



Kentucky  
Woodland  
Owners  
Association

# KENTUCKY WOODLANDS Newsletter

vol. 17 no. 1

Spring 2009

## KWOA backs legislative initiatives during 2009 session

KWOA's officers, board, members and affiliates spent a considerable amount of time in 'pre-game' planning to prepare for presentations to Kentucky legislators regarding a number of issues of importance to woodland owners. Additional internal discussion and dialogue with specific legislators and Legislative Research Commission staff influenced or resulted in the formulation of the following bills and resolutions.

KWOA and its affiliates do not support all of the bills or their components as noted with each item. Thanks to Bob Bauer, KFIA, for providing content for this update. KWOA thanks the many Representatives who assisted with these bills. A special thanks to Rep. Rick Nelson and Rep. Thomas McKee for their guidance on the forest health initiative and other issues as well as their support in the legislature.

### **Fire ecology**

House Bill 122 creates a new section of KRS Chapter 158 to require the Kentucky Department of Education to include fire ecology in the science core content. It requires fire ecology to be taught in public schools no later than the 2010-2011 academic year.

**Status** - Assigned to the House Education Committee. KWOA supports.

### **Woody biomass and timber harvesting operations**

House Bill 211 amends KRS 149.330 to include removal of woody biomass in the definition of "timber harvesting operations" to include energy production in the definition of commercial purposes for "timber harvesting operations" and excludes firewood cut for personal use.

**Status** - Passed the House NR&E Committee with the need to clarify firewood for personal use. KWOA supports.

### **Forest Health Board**

House Bill 235 establishes in statute the Forest Health Board to address insect, disease, natural disasters and other health issues related to forest health and requires annual reporting to the legislature. It also amends KRS 149.336 to include forest fire prevention as part of the Division of Forestry's education program curriculum.

**Status** - Passed the the House with an amendment to add two non-voting legislative members to the Board and was approved by the Senate Natural Resources Committee. It was on the consent table for the Senate's passage but was not introduced. KWOA supports.

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### **Investigation of forest-related crimes**

House Bill 396 creates a new section of KRS Chapter 149 to authorize the Division of Forestry to investigate forestry-related crimes and authorizes the secretary to appoint forest crime investigators to be certi-

*(continued on page 2)*

## Legislative initiatives

(continued from pg. 1)

fied as peace officers and investigate and make arrests for certain forestry-related crimes; creates a new section of KRS Chapter 149 to give the Attorney General, Commonwealth's attorneys, and county attorneys concurrent jurisdiction for prosecuting forestry-related crimes and requires forest crime investigators to be certified as peace officers.

**Status** - Assigned to the House NR&E Committee. KWOA would support with funding provision.

### **Bad actor provisions**

House Bill 397 amends KRS 149.348 to increase the maximum civil penalty for violation of bad actor provisions to \$5,000 for repeat offenders and allows the cabinet to contract with local county attorneys or Commonwealth's attorneys to enforce collection of fines imposed under the bad actor provisions and to share in the amount of recovery; allow the Commonwealth to attach the defendant's property in recovery actions for fines imposed under the bad actor provisions. Allow the cabinet to direct a logger to cease operations for failure to pay a civil penalty; give the Circuit Court of Franklin County concurrent jurisdiction over enforcement actions for fines imposed under the bad actor provisions. It would allow Division of Forestry the ability to close down bad actor operators that have not paid fines.

**Status** – Assigned to House NR&E Committee and received a hearing. There were concerns with increased fines and changing the location of hearings to Franklin County. KWOA would support with a provision for collecting existing fines.

### **Contract or deed requirement for sale of timber**

House Bill 421 relates to the sale of timber and creates a new section of KRS Chapter 364 to require the seller

of trees, timber or forest products to produce a contract or deed showing title to the goods to the seller; require the purchaser to keep the instrument for no less than two years provide for a penalty of \$100 per instrument for failure to comply.

**Status** – Assigned to House NR Committee. KWOA does not support.

## 2008 Kentucky Tree Farmer of the Year

by Tad Norris, Kentucky Division of Forestry

After a statewide canvass, Henry Duncan has been chosen as the 2008 Kentucky Tree Farmer of the Year. Duncan owns and actively manages 150 acres of forestland in Logan County and has done so for the past 39 years. He is a farmer and a lifelong conservationist.

Duncan's roots run deep in the Mud River-Duncan Hill region just north of Russellville. His great-great grandfather settled in the area in 1803 and opened a tannery. Such operations required a lot of wood, so it is safe to say that Duncan's family has recognized the importance of forestland for over two centuries.

Notable practices completed by Duncan include a 33-acre commercial, improvement harvest, the creation of 5.4 acres of hardwood riparian buffers, and the protection of his forestland from grazing. His farm is always open for educational uses, and he is a member of the Kentucky Water Watch Program and is Vice President of the Kentucky Woodland Owners Association. He is also a certified Forest Steward and past Tom Wallace Farm Forestry Award winner.

Duncan says he "hopes to use this opportunity to let landowners with holdings of all sizes know that they can manage and grow their resource in a sustainable manner while also improving its long-term, economic worth."



Henry Duncan

### **Credits:**

Newsletter editor – Karen Marshall

Mailing – Kentucky Forest Industries Association

KWOA website – Karen Marshall

# Certification for Kentucky Forests And Products Seminar

by Betty Williamson

On January 27, 2009 a seminar was held at the Fayette County Extension office concerning forest certification. KWOA was a sponsor of this conference. As woodland owners, whether we like it or not, forest certification is here and it is here to stay.

Forest certification has arrived at our doorstep thanks to the decimation of the Amazon rain forests. In an effort to stop the decimation of the rain forests, environmental groups pushed their efforts by boycotting companies that used wood products from the rain forests. Their efforts were successful. World wide companies began to insist that the wood for their wood products was obtained from sustainable forests and not from clear cuts in the Amazon.

As woodland owners and forest stewards, this would seem to be a comfortable and logical fit. Unfortunately, the "fit" isn't exactly comfortable. At this time, the only recognized "certification" program to qualify in the world market is through the Forest Stewardship Council (FSC). There are very few FSC certified forests in Kentucky. The reason is that it costs a considerable amount of money to become an FSC certified forest. While most woodland owners who actively follow stewardship

plans are probably meeting the standards of FSC certification, to obtain FSC certification requires "third party" certification (which means that you, the woodland owner, have to pay an outside party to inspect your woodlands and stewardship practices). As a woodland owner, each individual has to decide if the cost of becoming a "certified forest" is justified.... will you be able to recover the "cost" of certifying your forest by increasing your market? This is a decision that each individual woodland owner must assess and decide.

The American Tree Farm System (ATFS) is currently working to become a "player" in the green global market. If ATFS is successful in this effort, it would be wonderful for woodland owners in Kentucky since it would eliminate much of the cost of becoming a certified forest.

Whether you are "for" or "against" forest certification, it is here. It is growing stronger every day and it's not going to go away. While we may not have to "deal" with it, our children or grandchildren who inherit our woodlands will have to deal with forest certification and it effects on the timber market.

## *Calendar of Events*

June 1 - 5, 2009

### **Kentucky Forest Leadership Program**

Jabez, Kentucky

<http://www.ca.uky.edu/forestryextension/KentuckyForestLP.php>

June 13, 2009

### **Woodland Owners Short Course**

Grant County

Curtis Gates Lloyd

Wildlife Management Area

August 29, 2009

### **Woodland Owners Short Course**

Boyd County

Boyd County Fair Grounds

September 26, 2009

### **Woodland Owners Short Course**

Breckinridge Co.

Breckinridge Co. Extension Office

## Highlights from KWOA Annual Meeting

Although attendance at the KWOA 2009 Annual Meeting at General Butler State Park was smaller than last year, the interest and engagement of the participants was not. Members who were veterans of previous meetings and field days put presenters and field guides to the test with their observations and questions. The association was delighted to have some youth participation that has renewed its commitment to reach out to younger segments of Kentucky's population.

Woodland owners began the conference

After dinner members enjoyed hearing Wendell Berry, Kentucky author and long-time supporter of KWOA and sustainable forests, read one of his short stories. Wendell introduced the story by commenting that he was tired of hearing himself give speeches so therefore, the short story, which did have a tree as one of the main characters.

The evening returned to member participation with "Forest Bowl," a rowdy competition on forestry saavy, created and emceed by Doug McLaren, UK Department of Forestry. The next day provided a full schedule of presenters with updates on state agency programs and initiatives.



with a woodland management field trip in the area, led by Tad Norris, Kentucky Division of Forestry, with assistance from foresters of the Bluegrass District and Doug McLaren, UK Department of Forestry. Participants were tasked with conducting their own assessment of a designated section of the forest and defending their evaluation. The outdoor exercise then conducted a log-grading session with Tim Freibert, Kentucky Tree Farmer of the Year, in charge, assisted by some of the state's private consulting foresters. After the field studies, a KWOA member commented that this was the most hands-on kind of training he had experienced at KWOA meetings and it was very helpful.

During the evening reception participants had the opportunity to see KWOA's new website – [www.kwoa.net](http://www.kwoa.net) – on the big screen for the first time. Attendees also provided feedback on the new site and suggestions for future functions.

### **Agency Updates:**

Tad Norris stepped in for the KDF update, noting that Leah MacSwords, KDF Director, has recently taken the position of President for the National Association of State Foresters. Tad provided a definition of "timberland" that is an acreage that produces 20 cubic feet per year of timber. The predominant species is yellow poplar followed by white oak, although red maple holds the highest stem count. Oak-hickory, the state's predominant forest type, accounts for 72% of the state's forests.

Steve Bullard, Chair of the UK Department of Forestry, on faculty positions at the department. Steve informed members that he is leaving UK July 1. KWOA expressed its appreciation for Steve's many contributions to KWOA's public education efforts over the years. Steve said the department should be filling an applied policy position by the fall semester. He noted that Tamara Cushing, well-known to many members for work in forest economics and valuation, had taken a position at Clemson University. Regarding the status of the Streamside Management Zone study in Robinson Forest, Steve reported that the tree harvest is 75% complete. For the future, he hopes the department can double the number of students enrolled in the forest program, which currently stands at 80-90.

Scott Shouse, MACED, provided an update on the carbon credits program. Jim Corum, KWOA President, and Bob Bauer, KFIA, provided updates on the status of forest-related legislation in the 2009 state session. (See related article for details.) Jeff Stringer, UK Department of Forestry, informed members of efforts to secure cost share money for ice damage. Jeff said cost share funds may also be available through the Natural Resources Conservation Service which is adding a forestry committee to the state agency.

Jeff alerted members to a new web portal for information on woodland ice damage – [www.kyicedamage.net](http://www.kyicedamage.net). The site includes several fact sheets that address ice damage including safety in the woods, managing woodland damage and health, timber salvage, pruning and caring for ice-damaged trees, and helping trees recover as well as where to get help and other information such as webinars on ice damage.

Billy Thomas, UK Forestry Extension, provided a preview of the 2009 Woodland Owners Short Course program. To make it more family friendly the WOSC has changed to a Saturday schedule whose three tracts will include one for youth. Locations and dates are as follows:

- Central Region – Grant County, Lloyds WMA – June 13
- East Region – Boyd County, Fair Grounds – August 29
- West Region – Breckinridge County, Extension Office – September 26

Brochures and registration are available at <http://www.ca.uky.edu/forestryextension/WOSC.php> or call 859-257-7597.

### ***Legislative Update***

Jim Corum and Bob Bauer provided an update on KWOA's initiatives in the 2009 legislative session. See related article for a full rundown of the bills and issues.

### ***Forest Certification***

Jeff Stringer presented an extensive overview of Forest Certification in Kentucky

(see related article by Betty Williamson). Jeff defined certification as a process of determining if a forest operation meets predetermined environmental, economic and social standards. He explained the difference among the American Tree Farm, Sustainable Forest Initiative, Forest Stewardship Council, and Green Tag forest certification systems and associated wood certification systems. Currently, for wood suppliers, there is a shortage of certified ground in Kentucky, forcing suppliers to go out of state for certified logs. Jeff reviewed the establishment of Tennessee's Point of Harvest certification program and the SmartWood certification program through the Kentucky Certified Master Logger Program.

### ***Election of 2009 Officers and Board***

Members were presented with and approved the slate of nominees for the 2009 Board of Directors. The Board then elected officers for 2009. (See last page of newsletter for roster.) Jim Corum was thanked for his service as two-term president to the association and given a plaque, courtesy of KFIA, and several gifts. In his departing remarks, Jim noted that property taxes, unlike carbon credits and other initiatives, affect the future of property ownership. Jim plans to remain active in this area.

Henry Duncan, KWOA Vice President, was thanked for taking the lead in organizing the 2009 Annual Meeting. Betty Williamson, in-coming KWOA President, invited members to attend the first 2009 board meeting, to be held May 21 at the KFIA office in Frankfort.

**KWOA is dedicated to promoting economically and environmentally sound forest management.**

**Visit our new Web site...  
[www.kwoa.net](http://www.kwoa.net) to learn more.**

# 2009 Master Tree Farm Series

## Forest Risks And Risk Management

*by Betty Williamson*

On March 2, 9, and 16, 2009 from 6:30 - 9:30 PM EST, a Webinar was broadcast from the UK Forestry Extension Office to 11 county extension offices throughout Kentucky. The hosting extension offices were in Boyd, Breathitt, Bullitt, Clark, Harlan, Letcher, Lyon, Menifee, Monroe, Rowan, and Trimble counties. The webinar was moderated by Dr. Jeff Stringer and Billy Thomas from UK Forestry Extension and Tad Norris from Kentucky Division of Forestry. Technical assistance was provided by Renee' Williams at UK Forestry Extension.

On March 2 the topic was "An Introduction to Managing Risk in Your Forest - Understanding and Managing Natural Disasters and Changing Climate". Speakers included Dr. Stringer from UK, Dr. Brooks Mendell from Forisk, Dr. Rick Williams from UFI, and Dr. Steve McNulty from the USDA Forest Service.

On March 9 the topic was "Managing and Mitigating Invasive Plant Species, Insects, and Diseases". Speakers included Dr. Dave Moorhead from UGa, Dr. Stringer from UK, and Dr. Lynne Rieske-Kinney from UK. On March 16 the topic was "Taxes, Policy, Regulations, Law and Land Use Change. Speakers included Dr. Stringer from UK, Tom Kazee from Woodland Security Inc., Debbie Gaddis from Mississippi State University, Billy Thomas from UK and Tad Norris from KDF. After each speaker's presentation was watched there was a period of interactive question and answers between the moderators at UK and the seminar participants.

Many times woodland owners complain that they can't attend informational seminars and courses because they are often conducted during the work day or they require a long drive to attend. The Webinar format addresses both of these obstacles. They can be conducted anywhere at any time.

The UK Forestry Extension office that presented the webinar series and the eleven county extension agents who took the time to host the webinar should be commended for accommodating the working woodland owner close to home.

### UK AG Research Invasive Species Conference

*by Betty Williamson*

On December 12-13, 2008 an Invasive Species Conference was held in Lexington, KY. The purpose of this conference was to demonstrate a sense of urgency regarding the threats posed by the most significant invasive species in Kentucky and to propose and share possible solutions. It was hoped that this conference would help create linkages within and across organizations to capitalize on funding, research, and applied opportunities. Speakers included representatives from the US Geologic Survey, Michigan State University, USDA Forest Service, KDF, UK, Kentucky Nature Preserves, KY Transportation Cabinet, KDFW, the Nursery and Landscape Association, UT, Murray State University, Northern KY University, and the Nature Conservancy-New York.

It was a very informative conference and many good points and topics were covered. Some of the points that really "stuck" were:

- Of the thousands of invasives less than 1% causes 75% of the problems. Unfortunately, we are not equipped to deal with that 1%.
- Our government places very little importance on biological protection when compared to the monies spent on environmental protection.
- We need to have inter-agency cooperation to combat this problem.
- There are success stories when combating invasives but they often come at a high monetary and environmental cost.
- When purchasing and planting non-native species, we shouldn't introduce plants into our environment that are spread by wind, water or birds.

# 2009 Woodland Owners Short Course

Kentucky woodlands are primarily family owned—nearly 80 percent of Kentucky’s woodlands are privately owned by individual families or trusts. It is these family woodlands that provide the vast majority of wildlife habitat, water filtering, erosion control, biodiversity, recreational opportunities, and the raw materials for a wood industry that generates more than \$8 billion annually in Kentucky.

Unfortunately, most family woodlands are unmanaged, and their potential is not being realized. In fact, some experts believe that the “average” Kentucky woodland is worth only 25 percent of its potential value because of past practices and lack of management—and that is purely from a timber perspective. When you factor in the non-timber benefits our woodlands also provide, then it is easy to see that many family woodland owners are missing a tremendous amount of potential by not managing their woodlands.

How can family woodland owners realize their woodlands full potential? By attending the Woodland Owners Short Course (WOSC). Based on your experience and interest levels, you can attend one of two educational tracks lead by Kentucky forestry and natural resources experts. Woodland owners participating in the WOSC will self-select the most appropriate track based on the statements below:

Follow the arrows and select the track with two or more statements in which you most relate. Couples can split up to attend both tracks.

<p><b><i>I don't know my options as it relates to managing my woodlands.</i></b></p> <p><b><i>I am not sure of the services and assistance available to help me manage my woodlands.</i></b></p> <p><b><i>I am fairly new to woodland ownership.</i></b></p>	<p><b><i>I have identified objectives for my woodlands and have a management plan.</i></b></p> <p><b><i>I have worked with forestry and other natural resource professionals in managing my woodlands.</i></b></p> <p><b><i>I have owned my woodlands for some time and am looking to become more active in its management.</i></b></p>
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**Consider registering for the Green Track.**

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**Consider registering for the Gold Track.**

For the first time, the WOSC will be conducted on Saturdays and includes a youth program for ages 5-17. Even if you have attended a WOSC in the past, there will be lots of valuable information to help you get the most from your woodlands. Plan to bring the family and join us for an educational experience that will have lasting benefits for you and your family. We look forward to working with you this summer!

## WOSC REGISTRATION

Name(s) \_\_\_\_\_

Youth Name(s) and age(s) 5-17 years of age \_\_\_\_\_

Home address (street and/or box number) \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

E-mail address \_\_\_\_\_

Daytime Phone \_\_\_\_\_

I own \_\_\_\_\_ woodland acres in \_\_\_\_\_ county.

### Course Fees (Pre-registration strongly encouraged):

Sessions are \$25. Couples \$40. Youth \$5. (\$5 extra day of program) Registration includes: lunch, clipboard, resource CD, and educational programs from some of the best forestry and natural resource experts in Kentucky.

Visa/MasterCard accepted by phone or mail.

Circle one: Visa MasterCard

Expiration date: \_\_\_\_\_ month / \_\_\_\_\_ year

or checks payable to: **UK Department of Forestry**

### Please check the track(s) you wish to attend:

Central Region	East Region	West Region
Grant Co.	Boyd Co.	Breckinridge Co.
June 13	August 29	Sept. 26
Green Track <input type="checkbox"/>	Green Track <input type="checkbox"/>	Green Track <input type="checkbox"/>
Gold Track <input type="checkbox"/>	Gold Track <input type="checkbox"/>	Gold Track <input type="checkbox"/>

Mail your registration form to:

**Woodland Owners Short Course  
UK Forestry Extension  
216 T. P. Cooper Building  
Lexington, KY 40546-0076**

Register on-line at: [www.ukforestry.org](http://www.ukforestry.org)

Information contact:

**859.257.7597 or visit [www.ukforestry.org](http://www.ukforestry.org)**

**KENTUCKY WOODLAND OWNERS ASSOCIATION**

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David Henderman, (09) Louisville  
Hugh Archer, (10) Lawrenceburg  
Dr. James "Greg" Kuhns, (11) Louisville

**West Zone**

J. Henry Duncan, (09) Versailles  
Tim Freibert, (10) Louisville  
Perry Sebaugh, (11) Park City

**Directors at Large**

Jack Rentz, (09) Cincinnati, OH  
Doug McLaren, (10) Lexington  
Bob Bauer, (11) Frankfort

New Director At-large Jack Rentz is working on timberland improvement with his wife on their 75-acre parcel in Lewis County. When he's not in the woods, Jack is at his day job in the banking industry.

**OFFICERS**

President - Betty Williamson, Madisonville  
Vice President - J. Henry Duncan, Versailles  
Secretary - Doug McLaren, Lexington  
Treasurer - Peter McNeill, Flemingsburg

Next Board Meetings: August 20 at KFIA  
Members are encouraged to attend.

*Kentucky Woodlands* is published quarterly. We welcome articles and information for inclusion in the newsletter. Please submit copy to the address below. Editor reserves the right to edit all material for content and length.

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