other specialties not related to the health and maintenance of forests.

In October 2003, President George W. Bush signed the Healthy Forest Initiative, which set aside funds for the Forest Service to go in and begin to treat unhealthy National Forests through mechanical thinning, cutting down trees, salvag-

ing of dead and dying trees and through prescribed burns. However, these efforts have been put on hold because the Forest Service is constantly being dragged into court, using taxpayer dollars by environmentalist groups through the Equal Access to Justice Act, to prevent any management of the forests through the Healthy Forest Initiative, citing violations of the Endangered Species Act or other regulations, for trying to manage the forests properly, which would prevent massive forest fires like the Wallow. The Forest Service has moved away from multiple use, meaning private industry, on public lands to policies focused strictly on recreational use dictated by green environmentalist special interest groups.

"Every time these fires break out, because each passing year you get more and more accumulation of fuels in the forests and so when the fires inevitably come, they're catastrophic. And the greens say, 'Well you know we can't get into the forests, can't do this, can't do that because there is all this habitat we can't disturb and there's endangered Spotted Owls in there' and so on. But what happens when fires of this level come through, they essentially destroy everything. They burn down the whole forest and if they don't kill the endangered species and wildlife or threatened species that are in there, they do destroy their habitat," says Smith. "It's having a devastating effect on those species."

We always hear about environmental groups protesting and screaming about protecting the animals and plants in the forest, yet when there is a massive forest fire, those same green activists aren't the ones on the front lines trying to put out the fire.

"What's amazing is that none of them are here trying to fight the fire," Gary Kiehne says. "I haven't seen Greenpeace, I haven't seen Friends of Forest Guardians. I haven't seen the Center for Biological Diversity. None of them."

And big fires mean big government solutions and

bigger bills being sent to the taxpayer. The knee-jerk reaction to monster fires is to give firefighters more resources and money to fight them, rather than taking a proactive approach to preventing forest fires through the clearing of excess fuels. In addition, the USFS will ask and get more money, taxpayer dollars, to remove remaining livestock from forest lands and to implement even more regulation to "protect" the remaining trees that didn't get burned.

"Instead of wasting the money on future appropriations of out tax dollars to fight future fires, these funds

should be appropriated in the form of grants for low interest loans to ranchers and logging companies for the purpose of constructing saw mills and purchasing livestock and rebuilding the infrastructure including fences, water and roads so that the private sector

can harvest the timber and grass off of our Forests. The lack of harvesting over the last 40 years is the real cause of this fire and it could have easily been avoided had proper management of the forests been allowed by the USFS," Gary Kiehne wrote in a letter to Congressional Legislators.

These massive fires have major impacts on local community economies in addition to the environment.

"The short term impact to these communities first off, when a fire like this happens like the Rodeo-Chediski fire for example, we had a temporary boom because firefighters and are staying in our hotels and restaurants but then, as soon as they got the fire out, the Forest Service put a ban on anybody coming up here," Gary Kiehne says. "Our communities are effectively going to die on the vine because of this fire."

The area where the Wallow fire is burning could be turned into a successful recreational for hunters, fishers and ranchers if natural resources weren't controlled by the green movement and the USFS.

Ironically, the slogan of the Forest Services' Smokey the Bear is "only you can prevent forest fires," yet the green movement in partnership with the USFS are doing exactly the opposite. Natural resources are going to waste, economies are being stalled, homes are burning and the environment is being destroyed thanks to the incompetence, as usual, of the greenies and the USFS. The very thing environmentalists claim they want to protect is being completely destroyed and devastated thanks to their own big government, anti-private industry, nonsensical policies. Environmentalists have fought for control of land in America and now that they have it, they have trashed it, leaving to burn in an inferno nearly impossible to contain which will leave the once beautiful land charred, black and the eco-system changed for a very, very long time.

"All public lands should become private lands because what belongs to everyone belongs to no one." - Emil Kiehne.

"The lack of harvesting over the last 40 years is the real cause of this fire ..."

Gary Kiehne

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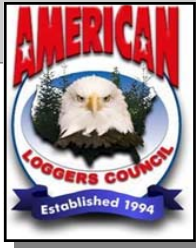
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American Loggers Council - Federal Legislation Updates

July 6, 2011

Danny Dructor

ALC Executive Vice President



The Interior Subcommittee of the House Appropriations Committee has released its draft bill for subcommittee consideration ("markup") on July 7th. Thanks to Chip Murray (NAFO) for forwarding this along to us as part of the Forest Roads Working Group.

Key Sections in the Bill for Forestry include:

- Title III (p. 71) - provides \$336,722,000 as a line item for forest products and \$122,600,000 for Integrated Resource Restoration pilot program for Region 1, Region 3 and Region 4. (SC is in Region 8).
- Section 431 (p. 123) - no rules or permits on GHG emissions for climate change (except deferrals and limits), existing laws, rules, and permits on GHG emissions for climate change of no legal effect, no litigation on GHG. This section is for one year period starting on date of enactment.
- Section 435 (p. 126) - No funds from this law or any subsequent law may be used to make any changes or supplements to the existing rule or guidance defining waters of the United States.
- **Section 435 (p. 128) - amends Clean Water Act to exempt forestry from NPDES permits.**
- Title V (p. 138) - sets out the language passed by the House in HR 872 to exclude pesticide applications from NPDES permit requirements.

If the bill makes it out of subcommittee, it will likely be reviewed at committee level the next week (July 11 week).

There is also work being done in the Senate on the Forest Roads issue with Senators Wyden and Crapo drafting language to allow

for silvicultural exemptions, but we have not seen the draft language yet, but expect it to be similar to the language found in Section 435 of the Simpson Appropriations draft.

It is hopeful that the Wyden/Crapo bill will be introduced next week (July 11 week). Once that happens, we will be looking for co-sponsors for the Bill and will provide you with talking points to contact your representatives.

It appears that the visits that we (ALC states) conducted during our March visit to DC did have some impact on the Appropriations Bill.

We discussed with our Senators and Congressmen and Congresswomen both leaving the forest products as a line item in the U.S. Forest Service Budget and our concerns with requiring NPDES permits for forest roads.

Thanks to all of you for taking the time and making the commitment to work on the issues that are of critical importance to the timber harvesting industry. Working together we can make a difference!



Safety Alert THE HEAT OF THE SUMMER

Bryan Wagner
Forestry Mutual Insurance Company

In the past twenty years the forest industry has been blessed by mechanization. The amount of hard and demanding physical labor has been reduced greatly.

The introduction of grapple skidders; feller-bunchers; buck saws and delimbers have reduced risk in the industry. Such equipment has also reduced the

physical exertion of logging employees. Mechanized forest equipment operators enjoy great creature comforts, heaters and air conditioners. The cabs of the newer logging equipment provide for a comfortable working environment.

On the other side of the coin, timber cutters and saw hands have a very physically demanding job. When the heat of the summer is thrown into this equation, fatigue is the result.

Fatigue is a very serious risk that must be dealt with in our industry. It is human nature that a tired or fa-

(Continued on page 34)



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SPECIFICATIONS

CHIPPER CAPACITY:	24" diameter capacity
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AXLE:	Tandem 20,000 lb. air brake axles
TIRES:	(4) 445/50R 22.5
HITCH:	Fifth wheel pintle hitch
ENGINE:	535 - 700 horsepower
FEED SYSTEM:	(2) horizontal top feed wheels and (2) vertical side feed wheels
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KNIVES:	1/2" x 5" x 12-1/8"
INFEED CONVEYOR:	10' long x 48" wide
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SCTPA's 13th Annual Meeting February 3–5, 2012

Mark your calendar NOW to attend our **2012 Annual Meeting** to be held **February 3 – 5** at the Crown Reef Resort & Conference Center in Myrtle Beach.

Please note our 2012 Annual Meeting will be the First Weekend of February rather than our usual last weekend of January. The schedule change was necessary due to hotel and speaker schedule issues.

We are excited about our 2012 Annual Meeting. The Crown Reef contract has been negotiated and we are happy to say the basic room rates will remain unchanged for the 2011 annual meeting rates.

Speakers are being scheduled. National Alliance of Forest Owners President Dave Tenny, and former USDA Undersecretary, and Bill Kovacs, Senior Vice President Regulatory Affairs, U.S. Chamber of Commerce have been invited to attend. Dave and the NAFO are very much involved in the battle to change the 9th Circuit's ruling regarding runoff from logging roads and loggers having to obtain permits in that Circuit. Bill presented the moving presentation about how environmental obstructionists are litigating every sort of project in the U.S. and how they get paid for the lawsuits and what the tremendous cost to the nation's businesses it is. Either professional logger Steve Sherich of Idaho and incoming President of the American Loggers Council or ALC Executive Vice President Danny Dructor will attend to provide updates on ALC activities and national issues regarding timber harvesting. Other speakers will be invited.

We are excited to have again another professional logger who stars in the Discovery Channel's American Loggers series to be with us for this meeting. Pelletier Brothers, Inc., Millinocket, Maine is the featured logging business on the series. Rudy Pelletier or one of his brothers will be joining us.

And Bobby and Lori Goodson, Goodson's All Terrain Logging, our featured speaker back in January also featured on the Discovery Channel's Swamp Logger series have indicated they want to attend since they were so impressed this past January.

Bill Sims, Jr., President Bill Sims Company will present his It's All About Behavior Change workshop entitled *Green Beans and Ice Cream, The Definitive Recipe for Employee Engagement, Motivation and Recognition*. He has consulted with Dupont, Coca-Cola, Ford plus other companies in Australia, Kuwait, South Africa, Scotland and the United Kingdom. The workshop explores the role of recognition as it relates to changing employee behavior with a focus on mechanisms needed for successful behavior-based safety recognition.

We'll have our Friday board of directors meeting, Friday evening Welcome Reception with music, food and might even throw in a live auction for a few items on Friday night. Saturday morning will start with our breakfast, then speakers and at noon the Membership Luncheon with a featured speaker followed by the Association Business Session followed by the Bill Sims workshop. Saturday evening is free to enjoy Myrtle Beach with your friends and family. Carolina Opry tickets may be available at discounted prices again. Sunday morning our Prayer Breakfast will feature Sonrise, a great gospel trio from Lexington, SC. Our Silent Auction will be running for nice items and we'll raffle off a unique shotgun, and have our big raffle drawing for an ATV and other prizes.

SFI Trained and SAF Continuing Education Credits are available for attending the annual meeting.

Updates on speakers and the meeting will appear in our upcoming *Timber Talk* issues. Registration, Sponsorship and Exhibitor information will be forwarded in September.

Make plans to attend the 2012 Annual Meeting. You'll be glad you did!



Forest Owners Support EPA's Final Biomass Deferral Rule

The National Alliance of Forest Owners (NAFO) supports the final U.S. Environmental Protection Agency (EPA) rule to defer the regulation of greenhouse gas (GHG) emissions from biomass for three years while the agency studies the science and policy of regulating biomass energy the same as fossil fuels.

David P. Tenny, President and CEO of NAFO, stated, "Forest owners are pleased that the EPA has finalized this rule. The final Tailoring Rule was flawed by treating biomass carbon emissions the same as fossil fuels.

This is a prudent step towards restoring the federal government's long-standing policy that biomass energy is an environmentally beneficial alternative to fossil fuels and does not increase the amount of carbon in the atmosphere.

"As the scientific and policy review commences, it is important that the EPA and other key agencies, like the Department of Agriculture and the Department of Energy, conduct a review free of arbitrary assumptions or parameters that skew well-settled science. For instance, the review should recognize that the forest carbon cycle is a dynamic, ongoing process that occurs across broad landscapes without a specific start and end date. Arbitrarily limiting areas and timeframes when accounting for biomass carbon emissions inevitably skews the forest carbon picture.

"NAFO is committed to working with the EPA and other key agencies to develop a policy accurately reflecting the science of working forests that helps meet our nation's renewable energy goals and reduces carbon emissions."

NAFO submitted extensive comments to the EPA's Call for Information and on the proposed Deferral Rule. NAFO's full comments

are available at www.nafoalliance.org are more information on the science is available at www.renewablebiomass.org.

NAFO's comments to the EPA provide answers with supporting science to the policy questions EPA must answer, including:

- Forest carbon is most accurately measured on a national scale over a continuous timeframe rather than applying arbitrary time and space limitations on carbon measurement
- Because forests remove more carbon from the atmosphere than they release through natural and human activities, biomass energy emissions don't increase carbon in the atmosphere and should be excluded from GHG regulations for stationary sources
- EPA should not impose a regulatory "baseline" or "business-as-usual" requirement on forest carbon that would compel forest owners to continually increase the carbon stored in individual forest tracts.

A new policy must be in place before the rule's three year sunset or biomass energy will once again be regulated the same as fossil fuels.

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. Private, 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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LUMBER DEMAND IS INCREASING WORLDWIDE

Lumber demand is increasing worldwide and has resulted in higher lumber prices in the first quarter 2011 in the U.S., Japan, China and Europe.

Last year global demand for softwood lumber increased 18 percent after having hit a 50-year low in 2009. The rise in demand has pushed lumber prices in North America, Asia and Europe to their highest levels in ten months, reports the Wood Resource Quarterly.

Global demand for softwood lumber increased by about 18 percent in 2010. This came after a year when wood consumption worldwide was the lowest it had been in almost 50 years. This upward trend in consumption has continued thus far in 2011, with total volume consumed being more than 20 percent higher than the same period in early 2010, according to the market publication *Wood Resource Quarterly*.

Not surprisingly, it is China that has been the major driver in the higher demand for lumber. The country's sawmills are far from being able to meet the increased demand, and

as a result there has been a substantial increase in import volumes the past five years, from just over two million cubic meters in 2006 to 9.4 million cubic meters in 2010. This unprecedented rise in shipments continued the first two months of 2011 when imposts were as much as 32 percent higher than in 2010.

Practically all major lumber markets in Asia, Europe and north America experienced stronger demand last year. This resulted in higher production worldwide and also increased global trade. The world's largest importer, the U.S., imported 7 percent more lumber in 2010 than the previous year, while imports to the third largest market, Japan, were up almost 15 percent. In Europe, shipments were up between 10 and 35 percent to the largest lumber-consuming countries on the continent.

The improved market conditions have resulted in higher lumber prices worldwide. Although the price movements have been rocky, fluctuating substantially in some markets the past 12 months, trends have been up. In the U.S., southern yellow pine

prices were 24 percent higher in March this year as compared to last summer. Similar upward trends have been seen with Douglas Fir lumber in Western U.S. and for Spruce-Pine-Fir lumber in Western Canada.

In both Japan and China, import prices for most species of lumber have trended upward since early 2009, particularly for higher-grade Russian pine to Japan and lower-grade Canadian Hemlock to China, as reported by the *Wood Resource Quarterly*.

Lumber prices can be anticipated to go up in many markets in 2011 for a number of reasons, including the expected increased demand in China, somewhat higher lumber imports to Japan for the rebuilding after the earthquake, and continued measured improvements in the U.S. housing market (mainly repair & remodeling and multi-family residential housing).

Reprinted from the June 2011, Volume 31, No.6, issue of Springboard, the official publication of the Washington Contract Loggers Association, Inc.

USGBC Floats Plan to Let Wood-Cert Groups Qualify for LEED

The pilot plan recognizes how the Sustainable Forestry Initiative (SFI), Canadian Standards Association, and others promote transparency.

By Craig Webb, Editor, ProSales

In what could be a major step toward quieting the wood-certification dispute, the U.S. Green Building Council (USGBC) has proposed giving credit under its LEED program to several currently unrecognized wood-certification groups for at least helping bring more transparency to green construction efforts.

USGBC's Pilot Credit for Certified Products unveiled earlier this month would, for the first time, enable wood certified by the Sustainable Forestry Initiative (SFI), Canadian Standards Association (CSA), American Tree Farm System (ATFS) and Programme for the Endorsement of Forest Certification

Schemes (PEFC) to qualify for one LEED point.

At present, LEED--short for Leadership in Energy and Environmental Design--gives points only for wood certified by the Forest Stewardship Council (FSC).

USGBC's move in effect creates a middle ground in the long-running tug-of-war over whether the various schemes all do a good enough job to have the wood they certify be worth points under LEED's popular green building programs. It does this by in effect ignoring questions about whether any group's program performs better and instead concentrating

(Continued on page 40)

LOGS FROM WATEREE SWAMP



*Wow, we haven't seen logs
like this in a while!*





LEGISLATION SUPPORTS EPA REGULATIONS FOR FOREST ROADS

Forest owners say it will conserve jobs and the environment

July 14, 2011
Dan Whiting

WASHINGTON – The National Alliance of Forest Owners (NAFO) voiced support for legislation introduced in the U.S. Congress to affirm the U.S. Environmental Protection Agency's (EPA) regulation of forestry as a nonpoint source under the Clean Water Act (CWA).



The legislation corrects a Ninth Circuit Court of Appeals' decision that struck down EPA's Clean Water Act regulation for forest roads. The decision reversed an Oregon court's ruling that stormwater control systems for forest roads do not need point source permits in addition to meeting existing CWA requirements. The EPA's regulation defines forestry activities and roads as nonpoint sources that are regulated by states through Best Management Practices (BMPs) rather than through permits required for confined industrial sites.

David P. Tenny, President and CEO of NAFO, "For 35 years the EPA has contended that the most effective way to regulate forestry activities under the Clean Water Act is to treat them as nonpoint sources of water pollution. We agree –three decades of experience demonstrates that forestry is a minor contributor to water quality decline and is best covered by state regulations and guidelines. Today, Congress took the first steps to affirm EPA's correct interpretation of the Clean Water Act.

"If the legislation isn't enacted, the Ninth Circuit decision will add job-killing costs and invite litigation to rural areas hardest hit by the economic downturn without corresponding environmental benefit. Overlaying a CWA permit requirement onto forestry activities will push more private forests into non-forest uses with greater impacts on water quality. The resulting loss of jobs and forests undermines the goal of preserving working landscapes that support rural families, wildlife habitat, clean water and recreation opportunities across the country.

"We urge Congress and the Administration to work together to enact this legislation as soon as possible to restore regulatory stability preserve the jobs that keep private forests working for America."

The legislation is being led by Senators Wyden (D-OR), Crapo (R-ID), Risch (R-ID), and Begich (D-AK) and Reps. Herrera Beutler (R-WA-3), Schrader (D-OR-5), Walden (R-OR-2), McMorris Rodgers (R-WA-5), Pingree (D-ME-1), and Michaud (D-ME-2). More information on this issue is available at www.nafoalliance.org/water.

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NAFO is an organization of private forest owners committed to advancing federal policies that promote the economic and environmental values of privately-owned forests at the national level. NAFO membership encompasses more than 80 million acres of private forestland in 47 states. Private, working forests in the U.S. support 2.5 million jobs. View NAFO's interactive map to see the economic impact of America's working forests.

MEMBER REMINDER

Determination of Legal Status of All Employees

As a reminder, The South Carolina Illegal Immigration Reform Act signed into law on June 4, 2008 by then Governor Mark Sanford is applicable to all businesses in South Carolina regardless of the number of employees.

For private employers who employ 100 or more employees, compliance with this law began on July 1, 2009. For private employers employing less than 100 employees, the compliance date was July 1, 2010.

The law requires all employers to verify the legal status of new employees and prohibits employment of any worker who is not legally in this country and authorized to work.

The SC Department of Labor, Licensing and Regulation's Office of Immigrant Worker Compliance is charged with investigation complaints and conducting random audits of private employers to assure compliance.

Failure to comply can result in severe monetary penalties and revocation of an employer's right to operate their business.

LLR investigators have found most large employers (more than 100 workers) have been in compliance with the law. Generally the violations found were due to:

- ✦ Employers who were using E-Verify to verify their employees, did not do so within the five-day time frame required by the law.

Employers who were using driver's licenses to verify employees, did so using a driver's license from a state not on the approved list.

EFFECTIVE JANUARY 1, 2012

All South Carolina employers MUST verify the work authorization of All New Hires through E-Verify effective January 1, 2012.

All SC employers must register and participate in the E-Verify Federal Work Authorization Pro-

gram to verify the work authorization of every new employee within three business days after employing a new employee.

The requirements are a part of the amended South Carolina Immigration Reform Act signed into law by Governor Nikki Haley on June 27, 2011.

Under the law, all Private Employers in South Carolina are imputed a South Carolina Employment License which permits a private employer to employ a person in the state.

A private employer may not employ a person unless the private employer's South Carolina employment license and any other applicable licenses as defined in Section 41-8-10 are in effect and are not suspended or revoked.

Under Section 41-8-10, a "license" means an agency permit, certificate, approval, registration, charter, or similar form of authorization that is required by law and that is issued by any agency political subdivision of the state for the purpose of operating a business in the state.

Professional licenses are excluded, but "license" includes employment licenses, articles of organization, articles of incorporation, a certificate of partnership, a partnership registration, a certificate to transact business, or similar forms of authorization issued by the South Carolina Secretary of State, and any transaction privilege tax license.

- Visit SC Department Labor, Licensing & Regulations website for information. www.llr.sc.gov/Immigration/
- Review 2011 Law Amendments http://www.statehouse.gov/sess119_2011/bills/20.htm
- To register and participate in the E-Verify Federal Work Authorization Program, go to www.dhs.gov/e-verify
- Office of Immigrant Worker Compliance
Email immigrantinfo@llr.sc.gov

There has been an increase in the number of immigrant workers employed in timber harvesting businesses. South Carolina logging businesses are less than 100 workers. Be aware of these laws.

It is your obligation to comply with the statutory requirements of immigrant employee work authorization requirements and accurate employee verification.

(Continued from page 25)

tigued person will take a short-cut. Short-cuts in the logging woods can prove to be lethal.

Fatigue affects the thought process. If we can limit or reduce fatigue levels, we end up with an alert, clear thinking timber cutter. To limit fatigue in the summer heat we must look at personal health and physical exertion.

Above all, we must stay hydrated. Gas for the saw, water for me is a saying that should be followed. Strenuous physical exertion may be reduced by working a little smarter, not harder.

TIPS FOR HOT WEATHER MANUAL LOGGING

- Drink plenty of water before, during and after exposure to the heat. Dark yellow colored urine is a sign of not enough water being consumed.
- Avoid caffeinated drinks; they tend to make you thirstier.
- Keep in the shade as much as possible.
- Wear light colored, loose fitting clothing.
- Doctors recommend at least 8 glasses of water on a normal day, twice that should be consumed during high heat periods.
- Work smart, the brain can save a lot of foot

steps, less foot steps, less fatigue.

- If at all possible do most of the manual felling during the early morning to avoid the heat of the day.
- If possible, toppers should be stationed in a shaded "safe zone" from the skidders.
- Limit the time your toppers are exposed to the direct sun. Make one trip out of the safe zone to top 3 or 4 drags, rather than running out to top single drags of wood.

Timber cutters can cut their whole drag, before going down to top the timber. Limit your trips up and down the slope.

Ultimately, we have to work in the heat to feed our families and pay the bills. If we pay attention to keeping enough water in, and thinking through our work plans, fatigue can be reduced.

We must remember that fatigue breaks down the thought process. A sharp and alert mind will conquer risk by employing a proper technique or a correct decision. Beat the summer heat by working smarter, not harder.

Bryan Wagner is Forestry Mutual Insurance Company's professional chainsaw operation trainer. Contact Forestry Mutual Insurance Company for Bryan's training information.

WELCOME NEW MEMBERS

SCTPA welcomes our New Members.
Your support is appreciated.

Carl Benton Construction Co., Inc. Conway
Kimball Midwest, Spartanburg
United Wood Treating Co., Whitmire
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Timber Resources, Inc., Newberry
Michael G. Tisdale, Andrews
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Chuck Burton, Clover
G & G Logging, Inc., Bowman
Land & Timber, LLC, Greenwood

Georgetown Timber, Inc., Georgetown
Clint Gruber, Gruber Wood, Inc., St George
Matt Gruber, Gruber Wood, Inc., Reevesville
Hicks Logging Company, Florence
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State Foresters Say America's Forests are Sustainable - For Now

By S. McCreary

Washington, DC, June 29, 2011 - In response to the release of the 2010 National Report on Sustainable Forests by the USDA Forest Service, the National Association of State Foresters (NASF) calls for practical and realistic actions to ensure the future sustainability of the nation's forests.

Central among its recommendations are implementing the strategies and programs in every state and territory's Forest Action Plan, which are proactive, reflect public input and offer experts' best thinking.

The 2010 National Report on Sustainable Forests report builds on the findings of the previous report from 2003, and includes a number of key findings:

- The area of our nation's forests (751 million acres) has been stable over the past 30 years.
- There has been substantial decline in the health of the nation's forests.
- Net growth in timber stocks currently exceeds harvest by a considerable extent in all regions of the U.S., yet demand remains constant, with the difference filled by imports.
- Currently 91 percent of the nation's wood output is produced on private lands.
- Forest products industry employment has fallen 15% since 1997 to 1.3 million employees.

"State Foresters believe there are several practical and realistic objectives to achieve sustainable forests across America," said NASF President and Colorado State Forester Jeff Jahnke. "Priorities in the Forest Action Plans focus on keeping the nation's forest

lands forested; maintaining the health of our nation's forests; and enhancing the economic benefits provided by our forests."

Key to NASF's vision of sustainability is that, across large areas, forests must be able to deliver a full and integrated set of economic, environmental and social values. Forests which generate economic value are better able to provide environmental and social benefits. This is true on both public and private ownerships. At the same time, if a forest's environmental values are not protected then we are jeopardizing the basic soil, water and biological elements that underpin economic value.

Coinciding with the release of the report, the Roundtable on Sustainable Forests, a coalition of organizations and individuals committed to better decision-making for America's forests, convened in Washington, DC, today to build agreement and commitment on priority action strategies to sustain our nation's forests. NASF is a founding member of the Roundtable for Sustainable Forests, and currently serves as one of its non-federal co-chairs.

"Forests are under threat and need protection," said NASF Vice President and Arkansas State Forester John Shannon. "Threats from insects and disease, wildfire, and development can be reversed with more active forest management by both public and private landowners. Forest Action Plans are the right kind of solution and target resources efficiently, especially in these tough economic times."

2010 National Report on Sustainable Forests
- <http://www.fs.fed.us/research/sustain/>

Study: Forest Service Paid \$6.1M in Groups' Legal Fees Over 6 Years

By Lawrence Hurley

The Forest Service paid \$6.1 million in legal fees to groups that sued it over a six-year period, according to an academic study that casts new light on a politically charged issue.

At issue is the Equal Access to Justice Act (EAJA), which requires the federal government to pay attorneys fees when it loses cases under statutes that do not specifically call for such fees to be paid by the government.

Some Republican lawmakers argue that environmental groups have taken advantage of a lack of oversight on such payments and file numerous lawsuits they know they can win on procedural grounds.

Recently introduced legislation, the "Government Litigation Savings Act," would amend the statute. The measure's lead sponsors are two Wyoming Republicans, Sen. John Barrasso and Rep. Cynthia Lummis.

The new report -- published in the latest issue of the Society of American Foresters' *Journal of Forestry* -- includes data from the Forest Service and Justice Department obtained through Freedom of Information Act requests.

The payments cover the period 1999 to 2005.

The researchers were Michael Mortimer, an assistant professor at the College of Natural Resources and Environment at Virginia Tech University, and Robert Malsheimer, a professor at the State University of New York College of Environmental Science and Forestry.

They found that of the \$6.1 million that the Forest Service reported paying, \$3.2 million went to environmental groups. DOJ reported a different total, \$3.5 million.

Frequent litigators included the Sierra Club Legal Defense Fund, the Center for Biological Diversity and Earthjustice.

In reaching conclusions about the findings, Mortimer and Malsheimer conceded the difficulty of making sweeping generalizations, especially due to the discrepancies in the data.

While the law could be seen as encouraging

litigation, they wrote, some groups are likely to litigate, regardless of whether they can win legal fees.

"Even if EAJA were completely repealed, these organizations would likely continue to sue land management agencies," the researchers wrote.

Some of the bigger environmental groups, they wrote, "are quite well financed and there-

They found that of the \$6.1 million that the Forest Service reported paying, \$3.2 million went to environmental groups. DOJ reported a different total, \$3.5 million.

fore not the class of plaintiffs for which the law was designed to pro-

vide access to the expensive federal litigation system."

Although there are repeat players, they wrote, "the vast majority of parties" are only involved in one lawsuit.

Responding to the study, John Buse, legal director for the Center for Biological Diversity, said he disagreed with the researchers' suggestion that EAJA is a "positive incentive" for litigation because it reduces the risk for groups filing suit.

Although "it may be true" that the law reduces risk, it does not follow that it encourages people to sue, he added.

The study also downplays the law's role in "incentivizing agencies' compliance with the law," Buse said.

The Republican-backed bill (H.R. 1996) to reform the law would restrict reimbursements for each entity to no more than three in a calendar year and would prevent payments to any group that has a net worth of more than \$7 million.

The maximum payment for each case would be \$200,000.

Separately, there is language in the House appropriations bill for the Interior and U.S. EPA that would require tracking and reporting of EAJA payments.

SCTPA Comments: *And you wonder why the Environmental Obstructionist industry is a multi-million or even billion dollar industry. Let's just file a lawsuit and we'll get paid. Is the system broke or what?*

**U.S. House Agriculture Committee
Sub-Committee – Conservation, Energy and Forestry Press Release
Subcommittee Chairman Glenn Thompson
9th Circuit Court Decision Relative to Clean Water Act and Logging
May 31, 2011**

The Ag Minute: Forestry Industry At Risk of New Regulatory Burden from EPA

WASHINGTON – This week during The Ag Minute, guest host Rep. Glenn "GT" Thompson, discusses a recent court decision that could give the Environmental Protection Agency (EPA) another tool for regulating timber businesses across rural America. Rep. Thompson highlights the need to prevent the timber industry from bearing an unnecessary new regulatory burden that could result from this court decision. This is a sentiment that was expressed in a recent letter that a bipartisan group of lawmakers, including Thompson, sent to the EPA Administrator.

"A new development with a court case in California has caught my attention because of its potentially negative impact on American foresters.

"The court ruled that the Environmental Protection Agency (EPA) has the authority under the Clean Water Act to regulate logging sites as a "point source" when it comes to storm-water management.

"Currently, logging sites are considered a "non-point source" and are regulated by the states. This means each state is able to determine the best management practices for their needs.

"If EPA starts regulating logging sites as a point source, anyone who attempts to cut timber will be required to get a permit from EPA. This would impose an unnecessary new regulatory burden on small businesses in the forestry industry.

"I recently joined a bipartisan group of lawmakers in sending a letter to EPA Administrator Lisa Jackson asking her to support current timber harvesting practices across America.

"During a time of economic hardship, Congress must be doing everything possible to reduce unnecessary and duplicative regulatory burdens on Americans, not asking them to do more.

"It is our hope that Administrator Jackson will recognize the importance of timber harvesting to rural America and our public lands; and agree that states know how best to ensure that logging is done in an environmentally sound manner."

The Ag Minute is Chairman Lucas's weekly radio address that is released from the House Agriculture Committee.

Teachers Tour 2011



Educational FUN!!



(Continued from page 30)

solely on issues of transparency—in essence, whether that program makes it easier for outsiders to see what a forester, logger, and millworker are doing to promote green initiatives, as well as make available data on a wood producer's "environmental footprint."

"We want LEED buildings to have more products that we know more about, and fewer products that we don't know very much about," USGBC said in the document proposing the pilot credit. "The credit rewards greater transparency and knowledge about product life-cycles."

SFI quickly cheered the idea. "SFI welcomes the LEED pilot credit that recognizes all credible forest certification standards, including SFI, ATFS, PEFC, CSA, and FSC," the organization said. "This new direction for USGBC is a win-win, good for the forests, good for the green builders across North America."

Others weren't so happy. "It makes FSC equivalent to industry-based forest certification systems with demonstrably lower standards," wrote Jason Grant, a California-based sustainable forestry consultant, on a LEED user forum. "Given the history of the certified wood credit revision, this is indefensible, even in a pilot credit. The camel's nose is now under the tent, and no amount of hand-waving on the part of USGBC can disguise or negate this fact. The environmental community, committed sustainable design professionals, and others concerned about keeping the "L" in LEED are now on full alert."

Wood-certification groups have been battling USGBC and each other since 2006, creating a struggle that—given how just one LEED point is involved—strikes some inside USGBC as a tempest in a teapot.

The fight stems in part from the fact that FSC and USGBC have their roots in the environmental community while SFI was created by the timber industry and is still seen by some green advocates as too closely tied to loggers, even though SFI stresses it's a fully independent organization today.

Those differing roots still are reflected in their management philosophies: FSC's certification has extensive chain-of-custody provisions and takes into account a timber company's care for indigenous populations and whether it en-

gages in tree farms and genetic manipulation of seedstock.

In contrast, SFI trusts far more in local rule of law and takes a different approach on some of the more technical forestry issues.

USGBC spent years coming up with proposals to revise LEED in ways that might recognize groups other than FSC. Late last year, it submitted to vote by a special "consensus body" of USGBC members what amounted to its fourth draft of proposed benchmark standards. But that proposal failed to win the required two-thirds approval—in part, perhaps, because both FSC and SFI opposed it.

USGBC said then that any further changes to its green-wood standards would come as part of a larger rewrite of its LEED rules that would take effect in 2012.

SFI told its members it understands the second draft of those rules could be issued for comment next month. "This will include a rewrite of the Materials and Resources section of the LEED rating tool," SFI wrote. "We are told there will be a focus on more of a life-cycle assessment (LCA) based approach. It is this document that will contain how structural wood will be awarded points under LEED, and we won't know until the public comment draft is available whether USGBC has altered their approach to wood, to rapidly renewable, and whether they have modified their approach to forest certification in this document as well."

LEED's Pilot Credit program is the tool used to encourage tests of new and revised language for LEED credits. Information collected during the pilot credit period—including feedback on LEED's forums—helps determine whether those credits will be included officially in the LEED rating system.

Given how the next LEED rewrite is under way, it's quite possible that the pilot credit for wood-certification schemes could be wrapped into that larger rewrite when it comes up for a vote by USGBC members.

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July 14, 2011

JAIME HERRERA BEUTLER INTRODUCES FOREST ROADS PROTECTION LEGISLATION

Bipartisan bill protects thousands of Southwest Washington's forest industry jobs, preserves 35 years of Clean Water Act protection



Washington, DC –Congresswoman Jaime Herrera Beutler (R-WA) and Congressman Kurt Schrader (D-OR) today introduced a “forest roads protection” bill – legislation that will codify the Environmental Protection Agency’s historical treatment of roads on private forest lands as “nonpoint” pollution sources that do not require additional permits. Senator Ron Wyden (D-OR) and Senator Mike Crapo (R-ID) are concurrently introducing this legislation within the U.S. Senate.

A recent court decision reclassifies forest roads, treating them the same as factories and industrial parking lots in terms of pollution sources. This court ruling reverses 35 years of Clean Water Act regulation of forest roads. Under this court ruling, for the first time ever private forest land owners would be forced to obtain a National Pollution Discharge Elimination System permit for roads on their land. This bipartisan bill would restore the 35 year precedent and eliminate the extra permit requirement, allowing states to ultimately regulate forest roads. In Washington state, forest land owners must already comply with the Forests and Fish law, widely considered one of the toughest environmental protection laws in the nation.

The legislation was applauded by small business, labor, and employers throughout the forest product and forest product-related industries. Private forest lands in Washington state are responsible for more than 110,300 jobs and provide \$4.9 billion to the nation’s economy.

“I commend the bi-partisan, bi-cameral group of members led by Congresswoman Herrera Beutler and others for reinstating a sensible and effective 35 year program for water quality protection that also protects family wage jobs in the forest products and related sectors,” said Mike Draper, Vice President, Western District, United Brotherhood of Carpenters and Joiners of America. “Application of the Ninth Circuit Court’s decision across our region will bring forest management to a halt, negatively affect our members in Washington state, and destroy local economies without any contribution to environmental improvement.”

“We are thankful for Congresswomen Herrera Beutler’s efforts for this important legislation,” said Rick Dunning, private forestland owner in Southwest Washington and Executive Director of the Washington Farm Forestry Association. “It shows her understanding of the negative impacts of continual regulation and fees when they are not needed. The state of Washington already has the most environmental stringent forest laws in the nation. Those laws were supposed to protect our tree farmers from continual environmental regulatory costs hoisted on our small businesses.”

“Working farms and forests are an important part of our environment and economy, providing jobs, especially in rural communities,” said Mark Doumit, Executive Director of the Washington Forest Protection Association. “Requiring an additional federally mandated permit that adds cost and confusion, without marked environmental benefit, on top of our state system that is working to protect water quality makes no sense. I applaud Congresswoman Herrera Beutler for recognizing this problem and seeking a solution so landowners can continue to practice forestry and provide water quality protection.”

“Many private forest-related businesses have told me that if this ruling stands, they’ll say ‘enough is enough’ and shut down their business. Such closures would have a devastating impact on Southwest Washington’s economy and its workers,” said Herrera Beutler. “This legislation respects 35 years of Environmental Protection Agency regulation, and retains strict, science-based oversight of forest roads. I’m pleased to join my Republican and Democrat colleagues in supporting this vital jobs bill that allows for sustainable management of our private forests.”

The legislation is also cosponsored by Congresswoman Cathy McMorris Rodgers (R-WA), Congressman Mike Michaud (D-ME), Congresswoman Chellie Pingree (D-ME), and Congressman Greg Walden (R-OR).



Mark Your Calendar

July 2011

30 American Loggers Council Summer Board Meeting, Cincinnati, Ohio

August 2011

- 3 TOP Safety Management for Professional Loggers Class, Georgetown
- 4 TOP Harvest Planning Class, Georgetown
- 23 Newberry District 2 & Saluda District 1 Meeting, Farm Bureau, Newberry, 7 p.m.
- 25 SCTPA Board of Directors Meeting, SCFC Headquarters, Columbia, 10 a.m.

September 2011

- 7, 8 TOP 3-Day Class, Columbia. Contact Susan Guynn, Clemson Extension, 864-656-0606
- 29,30 American Loggers Council Annual Meeting, Minocqua, Wisconsin

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.