



# THE REGISTERED FORESTER

Winter 2012

## Farewell



Vice Chair Steve May (second from left) presents a certificate of appreciation to Schwarzauser at the October meeting for five years of service on the Board. Also pictured are Rick Johnson (far left) and Michael McCorvey (far right).

When I look back over the last five years, I will always remember my time on the Board of Registered Foresters—and smile. It was a time to give back to my profession, one that has provided me and my family a living since graduating from Auburn University in 1978 with a degree in forest management. I really didn't know what to expect when I joined the Board in 2008, but I soon learned it was not just attending four meetings a year and then going home. A lot of emails circled the state of Alabama from Daphne to

Tuscaloosa to Montgomery to Opelika all year round. I served with 8 different Board members during my stay on the Board and learned so much from each one of them. David Wright was my first Board chairman, followed by Frank Walburn (twice) and last, but not least, Darrell Gates. Each one ran the Board a different but effective way. But the glue that held the Board together was our executive secretary, Alexis London. She has worked with the state of Alabama for 25 years and with the Board of Registered Foresters for 6 years. I want to personally thank Alexis for the excellent job she does for our profession and for keeping the Board running smoothly between meetings. I consider my five years that I was on the Board representing my fellow foresters both an honor and a privilege. Thank you for allowing me to serve you. I would also like to thank my employer, John M. Dudley, for letting me attend the Board meetings and missing those days of work.

Jerry Schwarzauser

## No Change in Board Fees for 2013

<b>Application Fee</b>	\$50.00
Reinstatement Application Fee (Paid in addition to the applicable renewal fee)	\$150.00
Reciprocity Application Fees (Initial Application)	Same as charged for Alabama Applicants in the reciprocal state
Re-Examination Fee	\$100.00
<b>Renewal Fees</b>	
All Licensees	\$100.00
Inactive/Unlicensed	\$30.00
Late Penalty (Paid in addition to the applicable renewal fee)	\$100.00
License Replacement Fee (Certificate)	\$50.00
Printed Roster	\$10.00
Registered Forester Window Decal (Auto)	\$1.00
Returned Check Fee	\$30.00

## In This Issue...

New Registered Foresters	2
Alabama's County Logging Ordinance (Hitting Raw Nerves)	3
Advantages of Being a Registered Forester	4
Practicing Forestry Under the Supervision of a Registered Forester	4
Statement of Supervision	5

## STATE BOARD OF REGISTRATION FOR FORESTERS

**Ruth C. Seawell, R.F.**  
Chair

*Forest Forever Committee, Public Information  
Committee, Examination Committee,  
Violations Committee*

**Stephen May, R.F.**  
Vice Chair

*Rules and Regulations Committee*

**Raiford C. Johnson, R.F.**  
Secretary

*Finance & Administration Committee,  
Continuing Education Committee*

**Michael A. McCorvey, R.F.**  
Member  
*Violations Committee*

**Gerald L. Schwarzauer, R.F.**  
Member

### Staff

Alexis London, Executive Assistant  
Olivia Martin, Assistant Attorney General

### Alabama Board of Registration for Foresters

*513 Madison Avenue  
Montgomery, Alabama 36130-4500  
Ph. (334) 240-9301  
Fax (334) 240-9387  
Alexis.London@asbrf.alabama.gov  
www.asbrf.alabama.gov*

## New Registered Foresters

**William Jerome Colvin, IV #2164**  
(Reciprocity to Active)  
Production Foreman  
Scotch Plywood Company  
P.O. Box 38  
Fulton, AL 36446  
Phone: 334/636-4424  
Email: colviwj@gmail.com

**Jason Derrell McGee #2163**  
(Reciprocity to Active)  
Forester  
Coosa Forestry Services, Inc.  
1902 Parrish Dr. SE  
Rome, GA 30161  
Phone: 706/232-6564  
Email: jasonmcgee1978@gmail.com

**Christopher Michael Cotton #2162**  
Biologist Aide  
Alabama Wildlife and Freshwater  
Fisheries  
1119 Forest Area Road  
Kinston, AL 36453  
Phone: 334/898-7013

**David Wade Wilkinson #2166**  
Forest Analyst  
Hancock Forest Management  
3891 Klein Road  
Harpersville, AL 35078  
Phone: 205/672-0227  
Email: dwilkinson@hnr.com

**Stephen David Martin #2165**  
(Reinstatement)  
Forester  
Martin Forestry & Timber  
1100 Rendale Road  
Dothan, AL 36303  
Phone: 334/790-2890  
Email: stephendmartin79@yahoo.com

## New Reciprocity Foresters

**Leonard Ray Bollman #AR0958**  
Owner  
Arkansas Highlands Forest Works, Inc.  
7344 Hwy. 21  
Clarksville, AR 72830  
Phone:  
Email: lbollman@arhighlandsforest-works.com

**Brad Mitchell Phillips #GA2849**  
Procurement Forester  
Timberland Harvesters, LLC  
619 Beams Road  
Eufaula, AL 36072  
Phone: 334/687-6000  
Email: bphillips@timberlandharvesters.com

**Gueth Patrick Braddock #MS1418**  
Dupont  
Independent Consultant Forester  
302 Dogwood St.  
Brookhaven, MS 39601  
Phone: 601/320-4773  
Email: gueth.braddock@gmail.com

**Ryan Allan Ramsey #MS2124**  
Owner  
Forest South, LLC  
5719 Hwy. 25, Ste. 104  
Flowood, MS 39232  
Phone: 769/257-5124  
Email: ryanramsey@forestsouth.com

**Olen Paul Padgett, Jr. #GA2912**  
Forester  
Chattahoochee Timber Company  
103 N Depot St.  
Greenville, GA 30222  
Phone: 706/672-4229  
Email: paul@chattahoocheetimber.com

## Alabama's County Logging Ordinance (Hitting Raw Nerves)

As the recession drags on and on, many Alabama loggers probably feel as if they are walking a high wire. As loggers try to balance their businesses, many find themselves facing one obstacle after another. Just as things began to stabilize, along came higher diesel prices, decreasing demand for wood, higher equipment cost, etc. As if that wasn't enough, along came something called Alabama Act 2012-257 (Alabama's 2012 logging notice law). Indeed, this law (passed earlier this year) seems to have hit a raw nerve with loggers and landowners alike. I recently attended a county commission meeting in a local county. Prior to the meeting, word had gotten around that they would vote on adopting a logging ordinance. Loggers and landowners came to the meeting ready to aggressively voice their opinion. While I did not take a poll, it was clear that few, if any, landowners or loggers were there to applaud and show their support for the proposed logging ordinance that was being considered by the county. It was very evident that the crowd was angry. By no means am I an expert on the new logging notice law or the ordinances that are proposed as a result of it. However, in this article I will attempt to present some of the facts, so that we as landowners and loggers can base our opinions on facts rather than assumptions.

Following are some facts about the new law:

- A. Counties have always had the authority to impose a road ordinance; indeed, some had adopted ordinances as early as 1991.
- B. In recent years due to county funding issues, recessionary budget cuts, layoffs, etc., many counties roads have deteriorated.
- C. County commissioners and engineers across the state recently began to aggressively look for ways to address their deteriorating roads.
- D. Because we are very visible (harvesting timber throughout the year), those of us in the timber business became easy targets to blame for the deteriorating roads.
- E. In reality, lack of maintenance, natural deterioration, as well as other heavy trucks (farm equipment, county equipment, gravel trucks, and other heavy commercial vehicles) are also part of the problem.
- F. By the end of 2010, 23 counties across the state had passed or were discussing some type of road ordinance. The requirements varied widely, from simple notification to bonding requirements up to \$25,000.00.
- G. The AFA (Alabama Forestry Association), seeing that this would become more and more of a burden on loggers and landowners, decided to work proactively with the Association of County Commissioners of Alabama (ACCA) to find a solution that would be acceptable to both parties.
- H. The AFA introduced a bill in the 2011 regular legislative session to address this issue, but had problems when the ACCA took the position that the bill would authorize a permit system.
- I. After much hard work by the AFA, and with a little give and take with the ACCA the bill was reintroduced in 2012 and passed by both the House and Senate.
- J. The new law places limits on what a county can require and specifies a uniform notification system, so all counties that decide to adopt it would follow the same guidelines.
- K. The act **DOES NOT** require counties to adopt a logging notice ordinance. It only requires that if a county does adopt one, it has to follow the notification guidelines in the law. This requirement would let loggers know what to expect when they move from county to county.
- L. The law prohibits counties from requiring bonds, except for timber owners who have been cited for failure to provide notice on three separate occasions in a 24-month period.

From the facts above, it should be clear that the law was written to help protect loggers and landowners from the inevitable county logging regulations that are sure to come, whether we want them or not. Act 2012-257 merely seeks to control those regulations and help protect the interest of loggers and landowner.

UNFORTUNATELY, the "model" logging notice ordinance that was developed by ACCA and adopted by many counties **goes far beyond what the law allows and will be a burden on loggers and landowners if allowed to stand**. As a result, Chris Isaacson (AFA) and Ray Clifton (Alabama Loggers Council (ALC)) have communicated with the ACCA and with all of the county commissioners expressing their concerns and strong opposition to the ordinances that have been adopted. The AFA and ALC are currently working with county attorneys and commissioners across the state to ensure that any ordinance adopted fully complies with the law.

As professional foresters, it is important that we stay informed and participate in the process. Let your county commissioners know your concerns about the logging notice ordinance and explain to them how it will impact loggers and landowners. More information about the new law and the model ordinance that is being used by the counties is available at [www.alaforestry.org](http://www.alaforestry.org) under "Member Alerts."

Michael McCorvey

## Advantages of Being a Registered Forester

By Rick Johnson

The practice of forestry is a science and, as such, demands that those serving in the capacity of forester be registered. The ever-increasing scrutiny of forestry by the media and, consequently, the public, makes it even more critical.

Requirements of registered foresters are numerous. First, the candidate must graduate from an accredited forestry program. Second, the state examination—a comprehensive tool for measuring the knowledge that the individual has regarding their field of study—must be passed. Third, a registered forester must complete continuing education hours to maintain his/her license. All of these requirements assure that the individual is keenly aware of the ever-evolving practice of forestry in today's world, thus ensuring that those in the private and public sector are guaranteed a working relationship with a competent individual.

Becoming a registered forester opens doors to opportunities that otherwise might remain closed. It increases the credibility of an individual and fosters professionalism within the field. Registered foresters are, generally, held in higher esteem than their non-registered peers. In fact, many private sector companies consider being a registered forester a pre-requisite for employment. Financial institutions prefer working with registered foresters, as do those in the legal field—again, because these individuals have proven their dedication to their field by attaining and maintaining their credentials.

All eligible foresters are encouraged to become registered foresters in the state of Alabama, both by the State Board of Registration for Foresters and myself. I have benefited immeasurably because I am a registered forester and I hope that you will invest in your career and your future to join the ranks of registered foresters in Alabama.

## Practicing Forestry Under the Supervision of a Registered Forester

By Steve May

The Board has received several informal requests to explain who can practice forestry or make forest management recommendations under the supervision of a registered forester in Alabama. Sections of the Code of Alabama and the Alabama Administrative Code related to this subject are included in this newsletter for your review. Please pay close attention to Alabama Administrative Code 380-X-6-.06! Please read closely and if you need any other information, contact the Board.

### **Code of Alabama 1975**

#### **Section 34-12-2 Registration required; exceptions.**

(a) In order to benefit and protect the public, no person in either public or private capacity shall practice or offer to practice forestry, unless he or she has submitted evidence that he or she is qualified so to practice and is registered by the board as hereinafter provided or unless he or she is specifically exempted from registration under this chapter. It shall be unlawful for any person to practice or offer to practice in this state forestry, as defined by this chapter, or to use in connection with his or her name or otherwise assume, use, or advertise any title or description tending to convey the impression that he or she is a registered forester, unless duly registered or exempt from registration under this chapter.

(b) This chapter shall not be construed to prevent or to affect:

(1) The practice of any other legally recognized profession or trade.

(2) The application of forestry principles and procedures on any timberlands, woodlands, or forest in which any person, firm, partnership, or corporation owns an interest; or persons, firms, partnerships, and corporations having the right to manage and administer forestlands in any legal manner.

(3) The work of an employee or a subordinate of any registered forester holding a license under this chapter; provided, that such work is done under the direction, supervision, and responsibility of a person holding a license under this chapter.

(4) The practice of forestry by officers and employees of the United States government on federally owned lands.

(5) The practice of forestry by officers and employees of the State of Alabama on state-owned lands.

(6) Employees of the federal government and educational institutions of the State of Alabama who, in the exercise of their assigned duties, conduct forestry education programs or provide free forestry advice and assistance to timberland owners, or both.

(Acts 1957, No. 533, p. 750, §1; Acts 1969, No. 1051, p. 1965, §1; Acts 1973, No. 1202, p. 2020, §1; Act 98-145, p. 223, §3.)

### **Alabama Administrative Code**

#### **380-X-6-.01 "Supervision" Under §34-12-2(3) Construed.**

It shall be the policy of the Board, under Code of Ala. 1975, §34-12-2(3), that: the word "supervision" should mean the direct personal inspection and approval of all work of such employee or subordinate which is presented to the public in any form as being the effort, the result of the efforts, opinion, advice or recommendation of a forester.

Author: Charles Tomlinson

Statutory Authority: Code of Ala. 1975, §34-12-35.

History: Filed October 1, 1982.

#### **380-X-6-.03 Exception Under §34-12-2(3) Construed.**

It shall be the policy of the Board under Code of Ala. 1975, §34-12-2(3) that: The exception allowing for work performed under supervision of a licensed forester excludes the work only and does not permit the public use

of the title forester for those being supervised.  
Author: Charles Tomlinson  
Statutory Authority: Code of Ala. 1975, §34-12-35.  
History: Filed October 1, 1982.

**380-X-6-.06 Notarized Statement Of Supervision.** It is the policy of the Board, under Section 34-12-2(b)(3) of the Code of Ala. 1975, that the subordinate of a registered forester must be prepared to demonstrate that they

are under the "direction, supervision, and responsibility of a registered forester" by submitting a notarized statement from the registered forester that describes that relationship and the time period it is in effect.

Author: Everett Johnson, Jr.  
Statutory Authority: Code of Ala. 1975, §34-12-2(b)(3).  
History: New Rule: Filed August 9, 2006; effective September 13, 2006.

**ALABAMA STATE BOARD OF REGISTRATION FOR FORESTERS**  
**STATEMENT OF SUPERVISION**

Submit completed form to: Alabama State Board of Registration for Foresters, P.O. Box 304500, Montgomery, AL 36130-4500

I, \_\_\_\_\_, AL R.F. License No. \_\_\_\_\_, will be fully responsible for all forestry-related activities as defined by Section 34-12-1 of the Code of Alabama 1975, performed by \_\_\_\_\_, whose physical address is \_\_\_\_\_ for the period beginning \_\_\_\_\_ through \_\_\_\_\_.

I have read and understand the Board's Policy Statement, 380-X-6-.01, on Supervision, which states: "It shall be the policy of the Board, under Code of Ala. 1975, §34-12-2(3), that: the word "supervision" should mean the direct personal inspection and approval of all work of such employee or subordinate which is presented to the public in any form as being the effort, the result of the efforts, opinion, advice or recommendation of a forester." Below is an accurate detailed description of our supervisor/subordinate relationship and the work being performed: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(Attach additional sheets if necessary)

I understand any complaint received against this individual will be considered a complaint against me. I also understand that after a proper hearing, there is a possibility that my license could be revoked or suspended because of actions of the individual under my supervision.

I will ensure that my name will be signed to the approved form of certification for any timber sale prospectus, map, plan or document of any description pertaining to forest management accomplished by this non-registered individual.

\_\_\_\_\_  
Registered Forester

\_\_\_\_\_  
Date

State of: \_\_\_\_\_

County of: \_\_\_\_\_

BEFORE ME, the undersigned Notary Public, in and for said County and State, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument the person, or the entity upon behalf of which the person acted, executed this instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

(Seal)

My commission expires: \_\_\_\_\_

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

PRESORTED STD.  
U.S. POSTAGE  
PAID  
PERMIT NO. 109  
MONTGOMERY, AL

## UPDATE YOUR ROSTER INFORMATION

Please take a moment to review your current roster information online at <http://asbrf.alabama.gov/vs2k5/roster-offoresters.aspx>. To submit changes, fax the form below to 334-240-9387 or submit the online Change of Address form at <http://asbrf.alabama.gov/vs2k5/changeofaddress.aspx>.

### CHANGE OF ADDRESS FORM

Full Name: \_\_\_\_\_ License Number: \_\_\_\_\_

Title: \_\_\_\_\_

Company: \_\_\_\_\_

Business Address: \_\_\_\_\_

Business City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ County \_\_\_\_\_

Business Phone: \_\_\_\_\_ Business Fax: \_\_\_\_\_

Business E-mail: \_\_\_\_\_

Home Address: \_\_\_\_\_

Home City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ County \_\_\_\_\_

Home Phone: \_\_\_\_\_ Home Fax: \_\_\_\_\_

Home E-mail: \_\_\_\_\_