



THE INDIANA FORESTER

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Comments from the Chair



In 1998, the field guide titled “Logging and Forestry BMP’s for Water Quality in Indiana” was released. The field guide was the final product of a grant from the Indiana Department of Environmental Management with matching money provided by forest industry, conservation organizations and public agencies. The field guide was edited by Purdue Cooperative Extension and published by the Indiana Division of Forestry. The Woodland Steward Institute administered the grant and organized the “Forest Practices Working Group.” The guide was created to be just that, a set of guidelines that landowners, foresters and logging industry professionals could implement on a voluntary basis to help control erosion and improve water quality. The guide has served Indiana well for almost a decade and the recommendations in the guide on planning logging operations, roads, skid trails, stream crossings, riparian zones and log landings are all still relevant today. On sites where the Best Management Practices (BMP) guidelines are implemented, the benefits in soil erosion reduction are obvious when compared to a site without BMP’s.

Without a doubt, the BMP field guide for Indiana has had a positive impact on timber harvesting in Indiana. Unfortunately, there is still a large percentage of timber harvests that do not have any BMP’s applied on them or the BMP’s are applied in a way that makes them almost useless. As scrutiny of timber harvest operations continues and requirements are placed on timber harvesting operations by forest certification programs, the need to make BMP regulations mandatory has arisen. The Indiana Forestry and Woodland Owners Association put a set of BMP regulations in front of the Indiana legislature during the 2007 legislative session. The legislation was quickly referred to a summer study committee. The legislation proposed was very similar to the Kentucky BMP Regulations.

In order to prepare a more Indiana focused set of guidelines for the Summer Study Committee, the Indiana and Hardwood Lumberman’s Association (IHLA) agreed to set up a committee to look at BMP reg-

ulations and develop draft legislation for the Summer Study Committee. The committee is made up of representatives from IHLA, Indiana Forest Industries Council (IFIC), Indiana Society of American Foresters (ISAF), The Nature Conservancy (TNC), Indiana Forestry and Woodland Owners Association (IFWOA), Indiana Department of Natural Resources (IDNR) and several local representatives from forest industry. Efforts were made to have a member of the Association of Consulting Foresters (ACF) attend, but under the short time frame of the meetings a representative was not able to attend. The committee worked through the process of developing draft legislation that will be presented to a summer study committee.

The Indiana Society of American Foresters has been participating in the development of the draft legislation and will continue to be active once the summer study committee is called. The ISAF executive committee will review the draft legislation and will release it to the general membership as soon as possible. A summary of the legislation can be found later in this newsletter. It would be helpful for the general ISAF membership to begin thinking about mandatory BMP regulations and how it will impact foresters. I would welcome anyone’s thoughts or comments on the topic so that the executive committee can adequately speak for the membership when we are called to do so. Comments can be mailed or e-mailed to Dan Shaver, PO Box 1092, Nashville, IN 47448 or dshaver@tnc.org.

Dan Shaver, ISAF Chair

BMP Draft Legislation Summary

Since 1998, Best Management Practices (BMP) have been an every day part of forestry in Indiana. Most foresters in Indiana have attended some formal training on BMP’s and have seen a number of timber sales where BMP’s were installed or unfortunately not installed. The legislation for BMP regulations does not specify so much what practices need to be installed, but what process needs to be followed to ensure BMP are implemented, who will oversee implementation, who will enforce regulations and what the penalties will be for not implementing BMP’s. The summary below covers the main sections of the draft legislation and the recommendations proposed by the committee.

BMP Draft Legislation

Definitions:

Several terms are defined to cover those persons that will require BMP training and certification. The bill uses a standard definition for a “Forester.”

- A “logger” is defined as any person who conducts a timber harvesting operation for commercial purposes.
- An “Operator” is defined as any person who operates or exercises control over any timber harvesting operation, or acts as a consultant for the property owners. The above definition will tie professional foresters to the regulations as either foresters or as an Oper-

ator representing the landowner.

- “Timber harvesting operation” means activities directly related to the cutting or removal of trees from a forest as a raw material for commercial processes or proposes, including timber pre-harvesting and post-harvesting activities associated with implementation of appropriate best management practices. This includes cutting on shares. “Timber Harvesting Operations” does not include: cutting of timber for non-commercial uses, cutting of evergreens for Christmas trees, removal of trees incidental to clearing for mining or farm purposes or incidental to ground-disturbing construction activities, including well sites, access roads and oil and gas operations or the cutting of trees for right-of-way for public highways, utilities unless those trees are being sold or provided as a raw material for commercial wood products.

Legislative Findings:

This section includes general statements on the benefits of sustainably managed forests, including clean air, water, biodiversity and the economic, social and ecological importance of forestland.

BMP Advisory Board:

- The legislation will create a voluntary Forestry Best Management Practices Board consisting of 13 members for the purpose of reviewing, updating and implementing Indiana’s forestry best management practices guidelines for water quality management. The board will report to the Division of Forestry.
- The members of the board will be appointed by the Governor and the board will be composed of the following representatives: 2 members who are woodland owners and engaged in woodland management, 2 members representing Indiana’s logging industry, 2 members representing Indiana’s wood products industry, 2 members representing the Indiana Division of Forestry, 2 members representing Indiana’s environmental community, 2 members who are non-government foresters in Indiana, and 1 member that represents forestry science and research.

Training and Certification:

- After two years from the effective date of this Act, no operator shall conduct timber harvesting operations within the state unless there is on the site during the timber harvesting operations at least one individual who has completed the requirements of certification.
- The certification is required of loggers and anyone responsible for the marking, procurement, or harvesting of timber, and enforcement personnel.
- After successful completion of the certification requirements, 18 hours every three years of approved continuing education shall be required.
- The Advisory Board shall specify the education and training requirements for certification, as developed by the Division, the Indiana Forest Industries Council (IFIC), and Purdue University, and shall specify the requirements for continuing education, and may establish a fee for the training that bears a reasonable relationship to the cost of the training.
- Loggers, who have successfully completed the core training requirements of certification, shall be considered in compliance of this section.
- All qualified courses successfully completed prior to the enactment of this Act shall be counted toward certification, according to the database currently maintained by the Indiana Forest Industries Council. This includes courses taken outside of Indiana which have been deemed transferable by the Advisory Committee.

- The Division and IFIC shall maintain a current list of all individuals who have successfully completed the certification requirements and required continuing education, and shall make the list available to the public. All certified individuals shall provide the Division with a published phone number.
- IFIC shall coordinate all training classes and instructors, in cooperation with Purdue University and the Division.
- The Division shall issue cards to all persons completing certification, which shall constitute proof of certification. The card shall include an identification number for each individual, and is renewed every three years.
- The certification is valid for as long as continuing education requirements, as approved under Section 5 of this Act, are met.
- The core training can be funded by grants from the Division, by fees charged to those being trained, or by grants from industry and organizations.

Curriculum:

- Within two years of the effective date of this Act, operators will have to complete the required BMP training courses and the cutting and skidding courses as approved by the Advisory Board.
- The Advisory Board will maintain a list of all accepted continuing education courses.

Compliance and Enforcement:

- Logger and operators shall implement BMP’s.
- Operators shall notify the Division at time of close-out via a BMP monitoring checklist.
- Logging sites will be inspected by the Division based on random selection or complaint driven inspections.
- Written warnings will be issued to loggers or operators who do not implement BMP’s or fail inspections. A reasonable period for abatement or compliance will be set.
- A person engaging in a timber harvesting operation without the required certification in violation of this act commits a Class A misdemeanor. However, the offense is a Class D Felony if the person has a prior conviction for an offense under this section.
- The Division may revoke, suspend or refuse certification to anyone convicted of a felony or violation of this Act.

Bad Actors:

- Those violating this act may be called to answer questions at an administrative hearing of the Natural Resources Commission.
- Any person considering themselves aggrieved by any determination of the Division under this Act may file a petition alleging the determination contrary to law or fact may request an administrative hearing.
- Any operator deemed to be a bad actor under this act may be assessed a civil penalty not to exceed \$1,000 for each violation. All sums recovered shall be deposited in a Forest Stewardship Incentives Fund.

If passed, this legislation will require some additional costs, time and continuing education from foresters. These costs need to be weighted against the benefits derived from the implementation of BMP’s. There will also be costs for the State of Indiana, forest industry and landowners. Financial issues are being worked out and the specific wording of the legislation is bound to change. Please give some serious thought to the profession of forestry, the responsibilities we have for the stewardship of forest resources and the role we should play in the implementation and regulation of BMP’s.

FORESTRY IN ACTION

Thanks to the coordinating efforts of ISAF member Jayson Waterman, another woodland is now growing better in Indiana. In March, Jayson put out the word that members were needed to accomplish some TSI work on a parcel of land in southern Franklin County owned by Michaela Farms. Many ISAF members may recall that some years back, another on-ground project was done at the farm—owned by the Sisters of St. Francis—in the form of a large tree planting.

The weather was cool and perfect for doing TSI. Janet Eger got to the woods about an hour ahead of the crew and began marking the trees to be deadened. Other ISAF members filtered in through the morning until Janet found she had 6 men with chainsaws chasing her through the woods. (Fortunately, she managed to finish her job ahead of them, then got her revenge with her camera!) The entire 30 acres was finished by 4:00 in the afternoon, earning ISAF money to be placed in the account to accomplish other objectives of the organization.

Many thanks to Jayson for organizing the day as well as to Darrell Breedlove, Earl McCleerey, Mike Coggeshall, Brian Gandy, Brad Weigel, and Janet Eger for providing the manpower to accomplish sound forest management work.

Photos by Janet Eger

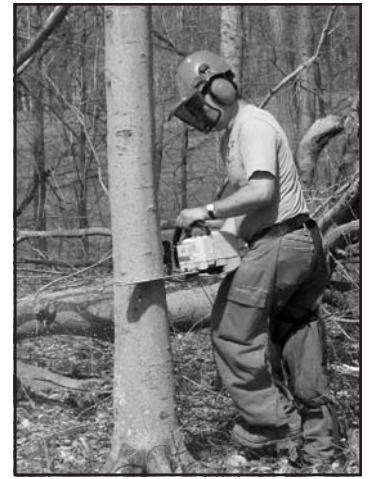


Darrell & Brian take a much needed break from the saws.



"THE CREW"

Brian Gandy, Earl McCleerey, Darrell Breedlove, Mike Coggeshall, Jayson Waterman, & Brad Weigel.
(Not shown is Janet Eger.)



Jayson attacks an innocent beech tree!

SHOOT YOUR COLLEAGUES!

All ISAF members are being encouraged to go out in the workplace, home, etc. and shoot their colleagues— with a camera, of course! A photo contest is now open to all ISAF members (including student members) with a theme of "Forestry in Action."

Forestry is an active and diverse profession. Capturing moments on film and showing others is one way to showcase the profession. The photo contest is your opportunity to provide others with insights on what we do as foresters whether it's in the field, classroom, or laboratory. Of course, each profession has its light moments, and forestry is no different, so photos showing humorous situations are also encouraged as well as the serious side of things.

Photos should be good quality digital pictures, and having people in those photos is strongly encouraged. A maximum of 6 photos per member can be submitted and should be sent to Janet Eger, Newsletter Editor at jeger.dnr.IN.gov. Entries will be accepted through February 1st, 2008, and will be displayed at the winter ISAF meeting. Anyone who is interested in helping judge the contest should contact Janet at the e-mail address listed, or (812)279-3391.

PU Happenings

Several things are going on with the Purdue Student Chapter of SAF. The most imminent is the Purdue Spring Fest April 14th & 15th which showcases the different areas of Purdue's School of Agriculture. The student chapter will have a stand at the Fest and will be selling seedlings, t-shirts, and other items of interest. They will also be demonstrating the underhand chop. During that time, they will be presenting themselves as an SAF chapter and all the functions they are involved with as a group.

In addition, the Chapter is always looking for guest speakers. If you can volunteer some time, contact Joel Dryden at jdryden@purdue.edu or Hank Hefner at hhefner@purdue.edu. They'll be happy to work out a time that's convenient for you. This is a great opportunity to give the students information about the world of forestry in the everyday workplace.

The Chapter is also always looking for fundraisers such as helping with tree plantings or TSI work. If you have any odd jobs you need done, contact Joel or Hank. These fundraisers are an important source of revenue to help the Chapter send members to the National SAF Convention in Oregon this coming year.



Continuing Education



The Continuing Forestry Education (CFE)

program is designed to reward and recognize those who pursue a program of continuing education and professional development. Credit is given for various activities geared toward personal and professional development. To receive a CFE Certificate, participants must complete 150 contact hours of continuing forestry education and professional development during a three-year period.

To check out the CFE program or to become a Certified Forester, go to the SAF website at www.safnet.org and select Education. You can find out about CFE events, submit continuing education credits online, and learn a lot about the Society.

The list below includes all known CFE events in Indiana between January 2004 and March 15, 2007. If you know of an event for which CFE credits should have been given but the event is not on the list, send me an agenda and it will be added. I only enter those events that I know about. You can contact me at:

Carl Hauser

Phone: (317) 232-4114

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402 W. Washington, Room W296,

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DEADLINE REMINDER

The *INDIANA FORESTER* is the official publication of the Indiana Society of American Foresters, and is published quarterly in January, April, July, and October. The deadline for submitting articles, photos, etc. for the next issue is **SEPTEMBER 15, 2007**. News for and about the ISAF is welcome including letters to the editor, photos, articles of general forestry interest, and book reviews. Items should be sent to Janet Eger, 1919 Steven Ave., Bedford, IN 47421, e-mailed to jeger@dnr.IN.gov, or faxed to (812)279-0472.



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SUMMER ISAF MEETING

Mark your calendars now! Be sure and keep the dates August 22nd and 23rd reserved for the 2007 Summer ISAF Meeting. Come join us in Tell City and the beautiful hills of Perry County along the Ohio River for fellowship, education and fun. There will be tours of local industries, including a pulp mill; field visits of oak regeneration and thinnings; the Mogan Ridge landscape burn and a visit to St. Meinrad Archabbey's carbon sequestration planting. Be sure to be part of this timely discussion of these current issues in Indiana forestry.

Watch the mail for registration and details in the coming weeks. Any questions, contact Doug Brown at 812-367-1524 or dbrown@dnr.IN.gov.

National SAF Meeting

The 2007 National Convention is scheduled for October 23-27, 2007, in Portland, Oregon. Opportunities include technical and scientific sessions, student activities, a job fair, technical field tours, exhibits and networking. You can earn continuing education credits for attendance. Social events include leisure tours, roundtables, and alumni receptions. The Call for Presenters is currently open. More information is available at <http://www.safnet.org/natconv-07/index.cfm>.

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