



Winter Issue  
2004

- 1 Managing Logging Risk and Liability Symposium - A Summary
- 8 SFI of PA In Action
- 9 2004 Block Training Cut-Out Schedule
- 10 In Brief
- 11 Recent Training Program Participants
- 12 Training Program News

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# ***The Sustainable Forestry Initiative® of Pennsylvania***



## **Managing Logging Risk and Liability Symposium - A Good Start**

We are changing the content of this issue of our newsletter from what we routinely offer. We have decided to dedicate the majority of this issue to cover the topics presented at our October 2 Managing Logging Risk and Liability Symposium. We allowed a sufficient amount of space so we can review the topics in the detail in which they were addressed.

Having said that, it is imperative that you not interpret these articles as being the final word on these matters. If one thing came through loud and clear at the Symposium, it is that each and every situation has its unique circumstances. What we tried to do was to merely raise some red flags that we all need to be aware of so we can better manage the risks associated with whatever our role happens to be in a timber harvest. If anything, the information we are providing should act to develop questions from you – questions that you need to direct to the proper party to get the correct answers.

I trust that many who read this will have the same reaction that most of the 200 plus attendees at the conference had... concerned, scared, perplexed, unsure. That's as it should be. Hopefully, these feelings will prompt them and you to be more vigilant and comprehensive in the way you do things so you will avoid some of the potential pitfalls that could work against you.

At the symposium, I posed a question to the attendees' which seems appropriate to be restated here. It was something along the lines of "if you and your family were walking in the woods and there was a mother bear and her two small cubs eating berries a short distance up the path in front of you, would you want to know in advance they were there so you could take the necessary measures to avoid the danger?" If your answer is "yes," then I trust the enclosed information will be of interest and benefit to you.

Ken Manno  
Program Manager  
SFI of PA

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(Issue #15)

The Sustainable Forestry Initiative (SFI) program is a voluntary, industry driven effort developed to ensure that future generations will have the same abundant, healthy, and productive forests we enjoy today. Created in 1995 by the American Forest & Paper Association (the national trade organization representing the United States forest products industry), SFI is a program of comprehensive forestry and conservation practices.

In order to broaden the practice of sustainable forestry in our state, an Implementation Committee was formed to develop the Sustainable Forestry Initiative of Pennsylvania. Today, the SFI of PA program works to ensure the progress of the national initiative, here in Pennsylvania.

### Implementation Committee (IC) Members

**Ken Roberts**, Chairman, Mead Westvaco\*  
**Matt Andrews**, Deer Park Lumber  
**John Bouch**, Timber Management Inc.  
**Bill Bow**, Appleton Papers, Inc.  
**Charlie Brown**, Glatfelter Pulp Wood Co.\*  
**Tom Buzby**, Weaber, Inc.\*  
**Blair Carbaugh**, Private Landowner  
**Keith Craig**, PA HDC  
**Dan Evans**, Weyerhaeuser\*  
**Jay Farrell**, AF&PA Liason  
**Jim Finley**, Penn State University  
**Joe Glover**, Plum Creek Timber Co.\*  
**James Grace**, Bureau of Forestry  
**Bob Hobbes**, Hobbes Forestry  
**Dave Jackson**, Tree Farm Program  
**Jeff Kochel**, Forest Investment Associates\*  
**Dave & Mark Krumenacker**, Krumenacker Lumber Co.  
**Rich LaBrozzi**, RAM Forest Products  
**John Levavasseur**, Temple Inland Forest Products\*  
**Paul Lyskava**, PFPA  
**Ken Manno**, SFI of PA  
**Gene Odato**, Bureau of Forestry  
**Dave Sienko**, Sienko Forest Products  
**Sue Swanson**, AHUG  
**Kevin Stout**, Georgia-Pacific Corp.\*  
**Susan Stout**, USDA Forest Service  
**Todd Waldron**, Craftmaster Manufacturing, Inc.  
**Mark Webb**, Webb Forestry Consulting

\*DENOTES AF&PA MEMBER COMPANY

Questions or comments regarding the SFI of PA newsletter, contact Carolyn Clark at 814-867-9299, 888-734-9366, or via e-mail at [sfi@penn.com](mailto:sfi@penn.com).

## Managing Logging Risk and Liability Symposium

By Ken Manno & Carolyn Clark, SFI of PA

**RISK.** Just the word itself can be unsettling to most people, for it conjures up images of a situation out of control and very likely to cause damage and/or injury. Risk is something that we all face every day in some form or other. Certain occupations have a higher degree of risk associated with them than do others. Logging falls into that HIGH-RISK category and understandably so. But risk and injury are not synonymous. There are ways to manage risk in everything we do and planning and maintaining control over a situation can serve to minimize the risk factor.

The SFI of PA, in cooperation with the Penn State School of Forest Resources, the PA Tree Farm Program, the PA Forest Products Association, and the Allegheny Society of American Foresters, provided some key insights into risk identification and management at a Managing Logging Risk and Liability Symposium on October 2 at the Bryce Jordan Center on the University Park Campus of Penn State.



**Courtney Flint** is a Graduate Assistant in the Department of Agricultural Economics and Rural Sociology at Penn State and is currently working on her Ph.D. in Rural Sociology. Courtney began the program with a very concise presentation on how to identify risk. She introduced the four components of risk – magnitude, likelihood, exposure, and consequences. She explained Risk Assessment as being the process of interpreting science and information in order to make predictions about risk (identify and understand risk). She pointed out that the assessment process involves evaluating biophysical and ecological processes, forestry practices, mechanical engineering (equipment and tools), human physiology, and economic costs and benefits. She explained the Risk Management Cycle as consisting of and progressing from hazard identification to risk evaluation, then to identifying ways for risk adjustment, then to implementation of those steps, and finally, monitoring what is taking place. She emphasized that a critically important component in carrying out the Risk Management Cycle is COMMUNICATION, and that risk experience – having successfully dealt with risk in the past – helps to establish a base of knowledge and understanding to conduct a more effective risk assessment. She cautioned that “Explicit treatment of risk is of little value if it does not in some way contribute to better decisions.”



**Mark Gordon**, Esquire and **Tim Smith**, Esquire, of the law firm Pietragallo, Bosick & Gordon, Pittsburgh, PA spoke about the Role of Logger, Landowner and Forester in Loss Prevention – A Legal Analysis. We feel compelled at this point to identify that Messrs. Gordon and Smith represented the plaintiff in a logging injury trial in early 2003 where a six million-dollar jury verdict was rendered in favor of the plaintiff. While the verdict is being appealed, there



**Ms. Courtney Flint started out the day by demonstrating ways to identify risk.**

were several areas of alleged impropriety that resulted in the verdict that was reached. It seemed to us that it would be helpful to know what those areas of vulnerability were so they can be avoided in future timber harvesting activities.

In part, Messrs. Gordon and Smith explained that a landowner bears the responsibility to protect invitees on their property. In the case of a timber harvest being conducted, those associated with that activity are viewed to be invitees. If the landowner is considered to be the possessor of the land either by being in occupation of the land with the intent to control it, or is in occupation of the land with the intent to control it if no other party has done so subsequently, or, if the landowner is entitled to immediate occupation - and under any of those circumstances knows, or by the exercise of reasonable care, would discover (a potentially dangerous) condition, and should realize that it involves an unreasonable risk of harm to invitees, and should expect that they (invitees) will not discover or realize the danger or will fail to protect themselves against it, and (landowner) fails to exercise reasonable care to protect them (invitees) against the danger – the landowner can be held liable for injuries incurred by the invitee(s). This duty of a “possessor of land” is an “affirmative duty” and includes a non-delegable duty to inspect the land and the conditions on it. If, through the inspection process, the possessor of the land discovers potential hazards, they must give warning (to the invitees) of the actual condition and the risk involved therein, or make it reasonably safe by repair. An invitee is entitled to expect that the possessor will take reasonable care to ascertain the actual condition of the premises, and therefore, the invitee is not required to be on alert to discover defects. In determining the extent of preparation which an invitee is entitled to expect to be made for his protection, the nature of the land and the purpose for which it is used are of great importance.

## Managing Logging Risk and Liability Symposium (continued)

Further, and perhaps most important, a “possessor of land” has, in certain circumstances, a duty to protect business invitees from even “obvious” dangers where the “possessor of land” can and should anticipate that the dangerous condition will cause physical harm to the business invitee. According to the United States Court of Appeals for the Third Circuit and the Pennsylvania Superior Court, the degree of care by a landowner as a “possessor of land” may be “informed” by (Occupational Safety and Health Administration) OSHA standards and other governmental regulations. OSHA regulations are not limited to employees of an employer. Both OSHA and Pennsylvania Department of Labor & Industry regulations were admissible on the issue of the standard of care owed by defendants to the plaintiff. It is important to note that this does not mean that OSHA itself applies to a landowner as a “possessor of land.” A landowner cannot be punished by the federal government for not complying with OSHA. However, it does mean that courts in Pennsylvania will “borrow” OSHA standards in order to determine what should constitute reasonable care by a landowner as a “possessor of land.”

### Liability of a Landowner as an “Employer of an Independent Contractor.”

A landowner becomes an employer of an independent contractor if the work involves a “peculiar risk of harm” to others unless special precautions are taken, and, the employer fails to provide in the contract or otherwise that such precautions are taken. Specifically, logging without a safety plan in place, including regular inspections has been held to constitute both a “peculiar risk of harm” as well as being “inherently dangerous.” Whether an activity is “inherently dangerous” is very fact specific. However, where an “inherently dangerous” conclusion is reached, the landowner has a non-delegable duty to insure that the employee(s) take proper safety precautions. The question of whether a landowner owes a duty to warn an independent contractor of dangerous conditions on the premises turns on whether the owner possesses “superior knowledge” or information, which places him in a better position to appreciate the risk posed to the contractor or his employees by the dangerous conditions.

### Issues Pertinent to Foresters:

It is not the contract per se which creates the duty; it is the law which imposes the duty because of the nature of the undertaking in the contract. One who

undertakes, gratuitously or for consideration, to render services to another which he should recognize as necessary for the protection of a third person or his things, is liable to the third person for physical harm resulting from his failure to exercise reasonable care to protect his undertaking, if:

- his failure to exercise reasonable care increases the risk of such harm, or
- he has undertaken to perform a duty owed by the other to the third person; or
- the harm is suffered because of reliance of the other or the third person upon the undertaking. (For example, a forester who elects to mark only some danger trees does not provide a viable service if he does not undertake to identify all hazards).



Attorney Mark Gordon

If the actor’s negligent performance of his undertaking results in increasing the risk of harm to a third person, the fact that he is acting under a contract or a gratuitous agreement with another will not prevent his liability to the third person. Any person who, on behalf of the possessor of the land, creates a condition on the land is subject to the same liability as though he were the possessor of the land for physical harm caused to others upon the land by the dangerous character of the condition while the work is in his charge. Likewise, any person who, on behalf of the possessor of the land, negligently creates an artificial condition resulting in injury to others is subject to liability to the injured person regardless of whether the (independent) contractor has surrendered possession of the land and his work has been accepted. This principle applies to any person who on behalf of the possessor of the land erects thereon a structure or creates any other artificial condition, irrespective of whether in so doing he is acting as the possessor’s servant

or as an independent contractor, and whether he does the work for reward or gratuitously. A servant or contractor who turns over the land to his employer in a condition made dangerous by his failure to exercise reasonable care, is liable for harm caused by it, even after his employer has accepted the work, not only to his employer but to all persons whom he should expect to be upon the land with the consent of his employer or to be in the vicinity. A negligent servant or contractor is not relieved from liability by the fact that he does not know of the dangerous condition on the land. Whether a duty exists is ultimately a question of fairness: the inquiry involves weighing the relationship of the parties, the nature of the risk and the public interest in the proposed solution. A duty arises when someone engages in conduct, which foreseeably creates an unreasonable risk of harm to others.

### Contractual Concerns for All Parties

**You cannot delegate away your duties by contract. You can only attempt to protect yourself from financial risk.**

Despite contractual language, landowners, foresters and loggers must be aware that they each hold responsibility. A contract will NOT protect a landowner, a forester or a logger from being sued, nor will the contract effectively eliminate their respective liabilities to injured third parties. However, a properly prepared contract is the best manner to shift certain financial responsibility. Every contract should include an indemnity provision and a provision requiring adequate insurance to support the promise to indemnify. Indemnity provisions in a contract do not transfer liability from an indemnitee to an indemnitor. Rather, they shift the financial obligation of meeting an injured third party’s demand from this indemnitee to the indemnitor. Depending on the wording of the indemnity, such financial burden may include defense costs, judgments, settlements, and any other costs associated with the resolution of an injured third party’s claim.

Indemnification contracts take one of three forms:

- The limited form indemnity obligates the indemnitor to save and hold harmless the indemnitee **only for the indemnitor’s own negligence.**
- The intermediate form indemnity obligates the indemnitor to hold harmless the indemnitee **for all liability except that which arises out of the indemnitee’s sole negligence.**
- The broad form indemnity requires the indemnitor to save and hold harmless the indemnitee

## Managing Logging Risk and Liability Symposium (continued)



Attorney Tim Smith

**from all liability arising from the project, regardless of which party's negligence introduces the liability.**

**Strong indemnity language with an express waiver of worker's compensation immunity is a must.**

**To provide for maximum protection, the indemnity provision must be drafted in accordance with Pennsylvania law. General indemnity language will NOT suffice.**

General indemnity language is insufficient to remove the bar to recovery created by the exclusivity provision of the Workmen's Compensation Act. The intent to indemnify against claims by employees of the alleged indemnitor must clearly appear from the terms of the agreement.

**An indemnity provision alone is NOT enough.**

It is important for both indemnitees and indemnitors to understand the interaction between indemnity provisions and liability insurance to maximize the risk management benefits that can be achieved through a proper combination of both. For an indemnitee, a primary concern should be whether the indemnitor has adequate financial or insurance resources to honor its indemnity obligation. Therefore, the promise to indemnify must also be supported by the proper insurance coverage. The contract must be specific as to the levels of coverage and include a requirement that you be named as an "additional named insured." Pennsylvania courts appear to recognize additional coverage afforded to an additional named insured. The courts give additional named insureds the protection from coverage afforded to the named insured. As such, the coverage afforded to an additional named insured in Pennsylvania far exceeds that of an additional insured.

### **Occupational Safety & Health Administration (OSHA) Guidelines Regarding Work Site Safety**

Developing a Site Safety and Health Plan: Although required by some states, OSHA does not require a written comprehensive Safety and Health Plan. However, OSHA does require that employees and their supervisors be trained in the specific hazards and control measures associated with their assigned tasks. The written Safety and Health Plan is a valuable tool in providing this training.

A Site Safety and Health Plan describes the potential hazards of the work site, along with all company policies, controls and work practices selected to minimize those hazards. The most important factor in reducing workplace injuries is implementing the plan. Implementation requires management's commitment to provide adequate resources for training, accountability, self-audits, and employee involvement.

Topics to be included in the Site Safety and Health Plan include a Tree Harvesting Plan, Daily Safety Checks and Surveys, Personal Protective Equipment Program, Equipment Maintenance Program, Training and Training Records, Assignment of Responsibilities for Carrying Out the Safety Plan (a hazard communication program), Lockout/Tagout, Bloodborne Pathogens, Hearing Conservation, and Accident Investigation.

The Tree Harvesting Plan should be developed to address the hazards associated with a specific logging site. Overhead hazards including electric lines, danger trees including stubs, spring poles, wind blown and widow makers, general environmental and working conditions, and adequate separation of operations while maintaining visual or audible contact are some of the items the plan should incorporate.

More fatalities occur while felling trees than during any other logging activity. These actions CAN be avoided. To "fell a tree" means more than just cutting it down. Felling means to cut the tree in such a way that it falls in the desired direction and results in the least damage to the tree.

Several precautions must be taken when "danger trees" are in the felling area:

- Each danger tree must be felled or removed using mechanical or other techniques to minimize employee exposure before work is

begun in the area of the danger tree.

- Before felling or removing a danger tree, loose bark and damage must be removed or held in place.
- If the danger tree cannot be felled or removed, it must be marked and there shall be no work allowed within 2 tree lengths of it, unless the employer demonstrates that a shorter distance will not create a hazard for an employee.
- When cutting a spring pole or other trees under stress, no employee other than the feller should be within 2 tree lengths of the tree when the stress is released.

Several considerations should be reviewed prior to felling:

- What hazards are present in the area where the logger will be working?
- Determine the felling direction and how to deal with forward lean, back lean, and/or side lean.
- Provide a retreat path so the logger can reach safety while the tree is falling.
- Determine the proper hinge size to safely guide the tree in its fall.
- Knowledge of and experience in how to employ proper felling methods allow the logger to safely fell the tree.

### **IN SUMMARY:**

Safety responsibilities cannot be avoided. Despite contractual language, landowners, foresters and loggers must be aware that they each hold responsibility.

Safety responsibilities should be the subject of ongoing communications between landowner, forester and harvester.

Appreciate the fact that there are certain hazards that are more readily recognizable by a forester than a cutter.

Landowners must make some reasonable effort to know and inspect their premises periodically.

While there are some duties that are not delegable, safety obligations must be addressed in contracts between landowners and foresters, and between landowners and timber harvesters.

A contract will NOT protect a landowner, forester or logger from being sued.

A properly prepared contract is the best manner to shift certain financial responsibility. Every contract



## Managing Logging Risk and Liability Symposium (continued)

should include an indemnity provision and a provision requiring adequate insurance to support the promise to indemnify.

Strong indemnity language with an express waiver of Worker's Compensation immunity IS A MUST. To provide maximum protection, the indemnity provision must be drafted in accordance with Pennsylvania law. General indemnity language will NOT suffice.

The promise to indemnify must also be supported by the proper insurance coverage. The contract must be specific as to the levels of coverage and include a requirement that you be named as an "additional named insured." The coverage afforded to an additional named insured in Pennsylvania far exceeds that of an additional insured.



"Experience is something you usually get right after you need it." Since this is a common problem in our lives, **David Ferris** of P.W. Wood & Sons began his presentation by saying his goal is to give the logging community solutions to protect themselves. One way of finding this protection is by buying the correct insurance. Mr. Ferris stressed the importance of meeting directly with your insurance agent. Insurance is readily available, but it is imperative that your broker be familiar with your industry. He or she will tailor your insurance to your specific needs. By following some basic steps, foresters, loggers and landowners will be able to protect themselves, should they need it.



**Mr. Dave Ferris of P.W. Wood & Sons**

First of all, we need to understand Risk. According to Mr. Ferris, risk is any event or circumstance that presents the possibility of loss or danger to organizations, people or property. Risk can impact personal property, revenue and people and can create a legal liability exposure to loss. A systematic program to prevent and prepare for losses from unexpected, unintended or accidental events is called the Risk Man-

agement Process. The risk management process includes two components: Risk Management and Risk Assessment. Risk management can be accomplished in two steps: Risk Control and Risk Financing. Risk control is participating in any activity to reduce frequency or severity of losses from unexpected events. It means taking responsibility for your environment, no matter what our job title. Risk financing is acquiring funding sources to pay for losses. These funds may be internal or external to your business and include deductibles, insurance and contractual funds. The second and most critical component of the risk management process is risk assessment. Risk assessment creates the blueprint for both risk control and risk financing options. As previously mentioned, your insurance broker must meet with you to assess these risks and customize your insurance to your exact needs.

The next step to managing risk is loss prevention and loss reduction. Loss reduction is used to control severity of the loss. If the loss does happen, the goal now is to reduce the impact of that loss. This may be accomplished with use of protective clothing and gear. Loss prevention is used to control the frequency of the loss. It may prevent the loss from occurring in the first place, or reduce the number of times the loss occurs. Insurance companies will look at your loss reduction and loss prevention measures to figure out if they will take you on as a risk. Following appropriate procedures to manage risk will help to ensure that you get the liability insurance that you need.

Next, Mr. Ferris asked the question, "Who is at risk of liability?" Those at risk include property owners, forester consultants and logging companies. In a logging company, all can be liable, including subcontractors, employees and managers. Common and statutory law generates most liability, but in some cases the liability may be subject to judicial interpretation. In these cases, a judge and jury assess the facts and circumstances and it is hard to predict their decision. Mr. Ferris went on to describe many aspects of liability and the law, including criminal law and tort liability. Layman's negligence was covered, which is doing something that you should not do, or failing to do something the you should do that results in injury or damage to another party.

Mr. Ferris discussed contract law. He stressed that contract language changes the normal rules of tort law and governs liability responsibility. Also, most states strictly construe and enforce contracts. Some important contractual liability issues include indemnification and obligation to pay.

Mr. Ferris went over the basics of insurance. Insurance

is simply a mechanism to pay for some of the cost of risk. Insurance pays for losses, but does not pay for the cost of risk control, the intangible cost of losses and the uninsurable. Types of liability insurance include commercial general liability, business auto liability, environmental liability, employment practices liability, professional liability and umbrella or excess liability. To answer the question, "How much is enough?", Mr. Ferris offered the following; the limits of liability you select should be enough to protect all of the assets of the organization and the individuals working in the organization that are exposed to legal liability. Officers, directors, managers and employees of any corporation that are actively engaged in the operations of the organization are exposed to personal liability as a result of their involvement.

In summary, Mr. Ferris stressed the following items. Risk must be managed by a combination of risk control and risk financing, and you must have enough insurance to protect all of your assets.



**Ernie Warlow**, OSHA Compliance Assistance Specialist, began his presentation by explaining the position OSHA has been in over the years. "We in OSHA have a situation with all industries where we have developed a multi-employer worksite policy to deal with relationships where more than one employer is working on a site at one time. The reason we did that was that many years ago, OSHA had a policy where only the exposing employer was responsible for a hazard." Mr. Warlow went on to explain that this policy was insufficient in that it caused people to stop taking responsibility for being the employer. A new policy was enacted which identified four situations in which an employer can be cited. This policy, the multi-employer worksite policy, states that in all industry sectors, more than one employer may be citable for a hazardous condition that violates an OSHA standard. More than one employer may be cited if the employer created the hazard, exposed employee(s), was responsible for correcting hazards or was the controlling employer. A two-step process must be followed to determine whether violations of those standards exist. Step one involves determining whether the employer is a creating, exposing, correcting or controlling employer. Step two involves determining if the employer's actions were sufficient to meet their obligations with respect to OSHA requirements. The extent of the actions required of the employer varies based on which category applies. The creating employer is the employer who caused a hazardous condition that violates an OSHA standard. The exposing employer is an employer whose own employees are

## Managing Logging Risk and Liability Symposium (continued)

exposed to the hazard. He or she has the most responsibility to his/her employees. If you are the exposing employer, you must be sure to take appropriate action to protect your employees, even if you are not the person who caused the exposure. You must take care of the problem yourself, or if you do not have that authority, you must alert the person in charge and



Mr. Ernie Warlow of OSHA

warn your employees of the hazard at hand. The correcting employer is an employer who is engaged in a common undertaking on the same worksite as the exposing employer and is responsible for correcting a hazard. This usually occurs when an employer is given the responsibility of installing and/or maintaining particular safety/health equipment or devices. Finally, the controlling employer is an employer who has general supervisory authority over the worksite, including the power to correct safety and health violations itself or require others to correct them. Control can be established by contract, or, in the absence of explicit contractual provisions, by the exercise of control in practice.

Mr. Warlow explained that OSHA is only concerned with employer/employee situations. They do not get involved in issues with the general public. Sometimes, they are called into a court case to testify to certain facts or situations. He pointed out that just because OSHA may not hold you accountable for a certain situation doesn't mean that you won't be held accountable by someone else, such as in civil court. Also, from OSHA's standpoint, a property owner with no authority is not held accountable for a hazard. Their standpoint on subcontractors is a bit more complicated. Often on job sites, the situation arises where people that are employees are treated as subcontractors, or vice versa. OSHA views this situation in this light: if you're an employer and regulate someone's work and pay them a wage, OSHA considers you an employer and the worker an employee, not a subcontractor. Also, OSHA has an in-

teresting way to deal with partnerships and sole proprietorships. When a sole proprietor or partner is exposed to a hazard, the company is not cited. OSHA is more concerned with the other employers and employees at that job site.

Mr. Warlow summed up his presentation by saying that OSHA is here to help employers and employees. OSHA is a great source of information, and training and consultations are readily available. They have offices in Philadelphia, Harrisburg, Pittsburgh, Wilkes Barre, Allentown and Erie. Visit [www.osha.gov](http://www.osha.gov) for OSHA standards, interpretations, events, compliance assistance, publications and statistics. Also, your regional OSHA office is open daily for phone consultations. Client Assistance Specialists offer training programs in each area. On-site OSHA consultation services are available through Indiana University of Pennsylvania at 724-357-2396. These consultations can help you assess potential hazards and are available free of charge.



The fifth speaker of the day was **Chris LeDoux**, representing the USDA Forest Service. His presentation focused on site disturbance and changing conditions that occur when certain activities are carried out in the forest. Dr. LeDoux began by showing a topographic map that would commonly be used to identify a landing, skid trail and trees to be harvested and demonstrated that hazards are often created at the locations furthest into the harvest site. He next introduced a decision chart that he has developed that, when used, can help to eliminate possible hazards. This chart can be used to define practical and safe clearing limits for skid road construction. Following these guidelines will result in a safer workplace for all.

Dr. LeDoux pointed out that when you are attempting to minimize or eliminate hazards in the woods, there are several items to consider. The first item is the attributes of the soil. Is the soil loose, rocky or sandy? Next we should look at the moisture or plastic limit. Is the soil wet or dry? The third item to consider is slope. If the area in question has a steep slope, more excavation will be necessary for building a skid road. Next, investigate the location's root area, anchoring mechanisms and lateral support. Finally, type of excavation should be considered. Do we need to use a cut and fill approach, or is the vertical cut method necessary? By using Dr. LeDoux's decision chart, these questions can be answered quickly and easily. Although the chart may look complicated at first glance, Dr. LeDoux insists that it will become second nature after just a few uses. And it will be well worth the effort if dangerous logging hazards are minimized or eliminated.

Dr. LeDoux next demonstrated why a tree might become a danger tree when it is located near an excavated skid road. A recent article in Science Magazine looked at several trees and determined area and mass of the leaves and the stem. What they found is that the area and mass of a tree's leaves and stem is isometrically proportional to the area and mass of the tree's root system. This tells us that the volume above ground is proportional to the volume below ground (crown diameter is proportionate to root diameter). Therefore, if a portion of soil and roots near a tree are removed in order to excavate a skid road, the tree will become unbalanced and may topple over, creating an enormous hazard. Again, use of the previously mentioned decision chart would easily help a logger or forester to determine this hazard in advance and may save lives. Dr. LeDoux went on to demonstrate several more situations that may occur at a logging site, and ways that they may be identified and remedied by use of the decision chart. Although some skeptics of this method may say that it is not practical and it will reduce production by forcing a logger to remove too many trees, Dr. LeDoux stresses that the guidelines are not unreasonable and taking more potential danger trees away is better in the long run if it will reduce risks or even fatalities. Anyone interested in receiving a copy of Dr. LeDoux's decision chart is welcomed to send their request to: Chris B. LeDoux, USDA Forest Service, 180 Canfield Street, Morgantown, WV 26505.



Dr. Chris LeDoux, USDA Forest Service



According to **Rick Meyer** of the Forest Resources Association, managing logging risk is as easy as determining who is responsible for logging safety, then acting. Often, there is a difference of opinion concerning who is responsible between the general

## Managing Logging Risk and Liability Symposium (continued)



**Mr. Rick Meyer, FRA**

public and government and legal sectors. Mr. Meyer's presentation focused on these differences and how we should work to resolve them.

Items Mr. Meyer often considers when thinking about logging safety and responsibility are injury sequence, unsafe acts and conditions, who has the opportunity, authority and responsibility (the OAR) to initiate logging safety activities, and loss control strategy. In order to eliminate a logging hazard, what aspect of a dangerous situation should be manipulated? Not much control can be exerted over a worker's background or characteristics. We cannot control their experience, habits, skill or attitude. What we can target and manipulate is the unsafe acts and conditions. We have the most control over these aspects and can work to reduce or eliminate them before they occur. As a loss control strategy, Mr. Meyer suggests doing the following in the event of an unsafe act: Stop the action. Next, find a safer way to complete the activity, even if it is more time consuming. Train, check and retrain workers if necessary to ensure that they are using safe methods. Finally, maintain discipline over crews; too much independence can lead to unsafe acts, accidents and injuries. In the event of an unsafe condition, he suggests removing the condition, guarding against the condition and warning the surrounding forest workers of the condition. One important way to do this is by marking danger trees with orange flagging tape. This has been done in the past and should be continued more frequently.

So, who has the OAR? Overall, everyone has a part to play. Mr. Meyer pointed out that OSHA, forest companies, trade associations, workers and schools hold some of the responsibility. They exert their OAR by offering training, publishing information and holding meetings to control losses. Even so, the logging contractor has the utmost responsibility and holds the OAR. They are closest to the forest worker and are the experts in the field. They have the most power to reduce or eliminate unsafe acts and conditions.

As mentioned previously, legal and government sectors often have a different opinion regarding who holds the OAR. When the issue of whether a worker is an employee or an independent contractor is raised, complications can arise. Often, an independent contractor acts like an employee based on the amount of control an employer holds over him/her. There are several control factors that may cause this situation to occur. The first is called a captive logger. In this case, a contractor never does business with any other company. Another situation may be when an employer furnishes a contractor with the money and equipment to accomplish a job. In addition, if an employer is setting hours or giving specific training and instructions, a contractor may appear to be an employee. Labels such as "hire" or "boss" also confuse the situation. Legal and government sectors often look at these factors to determine who is actually held accountable for a hazard on the job and they are often used as evidence in court cases. Other items that legal and government sectors consider to determine responsibility for logging safety is IRS "20 Tests" and the Doctrine of Economic Reality.

Mr. Meyer posed the question, "Will keeping an 'Arms Length' relationship insulate me?" Not necessarily. There are several variables involved in determining judgments. For example, when a court case is involved, the results are based heavily on the skills of the attorneys. There is no black and white. Also, when a jury is involved, the results are very hard to predict.

Mr. Meyer offered several answers to remedy these issues. Mills and foresters need to examine their business relationships and modify them if necessary. They may be implying employership to an independent contractor. Mr. Meyer mentioned that the FRA offers a workshop on how to deal with this situation. Logging contractors need to realize, they have the OAR! They are the experts in charge. Mills and other associations must promote safety and loss control using several options. Check out [www.loggingsafety.com](http://www.loggingsafety.com), a website sponsored by the FRA that has a wealth of informational materials and is a great reference for safety awareness. Voice safety concerns in the woods, especially to the boss. Hold weekly or monthly safety meetings to improve safety awareness on the job. OSHA regulations require these and they can be very helpful. Offer employees or contractors rewards for safety. In the long run, fewer accidents lead to improved morale, decreased insurance rates and increased productivity. Finally, participate in and support logger training and education classes, such as those offered by the SFI of PA.

Mr. Meyer concluded his presentation by showing an Injury Triangle. He demonstrated that for every 330 accidents, 29 of those victims need first aid of some sort. Out of those 29, one person is hospitalized or possibly killed. The most important point to remember is that we have the most control over unsafe acts and conditions and can prevent these accidents from occurring in the future. ■



The symposium concluded with an audience question & answer session with the panel of speakers. (missing from picture, Courtney Flint)

## SFI of PA In Action



*Forest Ecology* training participants, working in a small group, study seedling growth under the direction of Mike Wolf, Penn State Cooperative Extension Forester.



Ken Manno (left) of the SFI of PA, sponsor of the M.K. Goddard Forest Resources Management Award, helps PACD President Ronald Rohall present the M.K. Goddard award to Margaret Respet of Salix, PA in Cambria County.



Joe Glover of Plum Creek Timber Company facilitating an Environmental Logging training program in Franklin. Knowledge of and complying with our state's environmental regulations are critically important in abiding by sustainable forestry practices.



International visitors field tour sponsored by the PA Hardwoods Development Council and hosted by Coastal Lumber Company, Hopwood, PA. Visitors from Vietnam, Poland and Mexico received information about the SFI program and then were taken on a tour of an active timber harvest site, as well as a site where a harvest had been conducted several years ago to observe the regeneration that is occurring there.



Meeting of the Joint Legislative Air and Water Pollution Control and Conservation Committee Forestry Task Force. The Task Force is chaired by Senator Roger Madigan and is comprised of members from both the State House and Senate, as well as several members from various private and public sector organizations.



L to R: Michael Rains, Director of the Northeastern Station, USDA Forest Service, Newtown Square, PA; Ken Manno, Program Manager of the PA SFI Program; Susan Stout, Project Leader of the USDA Forest Service, Forest Sciences Laboratory, Irvine, PA; and Sally Collins, Associate Chief, USDA Forest Service, Washington, D.C.; meet to discuss the SFI program and the various partnership activities the Forest Sciences Lab staff at Irvine are involved in.



# SFI® of PA 2004 Block Schedule

This schedule is subject to change without notice - please contact the SFI office for more information at (814) 867-9299, or check our website at sfiopa.org. Further info on courses that location or date is TBA will be provided in individual mailings and on our website. Sign up early!

## **BLOCK I:** **February 17** **to April 13**

2/17/04	Logging Safety
2/18/04	Logging Safety
2/25/04	Logging Safety
2/26/04	Environmental Logging
2/26/04	Job Layout & Profitable Skidding
2/26/04	Logging Safety
2/27/04	First Aid/CPR
March (TBA)	Log to Lumber Yield
March (TBA)	GPS For Forest Management
3/4/04	Job Layout & Profitable Skidding
3/10/04	Environmental Logging
3/10/04	Logging Safety
3/11/04	Environmental Logging
3/11/04	Environmental Logging
3/11/04	First Aid/CPR
3/11/04	Logging Safety
3/17/04	Logging Safety
3/18/04	Advanced Environmental Logging
3/22/04	Logging Safety
3/23/04	Environmental Logging
3/24/04	First Aid/CPR
3/24/04	First Aid/CPR
3/25/04	Environmental Logging
3/25/04	Game of Logging
3/25/04	Job Layout & Profitable Skidding
3/25/04	Logging Safety
3/30/04	Logging Safety
4/1/04	Business Management
4/1/04	Log to Lumber Yield
4/13/04	Environmental Logging

Jennerstown, Somerset Co.  
 Apple Bin Restaurant, Fishertown, Bedford Co.  
 Columbia Co. Conservation District Office  
 Columbia Co. Conservation District Office  
 Woodland Chip Mill, Woodland, Clearfield Co.  
 Dwight Lewis Lumber Co., Sullivan Co.  
 Columbia Co. Conservation District Office  
 Northern Somerset Co.  
 Somerset/Cambria Co.  
 Craftmaster Manufacturing Inc., Towanda, Bradford Co.  
 Two Mile Run Co. Park Nature Lodge, Franklin, Venango Co.  
 Caledonia State Park, District 1 Office  
 DCNR office, Penfield, Clearfield Co.  
 Restless Oaks Restaurant, McElhatten, Clinton Co.  
 Family House Restaurant, Mifflintown, Juniata Co.  
 St. Michaels, Cambria Co.  
 Two Mile Run Co. Park Nature Lodge, Franklin, Venango Co.  
 Carbon Co. Environmental Education Center  
 Warriors Mark United Methodist Church, Huntingdon Co.  
 Warriors Mark United Methodist Church, Huntingdon Co.  
 Warriors Mark United Methodist Church, Huntingdon Co.  
 Marine Corps League, Chambersburg, Franklin Co.  
 Family House Restaurant, Mifflintown, Juniata Co.  
 Keystone Chip Mill, Lantz Corners, McKean Co.  
 Centre County Area  
 Craftmaster Manufacturing Inc., Towanda, Bradford Co.  
 DCNR office, Bloomsburg, Columbia Co.  
 DCNR office, Penfield, Clearfield Co.  
 Pine Creek Lumber, Mill Hall, Clinton Co.  
 Centerville, Bedford Co.

## **BLOCK II:** **May 11 to** **June 30**

5/11/04	Environmental Logging
5/13/04	Environmental Logging
5/18/04	Forest Ecology
5/19/04	GPS For Forest Management
5/20/04	Environmental Logging
5/20/04	Forest Ecology
5/20/04	Logging Safety
5/26/04	Environmental Logging
5/27/04	Environmental Logging
June (TBA)	Job Layout & Profitable Skidding
June (TBA)	Forest Ecology
June (TBA)	Sustainable Silviculture
6/3/04	Game of Logging
6/3/04	Sustainable Silviculture
6/9/04	Environmental Logging
6/10/04	Advanced Environmental Logging
6/14/04	Logging Safety
6/15/04	First Aid/CPR
6/16/04	Environmental Logging
6/16/04	First Aid/CPR
6/17/04	Job Layout & Profitable Skidding
6/17/04	Sustainable Silviculture
6/17/04	Wildlife
6/24/04	Sustainable Silviculture
6/29/04	Environmental Logging

Centerville, Bedford Co.  
 St. Michaels, Cambria Co.  
 Ricketts Glen State Park, Luzerne Co.  
 Two Mile Run Co. Park Nature Lodge, Franklin, Venango Co.  
 Dushore, Sullivan Co.  
 Pine Creek Lumber, Mill Hall, Clinton Co.  
 DCNR office, Penfield, Clearfield Co.  
 Caledonia State Park, District 1 Office  
 Bureau of Forestry, Dauphin Conservation District Office  
 Bedford Co.  
 Somerset, Somerset Co.  
 Somerset, Somerset Co.  
 Woodland Chip Mill, Woodland, Clearfield Co.  
 Dwight Lewis Lumber Co., Sullivan Co.  
 Two Mile Run Co. Park Nature Lodge, Franklin, Venango Co.  
 Two Mile Run Co. Park Nature Lodge, Franklin, Venango Co.  
 Warriors Mark United Methodist Church, Huntingdon Co.  
 Warriors Mark United Methodist Church, Huntingdon Co.  
 Warriors Mark United Methodist Church, Huntingdon Co.  
 Glatco Lodge, Spring Grove, York Co.  
 Keystone Chip Mill, Lantz Corners, McKean Co.  
 Bureau of Forestry, Dauphin Conservation District Office  
 Clinton/Centre County or Lycoming County Area  
 Craftmaster Manufacturing Inc., Towanda, Bradford Co.  
 Kane Community Center, Kane, McKean Co.

## **BLOCK III:** **September 7** **to October 15**

September (TBA)	Environmental Logging
9/13/04	Game of Logging 1
9/14/04	Game of Logging 2
9/15/04	Game of Logging 3
9/16/04	Game of Logging 4
9/16/04	Business Management
9/16/04	GPS For Forest Management
9/30/04	Game of Logging
9/30/04	GPS For Forest Management
10/12/04	Business Management
10/13/04	Log Grading and Bucking
10/14/04	Environmental Logging
10/14/04	Game of Logging 2
10/14/04	GPS For Forest Management

Somerset, Somerset Co.  
 Ricketts Glen State Park, Luzerne Co.  
 Dwight Lewis Lumber Co., Sullivan Co.  
 Craftmaster Manufacturing Inc., Towanda, Bradford Co.  
 Pine Creek Lumber, Mill Hall, Clinton Co.  
 Cabela's Restaurant, Hamburg, Berks Co.  
 Warriors Mark United Methodist Church, Huntingdon Co.  
 Warriors Mark Area, Huntingdon Co.  
 Bradford/Sullivan Co. Area  
 Warriors Mark Area, Huntingdon Co.  
 Dwight Lewis Lumber Co., Sullivan Co.

## In Brief

### IC Members Elected as SAF Fellows

SFI of PA Implementation Committee members Susan Stout and Jim Finley have been elected as SAF (Society of American Foresters) Fellows, following an announcement given on November 5. Fellows are SAF professional members who have been identified by their peers as having rendered outstanding service to forestry and the Society. Both Susan and Jim have been dedicated members of the IC for several years. In addition, both have conducted numerous training programs for the SFI, including *Wildlife and Forest Ecology*. Susan Stout is a Project Leader for the USDA Forest Service and is stationed at the Forest Sciences Laboratory in Irvine, PA. Jim Finley is a professor in the School of Forest Resources at Penn State University.

### Levavasseur Resigns from IC

John Levavasseur, IC member and Temple-Inland forester, has resigned from the Implementation Committee, due to the elimination of his position with Temple-Inland. John has served on our IC for one year and has been facilitating SFI training programs since the beginning of the program. We would like to thank John for his years of dedicated service; we wish him years of future successes.

### Review of SFI Standard

The SFB has initiated the public comment period for the 2004 review of the SFI Standard. The public comment period will be open from December 5, 2003 to February 5, 2004. Comments received will be reviewed, summarized and considered by several SFB task groups established to work on specific portions of the SFIS, the Verification Procedures and Auditor Qualifications. The summarized comments will also be peer-reviewed by the SFI External Review Panel. Comments can be submitted on the SFB website at [www.aboutsfb.org](http://www.aboutsfb.org).

### SFI Program Recognized by UKTFA

The United Kingdom Timber Frame Association (UKTFA), in an environmental performance statement, recognized the SFI program as a reputable certification system. In the statement, UKTFA promotes timber's green construction credentials. With this in mind, UKTFA continually encourages its members to source their timber from sustainable forests and backs certification programs, like the SFI program. Other certification programs UKTFA mentioned were the Forest Stewardship Council and the Programme for the Endorsement of Forest Certification (PEFC).

### Influx of Cheap Asian Paper Hurting U.S. Paper Companies

A flood of cheap Asian paper products from China and South Korea is hurting U.S. paper producers, which say these imports now control U.S. prices. U.S. consumers and businesses will likely benefit from cheaper prices, but it hurts manufacturers and threatens well-paying jobs for many.

## SFI of PA Program Partners

Partners Program Participants are committed to the SFI Standards and pay a set fee annually based on sawmill production from Pennsylvania sawlogs.

- Appleton Papers, Inc.(7)
- Baker's Lumber Company, Inc. (6)
- Blue Ox Timber Resources (6)
- Bonham Log & Lumber, Inc. (6)
- Brode Lumber (6)
- BroJack Lumber Company, Inc. (4)
- Brooks Lumber & Timber Harvesting (7)
- Brookville Wood Products (5)
- C.J. Charles Lumber, Inc. (5) ☒
- Champion Lumber Company, Inc. (5)
- Clear Lake Lumber (6) ☒ ☑
- Cornerstone Forest Products (7) ☒ ☑
- Craftmaster Manufacturing, Inc.(3)
- Cubbon Lumber & Land Co., Inc. (6)
- Cummings Lumber (6) ☒ ☑
- Custead's Sawmill, Inc. (6) ☒
- Deer Park Lumber (7)
- Dwight Lewis Lumber Co. (3)
- James Doliveira Lumber (4)
- Edwin Johnson & Sons (6)
- C.A. Elliot Lumber (5)
- Forest Investment Associates (4)
- Georgia-Pacific Corp. (8)
- The Glatfelter Pulp Wood Co. (8)
- Heacock Lumber (4)
- R.J. Hoffman Lumber (4)
- Hyma Devore Lumber (6) ☒
- International Paper (8)
- Kern Brothers Lumber Company (4)
- Gerald King Lumber (7)
- Krumenacker Lumber Company (6)
- Kuhns Brothers Lumber (7) ☒ ☑
- Lapp Lumber Company (6)
- Lauchle Lumber (7) ☒
- Lee Brothers Lumber Company (3)
- Randy Leeper Lumber (4)
- Mead Westvaco (8) ☒ ☑
- Matson Lumber Company (4) ☒ ☑
- Mountain Hardwoods (7) ☒ ☑
- Mt. Airy Lumber Co. (2)
- Mt. Valley Farms & Lumber Products (5) ☒ ☑
- Ongley Hardwoods (4)
- Ordie Price's Sawmill (4)
- P & S Lumber Company (4)
- Patterson Lumber Co. Inc. (4)
- Pine Creek Lumber (6)
- Plum Creek Timber Co. (2)
- RAM Forest Products (6)
- Salem Hardwood, Inc. (2) ☒ ☑
- Solt's Sawmill (5)
- St. Marys Lumber Co., Inc. (6) ☒
- Sterling Forest Products (4)
- Temple-Inland Forest Products (2)
- Tuscarora Hardwoods, Inc. (5)
- W. B. Shaffer Lumber (7)
- Weaber Inc. (8) ☒ ☑
- Wheeland Lumber (7) ☒ ☑
- Weyerhaeuser (8) ☒ ☑

\*denotes new company

()= years as participant

Visit our web site for e-mail addresses (☒) and web site links (☑) for these Partners and Supporters!

## SFI of PA Program Supporters

Supporter Companies help to promote sustainable forestry practices and pledge meaningful financial contributions.

- Allegheny Hardwood Utilization Group (2)
- Babcock Lumber (5)
- Bailey Wood Products, Inc.(4)
- Bingaman & Son Lumber (5) ☒ ☑
- Catawissa Lumber & Specialty Co. (3)
- Coastal Lumber (5)
- Hobbes Forestry Services (4)
- Horizon Wood Products (4)
- Keystone Chipping, Inc. (3)
- Northern Tier Hardwood Assoc. (2)
- Penn State University (3)
- (Forest Land Management Office)
- Pennco International, Inc. (2) ☒ ☑
- Red Rock Enterprises LLC (5) ☒ ☑
- Sylvandale Forestry (4)
- TimberLeads, Inc. (4)
- Timber Management, Inc. (2)
- Woodland Forest Products (3)
- Viking Energy (2)

\*denotes new company

✂

**Please send me information on**

**SFI's Partners**

**SFI Supporters**

**SFI Program in general**

**send to:**

SFI of PA, 315 South Allen Street, Suite 418, State College, PA 16801

Name: \_\_\_\_\_

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

Street Address: \_\_\_\_\_

City, State, & Zip Code: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Sawmill \_\_\_\_\_ Manufacturer \_\_\_\_\_

Forester \_\_\_\_\_ Logger \_\_\_\_\_

## Core Training Completed

Since August 2003 the following individuals have completed Core Level training with the SFI of PA. Core Level Courses are First Aid & CPR, Logging Safety, and Environmental Logging.

Norman Clark	Ginter
Doug Gates	Glasgow
William Houtz	Mill Hall
Carl Houtz, Jr.	Lock Haven
Brad Keltz	Bradford
Edward Kocjancic	Kane
Randy Krise	Ridgway
Darryl Kurtz	Newmanstown
Jay Kurtz	Newmanstown
Norma J. Mays	Newmanstown
Shawn Oshenic	Olanta
Randy Shaffer	Bradford
Chris A. Tripp	North Bend
Paul Webster	Bradford

## Continuing Education Courses Completed Since August 2003

### ESTIMATING TIMBER VOLUME

Mike Bobek	Hatfield
John B. Eshleman	Benton
Evan Mann	Kingsley
Leo "Bear" Niedzwiecki	Benton
Randy C. Watters	Brandamore
Joe Zehr	Christiana

### FOREST ECOLOGY

David L. Balmer	Middletown
Michael Bollinger	Westfield
Dave Clymer	Elliottsburg
Jeff Eason	Dauphin
Jim Lapp	Paradise
Ben Livelsberger	Newport
Mark E. McCall	Nicktown
Ron Nick	Lucinda
G. Louis Salyards	Newry
Charles Salyards, Jr.	Duncansville
David A. Shaffer	Hyndman
James H. Shaffer	Hyndman
Bruce A. Teats, Jr.	Selinsgrove
Mike Wagner	Petersburg
Ron Westover	Nicktown
Samuel G. Yoder	Belleville

### GAME OF LOGGING I

Brian D. Bricker	Leola
Sanford N. Ebersole	Millmont
John McCormick	Portage
Simeon L. Musser	Litiz
Vernon R. Nolt	Milton
Fred F. Stoltzfus	Lewisburg
Jonathan Stoltzfus	Lewisburg
John C. Zaborowski	Wattsburg

### LOGGING COSTS

Mike Bobek	Hatfield
Brian Carr	New Albany
Randy C. Watters	Brandamore

## Continuing Education Courses (Continued)

### GPS: PRACTICAL APPS. FOR FOREST MGMT.

Mary Baker	Towanda
Nancy Baker	Sugar Run
Andy Benscoter	Laceyville
Michael Bollinger	Westfield
Dennis Border	Barton
Andy Bryant	Little Meadows
Chris Bull	Westfield
Michael Cannon	Mansfield
Bill Capwell	Rome
Chad Clouser	Wellsboro
Jeff Coolidge	Westfield
Thomas Delovich	Wyalusing
Gene Desposito	Allegheny
Craig Fields	Wellsboro
Joe Garrett	Clarksburg
Greg Gass	Westfield
Trudy Gerlach	Wyalusing
Mike Hale	Westfield
Jeff Hamilton	LaPorte
Bob Hansen	Towanda
Richard Hilfiger	Covington
Larry Hutchins	Knoxville
James F. Lacey	Towanda
Jimm Leach	Galeton
John LeVancher	Tioga
Mark Madden	Wysox
Craig McCarty	Forksville
Ronald H. McCarty, Jr.	Forksville
Lucille P. Morseman	Ulysses
Scott O'Connell	Montoursville
Ken Paros	Rome
John Preston	Wyalusing
Thomas L. Rice	Westfield
John Schultz	Monroeton
Curtis F. Shadle	Wellsboro
James Shuler	Barton
David A. Sienko	Hallstead
David C. Sienko	Hallstead
David Vanderpool	Warren Center
Paul Vanderpool	Towanda
Jon Villaume	Narberth
George Wagner	Little Meadows
Kevin Wagner	Clarksburg
Jim Weaver	Wellsboro
Dean A. Yale	Mansfield
Barbara Yeaman	Milanville

### SUSTAINABLE SILVICULTURE

Al Bartels	Reynoldsville
Michael Bollinger	Westfield
James Boyd	Brookville
Cy Emer	James City
Bill Fenton	Greenville
John Fenton	Greenville
Harold V. Hartley, Jr.	Cranberry
Richard Hartlieb, Jr.	Wernersville
William D. Johns	Emporium
William P. Kirkpatrick	Rimersburg
Don Kovalick	Frenchville
Robert Matson	Brookville
Gregory P. Moore	Emporium
R. Andrew Moore	Sheffield
David L. Niederriter	Marble
Craig Ochs	Brookville
Merle Piper	Latrobe
Wm. Marc Reese	Adamsville
Mark J. Selfridge	Curwensville
David Siegel	Marble
Todd Sparks	Marble

### SUSTAINABLE SILV. (cont)

James P. Stewart	Kennerdale
Andrew Sutliff	Wernersville
Ted Wakefield	Grand Valley
Glenn A. White	Brookville
Kenneth J. Wolbert	Marble
Scott Wolbert	Kane

### JOB LAYOUT & PROFITABLE SKIDDING

Michael Becker	Laurelton
Mike Bobek	Hatfield
Brian D. Bricker	Leola
Steven N. Bucks	Womelsdorf
Larry Campbell	Lewisberry
Mark Collins	Grampian
Carol Custead	Meadville
Jesse Detweiler, Jr.	Allensville
James Feldman	Pleasant Hall
David Felix	Loganton
Josh Fetzer	Huntingdon
Steve Forrester	Shippensburg
Dean J. Geiman	Spring Grove
Joseph D. Glover	Brookville
Gary L. Gordon	Guys Mills
Matthew J. Gordon	Townville
Jeff Goshorn	Newport
Ted Graybill	Richfield
Joel Greco	West Middlesex
Mark A. Hofmann	Laurelton
Troy Holtry	Newburg
Paul Iampietro	Chambersburg
Peter Johnson	Laurelton
Kim Kern	Spring Grove
Craig Kniseley	Brookville
Rod Kniseley	Brookville
David Knoll	Chambersburg
Steve Kolva	Elizabethville
Richard J. Krause	Neelyton
Richard W. Krause, Jr.	Orbisonia
Mark Kulka	Warren
Scott Kurtzman	Spring Grove
Ralph W. Laughman	Hanover
Lois Lavoie	Pulaski
Darren R. Lippert	Meadville
Matt McCanna	Lebanon
Shawn McCanna	Silver Spring
Tim McClincy	Beech Creek
Neal Mishler	Fayetteville
Rodney E. Monn	Shippensburg
Simeon L. Musser	Litiz
James Neidrich	Beech Creek
Dave Nelson	Spring Grove
Scott Peter	Mill Hall
Mark C. Potter	Laurelton
Tom Pukavige, Jr.	South Mountain
Pierron Reasner	Neelyton
Brian Salvato	State College
Jim Savitz	Pittsfield
Brad Schmader	Lucinda
Lloyd Sheaffer	Richfield
Brian Sheetz	Lebanon
Lewis Stern	Fort Loudon
Ralph Thomas	West Milton
Mike Wagner	Petersburg
Brad Wendt	Laurelton
Ed Whitsel	Mill Creek
Daniel F. Wolf	Bernville
John Zwald	Shermansdale
Parnell Zwald	Shermansdale

### MANAGING LOGGING RISK & LIABILITY SYMPOSIUM

Norm Asel	Kane	Ray C. Noll, III	State College
Travis Asel	Kane	Ray Noll, Jr.	Pleasant Gap
Larry J. Baker	Cherry Tree	Craig A. Olver	Honesdale
Al Bartels	Reynoldsville	Janet Olver	Honesdale
Richard Bender, Jr.	McClure	Jeff Patten	Spartansburg
Ron Bennett	Biglerville	David L. Posca	Parkersburg
Stephen E. Billman	Spartansburg	Mark C. Potter	Laurelton
John Bouch	Mahaffey	Regis Preston	Brockway
Bill Bow	Roaring Spring	Donald E. Pringle	Butler
James Burger	Duncansville	Shannon Probst	Mill Hall
Kim Cable	Portersville	John T. Redell, III	Wellsboro
Lawrence R. Campbell	Lewisberry	Wm. Marc Reese	Adamsville
John N. Chapman, Jr.	Brookport	Kenneth Roberts	Cumberland
William J. Corbin	Brookville	Ronald Rohall	Rector
Hiedi L. Custer	Frostburg	Dennis Rosenberry	Fannettsburg
John Daugherty	Knox	Matt Ross	Meyersdale
Rick Deppen	Quakertown	George L. Salyards	Duncansville
Gene Desposito	Allegheny	Brady Schoonover	Portville
Lucas Dillinger	Johnsontown	Brent Schoonover	Shinglehouse
Betsy Durandetta	Olanta	Britton Schoonover	Shinglehouse
Shay Durandetta	Olanta	Fay Schoonover	Shinglehouse
Matthew Engel	Mill Hall	Jason Shaw	Bellefonte
Ken Eyer	Tyrone	Brian Sheetz	Lebanon
Barbara Farabaugh	Loretto	Pat Sherren	Warriors Mark
Dave Fetzer	McAlisterville	F. Russell Sherwood	Lewistown
Michael L. Fleming	Keyser	Robert G. Shields	St. Marys
Ed Foster	Punxsutawney	Tom Shields	St. Marys
James Friday	Tyrone	Justin T. Shultz	Scottsdale
Calvin Gardner	St. Marys	Gregory Shultz, Jr.	Scottsdale
Richard L. Garrison	Troy	Mark Sickler	Tunkhannock
Ken Gibbs	Bedford	Ken Smith	McVeytown
Robert Girvin, Jr.	New Providence	Brian Squires	St. Marys
Mike Hale	Westfield	Jim Stec	Garland
Robert G. Haynes	Snow Shoe	Kevin R. Stout	Marble
William J. Haynes	Snow Shoe	Lou Sycz	Mill Hall
Bob Hobbes	Tunkhannock	Samual Topper	Kane
Josh Hobbins	Mill Hall	John Urmann, Jr.	Ridgway
Curtis Hollabaugh	Garland	Michael D. Waldron	Biglerville
Tim Holtz	Coudersport	Doug Walker	Tunkhannock
Marvin E. Hoover	Karthus	Malcolm D. Waskiewicz	Coudersport
Marvin R. Hoover	Karthus	JoAnn A. Webber-Wolfe	Schuylkill Haven
Jon Howard	Tunkhannock		
Carl Huss	Brookville	Paul M. Webster	Bradford
Jeffrey Hutchinson	Acme	Robert Wetherill	Lake Ariel
Edward Johnson	Bloomsburg	Jonathan Wirth	Mill Hall
James E. Johnson	Muncy	Kenneth J. Wolbert	Marble
Bob Kirchner	St. Marys	Michael T. Wolf	Ebensburg
Edward S. Kocjancic	Kane	Kenneth L. Wolfe	Schuylkill Haven
Richard Kordes	Lewisburg	Jeffrey L. Worrall	Lowville
Paul N. Kowalczyk	Hawley	Ray Yoder	McVeytown
Dave Krumenacker	Carrolltown	Merle Zinn	Shippensburg
Mark J. Krumenacker	Carrolltown		
Tim Kuhns	Lewisburg		
Gary Laslow	Brookville		
Richard Lauchle	Montoursville		
C. Martin Lehman	Carlisle		
Charles M. Lehman	Carlisle		
John Levavasseur	Kane		
David Lewis	Emporium		
Melvin W. Lewis	Hillsgrove		
Mark McCall	Nicktown		
Shawn McCanna	Silver Spring		
Mike McEntire	Smethport		
Martin Melville	Centre Hall		
James A. Movinsky	Clymer		
Chris Myers	State College		
David A. Nelson	York		
Jeffrey S. Nichols	Tunkhannock		
Paul Noll	Loretto		

### MISCELLANEOUS COURSES

James Chapman	Youngsville
Conrad Hultman	Youngsville
Edward Kocjancic	Kane
Rodger Murray	Meyersdale
Austin A. Price	S. Gibson
Ordie E. Price, III	S. Gibson
Matt Ross	Meyersdale
Daniel Swift	Forksville
Todd Waldron	Towanda





The Sustainable Forestry Initiative  
315 South Allen Street, Suite 418  
State College, Pennsylvania 16801

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## SFI OF PA TRAINING PROGRAM NEWS

### SFI Rolls Out New Block Schedule

We are introducing **Block Scheduling in 2004**. Courses will only be offered during 3 six week periods.

**Block I — February 17 to April 13,**

**Block II — May 11 to June 30**

**Block III — September 7 to October 15**

See page 9 for more information on the 2004 Block Training Schedule.

### SFI of PA Training Course Development

Two new SFI of PA training programs are in development. They are *Threatened & Endangered Species* and *Managing Logging Risk & Liability* (based on the symposium held in October). We hope to make these available later this year.

### SFI of PA Training Course Updates

Due to new DEP regulations, we are in the process of updating the core course Environmental Logging. The new course will incorporate the new regulations and introduce the new SFI of PA Treatment Unit Sustainability Form (TUSAF). Those who have already taken Environmental Logging in the past will be able to take the updated version for Continuing Education Credit. Look for this program in the second half of 2004.

### Training Program Fees to Change in 2004

As of January 1, 2004, we have been forced to adjust training fees to reflect increased facilitative and administrative costs. Fees for courses covered by the CJT grant will remain the same until the grant expires at the end of June 2004. They are: **Environmental Logging, Advanced Environmental Logging, Job Layout and Profitable Skidding, Forest Ecology, Sustainable Silviculture and Wildlife**. Please take advantage of the savings and stay current with your training by taking one of the above courses early this year. Beginning July 2004, prices for these courses will be increased.

#### All other courses will be priced as follows:

Business Management	\$60.00 per person
Game of Logging	\$110.00 per person
GPS for Forest Mgmt	\$70.00 per person
Logging Safety	\$55.00 per person
Log to Lumber Yield	\$55.00 per person

Prices for courses taught by outside groups, such as First Aid/CPR and Estimating Standing Timber, will be based on the cost assessed by the facilitating group.

### Staff Changes at SFI of PA

Prolonged economic difficulties have caught up with our program and have forced us to make some major reductions in our operating expenses. Unfortunately, this has necessitated the elimination of the Communications and Training Manager position, in which Ray Noll had served for over three years. We regret that this action had to be taken and will greatly miss Ray in the office. His hard work and dedication to the SFI was greatly appreciated. He worked diligently on the SFI of PA newsletter, as well as on coordinating the SFI training program schedule. We wish Ray much luck in the future.

### What is Your Training Status?

We are beginning to see renewed signs of mills and landowners wanting to work only with loggers who are current with their training requirements. How widespread this may become remains to be seen. If you are current with your training, we encourage you to remain so. If you are not, this year is the time to take the courses you need to become current so you will not run the risk of not being qualified for work by certain parties.