

10. Working with Foresters

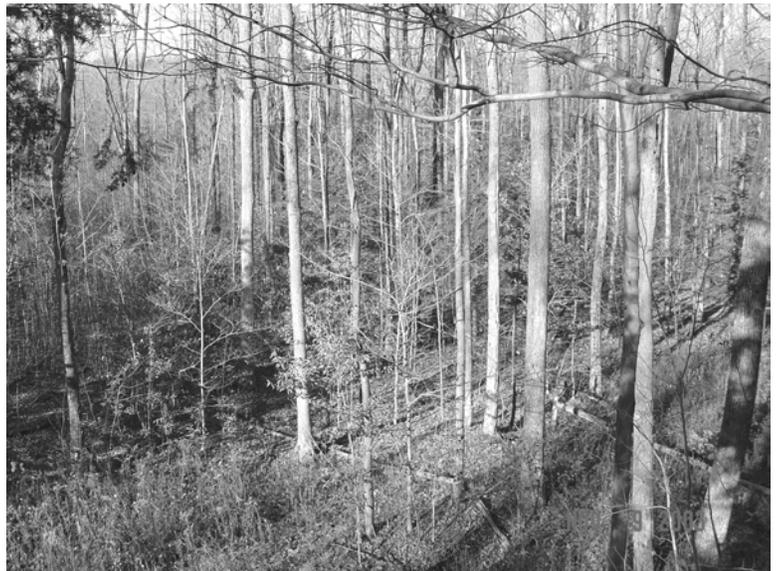
By Peter Smallidge

Some good advice for a landowner who plans to conduct any management activity in their forest is to seek advice and counsel from a forester. This section discusses the process a landowner should use to select a forester and what factors to consider when deciding how to pay a forester for services. The logical basis for the recommendation to seek assistance is consistent with advice to the homeowner who seeks counsel from a plumber, electrician, attorney, or a tax preparer for assistance and guidance. In all these situations, we need technical information and perhaps assistance with complex decision-making. Typically, our efficiency and the results improve when we get advice from a professional. We almost always pay for these services.

The exception to the “pay for services” rule is when a DEC public service forester visits a woodlot. In those cases, the DEC forester arrives pre-paid through your state and federal tax dollars and provides services free of any additional charges. Public-sector foresters will provide many important services, such as a developing a stewardship management plan based on your objectives and thus giving you a benchmark against which you can assess future management decisions. Because of time constraints and work-load demands, DEC foresters must limit the variety of services they provide. Thus, at some point, you may need to locate a private-sector forester.

Types of Foresters

Even though there is no legal definition of a forester in New York, the profession recognizes a forester as a person who has completed college-level training that has a forestry focus. This education most often includes a 4-year degree, in a science-based curriculum that emphasizes courses that often include tree identification, forest ecology, forest management, soils, forest measurements, silviculture, wildlife management, hydrology, harvesting, recreation, and more. Other foresters have a 2-year degree, with more limited course work. All foresters should expand on their original education with continuing education through universities and professional societies. Foresters work in either the public sector, as described above, or the private sector. Foresters in the private sector include consultants whose primary business is providing services to landowners or industrial foresters who work for the forest industry and provide services to landowners as part of the process of supplying wood to the mill. All foresters are important to forestry in New York. The landowner pays the

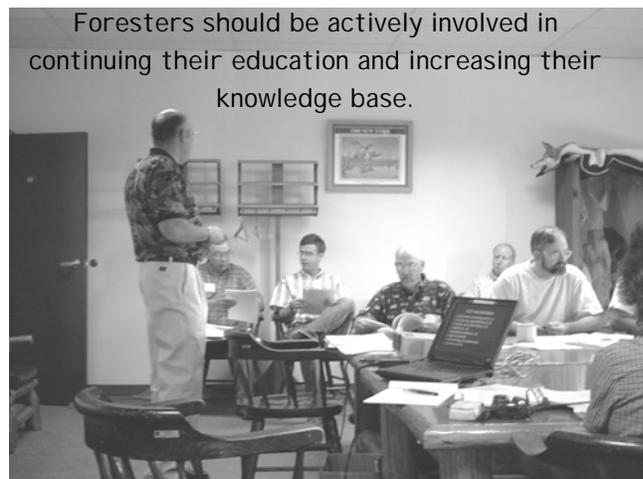


consultant a fee and the industrial forester is paid by the mill. Landowners should consider both consultant and industrial foresters when looking to develop a relationship with a private sector forester. The extent to which any forester can service the specific needs of the landowner depends on many factors, such as technical ability, conflicts of interest, business philosophy, personal ethics, landowner resources to invest, and the landowner's ability to communicate their ownership objectives to the forester. New York is fortunate to have exceptional foresters available from public and private sectors, but landowners will need to find the forester who is best suited to their needs.

A deceptive group of people will try to present themselves as a forester wanting to help the landowner. These people are actually timber brokers, loggers, or perhaps trained foresters who de-emphasize their forestry skills to work as brokers. This group of people seeks only to maximize their own profits with disregard for the landowner's objectives. In some cases they will purchase trees from a landowner and re-sell the trees, even without cutting them, to another person or company. This leaves the landowner disconnected from the person who ultimately cuts the trees and perhaps with little control over how and when the timber is harvested. In other cases these individuals will offer "forestry services" to the landowner, then sell the timber to themselves or a subsidiary company at below market prices and charge the landowner a fee to supervise the harvest. Thus, the landowner most importantly may not achieve their true ownership objective, likely won't have their forest treated sustainably, and seldom comes close to realizing the actual market value for their timber. When hiring a forester you are buying a service and buyer: beware.

Loggers are critical to many forestry processes, and unfortunately they are often maligned. Loggers are trained to harvest trees in a safe and effective manner. They can often construct skid trails and haul roads, which your forester should locate, that you can subsequently use for hiking or skiing. However, loggers are not trained to give technical advice on how to sustainably manage your forest to meet the full range of your ownership objectives. Your forester, and many educational web sites, can help you think about the process of selecting a logger.

Finding a Forester for You



Your forest is valuable to you for its monetary, recreational, and aesthetic qualities. Just as you wouldn't hire someone for your company or business without asking for a resume and references nor should you hire the first forester you meet. By considering several foresters, you improve the odds of finding one that will best suite your needs. What factors should you use to evaluate foresters and which foresters do you evaluate? Select a forester based on a combination of factors. These factors include:

- educational background,
- involvement in continuing education,

- participation in their professional forestry society,
- work experience,
- references,
- visits to their previous jobs,
- a demonstrated commitment to sustainable practices,
- certification through a professional society or independent organization, and
- their personal interactions with you.

Price for services is an issue, but use this as a secondary consideration after you are satisfied with the other factors. It isn't possible to emphasize one criterion over



Good professional foresters provide competent technical assistance. Photo courtesy of S. Wolf.

others on the list. Review your candidates thoroughly and proceed with diligence. It's helpful to call several recent landowner clients, but the landowner may not be able to effectively judge all aspects of sustainable forestry. The best way to accumulate the information needed to evaluate several foresters is to write down what you want the forester to do based on the stewardship plan prepared by the DEC forester and then ask several foresters to submit a letter of intent or brief proposal outlining the services they would provide and for what price. Foresters who are eager to serve landowners will be happy to comply with such a request.

With hundreds of foresters in New York, who should you ask for proposals? Finding potential foresters in your region is a straightforward but daunting task. Here are five strategies that if used together, will help you build a list of potential private sector foresters. Websites for each are listed in the "Additional Information" or "Resources and Recommended Publications" section of this booklet or your local Cornell Cooperative Extension office can help you contact these sources.

1. Start with a copy of the DEC Cooperating Forester Directory from your local DEC office or their website. Those listed meet minimum eligibility requirements but the directory isn't a complete list of foresters in the state.

2. Go the Society of American Foresters webpage and look for Certified Foresters in your area. Foresters are certified by SAF based on education, work experience, statement of work ethic, and a written exam that evaluates competency. Additionally, many NY consulting foresters are members of the NY Institute of Consulting Foresters or the Association of Consulting Foresters.

3. Talk with other forest owners and look for advertisements in forest owner magazines. Potentially good sources of information are members of the statewide forests landowner association the New York Forest Owners Association (NYFOA) or regional groups such as the Catskill Forest Association (CFA) and Tug Hill Resource Investment for the For Tomorrow (THRIFT).

4. Ask for a free visit and consultation with volunteers in Cornell's Master Forest Owner program. These landowner-volunteers are trained by Cornell Cooperative Extension to provide non-technical assistance. They have typically experienced, and overcome, the same problems you're currently dealing with.

5. Attend landowner workshops and woodswalks to meet with the foresters who are investing time in supporting the landowner educational needs.

As you can see the process to collect names isn't trivial, but it is a critical step before you request proposals.

Hiring a Forester

Once you've selected your forester, how do you negotiate and foster a relationship? Foresters will encourage you to have a contract with a logger, and similarly they should be receptive to a contract with you. There are several issues to consider within a contract but that discussion is beyond the scope of this article. Fundamentally, the contract should identify the parties involved and the property, the terms of payment, constraints or requirements on the parties, and the services to be provided. Be sure to review any contract with your attorney.

In the forestry profession there is considerable discussion and debate about service fees. There are two categories of service – one is timber sale design and administration and the other is broadly grouped as forest management activities. One of the most contentious issues among foresters is payment for assistance with timber sales. I won't address pay scale or amount, but rather payment method.

Some, but not all, industrial foresters won't charge you directly for services because they may expect the timber to be sold to their mill, and

under some circumstances this is a desirable working relationship. Many mills have been established for decades and seek long-term sustainable relationships with forest owners. Some mills have well-qualified and credentialed foresters who can provide a variety of services.

Among consultants the most common payment method is as a percentage of sale or "on commission." Payment on commission means some percentage of the timber sale value goes to the forester; the more high-value timber that is cut the more money the forester makes. If you decide to hire a forester using commission, know that you can negotiate the rate of commission and that you need not be bound by the "usual" rate. Most consultant foresters will be able to describe what they see as advantages to payment on commission.

An increasingly common payment method and one that has several advantages for landowners is to pay on a flat rate, such as per hour or per acre, rather than pay a commission for timber sale assistance. The advantages of flat rate include the following:

1. Avoiding the potential for a conflict of interest. The potential exists because the forester makes more money if they administer a sale where they designate a greater number of high value trees and a lesser number of low value trees for harvest. Foresters won't inherently favor high-value trees, but a flat rate avoids the perception for a conflict of interest.

2. With flat rate, a forester receives fair compensation at a known rate for any and all services. A forester

Foresters should be eager to serve the landowner and help obtain forest management objectives



deserves fair compensation because they can provide important and valuable technical assistance. Because timber sales involve similar skills (e.g., inventory, planning, tree selection) regardless of the quality of the timber, a flat rate ensures fair compensation for the forester and a stable price for the landowner. Note that the sale of low value timber to improve the forest may require more time for marking and marketing and thus perhaps higher costs than high value sales.

3. A flat rate allows a forester to provide services to a landowner without a timber sale or with a sale involving low value trees. Some foresters won't work with landowners who want to cut cull trees or other low value trees. Payment on commission of sale isn't possible if the only desired service is to update a management plan, mark boundaries, designate trails, girdle habitat trees, or plant open land.

Good forestry, or bad forestry, can happen with any type of forester or payment method. The landowner needs to emphasize their desire for the use of sustainable practices that meet the goals for the property. Through a combination of the process to find a forester, a contract with a forester, and clear communication of your goals, find a strategy that ensures the sustainability of your forest resource.

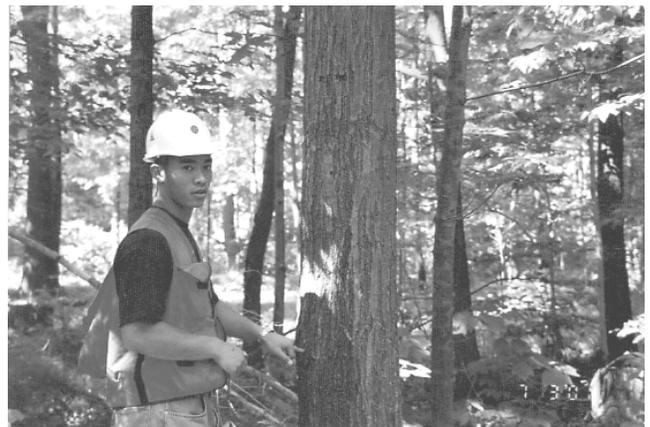
Summary Points

When working with a forester, start with a free visit by a DEC forester. You might actually be well served to talk with a MFO volunteer before a DEC forester visits so you learn about some educational resources and focus your questions to make efficient use of the DEC forester's time. In addition to the DEC public sector foresters, private sector

foresters include consultants who seek landowners as clients and industrial foresters who ensure their mill has a sufficient supply of wood.

If you decide to hire a forester from the private sector it is in your best interest to solicit proposals from a number of foresters who describe what they will do to further your stewardship plan and what credentials for employment they would bring to you.

When you discuss method of payment, know that most private consultants and some industrial foresters will suggest that the usual way to pay foresters is as a commission or percentage of a timber sale. There are other options than payment on commission, so landowners can consider working with an industrial forester or hiring a consulting forester using a flat scale based on time or services. An increasing number of foresters and forest owners are deciding not to establish a relationship based on a commission.



Finding the right forester will help you ensure the health, productivity, and sustainability of your forest.