

THE KENTUCKY LOGJAM

PROVIDING ENVIRONMENTAL, SAFETY, AND PROFESSIONAL INFORMATION TO
KENTUCKY'S TIMBER HARVESTING OPERATORS

Summer 2005 Volume 9 Issue 2

Logging and the 2005 Legislature

While this year's legislature was embroiled with budgetary issues, several forestry and logging bills emerged and one survived the legislative gauntlet. This issue of the Kentucky LogJam reviews the hits and misses of the 2005 Kentucky legislative session.

Temporary Master Logger Card A Reality

The requirement for having one master logger on-site and in charge of each logging operation is generally not a problem for companies that have been involved in logging for some time in Kentucky. This is especially true if several owners and longtime employees have been through the Kentucky Master Logger program. HOWEVER, if you lost your only master logger, let your card lapse, or if you were just getting in the logging business, you had to go through the three day Master Logger program before legally starting work. While the programs are generally scheduled one to two months apart, waiting that amount of time and possibly having to drive from Fulton County to Eastern Kentucky, or from Pike County to Pennyrite State Park to attend a program was difficult.



The answer to this difficulty came this session with House Bill No.79. This bill stipulated that the Kentucky Master Logger program could issue a TEMPORARY MASTER LOGGER CARD. The bill stipulated that the

temporary master logger card would be valid for four months. The logger could then obtain a permanent card by participating in the three day Kentucky Master Logger Program. The bill also stipulated that during the temporary period, the logger must notify the Kentucky Division of Forestry. The bill also requires the Cabinet (the Kentucky Division of Forestry) to develop regulations for the implementation of the temporary master logger designation. This means that there will be some needed details attached to the temporary master logger designation. These are currently being worked out. The Kentucky Forestry BMP Board (that includes forest industry and logger members) has provided the following recommendations to the cabinet.

1. To receive a temporary master logger card, you must submit an application for a temporary master logger card, pay a \$50 fee for the temporary card, and show proof of paying registration for an upcoming master logger course. If this is not attended, the temporary card becomes invalid.
2. The temporary card is good for four months, and the temporary master logger must attend a master logger course within that time.
3. You can only get one temporary master logger card. If yours runs out and you have not obtained a permanent card, you cannot receive an extension or get another temporary card.
4. Temporary master loggers will be provided information on the BMPs and must use them.
5. **LOGGER ALERT:** The temporary master logger, or a company employing a temporary master logger, must notify the Kentucky Division of Forestry of each logging job they are working on while they have the temporary

2005 Legislature cont.....

card.

6. **LOGGER ALERT:** A logger or operator may not begin harvesting then seek a temporary master logger designation.

7. **LOGGER ALERT:** Any temporary master logger logging without first notifying the division, when discovered, will be issued an Emergency Order and not allowed to operate on the involved site until a permanently designated Kentucky Master Logger is on site and in charge.

Bad Actor Amendment

The Bad Actor section of the Kentucky Forest Conservation Act has been amended. Everyone, and that's a big list, has realized for a long time that the Bad Actor provision has been flawed. No, not because it exists. It is flawed because, once given the designation, there was no way to technically have the designation removed. House Bill No.79 also fixed this problem. The bill allows the Kentucky Division of Forestry to remove individuals and firms from the Bad Actor list. The Division is required to develop regulations to provide the details. The bill states that those wanting to get off the Bad Actor list must have paid all fines, have fixed problems on logging sites that were in violation, and have demonstrated that they are currently using BMPs. Stay tuned for details.

What Did Not Pass: The majority of legislation that could potentially affect loggers and forest industry did not pass in the 2005 session. However, some initiatives tend to raise their heads in subsequent years, and it is wise to understand what has been discussed to help predict what might occur in future sessions. The following are issues that were not passed but could be in the future.

Hauling Legal Weight Increase to 120,000 Pounds. There was effort to increase the haul weight to 120,000 pounds of natural materials such as rock, gravel, natural gas, and coal, on which severance tax is paid. This effort was initially approved by the House, amended by the Senate, and died when returned to the House. Logs and lumber were not included on the list because no severance tax is paid on these natural materials. While normally increasing weights for logs and lumber would be viewed as good thing by most in the industry, KFIA stayed neutral on the issue because logs and lumber do not pay severance tax and this issue is not one that anyone wants to discuss.

Minimum Wage Increase. There was a short-lived bill to increase the minimum wage to \$5.65 an hour and increase the minimum 50 cents every six months up to \$7.15 per hour. This bill came out of committee in the House but died on the House floor.

Alternative Taxation for Woodlands. A House bill was submitted that would have provided tax relief to woodland owners who had their woodlands designated as classified by the Kentucky Division of Forestry. This would have provided reduced taxes for forestland that was under good management. This bill, pushed by the Kentucky Woodland Owners Association, was provided a hearing but did not see the light of day after being sent to Appropriations and Revenue.

Other Legislation That Passed

Tax Reform. There was much talk of tax reform, and the bill that was eventually passed increased revenue sources from cigarettes and fuel (1 cent rise in gasoline tax). On the tax-saving side the bill reduced corporate income tax, created changes in taxation on LLC's, and provided an alternative minimum tax on gross profits. The bill also contained other provisions that will provide some small degree of tax relief for small business.

Small Business Health Care. Here was an opportunity for simplifying and making more affordable health care for small business. The bill created the Small Businesses Access Program to lower premiums, cut paperwork, collect information, and create a health plan aimed at reducing costs. While the legislation passed, its final form offers little cost savings.

Thanks to KFIA for information on the 2005 legislative session. If you're a KFIA member you can get more information on tax changes at www.kfia.org. 



Sudden Oak Death, Are Kentucky Forests at Risk?

By: Patricia B. de Sá

Many of you may have heard about Sudden Oak Death, or S.O.D, a disease of oak trees first seen in the United States in the mid-1990s in central California on tanoak, California black oak and coast live oak trees. S.O.D. is caused by *Phytophthora ramorum* (*P. ramorum* for short), a fungus-like organism belonging to a group of microbes that cause plant diseases, generally known as water molds. In the United States S.O.D. has been found in California and in Oregon in three forest types: California coastal evergreen forests, redwood forests with tanoak understory, and Oregon forests dominated by tanoak. In California, coast live oaks, California black oak, Shreve's oak, and Canyon live oak have died from this disease. In greenhouse experiments, the following species of trees have been found to be susceptible to infection: coast live oak, Northern red oak, white oak, cherrybark oak, chestnut oak, laurel oak, live oak, water oak, willow oak, sugar maple, and black walnut. Greenhouse experiments indicate susceptibility to a pathogen. However, under natural conditions some plants may not be as susceptible as they are in the greenhouse.

P. ramorum has been found in North America and in Europe and affects mostly woody plants and some herbaceous plants in natural woodlands, parks, and nurseries, causing disease symptoms that vary according to the kind of plant it is infecting. On adult oak trees, *P. ramorum* causes cankers on the main stem, and these cankers can vary in color from red to brown to black. Dark to reddish sap oozes out of the canker, and because of this, the cankers are called bleeding cankers. Sometimes the sap will dry and leave a dark stain on the outer bark. Within a period of time about five years, the canker girdles the tree and the tree dies. The name Sudden Oak Death was given to the disease because people noticed that the tree crown turned brown and the tree died a few weeks later, seemingly in a sudden manner.

On plants other than oak trees, the symptoms are seen mostly on the shoots and on leaves and twigs. Sometimes cankers on the stem and branches may develop. Ramorum leaf blight symptoms are brown, necrotic rounded leaf spots or triangular blotches along the midrib of the leaf. Ramorum shoot dieback symptoms are limp shoots that turn brown and necrotic. Leaf symptoms are not seen on the leaves of oak trees, they are found on plants such as

**Sudden
oak
death
fungus
on the
tips of
leaves.**



Photo by: Steve Tjosvold, University of California Cooperative Extension

California bay laurel and plants used as ornamentals such as camellia, rhododendron, viburnum, pieris and mountain laurel, and also on leaves of other trees such as maple. Douglas fir and grand fir have been found in Christmas tree plantations in locations close to heavily infested California bay laurel with symptoms of Ramorum tip dieback and Ramorum leaf blight. Infected redwood trees develop symptoms of shoot dieback on epicormic sprouts, leaf blight, and small cankers on branches.

There are several other *Phytophthora*'s in forest environments that cause identical or similar symptoms and even bleeding cankers that are not as destructive as *P. ramorum* and are part of the natural ecosystem. The only way to identify correctly this pathogen is using lab methods, such as DNA testing or culturing on special media and then identifying the spores under a microscope.

Sudden Oak Death and *P. ramorum* have not been found in Kentucky nurseries in 2003 or in nurseries and parks in 2004. It has been found in plants in nurseries in 22 other states, from shipments made before the new regulations restricting movement of nursery stock were effective. At this time, it is not known where it originally came from

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What's Eating Our Forests?

Oak Defoliators in Kentucky

By: Lynne Rieske-Kinney

Gypsy moth The gypsy moth is an early season defoliator and a major pest of deciduous trees in the northeast and north central states. It is an exotic introduction that first arrived in North America in 1869 and today is a persistent threat to Kentucky's forests. Since the mid-1980s, several southern states have battled invading gypsy moth populations.

The gypsy moth produces one generation per year. Winter is spent as eggs in oval, buff-colored egg masses 1 to 1½ inches in diameter. Eggs hatch and caterpillars (larvae) emerge in early spring. Caterpillars are hairy and have five pairs of blue dots, followed by six pairs of red dots, along the length of the back. After feeding for several weeks and reaching a length of 2½ inches, they pupate in a sheltered area, and adults emerge about two weeks later. Adult female moths are whitish with dark wavy bands on the forewings and are heavy-bodied and flightless. Adult males are dark brown, also with dark wavy bands on the forewings, but are much smaller and are good flyers. Although adult females don't fly, small caterpillars are effectively dispersed by wind. Human activities are also instrumental in spreading gypsy moth infestations into new areas. The accidental transport of egg masses and small larvae into uninfested areas on automobiles and recreational vehicles is common.



Caterpillar feeding on a black oak leaf. Insects like these are native and common to Kentucky. Typically their numbers are low and they are inconspicuous. Occasionally their populations explodes for a couple of years leading to noticable defoliation.

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Sudden oak death cont.....

before the mid-1990s when it was found in California, but it is believed that it can be spread long distances by the movement of infected ornamental plants and then by soil, water, and even through the air in fog and rain splash. It may spread to native woodlands and parks from introduced infected plants, such as camellias and rhododendrons, and native Kentucky plants such as rhododendrons, mountain laurel, oaks and pin oaks can then become infected.

There are state, national, and international quarantines and regulations in place to restrict the movement of infected plants or plant parts and prevent the artificial spread of *P. ramorum*. The regulations describe the plants and plant parts that have been found infected and that are

regulated, and these include trees, lumber, logs, mulch, wood chips, firewood, nursery plants, soil, and yard waste. The quarantines and regulations require annual inspection of nurseries in areas that have the disease and inspections of plants and plant parts that are shipped outside these areas.

During 2005, surveys will be carried out in Kentucky to detect the presence of *P. ramorum* in nurseries and in forested areas. These surveys are being conducted as a collaborative effort between the University of Kentucky, the Kentucky Division of Forestry, the USDA Forest Service, and USDA – APHIS. The best way to protect Eastern forests is to prevent its introduction, and early detection and eradication of diseased plants are important to prevent this disease from spreading to Kentucky forests. 

Gypsy moths have voracious appetites and feed on most common deciduous trees, as well as several coniferous species. Oaks are preferred, whereas yellow poplar and ash are not. Defoliation can result in growth loss, crown and branch dieback, increased susceptibility to other stressing agents, and tree death.

Gypsy moths are both forest and urban pests. They impact human activities by affecting economic activities (quarantines), as nuisance pests (wandering caterpillars with irritating hairs and excessive waste production), and by reducing aesthetic value and tourism. Trees defoliated by gypsy moths normally re-flush and can usually sustain three to four years of defoliation. However, these weakened trees show increased susceptibility to Armillaria root rot fungus and two-lined chestnut borer. Dry, ridgetop sites are most susceptible. Widespread oak mortality resulting from repeated defoliation can lead to shifts in stand composition, negatively impacting acorn production, wildlife distribution patterns, nutrient cycling, and watershed characteristics. Pro active silvicultural practices that maintain tree vigor and stand diversity should minimize the impact of gypsy moth establishment.

The gypsy moth is not established in Kentucky, though there are multiple moth catches each year. A pro active trapping program is in place in Kentucky and other regulated states.

Look for egg masses on vertical surfaces, caterpillars up to 2 ½ inches (hairy, red and blue dots along length) in May and June, tattered foliage on oaks, and caterpillar waste (frass) at the base of trees. Contact the state entomologist's office immediately (859)-257-7450 if you suspect gypsy moth.

Common oak moth Another important defoliator of oak trees in the region is the common oak moth. In spite of its name, this native defoliator occurs only sporadically in the eastern United States, but our region has experienced several population outbreaks over the past several years (Missouri 2001; West Virginia 2003; Ohio 2002 and 2003; and Kentucky 2003 and 2004).

Little is known of its life cycle, except that it produces one generation per year and the caterpillars are early season foliage feeders that show a preference for white oak. The caterpillars grow to 1 inch in length and are highly variable in color. They are generally brown, mottled with tan and black and white, with two rows of small black triangles along the length of the back. Normally, defoliated trees re-flush and natural enemies keep caterpillar populations in check. However, during population outbreaks, repeated defoliation causes stress that can result in tree mortality.

Forest Tent Caterpillar Another important defoliator of deciduous trees is the forest tent caterpillar. Although it is a tent caterpillar, it does not construct a tent. Like the gypsy moth, it feeds on a variety of hardwoods, produces one generation per year, and spends the winter



Defoliated, but still alive. A white oak totally defoliated next to an untouched hickory. With good growing seasons it recovers. With droughts or further defoliations it could decline and eventually die.

in the egg stage. Caterpillars emerge as buds expand in early spring. Young larvae feed in groups, larger larvae feed individually. Larvae are light blue mottled with black and have a yellowish-buff colored keyhole-shaped spot on the back of each segment. Pupation occurs in late spring to early summer. Adult moths lay overwintering eggs in bands, which surround the twigs of the host plant.

Periodic outbreaks of the forest tent caterpillar result in large expanses of defoliated stands, leading to dieback and mortality. In the south, various oaks, water tupelo, blackgum, and sweetgum are especially susceptible to defoliation. Forests in several counties along the Ohio River in Kentucky have suffered forest tent caterpillar defoliation in the past few years. Look for the blue and black caterpillars in May, tattered foliage, and caterpillar waste at the tree base.

In addition to those species mentioned, there are dozens of other caterpillar species that are capable of defoliating our oak forests. Maintaining stand diversity and managing our forests to minimize stress are the best means of protecting against tree loss. 🐛

Warning

Continuing Education Credit Notice!!!!

On July 15, 2006, approximately 1,849 Kentucky Master Logger Designation Cards will expire. As a result, it is strongly recommended that these individuals whose card will expire on or around that date attend the next available continuing education (CE) program in their area. The law states all master loggers must achieve six hours of continuing education every three years to maintain their master logger designation. If the majority of these master loggers wait until June or July of 2006 to get their credits, than they may have to drive a further distance to attend a program or they may not be able to get into a program because of class size. Class size is limited to 50 individuals and will be strongly enforced for future programs. **All individuals who fail to receive the six-hours of CE credits and allow their Kentucky Master Designation Card to expire, must attend the 3-Day Kentucky Master Logger Program again to reactivate their card.**

Please refer to the CE program schedule in this issue or you can obtain information about CE programs on our website at www.masterlogger.org. If you attend a program in another state or a program conducted by another agency or industry and want to receive credit for attending this program, simply go the CE section of the website and print out the Continuing Education Credit Form (KML-1). Fill in the information about the program on the form and submit it to the Master Logger Office, and if the program is approved you can receive credit for attending the course.

Your expiration date and CE credits are listed on the mailing label on the front of this newsletter. If your card expires on or around the July 15, 2006, deadline and you have fewer than six hours of CE credits and want to maintain your master logger designation, please take notice of the 2005 CE program schedule and register for a program near you. The 2006 spring CE schedule will not be complete until approximately October or November of 2005.

DO NOT WAIT UNTIL THE LAST FEW MONTHS TO RECEIVE YOUR CREDITS!!!

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Continuing Education Class Registration Form

To maintain your Kentucky Master Logger Designation you must first complete six hours of continuing education (CE) and second submit a renewal form along with a \$25.00 renewal fee before the expiration date listed on your current card. Below is a list of classes that are six credit hours each, which are available before or close to your expiration date. If you would like to register for one of these classes and complete the six hour CE requirement, than please fill out the information below and return this form along with the class registration fee of \$50.00 (check or money order) to the following address:

Kentucky Master Logger Office
U.K. Dept. of Forestry
213 T.P. Cooper Bldg.
Lexington, KY. 40546

Please check the class you wish to attend:

- June 25, 2005 – Aesthetics/OSHA – Whitley Co. – Corbin - Wayne Supply Co. Office – Call 606-523-0972 to Register. Class Time: 8:00 am to 4:15 pm local time.**
- July 14, 2005 – Small Woodland Management – Woodford Co. – Versailles – E.W. Davidson’s Farm – Submit this form to address below or call 859-257-9153 for information. Class time: 9:00 am to 4:00 pm local time.**
- July 30, 2005 – Aesthetics/OSHA – Whitley Co. – Corbin - Wayne Supply Co. Office – Call 606-523-0972 to Register. Class Time: 8:00 am to 4:15 pm local time.**
- August 11, 2005 – Bottomland Hardwood Mngt. – Christian Co. - Dawson Springs – Pennyryle Forest State Resort Park. Submit this form to address below or call 859-257-9153 for information. Class time: 9:00 am to 4:00 pm local time.**
- Sept. 1, 2005 – Map & GPS Navigation for Loggers – Floyd Co. – Prestonsburg – Jenny Wiley State Resort Park. Submit this form to address below or call 859-257-6230 for information. Class time: 9:00 am to 4:00 pm local time.**
- Sept. 8, 2005 – Alternative Logging Systems & Marketing – Fleming Co. – Flemingsburg – Pete McNeil’s Farm - Submit this form to address below or call 859-257-9153 for information. Class time: 9:00 am to 4:00 pm local time.**
- Nov. 17, 2005 – Map & GPS Navigation for Loggers – Russell Co. – Jamestown – Lake Cumberland State Park – Submit this form to address below or call 859-257-6230 for information. Class time: 9:00 am to 4:00 pm local time.**

Name: _____

Address: _____

City: _____ **State:** _____

Zip Code: _____ **Phone:** _____

Please call the Kentucky Master Logger Office at 1-800-859-6006 or 859-257-6230 if you have any questions or concerns.

THE KENTUCKY LOGJAM

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 College of Agriculture
 University of Kentucky
 205 Thomas Poe Cooper Building
 Lexington, Kentucky 40546-0073
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Kentucky LogJam Newsletter

Editor

Jeffrey W. Stringer
 Cooperative Extension
 Forester

Assistant Editor

Dylan Dillaway
 Cooperative Extension
 Associate

Department of Forestry, University of Kentucky

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