PART III:

APPLICATIONS
CHAPTER 16
The Ethics of Forest Management – Serving as Both Forester and Logger at the Same Time³

Should a forester serve a landowner as both an adviser on marking and marketing the wood, and as the logger implementing the job? This is an example of a situation that arises often, on which ethics codes offer only general advice, and on which foresters disagree. Leading foresters have criticized the positions taken in this article.

Imagine this situation: one fine evening, a local forester knocks on your door and asks if you had been thinking of cutting your woodlot anytime soon. As this very possibility has been on your mind, you invite him to have a seat on the porch for a moment. “The markets are strong now,” the forester says, “and your woodlot looks mature. I bet there are some valuable logs in there. I’d be glad to write you a management plan for the state tax program, do the inventory, and mark the wood. I own some equipment that would be perfect for this lot, so I could do the cutting too. You’d be getting two-for-one: both forestry and logging service all at once.” He leaves a folder of information. You do some quick arithmetic and realize that there is real money out in that woodlot.

Next day, you meet an acquaintance who works for the state forestry agency and mention the conversation. She responds, “I don’t know him, but I’d be careful about hiring someone to do both the

planning and marking, and the cutting— it’s a conflict of interest. He would be working for you in two different roles. Will he do what’s most profitable as a logging job or the best long-term silviculture for the forest?”

So, what do you make of the “two-fer” problem? Is it good business for you to hire such a forester-logger? It does seem to make financial sense. Yet the conflicts are there. But then again, it is a lot of money.

At a recent meeting of one of the divisions of the Society of American Foresters (SAF), this problem was discussed before a large and engaged audience. One recent forestry graduate described his small business doing both consulting work and the cutting as well. He explains the potential conflict to clients and invites them to hire out the cutting if they feel more comfortable with that. Another forester described his approach: he will do plans and marking for a given client, or he’ll do the logging, but not both.

There was strong agreement that knowledge of and experience in logging makes a forester a better forester and that knowledge of forestry makes a better logger. But this did not extend to a clear position on whether the practice of doing both in one woodlot is unethical.

Ethics codes of professional societies are binding only on their members, but they also indicate to nonmembers—and to clients—what the standards of professional behavior are. The Society of American Foresters ethics code requires its members “to fully disclose and resolve any existing or potential conflicts of interest.” It also binds foresters to only perform services for which they are qualified. Another national group, the Association of Consulting Foresters (ACF), has a more detailed code than the SAF’s and is strongly oriented toward issues faced regularly by consultants. Among its provisions: an ACF consulting forester must avoid conflicts of interest or even an appearance of such conflicts. The Consulting Foresters Association of Vermont has taken a public position opposing the practice of foresters both giving forestry advice and doing the logging. They feel strongly that it is too grave a conflict of interest.

So, who’s right? Foresters disagree. The SAF code requires members to resolve conflicts: so long as a conflict is resolved in the eyes of the client, the two-fer practice is not banned. The ACF code raises the important issue of an “appearance of a conflict.” Though it is not
specifically stated in its Code, ACF considers it unethical to provide both forestry advice and logging services on the same lot. But in practice, the organization does not oppose it if suitable precautions are employed.

Some northeastern states have licensing or registration for foresters; others do not. States that do may have ethics codes, which licensed foresters must follow; many of these are modeled after the SAF code.

The Maine Forest Service’s annual Silvicultural Activities Report says that in 2003, 71 percent of all acres harvested had professional forester involvement. On small tracts, however, only 25 percent of the harvests had forester involvement. So, on three-quarters of the small-tract harvests in Maine, forestry choices are being made without a forester anyway. In this situation, can a two-fer operator be any worse for the land than what is happening now?

My advice to a landowner would be: when a two-fer operation is proposed to you, check out the operator and take due care. A two-fer can work well, provided you do not take the situation for granted and that the operator is aware of the potential conflicts between the roles.

To a forester, I would say: two-fer operations are not plainly unethical as long as the potential conflicts are clearly communicated to the client (preferably in writing) and you act in ways that address the issue of appearances. Giving the client a choice to find another operator to do the cutting is best.

Landowners should be glad to know that foresters who work on small woodlots are aware of this issue and are debating it, even if they don’t entirely agree with each other. I know I am.