

# Forest Forum

Washington County Small Woodlands Association

December, 2011

## ***January WCSWA Meeting: Thinning: Theory & Practice Matching Your Goals To Silviculture***

The January WCSWA meeting program will focus on a problem facing many small woodland owners: how to maintain the appropriate density (spacing) of trees to meet management goals? The January program will feature both professional expertise and experienced woodland managers to share both concepts and results.

Stephen Fitzgerald, OSU Extension silviculture specialist, will lead off with the theory and research on density management, citing the body of research that has developed guidelines used by today's public and private professional foresters. Following his presentation, a panel of experienced woodland owners/managers will discuss their personal experiences, including their management objectives and results.

***This is a program you won't want to miss!***

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## ***Hayes Family Captures 2011 TFOY Honors***

At the Annual WCSWA Banquet on November 18<sup>th</sup>, the traditional Tree Farmer of the Year sign was presented to the Hayes family, recognizing their achievement as the Tree Farmers of the Year for Washington County.



***Pam, Peter, and Sis Hayes, with Dallas Boge***

The Hayes family also achieved this recognition in 2003, prior to the passing of Ned Hayes. Ned and his wife Sis were well known as not only dedicated and outstanding tree farmers, but also for their many contributions to forestry education. Peter Hayes, Ned's son, and his wife Pam have continued this tradition of contribution to good forestry. They are active managers of the Hayes properties. Peter also sits on the Oregon Board of Forestry.

Peter and Pam recognize the value of the American Tree Farm System in promoting good forest stewardship, but are quick to point out that they are not "farming" the forest in the traditional sense. They prefer to be recognized as good stewards who work with natural processes and values in managing their forests.

## ***The Prez Sez: A Good Month for Washington County Woodlands!***

The month of November was a good one for Washington County Small Woodlands members (as well as other small woodland owners throughout the state). The Oregon Board of Forestry met in Forest Grove on the 3rd. Bob and Bonnie Shumaker delivered an excellent presentation to the Board and other guests attending the official dinner that evening. On the 4th, the Board and about forty other Forestry Department personnel and forest owners toured three of our members' forests. Thank you to the Renzemas, the Shumakers, and the Hanschus for serving as gracious and informative hosts. Forestry Board members said they learned a great deal about the rewards and challenges of small-woodland ownership from the tour, and they expressed their appreciation. Of course, we thank the Board for taking a direct interest in our efforts managing our forests, and in how their decisions might affect the future of small, family-owned woodlands.

Also on November 3rd, the OSWA Annual Meeting Committee met and selected the venue at Pacific University. Overnight accommodations will be available on campus and at nearby hotels/motels. The committee is currently formulating a theme for the Friday, June 22nd sessions. We are also seeking donated items for the silent auction and contacting sponsors and vendors whose presence and assistance will be of mutual benefit. Your contributions and/or suggestions will be most welcome. The Tree Farm of the Year tour is set for Saturday, the 23rd at Hyla Woods. The 2012 Annual OSWA Annual Meeting gives us a great opportunity to share what is unique about Washington County woodlands with our friends and colleagues from around the state. Remember to mark that new calendar for June 22nd, 23rd, and maybe the 21st.

The WCSWA Annual Dinner Meeting on November 18th was well attended. I think everyone enjoyed the evening. Peter Hayes and family, owners of Hyla Woods, received the Washington County Tree Farmers of the Year award. Door prizes were plentiful. Nominations for Board and Officers were confirmed. (Be sure to vote.) Our speaker for the evening, Ellen Morris Bishop, was unable to attend due to a family emergency. She went to the extra trouble of sending her entire power-point presentation via the internet and recording a special voice-over lecture which was timed to go with the video as it progressed! Our thanks go to Ellen for her extra effort at a difficult time for her. The very authoritative and understandable presentation gave an overview of how Oregon has changed over the last few hundred-million years. Ellen is quite the expert on the topic, and has written a book, *In Search of Ancient Oregon*. You can find information on how to obtain a copy of the book on page 5 of this issue. Again, thank-you to Doug Eddy, Beth Adams, Ann Hanschu, Marge and Scott Hayes, Deb Kapfer, and Stuart Mulholland for their work on the event. (I hope I didn't miss anyone.)

In the spirit of the season, WCSWA members Sharon and Dallas Boge donated a grand fir which now stands 30 feet tall in the State Capitol rotunda as the official Oregon holiday tree. Until recently, the grand fir was growing on their Lone Fir Tree Farm near Gales Creek. This continues the Boges' long-standing tradition of contributing to their community. As they have in the past, Stimson Lumber Company, our good neighbor (and donor of the "Tree Farmer of the Year" sign each year to WCSWA), donated the 75-foot Douglas fir which now stands in Pioneer Square in Portland. I think that we can be proud that each of these trees comes from our county to share the holiday spirit with so many people.

In the spirit of the end of the tax year and if your OSWA membership comes up for renewal at year's end, let me remind you to renew before the end of the month. The majority of your dues are tax-deductible if your forest generates income from time to time.

I wish you all a happy holiday season, and a rewarding, happy, and interesting 2012. Enjoy this special time with family and friends.

***Jim Brown***

**See You at our NEW MEETING VENUE  
January 24th, 7 p.m.!**  
**Washington County Fire District 2 Fire Station  
31370 NW Commercial Street; North Plains**

## WCSWA Leadership

**President – Jim Brown, 503-284-6455 [jimbrownorch@q.com](mailto:jimbrownorch@q.com)**  
**Vice-President – Dan Logan, 503-647-5213, [danlogan@easystreet.com](mailto:danlogan@easystreet.com)**  
**Secretary-Treasurer – Bob Shumaker; 503-324-7825**  
**[bshumaker@coho.net](mailto:bshumaker@coho.net)**

### Board of Directors:

Pos. #1: Tom Nygren, 503-628-5472 [tnygren@juno.com](mailto:tnygren@juno.com)  
Pos. #2: Sam Sadtler 503-324-0223 [samsncee@gmail.com](mailto:samsncee@gmail.com)  
Pos. #3: Bonnie Shumaker – 503-324-7825 [bshumaker@coho.net](mailto:bshumaker@coho.net)  
Pos. #4: Scott Hayes 503-992-1509 [scotthayes@wildblue.net](mailto:scotthayes@wildblue.net)  
Pos. #5: Doug Eddy, 503-628-1468 [douglas.eddy@upwardaccess.com](mailto:douglas.eddy@upwardaccess.com)  
Pos. #6: Bill Triest – 503-626-1838 [whtriest@gmail.com](mailto:whtriest@gmail.com)

### Legislative Committee Chair:

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### Membership Committee:

Stuart Mulholland, 503-985-3168  
Howell Hughes, 503-201-3748

### Program Committee

Bill Triest – 503-626-1838; Beth Adams – 503-628-0722, Marge Hayes – 503-992-1509;  
Terry Howell – 503-357-2882, John and Cathy Dummer – 503-244-3812

### WCSWA Website

[www.wcswa.org](http://www.wcswa.org)

**Website Manager: Kathy Scott**

Contact Tom Nygren for web postings and information.

### Forest Forum Newsletter

Editors: Tom Nygren & Bonnie Shumaker

503-628-5472 or 503-324-7825

e-mail: [tnygren@juno.com](mailto:tnygren@juno.com) or

[bshumaker@coho.net](mailto:bshumaker@coho.net)

Proofreaders: Bonnie Shumaker, Dan Hundley, Tom Nygren, Ardis Schroeder

## The Tree Farm Tradin' Post

*A free service to our members: List tree farm items/land to buy, sell, or trade. Contact Tom Nygren, 503-628-5472. Got a tool or piece of equipment you don't need any more? Or maybe you are looking for tools, equipment, property, or materials? You can place a free advertisement in Forest Forum. Another way for tree farmers to help each other! (3 month limit)*

**For Sale: 37 acre tree farm** - NW Washington County, planted '91-92, mostly with Douglas fir. On county road; 2 seasonal streams. Probably buildable with power and telephone at property entrance. New lower price \$199,000; motivated seller. 503-649-5003

**Wanted: (none)**

**Trade: (none)**

## Event Calendar

<b>December</b>		<b>No Meeting Scheduled</b>
<b>January</b>	<b>24</b>	<b>WCSWA Monthly Meeting</b> - 7:00pm at the Washington County Fire District 2 Fire Station, 31370 NW Commercial Street, North Plains. <b>Topic: Thinning Theory and Practice</b>
<b>February</b>	<b>28</b>	<b>WCSWA Monthly Meeting</b> - 7:00pm at the Washington County Fire District 2 Fire Station, 31370 NW Commercial Street, North Plains.
<b>March</b>	<b>27</b>	<b>WCSWA Monthly Meeting</b> - 7:00pm at the Washington County Fire District 2 Fire Station, 31370 NW Commercial Street, North Plains.
<b>April</b>	<b>24</b>	<b>WCSWA Monthly Meeting</b> - 7:00pm at the Washington County Fire District 2 Fire Station, 31370 NW Commercial Street, North Plains.
<b>May</b>		<b>WCSWA Annual Potluck Meeting</b> - <b>Date, Time, and Place To Be Determined Later</b>

## Advertising Opportunity:

The Forest Forum is a monthly newsletter sent out to over 250 members and friends of WCSWA. Advertisers receive free newsletters for the duration of their ads.

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Please send this form, ad copy, logos, photos, etc. to:

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### *Go, Wood, Go!*

The NASF (National Association of State Foresters) and several partner organizations recently submitted comments to the Green Building Advisory Committee (GBAC) as it reviews green building certification systems. *The groups urged the use of wood as a preferred green building material and laid out principles for wood in green building certification.*

### *Woodland Management 101*

Time to pull out the 2012 calendars! For the 3rd consecutive year, I'll be teaching a winter shortcourse, Woodland Management 101. If you are new to owning or managing forested land, this is a great place to start learning about taking care of your property. We'll cover a little bit of everything, from tree identification to tax issues, over the course of five evenings and one field session. Course dates/location: Wednesday evenings, Feb. 1st – 29th, 2012 (Saturday field session Feb. 25); Columbia County Extension office in St. Helens. Sign up by sending in the [registration form](#) or calling the Extension office, (503) 397-3462.

*Amy Grotta, Extension Forester*



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Funding for the OFID expansion provided by a grant to the Institute for Culture and Ecology and OSU Forestry Extension by the USDA CSREES National Research Initiative (See [www.ifcae.org/wildforestgoods](http://www.ifcae.org/wildforestgoods)).





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### *Know Your Loggers*

Small woodland owners have the Oregon Small Woodland Association as their collective voice and advocate – *who represents your logger?*

In Oregon, the **Associated Oregon Loggers, Inc. (AOL)** is the trade association for loggers. Rex Storm, CF, is the Forest Policy Manager for the organization, and the officers are elected by the members.

Since 1995, AOL has operated the Oregon Professional Logger program to train and certify loggers in sustainable forestry practices, safety, and business. Annually over 1600 loggers attend forest practice education seminars to maintain their certification as a “**Certified Logging Professional**”, or “**Master Logger**”.



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### **Ellen Morris Bishop Publications**

If you would like to read some of Ellen’s publications, she has provided source information:

Most local bookstores--Powells, Lookingglass, etc., carry the book. In addition, It's available online (Amazon, for example) or Alibris.

If your member would like an autographed copy, I can work with the Whitman College bookstore to accommodate that - they will ship the personally autographed book.

For this, they can contact me directly ([palobishop@gmail.com](mailto:palobishop@gmail.com)) or Janice King, the manager of the Whitman bookstore: [kingjd@whitman.edu](mailto:kingjd@whitman.edu)



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## **"Oregon Forests Thru Climates and Time" – Annual Banquet Program Gives Perspectives On Current Climate Debates**

Ellen Morris Bishop, a well-known author and geologist, was supposed to be the speaker at WCSWA's Annual Banquet on November 18<sup>th</sup>, but weather threats and other reasons kept her from attending in person. However, through the power of modern communication and digital transmission, she still gave a very interesting talk to those attending the Banquet.

Ellen began her talk by describing Oregon during the Carboniferous period, over 300 million years ago. Swampy forests of cypress and magnolia characterized the landscape in those days. Dragonflies with 3 foot wingspans, six foot long centipedes, "tree" ferns 300 feet tall, and 100 foot tall club mosses were common. The atmosphere was 37% oxygen – an all time high – and carbon dioxide was a small component. The earth was 2 part –water and one large continent (the breakup and drift into today's continents had not yet begun).

With this introduction, Ellen then described the forces which changed the earth – and Oregon – over the succeeding millions of years: oceanic circulation, orbital oscillation, and changes in the the albedo – the window to the sun. Those forces continue to change our earth; we notice their effects most noticeably in our moisture and temperature changes.

During the following "ages" – Permian, Paleozoic, Eocene, and Oligocene, climates continued to change, and the plants and animals found in Oregon and elsewhere changed with them. Continents continued to move toward their present locations, also affecting plant and animal habitats. In Oregon, plant fossils show the change from tropical, to subtropical, toward our present humid-temperate climate. The change from very low levels of carbon dioxide found in the atmosphere 300 million years ago, to a relatively high level in today's atmosphere, has tracked along with changes in plant and animal habitats. During the recent Oligocene period, there was a cooling period – probably reflecting high levels of grassland which pull more CO<sub>2</sub> out of the atmosphere, and a higher albedo – reflecting heat and light, perhaps tied to the antarctic circumpolar ocean current.

What's ahead? Continued shifts in plant and animal habitats, less overall species diversity, and shifts in moisture regimes. However, these changes will not occur uniformly. The northwest US will likely not change as much as some other areas of the country. There will be some shifting of tree species northward, and inland areas may begin changing from shrub-steppe to forest types.

***For more information on Ellen's publications and where to get them, see note on page 5***

# TREE TALK

by Bonnie Shumaker

On November 3<sup>rd</sup>, Bob and I were asked to present an after-dinner speech to the Board of Forestry following their Board meeting which emphasized family forestlands. Following is a shortened version of the speech.

## *Why Are We Tree Farmers?*

Our goal was not to be tree farmers, but like life often does, random events shaped the outcome. Our history and the history of the land came together.

First the land: Our land was homesteaded in 1886 by German immigrants. It was part of the community of Hayward, seven miles west of Banks, which at one time had its own school and post office. Perhaps they settled in this foothill country of the coast range, because the Dutch had already settled in the high producing bottomland.

Ourselves: We both graduated from high school in 1962. We were influenced by the “back to the land” movement of the hippies, but were too cautious to be true hippies. We missed the “free love” part of the movement, too, when we married in 1964, two years after high school. Our desire was to be as self-sufficient as possible, growing our own food, vegetables and meat and heating with wood. We didn’t mind gravel roads or frequent power outages, but wanted comfort and security, too, so we had to be close to good paying jobs. We didn’t have much money to invest, and land in the foothills fulfilled that end of it. We found our property in 1977. We raised a flock of sheep and grew hay and small grains for 25 years. As we neared retirement, we began afforestation on all but five acres of pasture. The sheep and wool market had tanked, and we realized that trees seldom broke through fences and didn’t require care every day giving us more freedom in our retirement. In 1997, the south 40, which had been owned by Air King, was being clear-cut as part of an estate settlement. They needed an easement through our property to get the logs out, and we granted it with the condition that we could buy it after they were done. We also took on the responsibility to replant the land and did so in 1998.

### Why do we love tree farming?

First of all, it is our home. We get to walk it every day in every season. We watch the wildflowers bloom and the seedlings we plant grow before our eyes. Even our mistakes greet us as we walk by. We have a five acre pasture conversion we planted in 1996, before we knew much about tree farming. We planted the seedlings too close together, and then for the next two years, carefully replaced any that had died. Now we have a fifteen-year old stand that is too dense even with the obvious defects removed.

Secondly, in Clint Bentz’ words, it is our heirloom. We want to pass our tree farm on to the next generation. We already feel that we must have passed the “forest gene” on to our two sons. Both of us obviously have the dominant “forest gene”, so it is guaranteed to have been passed on. We know that what we plant, the next generation will harvest; and what they plant will be harvested after them. We like this cycle of people and the land. When we started on the land, we asked, “What can we get out of this land?” After a while, we learned to let the land speak. This land was made for growing trees. After 25 years of raising sheep, we listened.

Next, we enjoy the diversity of the small woodland community, both in the owners and the landscape. The woodland people we have met come from many interesting walks of life and have varied management plans for their land. This makes the forests of small woodland owners diverse and adds to their ecological value.

Lastly, we wish to aid in the public understanding of the value of small woodlands; their contribution to clean water, clean air, habitat and to the economy. We give tours to school groups as well as adults.

We want to thank the agencies who have added to our knowledge and confidence. We know we are still new at this and will continue to grow. Thanks to ODF, OFRI, OSU, OSWA, ATFS, NRCS, MWM, and Stimson Lumber.

### How can ODF Help Small Woodland Owners:

1. We need regulatory certainty and best management practices which are practical and based on sound science, rather than politics and emotion.

- a. Forest Practices Act is good - address as needed using the above criteria.
  - b. Avoid multi-agency regulations and authority such as California has.
  - c. Keep the costs of regulation low. Use incentives to enhance outcomes.
2. Help maintain infrastructure and markets. A certainty of supply from state and federal forests helps justify investment in mills and trained people.
  3. Maintain property tax deferment until trees are harvested (small tract option).
  4. Look closely at bio-mass utilization, especially on the east side of Oregon.

Another area in which ODF can be involved is to help insure a smooth transition to the next generation of ownership. "Ties to the Land" offers many good ideas. We have begun annual meetings with the next generation to share and listen. However, there is a deterrent inherent in Oregon's land use law that needs to be rectified. Here are the facts.

1. Large industrial private lands tend to be at higher elevations
2. Small woodland owners' lands tend to be at lower elevations, near residential areas and the urban/rural interface. Many are in commuting distance of family-wage jobs. These lands by their very nature are more vulnerable to conversion to other uses.
3. Living on your property helps grow passion for the land and keeping it intact. We have two properties. One we live on. The other is only 25 minutes away, but the love and care on the home place far outweighs that of the other. Having the next generation live on the tree farm during their professional years would help them grow their passion for the land.
4. We were granted a special exemption in 1978 to have Bonnie's parents live on the place. This required a lot of time and effort, but the hearings officer who granted the exemption stated, "extended families living and working together should be encouraged for the public good."
5. This special exemption is not allowed any more on forest land, but it is on agricultural land. Community Development Code 215.213(e)(A) allows a second dwelling for a relative on the same tax lot if the owner now or in the future will need the help of the relative. There is no sub-dividing of the property.

Therefore: Forest land (EFC) needs to be treated like agricultural land (EFU) in allowing a second dwelling as described above. This is also in keeping with Oregon's Land Use Goal 4: "To conserve forest lands by maintaining the forest land base." We have written to our state senators and representatives, the "Big Look Committee", and the OSWA Government Affairs Committee. No one has been negative to the idea, but it has never made it out of committee. Perhaps the Board of Forestry could investigate this further.

There is one more issue regarding succession planning. Here are the facts:

1. Gifting shares in the property while the older generation is still alive takes away the pall of waiting for parents to die before any ownership. One of these is gifting shares in the property while the older generation is still alive. Forming an LLC is a good way to gift.
2. Forming an LLC is expensive and requires a costly business appraisal any time gifting occurs.
3. Most small woodland properties are small. According to a survey done in Washington County in 2003, 85% of small woodland owners in Washington County own less than 50 acres.

Therefore: For most small woodland owners, it does not make economic sense to form an LLC. There needs to be another way to gift. Perhaps it would be possible to treat the land and the trees as two different entities and gift only a share of the trees. This may need only a forest inventory.

We then concluded with the excellent poem by Robert Mealey, "When You're So Old". In the mid 1980's, Robert Mealey was one of the early Valley Ponderosa Pine advocates and with Bert Udell, the Linn County Small Woodlands Association and the OSU Extension Service launched the first organized effort to collect and grow seed for general distribution of Valley Ponderosa. Bob planted trees into his 80's. It has been said that when he spotted a piece of land without trees, it was his natural predilection to plant some.

**When You're So Old**  
**by Robert A. Mealey**  
*1912-2007 (died April 5, 2007)*

My friends quite often ask of me,  
Why does an old man plant a tree?  
It grows so slow it will not pay,  
a profit for you anyway.  
Then why in storm and winter cold,  
do you plant when you're so old?

The answer seems hard to define,  
when muscles ache and they are mine.  
But I just cannot stand to see,  
a space where there should be a tree.  
So that in part, as years unfold,  
is why I plant when I'm so old.

I know that animals, bugs and things,  
love trees and so do such as go on wings.  
So creatures wild that benefit,  
is one more reason I can't quit  
from planting trees while I can hold,  
my planting hoe, though I'm so old.

They say that those retired from labor  
should fish and play and talk to neighbor.  
They also say that folks in leisure, should  
do the things that give them pleasure.  
And so the thought on which I'm sold,  
I'll plant some trees though I'm so old.

As time goes on my trees will grow,  
so tall and clean and row on row.  
The furry folk will have a home,  
The birds can nest and kids can roam,  
and all of this as I have told,  
I planted trees though I'm so old.

And then there is my family,  
young folks who will follow me.  
I'd like to leave them with some land,  
stocked with trees and looking grand.  
These gifts I value more than gold,  
so I plant some trees though I'm so old.

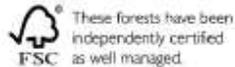
And taxes too for schools and roads,  
with jobs and lumber for abodes.  
I won't see these things, I won't be here,  
but in my mind it's very clear.  
The words of some who could be polled,  
might thank a man who is so old.

Man should be proud of what's his own  
and how he's managed what he's grown,  
but management must be begun,  
by planting seedlings one by one.  
And so my pride I will uphold,  
I'll plant some trees though I'm so old.

So when my friends ask of me,  
Why does an old man plant a tree?  
Perhaps, the lines above explain,  
how aching back and limbs in pain,  
may by commitment be controlled  
to plant my trees though I'm so old.



A BALANCED APPROACH



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*Questions: call Don Scott, 503-359-5983*

**From Wood Energy News volume 210, Dec. 9, 2011**

Maine Governor Paul LePage signed an executive order today directing that “any new or expanded state buildings shall incorporate ‘Green Building’ standards that give certification credits equally to forest products grown, manufactured, and certified under the Sustainable Forestry Initiative Standard, Forest Stewardship Council, American Tree Farm System, and Programme for the Endorsement of Forest Certification systems.”

The Maine Executive Order comes after 100 Members of Congress and Governors, and over 6,000 individuals around the world, encouraged the USGBC to reward wood from North American forests by equally recognizing SFI, ATFS, CSA, PEFC and FSC in their LEED rating system. Currently, the LEED rating tool fails to recognize nearly three-quarters of North America's certified forests, often leaving builders to give preference to FSC wood offshore over SFI certified wood in North America.

Maine’s announcement is one of a recent string of decisions by US agencies and organizations that reinforce SFI’s growing recognition and an increasing trend to recognize the value of all forest certification programs equally. Recently the US Departments of Agriculture and Education, and the International Green Construction Code (IgCC) have all recognized SFI and other credible certification standards.

**Got A Log Brand?**

*The Oregon Department of Forestry (ODF) reminds timber operators with current state-registered log brands that log brands must be renewed between October 3 and December 31, 2011.*

## ***Clouds on the Horizon? Fallout from NEDC vs Brown***

A lawsuit filed by NEDC against the Oregon Department of Forestry and several timber industries (NEDC v. Brown, et al) challenged a 40 year old Environmental Protection Agency regulation promulgated as a result of the federal Clean Water Act (CWA). The lawsuit has raised a storm cloud over the future of any activities in forests (and perhaps agricultural and other working lands) that require access roads. The original District judge found the suit without merit, citing EPA's "silvicultural exemption", which held that forestry activities, including the roads used in logging activities, were not "point sources" that required a permit under the CWA, but were instead "nonpoint sources" which could be managed under "Best Management Practices" – such as those mandated by the Oregon Forest Practices Act. A subsequent appeal by NEDC (the original litigant) led to the 9<sup>th</sup> Circuit Court overturn of the District decision. The ball was tossed back to the lower District Court for re-trial. In the meantime, EPA is stuck with dealing with the 9th Circuit Court's decision.

However, other interested parties saw the potential for significant (and perhaps unnecessary) disruption to ongoing and planned forest management. The Governor of Oregon directed his Attorney General to petition the US Supreme Court for review of the 9th Circuit decision, along with a host of other petitioners (26 states have filed for review). It will likely be April 2012 before the Supreme Court decides whether or not to review the decision. Senators Ron Wyden (OR) and Mike Crapo (ID), along with others, have filed a legislative proposal to overturn the 9<sup>th</sup> Circuit decision, and cause a return to the original EPA regulation. Again, it will likely be some time before we know if this effort is successful.

### ***What Do The Experts Say?***

A special panel of knowledgeable experts was convened at the Oregon Tree Farm System Annual Meeting on November 21<sup>st</sup> to discuss the potential implications of the NEDC v. Brown et al decision. The following points were raised:

#### **Kevin Boston, Forest Engineering, OSU College of Forestry**

A key factor in the 9<sup>th</sup> Circuit decision was the observation that roads are usually connected to the natural hydrological system (streams) by ditches, culverts, and other means of getting the water off the roads. These are apparently seen as "point sources". If EPA generates a new rule covering forest roads as point sources for pollution, some options exist for ameliorating the effects of potential "point source" effects, such as:

- Avoiding connectivity by out-sloping roads and reducing the need for ditches and culverts
- Using filters on road drainage systems
- Avoiding any hauling during wet weather, and changing other hauling practices
- Using improved rock that reduces sediment on vulnerable road segments
- Better road subgrade control to reduce rutting

These and other practices can reduce potential of sediment to enter waterways, but at cost. Who bears these costs? How can effects and cost/benefit be predicted? How can regulatory certainty be achieved, and at what cost? Engineering can help reduce effects, but decisions must consider costs. Forest managers and engineers need to be involved in any rule-making.

Michael Campbell, Attorney, Stoel Rives law firm

The key point is, if you channel any runoff, it becomes a “point source” discharge, with sediment as the pollutant. However, there are many ramifications of this decision which are yet to be determined, and which could have a great effect on its implementation:

- A significant nexus for this decision may be whether or not the pollutant reaches “navigable waters”. If it doesn’t, then the decision may not apply. However, at least in western Oregon likely all water would reach a navigable water.
- Where does the logging road system end – at the public road? I-5?
- What happens when the road is no longer used for logging? Many roads become general access roads – is a permit required for such use? What about “legacy roads”?
- Who would need a permit – the logger? The landowner? The hauler?
- Who would do the monitoring, recordkeeping, reporting?
- How would liability be assessed – civil, criminal, negligent, non-negligent, etc?

Ann Forest Burns, American Forest Resource Council

This decision can threaten activities on federal, state, and private lands. The key question is: When are forest roads no longer part of an industrial activity? The Clean Water Act draws some distinctions relative to industrial activity that could affect interpretation of the decision.

Currently there are both judicial solutions and legislative solutions being explored. Strong advocates are lining up on both sides of the issue. We won’t know where the final resolution will be for some time.

Dave Powers, Environmental Protection Agency

Nonpoint sources are the leading contributor to stream and lake pollution. In 2011, there were 33,000 streams in the nation that were classified as “impaired” due to pollution. Forestlands are often the headwaters for impaired streams, though they may not be the primary contributors. Litigation has blurred the line between “point” and nonpoint” sources of pollution.

EPA is looking at permitting options that could be used. Coordination of federal, state, tribal, and private land managers will be needed. In many states, EPA would be the permitting agency, but in Oregon – because of agreement with the Department of Environmental Quality, DEQ would be the permitting agency.

Over the long term, the goal would be to have permits specifically designed for logging roads, though initially the more general permitting processes would have to be used. It takes 18-24 months to develop a permitting system. Sound BMPS are the best option for forest roads. Legacy roads will be the biggest challenge.

Josh Teeds, Oregon Department of Environmental Quality

DEQ works with EPA to implement the provisions of the Clean Water Act. DEQ will be working toward a long-term solution involving a general permit, monitoring, and reporting. In the interim, DEQ will be looking to work forest road permitting into the Oregon Department of Forestry Forest Practices Act process. A major focus will be dealing with legacy roads and stream crossings.



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### ***Best Management Practices – Are They Working?***

Best Management Practices (BMPs) are the guidelines set out by states to ensure compliance with the Clean Water Act. They vary from state to state, according to needs and conditions. They protect bodies of water through adjacent streamside or riparian management zones. Within these zones, practices are detailed for stream crossings, roads, skid trails, harvest, fertilizers, pesticides, and other potential sources of sediment pollution. Some states, such as Oregon, have codified these BMPs into regulations, e.g. the Oregon Forest Practices Act.

The chart on the right, from the article “Trends for Forest Best Management Practices Implementation”, which appeared in the September, 2010 issue of the *Journal of Forestry*, portrays the high level of compliance in most states. Oregon, at 96% is exceeded by only three states – Florida, Montana, and South Carolina, and is tied with 4 states – Wisconsin, Idaho, Alabama, and Louisiana.

BMPs are important for both forest landowners and the public. They are a “social contract” that demonstrates the importance of proper stewardship of forest land and its values. For the landowner, they are the basis for credibility as good forest stewards. For the public, they are the foundation for protection of public values – economic, social, and environmental.

#### **BMP Implementation Rates (%)**

Northwest	
Alaska	89%
California	94%
Idaho	96%
Montana	97%
Oregon	96%
Washington	80%
US South	
Alabama	96%
Arkansas	86%
Florida	99%
Georgia	92%
Louisiana	96%
Mississippi	93%
North Carolina	85%
Oklahoma	92%
South Carolina	98%
Tennessee	82%
Texas	92%
Virginia	82%
Lake States	
Illinois (est.)	84%
Indiana	88%
Kentucky	68%
Michigan (est.)	84%
Minnesota	71%
Missouri (est.)	82%
Ohio (est.)	84%
Wisconsin	96%
Northeast	
Maine	75%
New Hampshire	61%
New York (1998)	77%
Pennsylvania (est.)	85%
Vermont (1988)	61%
West Virginia	85%

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## *OSU To Partner In Biofuel Effort*

Scott Leavengood (Director, Oregon Wood Improvement Center) and several colleagues in the Oregon State University College of Forestry will be participating in a 5-year, \$40 million research and outreach project funded by USDA. The project is among one of the largest ever funded by USDA. Washington State University is the lead institution on the project. The Northwest Advanced Renewables Alliance (NARA) project is focused on developing a biofuels industry in the northwest. The specific emphasis is the use of biomass for jet fuel. Scott's role as the Extension & Outreach representative for Oregon will be to disseminate information about the project as it progresses and to help identify potential 'NARA communities' (communities in Oregon with good potential for locating a new biofuel processing facility) and then to coordinate dialogue between the research team and these communities.

## *OWC Projects Active!*

The Oregon Woodland Co-op is picking up speed! The outlook for this winter is a doubling of last year's bundled firewood program, continued success in marketing quality greenery to retail outlets, and the initiation of "truffle hunting"!

In early January a truffle dog will be employed to find truffles for development of a truffle marketing effort. Truffles are another value-added product that many woodland owners don't even know they have.

If you are interested in these projects, contact Co-op President Neil Schroeder at 503-628-2344.



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### ***Beavers Subject of OSU Survey***

"We were surprised at how knowledgeable so many people are about beavers," said Dr. Mark Needham of the Department of Forest Ecosystems and Society at Oregon State University who recently completed a survey designed to quantify landowner attitudes toward beavers and about allowing them on their property. This statewide survey drew responses from more than 1,500 people.

Although people are knowledgeable about beavers, the research also indicates public interest in getting more information about how to coexist with the species—especially those animals whose building activities result in impacts such as flooded fields and downed trees.

Needham said the survey results show that the majority of respondents are willing to consider options such as wrapping trees, receiving compensation or having experts provide information about coexisting with beavers instead of removing them.

### ***China Exports – Boom and ... Bust?***

On Monday, the U.S. Forest Service's Pacific Northwest Research Station reported that West Coast log and lumber exports had already surpassed calendar 2010 totals during the first nine months of 2011. "The increasing shipments to China are the main driver of the hike in log and lumber exports from the West Coast," said Xiaoping Zhou, a research economist with the station. She said, "The log exports to China in 2010 (664.2 million board feet) were more than 40 times of that in 2005 (15.8 million board feet)." And she said they had jumped to 995.2 million board feet in the first nine months of 2011.

As these numbers come out, however, reports from industry insiders indicate demand for wood in China has ground to a sudden halt. How long the slowdown will last is uncertain. Whether the slowdown lasts several weeks or several months, the lesson to take away is the volatile nature of the Chinese market, said Tom Partin, president of the American Forest Resource Council. "That's something we've tried to put out there about these foreign markets," Partin said. "While it sounds like they will be on board for a long time, it could change your whole program immediately."

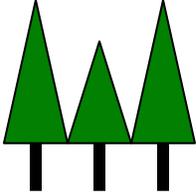
The boom has been very profitable for landowners and logging companies, but has had an adverse effect on Northwest sawmills. That's because China's hunger for raw logs has driven prices up, especially for lower grade varieties like Hemlock. "Hemlock has traditionally sold for \$100 to \$150 per thousand board feet less than Douglas fir", Partin said, "but the Chinese have bid it up to the Douglas fir level. They really don't care about grades of wood, because so much is used in cement forming." The rise in exports has also left sawmills with an acute timber supply problem, something Gov. John Kitzhaber sounded a strong note in Nov. 3 testimony before the state Board of Forestry.

*(Ossie Bladine, Yamhill County News Register, November 23, 2011)*

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### ***Congratulations to the Boges!***

Congratulations to Washington County's own Dallas and Sharon Boge, Master Woodland Managers from Gales Creek. They grew this year's State Tree, now on display in the Capitol rotunda in Salem. Thanks to daughter Sue Curtis for supplying the photos.



*<< Tree being harvested*



*Tree in the Capitol rotunda >>*

### ***Welcome to New Members***

Welcome to ***Pat O'Rourke*** of Cornelius. We are here to help you achieve your management goals for your woodland. To get the most out of your membership, come to the meetings and tours that are scheduled throughout the year. You'll find many kindred spirits among our diverse membership – and many opportunities to learn and share together! If you have any questions, or need help, contact any of the Directors, Officers, or Newsletter Editors.