

# TREELINE

## NEWSLETTER OF THE NORTH CAROLINA FORESTRY ASSOCIATION

### NINE ELECTED TO NCFA'S BOARD OF DIRECTORS

The NCFA membership elected nine new members to its board in January. The new board members include Kenny Cain, Tony Doster and Steve Newcomb from the east region. John Gray, Dennis Hazel and Perry Hunt were voted for the piedmont. Brad Howard, Cyndi Patram and Ken Stuart were elected from the west. The following are brief biographical capsules of the newly elected board members.

Kenny Cain is currently the vice president of Lumber River Timber Company based in Lumberton. Cain oversees timber purchasing and logging operations for the company that he helped start in 1991.

Tony Doster has been the North Carolina region manager for Resource Management Service since 2006. He is responsible for all aspects of forest management and timber sales. Doster is currently serving as the N.C. Division SAF Chair. Doster served his first term on the board in 2009-2011.

Steve Newcomb is the area wood and fiber supply procurement Manager for Georgia-Pacific's complex in Dudley. Newcomb has served on the NCFA's Board of Directors last year as an appointed member.

John Gray is the owner of John Gray and Associates  
*(continued on page 5)*

### NCFA'S MEDIA PRODUCER TO LEAD VETERAN GROUP



*(l-r) Jean-Paul Damé is sworn as the new President of the U.S. Veterans Corps in by his brother William Damé as Andrew Ladner, the Executive Director of the USVC looks on.*

In January, the U.S. Veterans Corps (USVC) held their annual Change of Command ceremony at the North Carolina Executive Mansion in Raleigh. Jean-Paul Damé, who produces the NCFA's multi-media projects such as the ProLogger modules and feature films, was elected the 2012 USVC President, succeeding the 2011 President Brent Kappler.

"Recognized for his steadfast dedication to the Armed Services and their families, Damé's leadership and focus on our military community are a welcome addition to the Corps," stated Andrew Ladner, the USVC's Executive Director.

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### BOARD MEETING KICKS OFF 2012 FOR THE ASSOCIATION

The 2012 year got underway for the NCFA in January with the first meeting of the association's board of directors where the new executive committee was installed.

The executive committee is Chairman of the Board: Jeff Hanks, Bill Hanks Lumber Company; President: Ashley Faircloth, Hofmann Forest Manager; President/elect and Treasurer: Allen Plaster, retired consultant; First Vice President: Ray Allen, Uwharrie Lumber Company; Eastern Vice President: Frank Rackley, Weyerhaeuser; Piedmont Vice President: Marshall Thompson, Resolute Forest Products; Western Vice President: Ken Stuart, Domtar Paper; NCFA Executive Vice President: Bob Slocum and Forestry Mutual Insurance Company: Michael Walters, Claybourn Walters.

The first set of business was to recognize those members who were completing terms on the NCFA's board and those members who were coming onto the board either via elections or appointments.

The following members came off the board in 2012 - Dean Alsup, Tri-State Land and Timber; Chip Capps, Arcola Logging; Jaime Teel, RockTenn; Chip Miller, Jordan Lumber; Stuart Gregg, Gregg Consulting Forestry; and Albert Shaw, Tree Farmer.

Nine members were elected



*The NCFA's 2012 Executive Committee: (l-r) Jeff Hanks - Chairman of Board, Allen Plaster - Treasurer, Bob Slocum - NCFA Executive VP, Ray Allen - First VP, Ken Stuart - Western VP, Ashley Faircloth - President and Marshall Thompson - Piedmont VP. (not pictured, Frank Rackley - Eastern VP and Senator Michael Walters - Forestry Mutual Chairman of the Board)*

and are highlighted in this issue. NCFA bylaws allow for the incoming president, in this case, Ashley Faircloth, to nominate additional members to the board for a one-year term on the approval of the sitting board of directors. The following nominations were approved: David Ashcraft, North Carolina State University Natural Resources Foundation; Bob Brown, Dean of the College of Natural Resources at North Carolina State University; Billy Corey, North Carolina Professional Loggers Association; Maurice Hull, NC Tree Farmer of the Year; Tom Inman, Appalachian Lumber Manufacturers, Inc.; Wib Owen, North Carolina State Forester and Assistant Commissioner

of Agriculture; Marc St. John, RockTenn; Jason Kiker, North Carolina Association of Consulting Foresters; Parker Lumpkin, landowner; Rodney Shaffer, landowner; and Steve Henson, individual.

The first action the new executive committee and board addressed was the Renewable Power Standard Task Forest Recommendation to the board. In 2005, the North Carolina General Assembly passed Senate Bill 3 and created a mandatory renewable portfolio standard for the state. Specifically, the legislation mandates that by 2021, 12.5% of retail sales will be from renewable energy sources. There are also mandated increments in the legislation - 3%  
*(continued on page 5)*

### IMPORTANT DATES FOR YOUR CALENDAR

The NCFA has established some important dates for its members in 2012. The NCFA's Forestry Day in the Legislature will take place on Tuesday, June 5, 2012. Forestry Day is the best opportunity for NCFA members to visit with their elected officials in Raleigh and support forestry and the forest products industry.

After Forestry Day on Tuesday night, June 5<sup>th</sup>, the North Carolina Friends of Forestry PAC will be hosting a reverse raffle. All members and non-members are encouraged to support this effort by purchasing raffle tickets and attending the reverse raffle party.

The NCFA's 2012 NCFA annual meeting will be held on October 3-5 at the Grove Park Inn in Asheville. As in the past, the golf tournament and other social events will be held on Wednesday afternoon and a welcome reception that evening. The program will be on Thursday followed by the president's reception and awards dinner. The board will meet on Friday morning. Any board member interested in helping develop the program for this year's meeting should contact Bob Slocum at rwslocum@ncforestry.org or by calling (800) 231-7723 ext. 5. ■

## 2012 EXECUTIVE COMMITTEE

Jeff Hanks <i>Chairman of the Board</i>	Marshall Thompson <i>Piedmont Vice President</i>
Ashley Faircloth <i>President</i>	Ken Stuart <i>Western Vice President</i>
Allen Plaster <i>President Elect-Treasurer</i>	Michael Walters <i>Chairman of the Board</i>
Ray Allen <i>First Vice President</i>	Forestry Mutual Insurance
Frank Rackley <i>Eastern Vice President</i>	Bob Slocum <i>Executive Vice President</i>

## 2012 BOARD OF DIRECTORS

Allen, Ray	Jarrard, Roy
Ashcraft, David	Jones, Charles
Beasley, Dianne	Jones, Ed
Brewer, Scott	Kenley, Charles
Brown, Bob	Kiker, Jason
Cain, Kenny	Lassiter, Tom
Cooper, Bob	Listerman, Ed
Corey, Billy	Logan, Chris
Crawley, Steve	Lumpkin, Parker
Culp, John	McCollum, Keith
Davis, Joel Henry	Newcomb, Stephen
Decker, Greg	Owen, Wib
Doster, Tony	Parton, Patrick
Durham, Jim	Patram, Cyndi
Faircloth, Ashley	Phillips, Ron
Graham, Ted	Plaster, Allen
Gray, John	Rackley, Frank
Hanks, Jeff	Raynor, Fay
Hardin, Fred	Ricks, Riddick
Hazel, Dennis	Rose, Bernard
Henson, Steve	Shaffer, Rodney
Hilliard, Marisue	Snyder, William
Howard, Brad	St. Jean, Marc
Hulka, Bryan	Stuart, Ken
Hull, Maurice	Thompson, Marshall
Hunt, Perry	Thrash, Dale
Inman, Tom	Walters, Michael
Jackson, Jimmy	Wiseman, Mark

## DO YOU HAVE A NEWS ITEM?

TreeLine is the monthly newsletter of the North Carolina Forestry Association. News items and photographs should be sent to Chris Brown at [cbrown@ncforestry.org](mailto:cbrown@ncforestry.org).

The NCF, the state's oldest forest conservation organization, is a private, nonprofit partnership of forest managers, landowners, mill operators, loggers, furniture manufacturers and others that actively promote healthy, productive forests by supporting the efforts of landowners and forestry-related businesses and organizations that responsibly manage or use forests.

NCF, 1600 Glenwood Ave., Suite I, Raleigh, NC 27608. Telephone (919) 834-3943 or (800) 231-7723. ■



## LEGISLATIVE UPDATE

### NPDES PERMITS/AERIAL APPLICATION OF PESTICIDES

Federal legislation to correct this court decision did not get finalized in 2011. As a result, states must proceed with a permitting process to implement the court ruling. North Carolina has published a general permit to cover this activity (General Permit NCG 560000 - To Discharge Pesticides Products Under the National Pollutant Discharge Elimination System). The permit specifically addresses:

- Mosquito and other flying insect pest control
- Aquatic weed and algae control
- Aquatic animal pest control
- Forest canopy pest control
- Intrusive vegetation control

The permit contains a silvicultural exemption and has an acreage threshold of 10,000 acres for forest canopy pest control.

### NPDES PERMITS/FOREST ROADS

The Fiscal Year 2012 federal appropriations bill contains the following language related to requiring NPDES permits for logging roads. **Silvicultural Activities: Section 429.** From the date of enactment of this act until September 30, 2012, the administrator of the Environmental Protection Agency shall not require a permit under section 402 of the Federal Water Pollution Control Act (33 U.S.C. 1342), nor shall the Administrator directly or indirectly require any state to require a permit, for discharges of stormwater runoff from roads, the construction, use, or maintenance of which are associated with silvicultural activities, or from other silvicultural activities involving nursery operations, site preparation, reforestation and subsequent cultural treatment, thinning, prescribed burning, pest and fire control, harvesting operations, or surface drainage.

The Supreme Court has not yet decided if it will take this case for its 2012 session. It has asked the government for its position on the issue.



### H2-B LABOR WAGE RATE

The Fiscal Year 2012 appropriations bill also contains language providing relief from the proposed mandated wage rate increase for H2-B guest labor. The bill states, "None of the amounts made available under this Act may be used to implement the rule entitled, *Wage Methodology for the Temporary Non-Agricultural Employment H-2B Program*." This language stops the U.S. Department of Labor from implementing the H-2B Wage Rule through September 30, 2012.

The NCF's Legal Defense Fund supported one of the lawsuits against this legislation and a decision on lawsuit was issued Tuesday, December 13, 2011, by the Federal Court for the Western District of Louisiana. In the case, *The Louisiana Forestry Association v. Solis*, the judge ruled to transfer the case to a Circuit Court in Pennsylvania where a related case was decided in 2009. The judge in the NCF's supported case appeared to understand the numerous problems with the Department of Labor's rulemaking and the significant problems it causes for U.S. firms with American employees whose jobs are dependent on work performed by H-2B Guest Workers. Several cases the judge discussed in detail recognize that many Americans' jobs are dependent on firms being able to employ temporary H-2B Guest Workers at wages that allow these firms to operate and compete in a world

(continued on page 5)

## FRIENDS OF FORESTRY PAC

**T**he North Carolina Friends of Forestry Political Action Committee (FFPAC) was formed in 1999 to provide campaign contributions to candidates who support forestry and the forest products industry. Over the past two election cycles, the FFPAC has raised over \$100,000 and ranks in the top 25 of all business PAC's.

The FFPAC has a current balance of \$26,598. The FFPAC's goal is to raise \$100,000 per election cycle. After a one-year hiatus, the FFPAC has scheduled its reverse raffle in conjunction with Forestry Day in the Legislature. Forestry Day will take place on Tuesday, June 5<sup>th</sup> and the FFPAC reverse raffle will take place later that evening. Raffle tickets will be distributed to NCF board members and FFPAC members in late March. The winner of the raffle is the last ticket selected - that is if the final ticket holders left do not choose to split the pot.

Work continues on building the Committee of 100, which is a group of individuals who have committed to donate at least \$500 a year to the FFPAC. We plan on at least one special event for Committee of 100 members as the year develops. Jim Wellborn will lead the FFPAC on a temporary basis after Steve Henson stepped down from his chair position. ■

## PERDUE SUPPORTS OPPOSING CALIFORNIA COURT RULING

**I**n January, Governor Beverly Perdue asked the Obama administration to oppose a ruling by the U.S. Court of Appeals for the 9<sup>th</sup> Circuit. The ruling could threaten jobs in North Carolina by imposing new, unnecessary regulations on the forestry and forest products industry.

The Governor, in a letter to White House Chief of Staff Bill Daley, urged the administration to continue following current Environmental Protection Agency (EPA) policy nationally and to seek a review of the 9<sup>th</sup> Circuit decision by the U.S. Supreme Court.

The San Francisco-based 9<sup>th</sup> Circuit's decision, which does not yet apply in North Carolina, would require a water discharge permit for every forest road, reversing 35 years of EPA policy of allowing states to regulate forestry and forest roads. The ruling ignores scientific and practical evidence of successful forest management and would treat drain pipes and stormwater ditches along thousands of forest roads the same as the discharge pipes from an industrial power plant.

"My top priority is creating jobs," Gov. Perdue said. "North Carolina was rated as the top regulatory environment in the country because we understand how to balance the need to grow jobs with a firm commitment to protecting our air and water."

Governor Perdue's opposition to the court ruling follows her regulatory reform efforts in North Carolina in which she has eliminated hundreds of unnecessary regulations and imposed a more rigorous process for enacting new rules.

Congress is set to take up the issue early in 2012 with bipartisan support for continuing the long-standing EPA approach of best management practices. ■



(right) Governor Beverly Perdue shakes hands with Keith McCollum as Dean Aslup looks on during the NCFAs 2011 Forestry Day in the Legislature.

### NCFAs Media Producer...(from page 1)

"We have been working with Jean-Paul for over 10 years now, and while we knew he was involved with this program, we had no idea how much time he devotes to it," explained NCFAs Executive Vice President Bob Slocum. "We salute his volunteer efforts for such a great cause."

Damé and the newly elected board of officers look forward to building on the USVC successes of 2011, including Operation Coming Home, Extreme Makeover, Toys for Tots, and Toys for lil Troops.

To find out more about the U.S. Veterans Corps and how you can help, visit [www.myusvc.com](http://www.myusvc.com). ■

# POINT OF VIEW

## POTENTIAL ADMINISTRATIVE AND ECONOMIC IMPACTS OF NPDES PERMIT REQUIREMENTS FOR FOREST ROADS IN THE SOUTH

by Frederick Cabbage and Robert Abt, Professors, Department of Forestry and Environmental Resources, North Carolina State University (December 2011)

**T**his report analyzed the potential economic impacts of requiring NPDES permits under the Clean Water Act for stormwater runoff from forest road systems in the southern states. The authors based their analysis on existing stormwater discharge permit programs and data from existing sources, including NAFO, on harvesting activity, stream crossings and road miles. While acknowledging that the scope of the permit program will determine the ultimate economic impact, the authors conclude that using estimates based on this existing information, a permit requirement would have substantial and in some case devastating economic impacts on forest owners and the economy.

### FINDINGS

- The preparation of NPDES permits is estimated to be about \$16,000 per permit for forest owners with staff and experience with industrial NPDES permits, and about \$24,000 for forest owners lacking staff or experience who would retain consultants to prepare plans.
- The annual cost for landowners, procurement dealers, loggers, and forest products firms has a median of about \$2 billion per year if every timber harvest operation needed to obtain a NPDES permit.
- The administrative costs for state agencies to run the regulatory programs would also cost "millions" of dollars per year in states with more than 400,000 acres of timber harvests per year and as much as \$1 million per year in states with annual harvest levels less than 250,000 acres.
- Assuming a high correlation between the number of permits and the number of harvest operations, larger forest owners would average \$14.36 per acre owned each year, and smaller forest owners would average \$21.54 per acre owned. These costs, coupled with already significant property taxes, would be punitive.
- This study did not attempt to estimate additional costs to timber landowners resulting from permit-related litigation, but noted these would be a significant deterrent to landowners as well.
- The study did not consider secondary economic effects of permit costs, such as producer and consumer surplus (welfare analysis), or multipliers (input-output analysis), which would lead to much greater costs.

### IMPLICATIONS

- The NPDES permit requirement would essentially negate the South's voluntary best management practices (BMP) approach, and convert the Clean Water Act implementation to a de facto state forest practice act approach.
- High permit costs would further reduce or eliminate the profitability of the southern forestry sector by



reducing returns to forest landowners and adding administrative burdens and time delays. Costs would particularly harm smaller forest owners.

- On a per harvest basis, the costs of preparing, implementing, and monitoring NPDES forest road permits would decrease net timber sales returns by 19% for the 80 acre tracts typical of larger forest owners and by 71% for the 32 acre tracts typical of smaller forest owners. This could eliminate profits and cause significant losses leading to significant reductions in forestland investment.
- Forest products markets have been depressed for a decade. Significant additional permit costs would hurt investors, forest owners and forest products processing, substantially reduce the international competitiveness of the U.S. timber investments and cause additional and unnecessary unemployment in the forestry sector.
- Furthermore, capital flight would cause ecological and environmental problems as forest owners and rural economies are compelled to seek financially better land uses than forestry.

### CAVEATS

- Three methods were used to estimate the number of permits that might be required per state: (1) the number of timber harvests of average size ownerships needed to match the state total area harvested per year; (2) the number of stream crossings that would occur per year on the harvested area; and (3) the number of miles of forest roads that would occur per year on the harvested area.
- It is not clear what level of action may require a permit – each harvest, each stream crossing, each mile of road, or some other criterion.
- It is possible that a NPDES permit program could be instituted in such a fashion that fewer permits would be required, or much simpler actions and permit applications were developed.

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## SCALES ISSUE DOES NOT INCLUDE FOREST PRODUCTS COMPANIES

There has been some confusion related to a letter that was issued by North Carolina's Department of Agriculture and Consumer Services (NCDA & CS) in September of 2011 addressed to owners/operators of scales used in direct scales.

The focus of the letter was to highlight the Position of Equipment and the Balance Condition sections of the Handbook 44. It appears that a scale company has been contacting various companies in an effort to help them update their practices/equipment so they will be in compliance with these two sections. As a result, the NCFA has received some phone calls on this issue. After researching the issue further, the NCDA & CS has confirmed that this new emphasis does not apply to the forest products industry.

"We followed up on this with the NCDA and discovered that this really isn't an issue for the forest products industry," stated Jack Swanner, the NCFA's Director of Safety and Transportation. "It is really status quo for our members in terms of their scales and weighing procedures." ■



## PROLOGGER TRAINING SCHEDULE

### 2011-12 ProLOGGER BASE COURSE

Date	Location	Sponsor(s)
Apr. 11-13, 2012	Southeastern Community College, Whiteville, NC	International Paper
May 2-4, 2012	Northeastern NC - TBD	Domtar
June 6-8, 2012	Forsyth Tech Community College, Winston-Salem	Weyerhaeuser/LP
Oct. 10-12, 2012	McDowell Community College, Marion, NC	Columbia Forest Products

### 2011-12 Annual Training Class - Module 12

Date/Time	Location	Sponsor/Contact
Feb. 7, 2012 6:00 - 9:00 PM	Domtar - Plymouth, NC	Domtar
Feb. 9, 2012 6:00 - 9:00 PM	Weyerhaeuser New Bern Mill	Weyerhaeuser
Mar. 15, 2012 4:30 - 7:30 PM	Georgia Pacific Dudley Mill	GP
Apr. 17, 2012 6:00 - 9:00 PM	Domtar - Plymouth, NC	Domtar
Apr. 19, 2012 6:00 - 9:00 PM	Weyerhaeuser New Bern Mill	Weyerhaeuser

## STATE AND FEDERAL AGENCIES TEAM UP FOR WILDLIFE ENHANCEMENT PROJECT

The USDA Forest Service National Forests in North Carolina and the North Carolina Wildlife Resources Commission (NCWRC) announced that work is underway on the first wildlife habitat enhancement project in western North Carolina conducted under a first-of-its-kind agreement between the federal agency and a state agency.

"The project and master agreement leverage federal and state resources to restore habitat by promoting new forest growth for wildlife," said Marisue Hilliard, National Forests in North Carolina Forest Supervisor. "While this project is modest in size, we hope that it is the first of many that will benefit a wide variety of species."

This first project encompasses about 15 acres in an area known as "Catpen," near Max Patch, a mountain bald with 360-degree scenic vistas. Catpen is near the North Carolina border in the Appalachian Ranger District, Pisgah National Forest. Planning is underway for phase two of the Catpen Project, which will improve Max Patch Pond. In phase one of the project, NCWRC employees are clearing away woody debris around native apple trees to open up a young forest area. The goal is to increase wildlife food sources such as apples and acorns.

"The Catpen Project will benefit deer, turkey, grouse, bears, neotropical songbirds and other species," said Gordon Warburton, NCWRC regional supervisor for Western North Carolina.

Young forests, which provide habitat for numerous wildlife species, have declined in the Southern Appalachians. The Catpen Project meets objectives in the Pisgah National Forest land and resource management plan. The efforts will also contribute to goals under the NCWRC Wildlife Action Plan. The project is made possible by stewardship contracting authority, provided by Congress for the Forest Service until 2013.

Subsequent projects will improve wildlife habitat by establishing important grassy and brushy areas for nesting and cover. The projects will improve the health and vigor of oak species and create other special or priority habitats. Other project areas may include the Cheoah and Nantahala Ranger Districts in the Nantahala National Forest as well as the Uwharrie National Forest. ■

## FMCSA PUBLISHES RULE ON HAND-HELD CELL PHONE BAN

The U.S. Department of Transportation (DOT) has set January 3, 2012, as the effective date of the new hand-held cell-phone ban that was announced in late November and published in the Federal Register on December 2, 2011.

The rule — issued jointly by the Federal Motor Carrier Safety Administration (FMCSA) and the Pipeline and Hazardous Materials Safety Administration (PHMSA) — prohibits interstate commercial motor vehicle (CMV) drivers from using hand-held cell phones while driving. For intrastate drivers, the ban only applies to those hauling hazardous materials for now, but the states are expected to apply the ban to all in-state commercial drivers in coming years.

Under the new rule, CMV drivers will not be able to hold, dial, or reach for a hand-held cell phone, including those with push-to-talk capability. Hands-free phone use is allowed, as is the use of CB radios and two-way radios.

Specifically, the rule prohibits drivers from:

- Using at least one hand to hold a mobile phone to conduct a voice communication.
- Dialing or answering a mobile phone by pressing more than a single button.
- Reaching for a mobile phone in a manner that requires the driver to maneuver so that he or she is no longer in a seated, belted, driving position.

Drivers will not be able to use hand-held phones while temporarily stopped due to traffic, a traffic control device, or other momentary delays, but they will be able to use them after moving the vehicle to the side of, or off, the highway and stopping in a safe location.

Drivers who violate the new ban will face federal civil penalties of up to \$2,750 for each offense and disqualification for multiple offenses. Companies that allow their drivers to use hand-held cell phones while driving will face a maximum penalty of \$11,000.

In September 2010, the FMCSA issued a regulation banning text messaging while driving a CMV and PHMSA followed with a companion regulation in February 2011, banning texting by intrastate hazardous materials drivers. ■

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## Board Meeting...(from page 1)

by 2012; 6% by 2015; 10% by 2018. Public electric utilities have several options available to meet this requirement. They may generate the power, they may purchase it via renewable energy credits (REC's), or get credit for energy saved via implementation of conservation and energy efficiency measures. Electric membership cooperatives and municipalities are also subject to the RPS mandate although at a somewhat lower level. By 2018, these entities must produce 10% of retail sales from renewable sources with increments as with the public utilities.

In response to concerns by a number of North Carolina forest product companies, the NCFCA created an RPS task force to examine this issue and make recommendations on how best to address it. The task force was chaired by Anitra Collins with Kapstone Kraft in Roanoke Rapids. This task force met several times and originally made recommendations to the NCFCA's board in early 2011, however action was deferred pending more information.

The task group met again in 2011 and, based on comments and concerns voiced by other NCFCA members, modified its position. The task force presented the following recommendation to the board and it was approved.

"The NCFCA shall, at the appropriate time, support changes to North Carolina's Renewable Portfolio Standard (RPS) to require that the full cost of woody biomass purchased by a public electric utility be applied to the rate cap as contained in Chapter 62, 133.7(h) of the General Statutes."

The board also heard more about the Sentinel Forests Grant that the NCFCA's Forestry Foundation received from the Department of Defense as part of a larger grant to North Carolina

## NCFCA Board Elections...(from page 1)

Consulting Firm. Gray's company provides guidance in environmental areas, land use, development, timberland acquisition and land investment. Gray served his first term on the board in 2009-2011.

Dennis Hazel is an extension specialist and associate professor in the Department of Forestry and Environmental Resources at North Carolina State University.

Perry Hunt is the owner of Hunt Forest Resources located in Wake Forest. Hunt began his career in the forest products industry working with several sawmills before founding his wood dealership company in 2004 and his own logging company in 2005. Hunt has sat on the N.C. Association of Professional Loggers Board of Directors since 2008.

Brad Howard is the raw materials manager for Weyerhaeuser's facility in

State University (Sentinel Landscapes Resource Development for Military Training). The grant is for \$175,000/year with the intent that it will be a two-year program.

The Sentinel Forests project is being led by Bob Schaefer, who provided an update. The project focuses on conserving working forests that come in contact with the military's training facilities and/or training flight patterns. The ability to train in North Carolina is vital to the existing military institutions in the state and is threatened by North Carolina's population growth.

The foundation hopes to be in a position where at some point it can be an entity that can hold working forest conservation easements. It was noted that this is the goal, however, the decision for the foundation to actually hold easements will be decided at a later date. Schaefer pointed out that there are over 20 land trusts in the state that all have specific priorities. While it will be easy to partner with several of these trusts in this project, there is a relative void in the area of general working lands easements.

The meeting continued with updates on the NCFCA's education programs - both the public education initiatives with school children and teachers as well as the professional training, namely ProLogger.

Bob Slocum provided a legislative and regulatory update that is included in this issue. The meeting concluded with Slocum encouraging all board members in taking an active role in support of the NCFCA's legislative and education efforts. The NCFCA's Forestry Day in the Legislature will take place on June 5, 2012 while the Annual Meeting will take place on October 3-5, 2012 in Asheville at the Grove Park Inn. ■

Elkin. For the past 20 years, he has been working with loggers and landowners in North Carolina. Howard, a ProLogger, volunteers to teach at the NCFCA's Forestry Camp held in Wilkes County on an annual basis.

Cyndi Patram is employed with Godfrey Lumber Company. She has been active with the NCFCA as a member of the NCFCA's Public Affairs committee in addition to serving her first term on the NCFCA's Board of Directors in 2009-2011.

Ken Stuart is the wood procurement manager for Domtar's Marlboro Mill in Bennettsville, SC. He has been in that position since 2000. Stuart has been active in the NCFCA since 1990, participating in various committees. He recently served his first term on the board in 2009-2011. ■

## Legislative Update...(from page 3)

market. Moreover, many employees of other U.S. businesses depend on selling to and servicing those firms that utilize H-2B workers. It is certainly true in seafood, forestry, recreation, hospitality, and many other types of businesses that employ millions of Americans.

Notably, the judge wrote that the Federal Court in Philadelphia had apparently not been made aware of cases that point out that the dual purposes of the Guest Worker Program are to assure an adequate workforce and to protect the jobs of U.S. Citizens. The Department of Labor appears to have admitted that it failed to consider the interests of employers, American employees, and the broader economy as a whole. The opinion rendered by the judge provides a good framework for further critical court review of this rule making by the court in Philadelphia.

## FOREST DEVELOPMENT PROGRAM (FDP)

The NCFCA task force on the FDP continues to work with the North Carolina Forest Service on potential changes to the FDP program to improve its effectiveness, assessment collection and administration. The group met on January 25<sup>th</sup> and will meet again before the next NCFCA board meeting. Questions continue around the ability of the state to collect the assessment on out of state companies that have no facilities in North Carolina. The NCFCA continues to work with the Department of Revenue and the Forest Service on this issue.

## 2010 STATE LEGISLATIVE OUTLOOK

The state legislature will reconvene for the 2012 "short session" on May 16<sup>th</sup>. This will likely be a very short session with legislative leaders indicating something along the lines of 20 legislative days - about five weeks. There is not a great deal of legislation left from the 2011 session so it is expected that the main focus will be budget adjustments and clearing the decks of other items. From a business perspective, there wasn't much that did not get done in 2011. It is possible we will see some additional attention to regulatory reform - both some tweaking of S. 781 and some attention to boards and commissions.

One bill of interest is an omnibus transportation bill (S. 750/H. 652) which contains a provision that would allow log trucks to haul up to 90,000 pounds within 150 miles of the tract. Both Houses passed a version of this bill, but it never went to conference to be voted on. It is likely to move in 2012.

## NORTH CAROLINA AND FEDERAL ELECTIONS

The 2012 elections will bring a potentially record number of new faces to the state legislature as a result of redistricting and incumbent retirements. Additionally, several incumbents were put into districts with another incumbent (Senators Phil Berger and Don Vaughan for example).

The fate of the new legislative district maps remains uncertain. Democrats and some special interest groups are arguing for the courts to delay the May primary or to use the existing maps for the 2012 elections. While a delay in the primary is possible, it seems unlikely that the old maps will be mandated. Given that, Republicans are likely to retain control of both Houses of the legislature although some observers think the House could be in play for the Democrats.

With the recent announcement that Governor Pedue (D) will not be seeking a second term, the Governor's race is wide open. There are several democrats who will vie for their party's nomination and the chance to face-off against Pat McCrory (R). McCrory was leading Perdue in many polls before she dropped from the race. In 2008, Perdue outspent McCrory 3-1 (\$15 million to \$5 million) and won

(continued on page 7)



Forest landowners can receive cost-share help with planting or timber stand improvements through North Carolina's successful Forest Development Program. Here, landowner Boon Chesson walks his property with members of the North Carolina Forest Service.

# LANDOWNERS' CORNER

## NEW YEAR MARKS SIGN UPS FOR CSP

The USDA Natural Resources Conservation Service (NRCS) administers the Conservation Stewardship Program (CSP) program. Landowners who maintain a high level of conservation on their land and agree to adopt higher levels of stewardship are eligible to receive CSP payments. CSP is offered in all 50 states through a continuous sign-up process at local NRCS offices. The deadline for the "ranking period" which is how each project is evaluated was pushed back to the end of January this year. The grant selection typically takes place early in January. Administered by NRCS, CSP provides many conservation benefits including improved water and soil quality, enhanced wildlife habitat and conservation activities that address the effects of climate change. Eligible lands include cropland, pastureland, rangeland and nonindustrial forestland. A CSP self-screening checklist is available to help producers determine if CSP is suitable for their operation. It is available from local NRCS offices and at <http://www.nrcs.usda.gov/wps/portal/nrcs/main/national/programs/financial/csp>. Landowners can learn more about CSP and other NRCS programs at [www.nrcs.usda.gov/wps/portal/nrcs/main/national/programs](http://www.nrcs.usda.gov/wps/portal/nrcs/main/national/programs). ■

## 2012 SOUTHERN FORESTRY CONCLAVE TO TAKE PLACE AT NC STATE - MARCH 15-17

North Carolina State University Forestry Club is proud to announce it will be hosting the 55<sup>th</sup> Annual Association of Southern Forestry Clubs (ASFC) Conclave, March 15-17, 2012. Southern Conclave is a friendly competition among the students of ASFC schools and is hosted each spring by one of the 14 member schools. Over two hundred students will compete in technical events that test their knowledge in modern forestry subjects and in physical events that hark back to old-fashioned lumberjack skills such as axe throwing, pole climbing and cross-cut saw competition.

A very exciting component of Conclave is the STIHL TIMBERSPORTS Series Qualifier, a nationally televised lumberjack competition that will include many of the conclave collegiate competitors as well as professionals from the South.

The Southern Collegiate Champion earns a spot among four other regional collegiate champs and a wildcard pick to compete in the STIHL TIMBERSPORTS Collegiate Championship in Oregon. In last year's Southern Qualifier, Victor Wassack represented North Carolina State and came in a close second behind Virginia Tech's Scooter Cogar. In 2010, North Carolina State's Logan Scarborough took the 2010 Southern and National Collegiate Championship Titles.

There will be opportunities for the public to attend events at 2012 Southern Forestry Conclave as well as the STIHL TIMBERSPORTS Series Qualifier, which will be covered by ESPN and provides a national platform for forestry programs across the nation.

Donations to the North Carolina State Forestry Club are welcome! Individual donations and corporate sponsorships are vital to putting on an event of this size. Help the Forestry Club keep costs down for competing students while create a fun, safe and memorable time for all involved. Please contact Forestry Club President, Mike Cheston, or Forestry Club Faculty Advisor, Dr. Joe Roise, for more information about how to make your tax deductible donation. ■

## KEEPING THE FARM WORKSHOP ONCE AGAIN DRAWS A LARGE CROWD

Under the direction of District Director Dale Threatt-Taylor, the Wake County Soil & Water Conservation District once again sponsored its popular "Keeping the Farm Workshop" in Raleigh.

The energetic Threatt-Taylor has been running this program for the past seven years. She draws in the various civil servants who serve the farming community as well as experts from North Carolina State University. Topics included cost-share programs, the present-use tax program, a legislative update and an update on estate taxes.

The NCFCA has been a sponsor of this program since its origin and participates by displaying at the event. ■

(right) North Carolina Agriculture Commissioner Steve Troxler addressed landowners at the Saving the Farm Workshop. Troxler stressed the important role agriculture and farmers play in the state's economy.



# NEW MEMBERS

MEMBER.....	City A Team.....	Archdale
Elizabeth Adams, C.T. Adams, J.I. Adams, S. Liell Adams.....		Garner
JoAnne L Alston.....		Wake Forest
Clyde Watts Auman.....		West End
B H C.....		Lumberton
Tellie S Bailey.....		Elizabethtown
Wayne Barker.....		Lansing
Brenda Cook Bender.....		Leasburg
Bushy Hunt Club.....		Henderson
Rick & Sandy Carlson.....		Bryson City
Chriscoe Hunt Club.....		Carthage
Gray Creamer.....		Bracey, VA
Crema Hunt Club.....		Merry Hill
D and Z Timber LLC.....		Elizabethtown
Duncan Hunting Club.....		Whiteville
Estate of Toye S. Holden.....		Blowing Rock
Forrest Hunt Club.....		Lexington
David Goins.....		Catawba
Cecil Gregory.....		Newton
H & K Hunting Club.....		Lenoir
Emmitt Hayden.....		Bowling Green, VA
Hickory Rednecks.....		Chesapeake, VA
Jay Jones Hunt Club.....		Angier
Randy Jernigan.....		Elizabethtown
Kendall Hunt Club.....		Greenville
M T K T Hunt Club.....		Pilot Mtn
Walter F Mizelle.....		Charlotte
Linda S Myrick.....		Carthage
N P G Hunt Club.....		Clemmons
Harley Norton Logging.....		Burnsville
Gerald Parker.....		Raleigh
Pierce Hunt Club.....		Denton
R J W Hunt Club.....		Henderson
James H Roberson.....		Washington
Jerry Lee Shelton.....		Marshall
Darren Sprinkle.....		Thomasville
T & L Development.....		Stuart, VA
John Tate.....		Raleigh
Alvin Vinson.....		Ahoskie
Walt Spruill LLC.....		Manteo
Emma H Williams.....		Columbia, SC

## U.S. FOREST SERVICE SUPERVISOR TO RETIRE

Marisue Hilliard, the chief of the U.S. Forest Service in North Carolina, will retire in January after a 32-year career with the Forest Service. Over the past six years, she directed the operations of the four forests in North Carolina — the Nantahala, Pisgah, Uwharrie and Croatan.

"We are the second most visited national forest(s) in the U.S.," Hilliard said. "We are second only to the White River National Forest in Colorado, which is a ski area. Not a lot of people realize that."

The National Forests in North Carolina comprise 1.25 million acres of public land, with 210 employees and five million visitors a year.

Diane Rubiaco, current deputy forest supervisor, will serve as acting supervisor. A nationwide job search is now open to replace Hilliard. In addition to Rubiaco being named acting forest supervisor, Derek Ibarguen has been named new district ranger for the Pisgah District of Pisgah National Forest, and Lauren Stull is the new district ranger of the Cheoah-Tusquitee District in Nantahala National Forest. ■



## CHAINSAW VS. THE HUMAN FOOT

by Bryan Wagner, Forestry Mutual

The modern power saw is an engineering marvel. Technology and design has allowed engine speed to exceed 15,000 RPM's on some production saws. Coupled with a razor sharp saw chain, the chainsaw is a very effective tool. The chainsaw has been the work horse in the logging woods for years. In spite of an ever growing mechanical presence in the woods, the chainsaw remains one of our go-to tools when it is needed.

Recently, we have seen a rising occurrence of saw cuts to the feet. Education and training are designed to reduce the chance of injury, or turn around a trend. The first step in this process is to study the animal, the chainsaw. As earlier stated, the modern chainsaw is a very effective cutting tool. To be effective the saw engine and saw chain must be finely tuned and maintained. A chilling fact is the cutting tooth of the saw chain is designed to REMOVE! Saw chain doesn't cut like a filet or hunting knife. If we are running a 3/8 pitch chain, the cutter is 3/8 of an inch wide. Upon contact with the human body, there is 3/8 of an inch of skin; muscle; tendon and bone that are gone! Add to the fact that a lot of foreign material, (Bar oil, dirt, pieces of shoe leather, etc.) is introduced to the wound area. This injury becomes quite serious.



Bryan Wagner

Next in the loss control process is to AVOID CONTACT with the moving saw chain. Chainsaw kick-back is the culprit in the majority of all laceration incidents. Chainsaw kick-back happens seven times quicker than what the human brain react to. By the time a human can move a foot or shield a face, the cut has happened! Kick-back injuries can be reduced by understanding the reactionary forces of the bar and chain unit of the saw. Proper bracing and the use of the "thumb-wrap" grip counteracts the reactionary forces of the moving saw chain. The chain brake on the power saw should be treated like a safety on a firearm. When not cutting, the chain brake should be engaged to avoid unexpected chain movement. Above all, proper body placement greatly reduces the risk of a serious chainsaw laceration. If the foot is not in-line with the saw chain, it won't be injured there!

Personal Protective Equipment, (PPE) in the form of cut-resistant foot wear is federally mandated for saw hands. Chainsaw cut-resistant foot wear can prevent or greatly reduce the seriousness of a cut situation. Protective foot wear comes in many forms and styles and is quite comfortable to wear. It just makes good sense; it's like having extra insurance should a situation arise. As with any PPE, catastrophic injury can be prevented or reduced by its use. My angle on the subject is to train and educate to avoid having to rely upon the PPE for protection.

The recent trend of chainsaw foot lacerations has been severe. Many of the cuts have dealt with contact to the bone, which often requires bone-graft surgery. To avoid this possible crippling injury training and education reduce the risk of incident. Good work habits and the use of proper PPE reduce the chance of injury. Try as they may, the chainsaw will always have a place in the logging woods. ■

### Forest Roads in South...(from page 3)

- Conversely, the study did not estimate any added costs for BMPs, but detailed NPDES permits could require additional BMPs, record keeping, and costs not required by existing forestry BMPs.
- It may be that multiple harvests on the same tract would need only one permit for many years. However, with the annual area harvested being about 2% per year, there is not apt to be as much overlap in a 50 year time period.
- Multi-year permits for the same owners or management methods that minimize stream crossings could reduce the number of permits required, but still there would be significant time and delay costs for some forest owners, loggers, procurement dealers, or manufacturing firms.
- Fewer permits might be required if large land owners could submit a consolidated application; however we assumed that each potential discharge point will have to be assessed and documented.
- It is at least as likely that one might require more than one permit per mile of road or stream crossing, so our estimate of the number of permits and their costs could be too small. ■

## NEW FOREST RULES FOR NATIONAL FORESTS IN THE WORKS

The Obama administration says new rules to manage nearly 200 million acres of national forests will protect watersheds and wildlife while promoting uses ranging from recreation to logging. The new rules, to replace guidelines thrown out by a federal court in 2009, are set to be released in late January by Agriculture Secretary Tom Vilsack. The new rules strengthen a requirement that decisions be based on the best available science and recognize that forests are used for a variety of purposes.

The guidelines, known as a forest planning rule, will encourage forest restoration and watershed protection while creating opportunities for the timber industry and those who use the forest for recreation. The administration hopes the new rules, which are based in science and the multiple use concept, should stand up to likely court challenges from environmental groups or the timber industry.

Forest Service Chief Tom Tidwell believes the guidelines would allow land management plans for individual forests to be completed more quickly and at a lower cost than under current rules.

Several attempts to revise the 1982 planning rule have been thrown out by federal courts in the past decade. Most recently a Bush administration plan was struck down in 2009 by environmentalists' complaints. The Obama administration did not appeal the ruling, electing to develop a new forest planning rule.

The 155 national forests and grasslands managed by the Forest Service cover 193 million acres in 42 states and Puerto Rico. Balance between industry and conservation in those areas has been tough to find since the existing rules went into effect three decades ago. ■

### Legislative Update...(from page 5)

by about three points.

The North Carolina Congressional delegation will certainly change. Neither of North Carolina's Senators are up for election so both Richard Burr and Kay Hagan will remain.

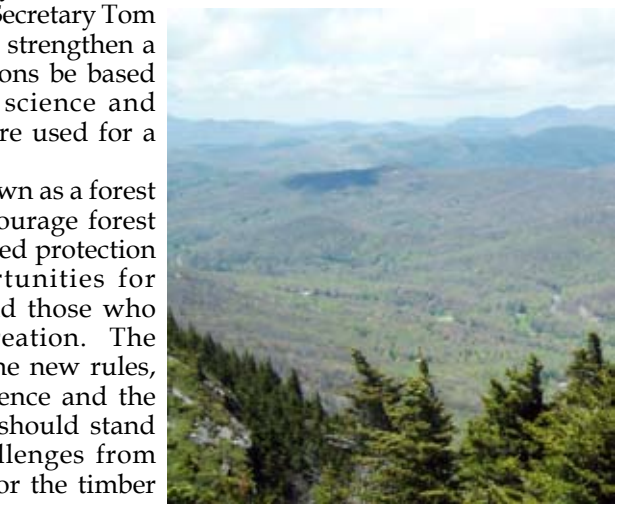
Representative G.K. Butterfield is safe. Representative Walter Jones may have a republican challenge. Representative Renee Ellmers may face Bob Etheridge again. Representative Brad Miller has decided not to run after being put in the same district as fellow democrat Representative David Price.

Representative Howard Coble is in declining health and may not run and several Republicans have indicated an interest in this seat.

Representative Larry Kissell's district is more Republican than before and at least three Republicans have announced an intention to seek the nomination to run against him.

Representative Health Shuler may face a primary challenge and as many as seven Republicans have indicated an interest to seek the Republican nomination to challenge Shuler.

Representative Mike McIntyre will face a stiff Republican challenge - possibly from current state senator David Rouzer. ■



NCA President Jeff Hanks presented Greg Decker with a plaque of recognition for his efforts as Chairman of the Board in 2011. Hanks assumes the chair position in 2012

# TREE LINE

JANUARY/FEBRUARY 2012



*The NCFEA's Annual Meeting will take place on October 3-5, 2012 at the Grove Park Inn & Resort in Asheville, NC.*

## CALENDAR OF EVENTS

North Carolina Forestry Association  
1600 Glenwood Ave., Suite 1  
Raleigh, NC 27608  
919-834-3943 / 800-231-7723

NON-PROFIT  
ORGANIZATION  
U.S. POSTAGE PAID  
Raleigh, NC  
Permit No. 459

**March 2012**  
8 NCFEA Public Affairs Meeting, Raleigh, NC

**April 2012**  
11-13 ProLogger Base Class, Southeastern CC, Whiteville, NC  
18 SLTC Meeting, Squires Timber, Harrells, NC

**May 2012**  
2-4 ProLogger Base Class, Northeastern NC, TBD  
9 NC SIC Meeting, Raleigh, NC

**June 2012**  
5 Forestry Day in the Legislature, Raleigh, NC  
5 FFPAC Reverse Raffle, Raleigh, NC  
6-8 ProLogger Base Class, Forsyth Tech CC, Winston-Salem, NC  
**July 2012**  
18 SLTC Meeting, Raleigh, NC

**August 2012**  
8 NC SIC Meeting, Raleigh, NC

**September 2012**

**October 2012**  
3-5 NCFEA Annual Meeting, Asheville, NC  
10-12 ProLogger Base Class, McDowell CC, Marion, NC

**November 2012**  
7 SLTC Meeting, Mush Island, NC  
14 NC SIC Meeting, Raleigh, NC