



THE REGISTERED FORESTER

Fiduciary Role of A Forester

As a Registered Forester you have agreed to and committed yourself to a professional standard that has a high public expectation. In essence you have agreed to be a fiduciary which according to Webster's Dictionary is "valuable only because of public confidence". A fiduciary is one who holds something in trust for another such as when a consulting Registered Forester is entrusted with selling private landowner timber. The trust that the landowner has placed with the consultant forester is based on an understanding that no conflict of interest exists. The significance of this fiduciary role is that the consulting forester must act in the sole interest of the beneficiary which in this case is the landowner.

While the word Fiduciary is not found in the Alabama State Board of Registration for Foresters Rules of Conduct it is inherently described under Rules Six and Seven. Rule Six states: "He or She will not, without the full knowledge and consent of his or her principle, client or employer have an interest in any business which may influence his or her judgment in regard to the work for which he or she is engaged. Rule Seven states: "He or She will not, for the same service, accept compensation of any kind, other than from his principle, client or employer without full disclosure, knowledge and consent of all parties concerned".

As a fiduciary the Professional Forester must avoid any conflict of interest and these conflicts can often develop in very subtle manners. For example, a forester hired by a landowner to make herbicide prescriptions and to procure chemical products should not also receive commissions or benefits from application service and product providers without prior notification to the landowner. The fiduciary responsibility is to the landowner. Conversely a forester working as a chemical sales representative is the fiduciary for his or

her employer and should refrain from taking consultant fees without informing their employer and discussing possible conflicts with the landowner. This same principle is more obviously shown in the timber buying/selling marketplace where a forester working for a timber buying company should actively discourage a landowner from thinking they are their fiduciary. The timber buyer owes allegiance to his employee, not the landowner. Likewise, a forester assisting a landowner in selling timber should not advise a sale based on their desire for income, but on the landowner's best interest.

The fiduciary should always provide good open communication to all parties involved. Honest communication will not only serve the Professional Forester in avoiding possible conflict of interest but will go a long way in avoiding even the appearance of a conflict of interest.

Submitted by Al Lyons

Forestry Commission Hires Linda Casey as State Forester

The Alabama Forestry Commissioners have hired Linda S. Casey to serve as the new State Forester. As State Forester, Linda will be responsible for leading the state agency charged with protecting Alabama's forests, providing services to help landowners and educating the forests about the benefits of our forests.

Each of the seven commissioners appointed one person to represent them on a search committee that was tasked with making a recommendation to the full commission on who was best suited for the position. Over

Please see Casey, page 4

Notes from the Board

Remember to Renew your License by December 31, 2006 or you will be required to re-apply for your license (that means take the exam again!)

Next Board Meeting--

January 24, 2007,
Board Office, Montgomery, Ala.

Email Addresses--

If you did not get the last copy of the Registered Forester Newsletter electronically, that means we don't have a good email address for you.

Please go to the Board's web site and update your email address. The web site is www.asbrf.alabama.gov

Roster of Foresters Available

The **State of Alabama Thirty-First Roster of Registered Foresters 2006-2008** is available for purchase. They will once again be printed in the popular 5 1/2 x 8 1/2 size for \$10.00 each.

To place an order, please complete the order form on page 3 and send it, along with \$10 per roster to:

Alexis London
State of Alabama
Board of Registration for Foresters
513 Madison Avenue
Montgomery, AL 36130-4500

Important Note: Phone orders and credit card payments cannot be accepted.

Dates to Remember for 2007

Examination Dates	Board Meetings
January 10	January 24
April 11	April 25
July 11	July 25
October 10	October 24

State Board of Registration for Foresters

David Wright, R.F.

Chairman

Forest Forever Committee, Public Information Committee, Examinations Committee

Al Lyons, R.F.

Vice Chairman

Violations Committee, Finance & Administration Committee, Continuing Education Committee

Frank Walburn, R.F.

Secretary

Rules & Regulations Committee

Rhett Johnson, R.F.

Staff

Executive Assistant - Alexis London;

Editor - Rick Oates

Assistant Attorney General - Olivia Martin

Alabama Board of Registration for Forester

513 Madison Avenue

Montgomery, Alabama 36130

(334) 240-9301

Alexis.London@asbrf.alabama.gov

www.asbrf.alabama.gov

2006 Board Fees

Application Fee	\$50
Renewal Fees	
Active	\$75
Late Penalty	\$100
Reinstatement Fee (paid in addition to the renewal fee)	\$150
Re-examination Fee	\$100
Lost License Fee	\$50
Reciprocal Fee	Same charged for Alabama Residents in reciprocal states
Roster Fee	Cost of printing roster + shipping

Board Member Lisa Love Resigns to Take on New Duties

Melisa (Lisa) Love attended her final Board of Registration meeting in October after serving 4 years on the Board. Lisa’s untimely departure was forced by her appointment by Governor Riley to the Alabama Forestry Commission. State law prohibits serving on two “for profit” boards simultaneously. Although the pay is nominal (a whopping \$200 a year for the Board of Registration and a similar amount for the Commission), Lisa was forced to resign her position on our Board in order to serve as a Commissioner.

Lisa’s most recent responsibilities on the Board included serving as the Vice-Chair of the Board and as Chair of the important Violations Committee. She consistently brought energy, persistence, and high professional standards to those and other jobs on the Board. She will be sorely missed by all of us.

The Board of Registration’s loss will definitely be the Alabama Forestry Commission’s gain. There is no doubt that Lisa will bring the same degree of dedication and professionalism to this responsibility that she did to the Board of Registration for Foresters. Thanks, Lisa, for a great job and for the pleasure of working with you.



Lisa Love, center, with board members, from right to left, Frank Walburn, Al Lyons and David Wright.

Order Form Thirty-First Roster of Registered Foresters 2006-2008

Name: _____

Address: _____

City: _____ State: _____ Zip: _____

Number of Rosters: _____

Please enclose a check for \$10/ roster and mail to:

Alexis London
State of Alabama
Board of Registration for Foresters
513 Madison Avenue
Montgomery, AL 36130-4500

Casey, Continued from Page 1

twenty applications were received from across the country (they even received an application from Pakistan). In the end, Ms. Casey was chosen with a unanimous recommendation by the search committee.

Ms Casey is a Licensed Forester in Mississippi (and soon hopes to be an Alabama Registered Forester). She has a degree in Forestry and Wildlife Management from Virginia Polytechnic Institute and State University and has worked for International Paper for most of her career. Most recently she has been the Operations Manager for IP's East Region procurement organization. In this role she was responsible for procuring fiber for seven pulp and paper mills located



from Virginia to Georgia. Prior to this she has held similar positions in Georgia, Mississippi, Louisiana, Maine and Alabama.

Linda is a member of many professional organizations whose goals are to improve the profession of forestry. These include the Alabama, Mississippi and Georgia Forestry Associations, the SAF, FRA and many others.

Linda will begin her duties at the AFC sometime early in 2007.

New Registered Foresters

Linda S. Casey, #2034

International Paper
1515 Bourne St.
Georgetown, SC 29440
843-520-5602
linda.casey@ipaper.com

John R. Gates, #2029

Scotch Lumber Company
P.O. Box 38
Fulton, AL 36446
334/636-4424 Ext. 162
jgates@scotchlumber.com

Nicholas A. Granger, #2027

Alabama Forestry Commission
1155 East McKinnon Street
New Brockton, AL 36351
334-894-6734
Coffee.County@forestry.alabama.gov

William G. Johnson, #2030

Alabama Department of Conservation & Natural Resources
64 Union Street
Montgomery, AL 36130
334-242-2469
griff.johnson@dcnr.alabama.gov

Jeremy H. Lowery, #2025

Alabama Forestry Commission
513 Madison Avenue
Montgomery, AL 36130
334-240-9365
Jeremy.Lowery@forestry.alabama.gov

Dennis R. LeBleu, #2033

F&W Forestry Services, Inc.
3703 Summerville Rd., Ste. A
Phenix City, AL 36867-2632
334-297-8817
dlebleu@fwforestry.com

Richard J. Oates, #2028

Alabama Forestry Association
555 Alabama Street
Montgomery, AL 36104
33-481-2130
roates@alaforestry.org

Sarah E. O'Sullivan #2026

Alabama Forestry Commission
513 Madison Avenue
Montgomery, AL 36130
334-240-9350
Sarah.Osullivan@forestry.alabama.gov

Edwin G. Westbrook, #2031

U.S. Forest Service
2946 Chestnut Street
Montgomery, AL 36107
334-241-8151
ewestbrook@fs.fed.us

Look for New and Improved Continuing Education Opportunities from the AFA

The Alabama Forestry Association is focused on offering continuing education opportunities to both Registered Foresters and Professional Logging Managers. The AFA Annual Meeting, held at the Perdido Beach Resort in Orange Beach, provided participants with twelve hours of continuing education, including topics like estate planning, taxes, herbicides and cost share programs. The Association will continue this effort at the upcoming Mid-Winter Meeting in Sandestin on February 23-25.

If you can't make the trip to Sandestin this year the Association will also offer three hours of continuing education programs in conjunction with its district meetings in March and April. Tentative locations for these programs include Auburn, Muscle Shoals, Albertville, Montevallo, Monroeville, Demopolis and Troy. Be sure to read upcoming issues of the *AFA Newsroom* for details concerning time and location.

Considering the time and travel restraints that many professionals face, the Association will also unveil at the first of the year an online continuing education program that allows users to receive credits in one hour increments for up to ten hours all in the convenience of your home or office twenty four hours a day.

These automated presentations cover topics like invasives and threatened and endangered species, certification, BMPs and many others. Participants must pass an interactive quiz to advance through the presentation. After completing the quizzes, users will be able to download an SAF continuing education certificate for each course.

Don't forget that participating on one of the Alabama Forestry Association's (or any other professional association like the SAF) committees for one year gives you five hours of continuing education credit as well. For more information about any of these opportunities, contact any of the staff at the Alabama Forestry Association at (334) 265-8733.

*Submitted by Chris Erwin, RF,
Alabama Forestry Association*

Continuing Education Opportunities from the AFOA

January 13...Bibb County 9 AM to 3 PM

Woody Biomass Harvesting: Management Tool for Landowners. "The challenges of a depressed pulpwood market and the risks associated with prescribed fire have many landowners accepting overstocked stands and heavy mid-story conditions as 'normal'. This does not have to be the case." Location: U.S. Forest Service Workstation, Bibb County Road 1, Brent. Contact Talladega National Forest, Oakmulgee District at (205) 926-9765 or cragland@fs.fed.us.

January 16...Wilcox County 6:00 PM.

Forest Taxation with AFC Tax Specialist Lou Hyman. Location: Lower Coastal Plains Substation Building, Camden. Contact Paul Wingard at (334) 682-4421 or Wilcox.County@forestry.alabama.gov or John Ollison at (205) 459-2133.

Frequently Asked Questions

Question: *I am a registered forester in Georgia, but actually live in Alabama. I want to get a reciprocal license to practice forestry in Alabama. Is this okay?*

Answer: No. If you live in Alabama or have a "place of business" in Alabama, you cannot apply for reciprocity using your Georgia license, but must follow normal registration application and testing procedures for Alabama registration.

Reciprocity is ONLY for those who live and work primarily out of Alabama. To get a reciprocal license, you still must fully meet Alabama's license standards for experience and education.

Question: *I am licensed to practice forestry in Mississippi and have a reciprocal license for Alabama. I have changed jobs and will soon be moving to Alabama. How can I practice forestry in Alabama while waiting to get registered there?*

Answer: The law allows you to use your reciprocal Alabama license until your current Mississippi license expires. Before that license expires, you will need to convert to a regular Alabama license.

Do you have a question for the Board of Registration for Forester? If so, email it to Alexis who will pass it along to a Board member for an answer.

Submitted by Melisa V. Love, RF

SUMMARY OF BOARD ENFORCEMENT ACTIVITIES

The philosophy of the Board is that educating and seeking voluntary compliance best serves the public interest. Therefore enforcement actions first seek to correct and rehabilitate before pursuing punitive measures. A summary of ongoing, or recently closed complaint investigations is presented below in tabular format.

Complaint Number	Status
2002-002 Updated	Complaint against an RF concerning boundary lines; Complaint withdrawn after civil action settled; CLOSED
2003-002	Complaint against non-forester practicing forestry; Satisfactory cease & desist obtained; CLOSED
2004-003	Non-forester advertising forest management; Legal counsel is pursuing.
2004-004	Complaint against an RF; Complaint withdrawn; No further Board action recommended. CLOSED
2004-005	Non-forester practicing forestry; Complainant will obtain supervision statement from RF. CLOSED
2005-003	Non-forester's letter implies handling of timber sales; informally investigated & clarified. CLOSED
2005-004	Non-forester advertising practice of forestry; Investigated & clarified; CLOSED
2006-001	Complaint against an RF concerning site preparation; informally investigated; CLOSED
2006-002	Complaint against an RF concerning timber sale: informally investigated. CLOSED
2006-003	Complaint against an RF concerning timber sale: informally investigated. CLOSED
2006-004	Non-forester practicing without RF supervision; Complainant will obtain supervision statement from RF. CLOSED
2006-005	Non-forester practicing without RF supervision; Complainant will obtain supervision statement from RF. CLOSED
2006-006	Advertising as RF on an expired license; Complainant will renew license or cease & desist. CLOSED