



**Michigan Forest Products Council**  
Business Advocacy for the Forest Products Industry

**MEMORANDUM**

**To:** Members of the Senate Committee on Natural Resources, the Environment & Great Lakes:

**From:** Kevin Korpi, Executive Director of MFPC

**Date:** October 13, 2011

**Re:** Support SCR 20 - Memorializes Congress to enact legislation that classifies forestry management activities as nonpoint sources under the federal Clean Water Act

---

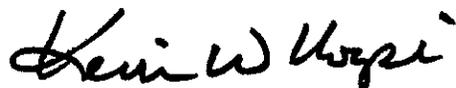
As the leading trade association representing Michigan's forest products industry, the Michigan Forest Products Council is deeply troubled about the 9<sup>th</sup> Circuit Court decision that invalidates 35 years of existing Environmental Protection Agency (EPA) regulation of our nation's forests. The court ruled that forest roads and their storm water runoff are 'point sources' that require a National Pollutant Discharge Elimination System (NPDE) permit under the Clean Water Act (CWA). This ruling contradicts current EPA policy, which recognizes these roads as 'non-point sources' best regulated by each state. The effects of this ruling, if not mitigated, mean decreased economic activity and lost jobs across all forestry and forestry-related industries in Michigan.

As a result of the ruling, operators of logging roads will need to obtain special permits to continue their activities. Each permit application will also be open to citizen challenge and litigation. These actions will result in forest owners spending countless time and money on legal actions with little left over for capital and workforce investment.

Michigan's forest products industry accounts for 10% of the state's manufacturing sector, sustains 154,000 jobs, generates \$12 billion in annual revenue, and produces numerous wood products, vital to the operation of many other industries. As a result, farm from affecting a small group of forest owners, the negative consequences of this over-reaching court decision will ripple throughout the state. Thousands of forestry, manufacturing, and tourism jobs are at stake.

The 9<sup>th</sup> Circuit Court's decision is not only costly, but also unnecessary. For years, Michigan has recognized the importance of clean water and a healthy forest ecosystem. With EPA oversight, our state already has a robust system to monitor forest roads.

Currently the United States Senate is considering S. 1369 and the United States House of Representatives is considering HR 2541 which would solidify in statute the current practice. As a united voice for our state's forestry industry, our organization respectfully requests you to support SCR 20 to memorialize the United States Congress to enact legislation that classifies forestry management activities as nonpoint sources under the CWA.

A handwritten signature in black ink that reads "Kevin W. Korpi". The signature is written in a cursive style with a large, stylized 'K' and 'W'.

Kevin W. Korpi

Executive Director

Michigan Forest Products Council