



# THE REGISTERED FORESTER

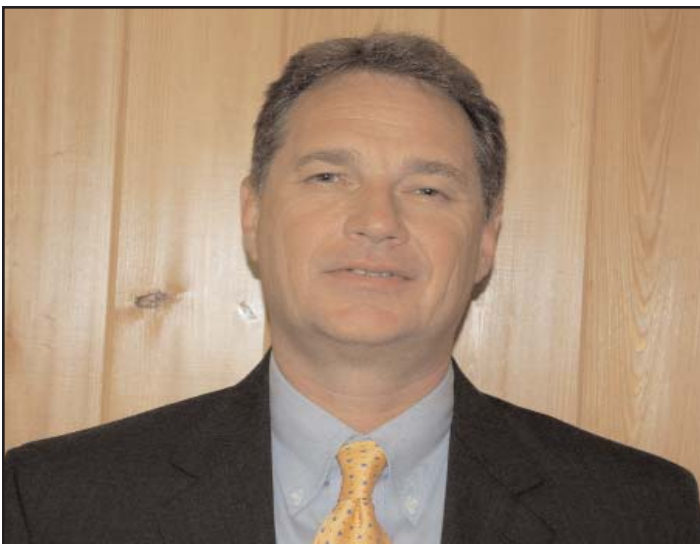
## Board Welcomes New Member, Frank Walburn, RF

Governor Bob Riley appointed L. Frank Walburn as the newest member of the Board of Registration for Foresters, replacing Kenneth Day, RF who just completed a six year term on the Board.

Frank Walburn is a veteran forester and woodlands manager with almost 30 years of experience in the forest products industry.

Currently vice president and timber fund manager for AmSouth Bank in Birmingham, Walburn works with individual and institutional timberland investors and manages the timber fund's forestland.

A graduate of Auburn University with a B.S. Degree in forest management, Frank worked with a consulting forester in Selma before joining MacMillan Bloedel Inc., a Canadian forest products company (now Weyerhaeuser) with manufacturing facilities and timberland in southwest Alabama. He started with MB as a field forester and eventually managed the Pine Hill, Ala. lumber and plywood operations, with 300 employees and production of more than 1 million board feet annually of southern yellow pine lumber



Please see **Walburn**, page 2

## Board Recognizes 2000<sup>th</sup> Forester

The Alabama State Board of Registration for Foresters recognized Blake M. Epperson as its 2000th Registered Forester at its January 2006 meeting. Registrations are numbered consecutively as they are assigned and never re-used. Blake earned a Bachelor of Science in Forest Management in 2003 at Auburn University. He applied for registration and passed the



*Blake, Wilbur DeVall, and Rhett Johnson pose for a picture as Blake receives the 2000th RF Certificate.*

required examination in January of 2006. Guests for the ceremony included Blake and his fiance, the members and staff of the Registration Board, Dr. Glenn Glover of the School of Forestry and Wildlife Sciences, Dr. Emmett Thompson, retired Dean of the School, Alabama State Forester Tim Boyce, and Assistant State Forester Richard Cumbie. A special guest was Professor Wilbur DeVall, the first chair of the Alabama State Board of Registration for Foresters and longtime Department Head of the Auburn Forestry program. Blake is employed at Dudley Lumber Company as a land management forester.

*Submitted by Rhett Johnson, RF*

## Notes from the Board

### Next Board Meeting--

October 25, 2006,  
Board Office, Montgomery, Ala.

### Renewal Notices--

To be sent out in early July. If you did not get one, call the Board office ASAP.

### Pam Sears Retirement--

Pam has announced her retirement, effective June 30, 2006. Thanks Pam for your \_\_\_ years of service to the Board.

### Board Hires New Executive Secretary--

Alexis London has been hired to fill Pam's shoes. If you have any questions concerning the Board, please call Alexis at (334) 240-9301

*Walburn, Continued from page 1*

and plywood. Later, as woodlands manager for MB, he was responsible for the management of more than 400,000 acres of timberland and nursery and seed orchard operations, producing more than 25 million seedlings.

Walburn also has experience in consulting and real estate brokerage. He has served as president and chairman of the board for the Alabama Forestry Association and chairman of the Alabama Division of the Society of American Foresters.

He lives in Birmingham with his wife Jackie. They have two grown children.

Frank considers serving on the Board of Registration an honor and a responsibility to the profession of forestry. He is looking forward to serving Alabama's forestry community as a member of the Board. His goal for Board membership is to maintain and improve the image of professional foresters to the citizens of Alabama.

*Submitted by Jackie Walburn*

## State Board of Registration for Foresters

### Rhett Johnson

Chairman

*Forest Forever Committee, Public Information Committee, Examinations Committee*

### Melisa Love

Vice Chairman

*Violations Committee*

### David Wright

Secretary

*Rules & Regulations Committee*

### Al Lyons

*Continuing Education Committee*

### Frank Walburn

*Finance & Administration Committee*

### Staff

Executive Secretary - Alexis London; Editor - Rick Oates

Assistant Attorney General - Olivia Martin

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## 2006 Board Fees

Application Fee	\$50
Renewal Fees	
Active	\$75
Inactive	\$30
Late Penalty	\$100
Reinstatement Fee (paid in addition to the renewal fee)	\$150
Re-examination Fee	\$100
Lost License Fee	\$10
Reciprocal Fee	Same charged for Alabama Residents in reciprocal states
Roster Fee	Cost of printing roster + shipping

## New Registered Foresters

### Adams, Frank E., Jr. #2013

McKinley & Lanier Forestry Res.  
507 Energy Center Blvd., Ste 303  
Northport, Ala. 35473  
(205) 344-5139

eadams@mlforestresources.com

### Blankenship, William, #2009

Forest Investment Associates  
15 Piedmont Center, Ste. 1250  
Atlanta, Ga. 30305  
(334) 887-1001

bblankenship@forestinvest.com

### Bird, Tracy A. # 2007

Eutaw Forester Services  
P.O. Box 246  
Eutaw, Ala. 35462  
(205) 372-0750

tracybird@bellsouth.net

### Byrd, Lakedra #2006

Alabama Forestry Commission  
244 Godwin Crest Drive, Ste 200  
Birmingham, Ala. 35022  
(205) 916-0569

Lakedra.Byrd@forestry.alabama.gov

### Eckert, Heath # 2005

J.L. Meaher & Associates  
P.O. Box 2672  
Mobile, Ala. 36652  
(251) 433-2676

jheckert@bellsouth.net

### Harris, Sandy W. # 2010

Self-Employed  
284 Hill Ridge Drive  
Wetumpka, Ala. 36092  
(334) 514-9906

snkharris@elmore.rr.com

### Hudson, Stephen J. # 2012

AU School of Forestry & Wildlife  
Sciences

602 Duncan Drive  
Auburn University, Ala. 36849  
(334) 844-1026

hudsost@auburn.edu

### Tapp, Justin M. #2011

Natural Resources Group  
1229 Hwy. 72 East  
Tuscumbia, Ala. 35674  
(256) 383-8990

justin@naturalrg.com

### Walker, Felix A #2008

Complete Forestry  
4 Bradley Park Court, Ste. 2A  
Columbus, Ga. 31904  
(706) 221-1919

gusty@completeforestry.com

## What is the Practice of Forestry?

Due to increasing technology and the action of other professional boards to better describe their areas of practice, Rhett Johnson, Chairman, has led the Board in working on a Policy detailing what the Practice of Forestry as defined in the Alabama Code might include. The Board is asking for comments on this change and additions to the list.

Practices specific to the profession of forestry include but are not necessarily limited to:

*Inventory-Work* appropriate to variability of resource inventoried and purpose of the inventory; useful estimates of volumes, products, values, acreages, etc.; used in both management and procurement; accuracy and credibility of sample important.

*Management Planning*-Concepts considered include Sustained Yield, Multiple Use, Soil/Water Conservation, Wildlife Habitat, Species Choice, All-aged vs Even Aged, Ecosystem Level, Regeneration, Costs/ Revenues, IRRs, NPVs, T&E Species Protection, BMPs, Recreation, Soil and Land Productivity.

*Forest Typing/Stand Delineation*-Criteria include species, age class, land use history, soil and moisture gradients, management impacts, administrative boundaries. May involve the use of photography, GIS, GPS, mapping programs, and acreage calculations.

*Timber Harvest Planning*-Considerations include harvest layout, scale, scheduling, equipment, roads and decks, resource protection, sale administration, boundary recovery, selection marking, merchandising, GPS, bmps, T&E regulations, site protection, regeneration.

*Regeneration*-Considerations include artificial versus natural; all-aged, uneven-aged, and even-aged systems, species selection, spacing, site preparation, planting, seedling type, release, soil and water conservation, cost-share, seedbed preparation.

*Intermediate Stand Management*-Considerations include stocking levels, forest health and vigor, hazard reduction, prescribed fire, wildlife management, property line maintenance, roads, crossings, bmps, competition control, and invasive species control.

*Timber Appraisal*-Considerations include knowledge of the cost approach, income approach, and market/sales approach to value; local markets, regional markets, merchandising, species variations, access, loggability, bmps, etc.

*Selling Timber*-Considerations include all of the prior mentioned practices, agency for landowners, discernment of landowner objectives, boundary recovery/maintenance, selection marking, bmps, mapping, marketing, road building/maintenance, T&E species considerations, harvesting practices.

Please email or write your comments to any Board member prior to their October 2006 meeting.

Submitted by Melisa V. Love, RF

## Board to Consider Requiring Use of “RF” Designation

The Board has been petitioned to consider making the use of the R.F. designation mandatory after your signatures on letters, maps, reports and other similar documents and after your names on all advertisements, business cards, and other communications seen by the public. Essentially, wherever you use your name in conjunction with forestry matters, “RF” needs to follow. This is for the express purpose of denoting that you are registered and hold a valid license to practice forestry.

In the past, the Board has strongly admonished foresters to use their RF designations as it makes it much easier for the public to KNOW they are dealing with a qualified registered forester, not another member of the forestry community. Requiring the use of the RF designation will take effort on the part of every forester and on the Board (which will be challenged to enforce the policy with limited manpower).

The Board will receive comments on this proposed change until their October 2006 meeting. Please express your views by email or letter to any Board Member. Also, test how this change will affect you by beginning to use your RF designation more diligently. Remind yourself and each other of this important pronouncement of our professional status.

The following directives are taken directly from the State of Alabama Roster of Registered Foresters:

Persons registered under Alabama Law and licensed under 34-12, 1975 Code of Alabama are authorized and encouraged to insert the abbreviation R.F. (meaning Registered Forester) after their signature on letters, maps, reports, and other similar documents for the express purpose of denoting they are registered and hold a valid license.

For signatures Only:

John Doe, R.F.

Official title (ex. Timber Buyer, Consulting Forester, District Manager, etc.)

For certifications Only:

John Doe, R.F.

Official Title

Alabama License No.....

The Board strongly recommends and urges all Registered Foresters to frame and display their licenses and to place their official impression seals on all documents requiring their signatures.

## Foresters and Forestry Vendors

The State of Alabama requires that anyone practicing forestry, offering to practice forestry, offering forestry advice, or advertising themselves as a forester in the state must be licensed by the state to do so. There are few exceptions to the law: foresters employed by the federal or state governments and working only on public lands, foresters working for educational institutions and involved in teaching forestry who give their forestry advice to the public for free, and foresters working under the direct supervision of a licensed (i.e. registered) forester. The intent of the law is to protect the interests of the public in the state, similar to the intent of the laws that license realtors, appraisers, surveyors, lawyers, doctors and other professionals. To provide this assurance, the Alabama Legislature in 1975 created the Alabama State Board of Registration for Foresters to develop standards for licensing, rules governing those licensed, and rules to protect the public from unethical behavior by licensed foresters or non-licensed persons acting as foresters.

In order to be licensed to practice forestry in Alabama, foresters must have graduated from a four year accredited forestry program or from a program otherwise approved by the Board, have two years of forestry experience, and pass a examination administered by the Board. In addition, registered foresters must complete continuing professional forestry education coursework annually to maintain their licenses. These measures assure the public that the registered forester has the requisite professional education, relevant experience, and keeps current through continuous education. Unethical behavior is investigated by the Board and disciplinary action taken if warranted.

The Board of Registration for Foresters also monitors non-registered persons who violate the licensing law. Anyone not registered as a forester but who practices forestry, except for the exemptions noted above, is guilty of a misdemeanor and may be subject to prosecution and fines. The Attorney General’s office provides prosecutorial assistance in these instances, if prosecution is necessary. The Board’s typical response to a complaint against a non-licensed person practicing forestry illegally is to notify the offender of the law and request that they “cease and desist” those activities. Failure to do so will result in the Board turning the case over to the Attorney General.

There is an important distinction to be made between foresters and forest contractors or vendors.

## Board Reviewing and Revising Forestry Laws and Rules

The Board recently reviewed the 1975 Code of Alabama Section 34-12 and all Administrative Rules of the Board. Since it was a Sunset year, the Board hoped to make several needed changes to the law concerning the printed roster, license renewal and expiration dates, and other administrative items.

The Sunset Committee examined the Board, approved it to continue, and made two changes:

- A web posting of the Roster of Registered Foresters will be allowed along with a printed version.
- Currently registered foresters will become exempt from continuing education requirements after age 65.

The first change was requested by the Board. The second change was proposed by the Alabama legislature to coincide with other Board's continuing education requirements. None of the other amendments proposed by the Board were considered, so those changes will have to be pursued by other means.

In addition to amending the Code of Alabama, the Board has been petitioned to make the following changes to their Administrative Rules:

1. Clarification that the Board can approve the curriculum of a person with an advanced forestry degree, but no undergraduate forestry degree, if it meets their strict guidelines.
2. Clarification of continuing education requirements in several areas.
3. A Policy that describes the core curriculum for forestry the Board is accepting.
4. Clarification that the offering of standing timber for sale involves the application of forestry.
5. A policy requiring a notarized statement from a registered forester who is allowing a non-registered forester to work under their license.

The Board is also considering rule changes that:

1. Require registered foresters to display their RF designation after their signature on forestry documents and after their name on all communication to the public such as advertisements, business cards, etc.
2. A detailed description of what the Practice of Forestry may include.

These last two changes are under review at this time and comments are being solicited. (See other newsletter articles.) If you have any comment about them, please write or email any Board member.

## Foresters & Vendors, continued from page 4

On a recent visit to Auburn University, Euan Mason, a forest researcher from New Zealand, said, "A professional forester is capable of thinking critically and communicating effectively about all ways in which people interact with trees. Often, the most valued contribution a forester can make is to identify for decision-makers the social, economic, and environmental consequences of alternative actions within forest ecosystem. A variety of skills is required, and foresters integrate in-depth knowledge of "hard" sciences (particularly biology), ecology, business management, sociology, engineering, mathematics and statistics.

... This is followed by studies of more complicated decision-making in forests containing different forest types and a variety of desired uses, such as conservation, recreation, wildlife preservation and wood production. Education for professional foresters includes studies of why and how decisions are made, not simply what should be done in a particular circumstance. Consequently, foresters should be able to practice effective and wise forestry anywhere in the world, in response to any specified goals."

Forestry practice is defined in the Alabama Code as "any professional service such as consultation, investigation, evaluation, planning or responsible supervision as interpreted by the Board of any forestry activities in connection with any public or private lands wherein the public welfare and property are concerned or involved when the professional service requires the application of forestry principles and data." The Board has historically interpreted this as including silvicultural decision-making, forestry prescriptions, recovering land lines, planning and conducting timber sales, inventory and evaluation of standing timber, and general forest management and management planning. Once a forestry practice is prescribed, the Board has interpreted the law to exclude from the licensing requirement those who perform some of the technical services, such as logging, tree planting, herbicide application, site preparation, or prescribed burning. Note that these forestry contractors cannot legally give a landowner any forestry advice.

Not only does the Board of Registration for Foresters have the responsibilities of protecting the public and policing the profession, it also has the responsibility of enforcing the law and will do so when infractions are detected.

## SUMMARY OF BOARD ENFORCEMENT ACTIVITIES

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

Complaint Number	Alleged Violation(s)*	Status
2002-002 Updated	5	Pending: Accused requested to appear before Board at first available opportunity. Complainant advised to seek civil action. No further Board action anticipated until civil action concluded or accused appears before Board.
2003-Informal-2 Updated	1	Pending: Accused notified to cease and desist and confirm corrective action w/Board. Ongoing dialogue to achieve corrective action. Counsel action requested.
2004-Formal-2 Updated	1,2	Pending: Formal complaint form filed, investigation initiated. "Cease and desist" request issued by Board. Individual has responded through legal counsel and has asked for more specific information on charges. Referred to Counsel for action.
2004-Formal-3 Updated	1,2	Pending: Formal complaint form filed, investigation initiated. Individual informed of complaint but has failed to respond to Board's request. Counsel action requested.
2004-Formal-4 Updated	5	Pending: Formal complaint form filed; investigation initiated. Individual informed of charges against and has not yet responded to Board. Complainant sought civil action and case against RF dismissed. Board will consider whether or not further action is merited.
2004-Formal-5 Updated	1	Pending: Formal complaint filed; notification by Board. Further action pending response. No response to date-third letter to be sent - counsel advised of non-response.
2005-formal 3	1	Formal complaint filed. Notification by Board and "cease and desist" request issued. Board received satisfactory response and no further action pending.
2006-Formal-1	5	Pending: Formal complaint filed. Investigation is on-going.
2006 Informal-2	1	Pending: Written Communication informing individual and requesting response. April 2006.

\*Summary of Violations

1. Practice or offer to practice the profession of forestry without being registered or exempted.
2. Use in connection with name or otherwise assume, use, or advertise any title or description tending to convey the impression that one is a registered forester, without being registered or exempted in accordance with Code of Alabama 1975 Chapter 12, s34-12.
3. Present or attempt to use as one's own the license of another; or any person who shall give any false or forged evidence of any kind to the board or any member thereof in obtaining a license.
4. Attempt to use an expired or revoked license.
5. Violate any of the provisions of Code of Alabama 1975 Chapter 12, s34-12.