

Landowner News

Washington
FARM FORESTRY
ASSOCIATION



“Stewards of the Land for Generations to Come”

Message From the President

April 2005

Landowner News is the official newsletter of the Washington Farm Forestry Association.

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Public Affairs

Martin Flynn Public Affairs, Inc.

Edited by Martin Flynn Public Affairs, Inc.,
Olympia, Washington.



The sun is shining and I'd rather be outside! I'm trying to do my own commercial thinning and have recently got my very first check totaling \$479 for a load of small logs after thousands of dollars invested and 15 years of being a tree farmer. I immediately spent that first check (and a lot more) buying a newer tractor, that's only 20 years old. I suspect this is a pattern many of you have followed, and based on my past industry experiences, this type of reinvestment logic(?) isn't limited to family forestland owners. Anyone working with wood/forests/farms naturally wants to do more of it.

Hopefully you will make it to the Annual meeting at Ocean Shores this month. Great agenda and even better tours lined up! One of the topics will be about wildlife damage; the bears are awake and looking for something sweet to eat so it's time keep an eye on your trees for excess damage (see article in the last issue of Northwest Woodlands &/or listen to the bear expert at Ocean Shores).

After a year of being your President, I've become far more involved in Olympia stuff than I ever imagined was even going on. I've seen up close the work of our small core of paid professionals and a larger (but still small) core of unpaid volunteers that are making a significant positive difference in the political/regulatory climate – I don't know what keeps them going, other than a real love for the way of life we've chosen. I still dream of a day when we won't need to spend energy and resources in Olympia but I'm finding that's not a realistic expectation if we hope to reduce the regulatory burden and find ways to replace sticks with carrots.

I'm also continuously amazed at the things being done at the Chapter level and applaud these leaders for stepping up to foster the key educational and networking aspects of Washington Farm Forestry Association. Your activities also help sell the public on who we are and why we need to be encouraged to stay on the landscape. We have a big challenge to involve more of the younger generations and your new forestland neighbors, regardless of their motivation for buying forestland. Our diversity of goals and management styles is one of our key strengths and selling points to the general public.

As the weather improves we'll all be spending more time in our forests and with our families. Bonnie and I use our tree farm as a way to attract our grandkids so they will always want to come to grandma's house and grandpa's farm to play and work (if grandpa pays)! Regardless of the size and shape of your family, aren't we lucky to be able to combine the two – families and forests!

Ken

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www.wafarmforestry.com

Calendar

2005 WFFA ANNUAL MEETING

Grays Harbor and Pacific chapters of WFFA will host the 2005 **Annual Meeting at Ocean Shores on April 22 and 23, 2005.**

On Friday, April 22, there will be an all day event of speakers and programs, including lunch and dinner. On Saturday, April 23, there will be a membership business meeting first thing in the morning followed by tree farm tours.

The meeting will be held at the Shilo Inn, which offers an ocean view from every room for \$99 a day for this convention. Theme for this meeting is **Forests, Fish and Our Future**, with speakers commenting on the results of the first five years of Forest & Fish rules, with projections for future direction. Other speakers will discuss tree spacing, blowdown and other tree health issues. Washington State's Tree Farmer of the Year will be honored. The colorful history of logging in Grays Harbor will be presented by the Polson Museum. A field trip to the **Pattillo** and **Edwards** tree farms in Pacific County on Saturday will include a hot meal.

Be sure to save these dates to attend the Annual Meeting. **Contact Grays Harbor Chairman Dick Atkins** at (360) 437-2166 or atkins@waypt.com for more information.

2005 WFFA Slate of Officers

The WFFA will vote on a Slate of officers at the Saturday general membership business meeting at our Annual meeting, on April 23, 2005 in Ocean Shores, WA.

President Ken Miller appointed a membership committee of Past President: **Bob Playfair**, Clark Chapter President: **Carl Ruestig**, and Olympic Chapter President: **Sam Comstock**. Our current state officers have agreed to a second term, and are listed below. Other nominations can be sent to the committee or offered from the floor, at the business meeting.

President: Ken Miller
1st VP: Don Theoe
2nd VP: Norma Green
Secretary: Bonnie Miller
Treasurer: Bill Scheer

Family Forest Fish Passage Program Application Deadline June 30th

The Family Forest Fish Passage Program is a voluntary program through which small forest landowners can receive financial and technical assistance for removing or repairing fish barriers on forestland. A fish barrier is any artificial (human-caused) instream structure that impedes the free passage of fish. Examples of fish passage barriers include culverts, dams, weirs, and stream crossings. Cost share rates range from 75%-100%. The project must be located on forestland and on a fish-bearing stream. If you would like to have a potential fish barrier evaluated for eligibility, please contact the Small Forest Landowner Office for assistance. The application deadline is June 30th, 2005. Application information can be obtained by calling DNR's Small Forest Landowner's Office at 360-902-1404, email at scott.potter@wadnr.gov, or visit the web at: www.dnr.wa.gov/sflo/ffpp.

"Thinking Like a Tree" A Family Forest Landowner Estate Planning Seminar

"Thinking Like a Tree," a family forest landowner estate planning seminar sponsored by the WFFA and the Family Forest Foundation will be held:

Chehalis, WA
August 6
9 am to Noon
Free Lunch Provided.

Contact Steve Stinson
(Family Forest Foundation)
360/785-0173
or

Rick Dunning
(WFFA)
360/606-5511

How to Make Money Growing Alder

The Washington Hardwoods Commission is sponsoring a informational and training session on how to make money planting and growing alder:

June 29, 2005

Kelso Red Lion

for more information contact Dave Sweitzer at whc@wahardwoodscomm.com

The session is free to members of the Washington Farm Forestry Association.

A Forest Family Supports Salmon Restoration On their Land

By Shelby Smith

Shared Strategy for Puget Sound

Though the Robbins family members are private people who take property rights seriously, they also recognize the value of salmon restoration. They know that forestry, as opposed to subdivision and development, is a land use particularly compatible with the needs of salmon. And it turns out what's good for their business can also be good for fish. They sustainably manage the family forestlands and shellfish beds, and note that clean water in the river helps with maintaining healthy seafood resources.

The Robbins family has deep roots in the forests along the Hood Canal—the family's relationship with the land and the Hama Hama River goes back over 100 years. Throughout that time, the family has owned and operated shellfish and tree farms that now cover nearly 4,000 acres of tide and forestland, lining the entire fish-bearing stretch of the Hama Hama from the estuary up to the National Forest.

"The Robbins' are a normal, middle-of-the-road family, who want to continue to operate a successful business on their land," said Rick Endicott, Lilliwaup Hatchery Manager for Long Live the Kings. To that end, the property has been zoned long-term commercial under the Growth Management Act.

They also want salmon restored to the Hama Hama. "They see the bigger picture. They can't do [the restoration work] themselves, and they don't want to," said Al Adams of the Hood Canal Salmon Enhancement Group. So for the past 15-20 years they have allowed salmon enhancement groups, tribes, and state and federal agencies access to their private property for the purpose of restoration.

"It's always been a hand-shake deal with them. They don't hesitate to tell us if they're uncomfortable with what's going on. On the other hand, they've also gone out of their way to help us—when the occasional slide has blocked access to a project, for instance, they've brought in their equipment to help," said Al Adams. "They are just all-around good stewards of the land," Rick Endicott noted.

Salmon restoration on the Hama Hama began with a state-run remote site incubator for winter chum in the mid-1980s. Since 1993 the restoration work has been conducted primarily by Long Live the Kings and the Hood Canal Salmon Enhancement Group, with technical assistance and oversight from the WDFW, tribes, and federal agencies.

Currently restoration work is focused on three species of salmonids—summer chum, Chinook, and winter steelhead. Several projects are underway. One is an innovative brood stock program that works to maintain genetic diversity and run timing, while supporting naturally spawning populations.

Another is cultivation of spring fed low-tech remote-site incubators and rearing ponds, where the resulting hatchery eggs and fry are raised in an environment that closely resembles the wild. With help from local tribes, the groups also operate a smolt screw-trap, the first of its kind on Hood Canal, which has proven extremely useful for studying the migration timing of all anadromous fish species on the river. The findings will be published by Long Live the Kings and the Port Gamble S'Klallam Tribe.

There are several goals for these restoration projects. One is to restore salmon and steelhead to the Hama Hama by rearing and releasing fish whose genetic and biological attributes closely resemble those of wild populations, and who will return to the river as natural spawners and don't represent a threat to wild populations. Another is to identify under what circumstances hatcheries and fish-rearing techniques can be used to help recover naturally spawning salmon and steelhead populations and to support sustainable fisheries.

Bart Robbins took over management of the Hama Hama Corporation in 1955, and ran the business until his son Dave assumed responsibility in recent years. Growing up on and around the land, Bart witnessed the decline of fish in the river through time. Though he has his opinions about the causes of that decline, he believes that this approach to restoration is working. "These folks are working to get the fish back in the rivers. We don't want anything to do with groups that do this for money or publicity, but we are perfectly happy to work with people whose hearts are in the right place," he says.

The vision and hard work are paying off. Since 1993, the annual chum return on the Hama Hama has risen from 200 in 2000, steelhead have increased from 10 to 100, and the Chinook population has strengthened from 50 to 500. Reflecting on the family's involvement with salmon recovery efforts, Bart said, "There's hasn't been good steelhead fishing in the river in a long time...but with a little luck, maybe someday soon!"

More information about salmon restoration on the Hama Hama can be found at:
Hood Canal Salmon Enhancement Group: <http://www.hcseg.com/> and
Long Live the Kings: <http://www.lltk.org/>

Small Landowner Delegation Visits Washington, D.C.

WFFA ED Rick Dunning, Forest and Fish Rules Policy Coordinator Sherry Fox, her husband and President of the Family Forest Foundation, Tom Fox, and their Executive Director, Steve Stinson traveled to Washington, D.C. in March.

The trip aimed for federal support for small landowners most impacted by the Forest and Fish Rules. The small landowner delegation supported state agencies seeking Federal Assurances for the Forest and Fish Rules in exchange for a commitment by state agencies to work more vigorously toward solutions to family forest owners' needs.

A key solution would be adoption of long term management plans. A long-term permit would allow small landowners do a thinning or small harvest without applying for a complicated harvest permit every two years. A long term management plan should be less time consuming, less technical, and less expensive. It should also return pride of management and ownership and a greater return on investment.

The small landowner contingent asked the Washington Congressional delegation for help securing a \$1 million appropriation for a statewide small forest landowner database to be developed by the Family Forest Foundation and the Rural Technology Initiative out of the University of Washington's School of Forestry. That data set would empower the State to promote the development of long term management plans for small landowners.

The members of Congress and their staff were receptive to the small landowners' proposal and the delegation left Washington, D.C. with hope that the small landowner component of the Forest and Fish Rules will be recognized, allowing the State of Washington to be a model for our nation of working forests protecting state resources.

State-Only Estate Tax on Horizon

Governor Gregoire has proposed and the Legislature is almost sure to enact a stand-alone state estate tax as a way to generate new revenue.

Timber and timberland qualify for a "farm credit" under the new law. That means that the portion of a decedent's estate that includes timber, timberland and a home on a tree farm would qualify for the credit.

John Ehrenreich, tax expert on the staff of the Washington Forest Protection Association, created the following questions and answers about the new tax as it stands two weeks before the end of the session.

Are both timberland AND timber included in the definition of "farm" and therefore qualify for the farm credit?

Yes.

Does this farm credit under Section 2032A (federal tax code) only cover the difference between current use values and higher and better use values?

No, it is a full credit for qualifying farm assets against the tax on the entire estate. The credit is in the form of a fraction where the qualifying farm assets are in the numerator and the denominator is the total value of the estate (both farm and non-farm assets). This fraction is multiplied against the full value of the estate, and what is leftover is taxed.

Is there recapture of the farm credit when heirs subsequently sell farm assets?

No.

Is a residence on a qualifying farm included in the farm credit?

Yes, provided that the residence is used by the decedent, a family member who works the farm, or an employee of the farm.

Does this credit apply to closely held corporations or partnerships?

Yes, subject to the material participation requirements discussed below.

What are the major barriers to qualify for this credit? There are many, but two of the most prominent are:

The 50% rule - The farm assets must make up more than 50% of the total value of the estate (farm and non-farm assets).

The "material participation" rule - The decedent must have materially participated in the operation of the farm for 5 of 8 years before the decedent's death. This rule seems to exist to prevent someone from acquiring farm land just before the decedent's death in order to shelter the estate. There are several sub-rules that make it easier and more difficult to qualify: Only 25% of the TOTAL value of the estate must have had "material participation."

A member of the family can "stand-in" for the decedent. For instance, the decedent may still own but no longer work the farm, but his son or daughter works the farm.

If the decedent was retired and drawing Social Security, then the material participation time frame applies to the period just before retirement rather than just before death.

Qualification under "material participation" is clearly a case by case situation, and a tax professional must be consulted.

Legislative and Regulatory Review

Legislative Action Wrapping Up

By Martin Flynn

Martin Flynn Public Affairs, Inc.

The 2005 session of the Washington Legislature is winding down as Landowner News goes to press. No legislation is truly dead until the Legislature adjourns.

SB 5761 Sponsored by **Senator Doumit**. SB 5761 would have required the state Forest Practices Board, to work with DNR, the small forest landowner advisory committee, and other stakeholders to expeditiously authorize approval of long-term plans for family forest landowners.

SB 5761 would have also defined "family forest landowner," to take the place of "small forest landowner" and exclude any publicly held corporation, governmental entity, nonprofit organization, or public utility from the definition to prohibit these entities from receiving cost-share and other funds intended for family forest landowners.

This legislation failed to meet a deadline for consideration in the Senate, held up primarily over objections by some senators to the change to "family forest landowner."

Both the House and Senate versions of the state Capital Budget follow Governor Gregoire's lead in proposing \$10 million for the **Forest Riparian Easement Program (FREP)** administered by the Small Forest Landowner Office at DNR. This funding will eliminate the current backlog of applicants and go a long way to meeting the need projected for the next two years.

Other important or controversial bills include:

SB 5509 - establishes high performance **green building standards** for all state building projects. Bill Stauffacher, representing the American Forest and Paper Association, was instrumental in negotiating language giving credits for using wood products with a credible third party sustainable forest certification or from forests regulated under the Washington forest practices act.

SB 5179 (Morton) would have extended the life of the **Forest Health Strategy Working Group** and requires statewide public hearings prior to development and submission of recommendations for the 2006 session. At this writing, SB 5179 is stuck in the House Appropriations Committee and is likely dead for the session.

SB 5319 (Oke) would have repealed much of the **animal trapping** ban imposed by citizen initiative in 2000. This legislation was approved by the Senate by a wide margin but did not make it out of the House Committee.

SB 5305 (Senator Jacobsen) HB 1985 (Rep. Buck) these identical bills would have created a Washington Forests Review Council that would be charged with gathering data necessary to understanding the economic, recreational, and environmental contributions of the forest products industry and secondary manufacturing sectors in Washington state and the trends that will influence the industry in the future. Both bills died in committee. The Senate-passed version of the state budget contains funding for this study, the House version does not.

First Template for Small Forest Landowners A Success

by Sherry Fox

Forests and Fish Policy Coordinator

The overstocked stand template (OST), as approved in the Board Manual Section 23, has been approved for several forest practice applications. One of the first approvals of a forest practice permit using the OST is Greg and Sue Pattillo. They have received a five year permit to commercially thin their tree farm in Raymond. Their tree farm will be featured at the WFFA Annual Meeting on Saturday, April 23rd with a tour out to their property to see the layout of the template. Greg has worked very hard to help all of us see what the template, as applied in the riparian management zone (RMZ), looks like in the field. I would encourage you to join us for the Saturday tours, rain or shine.

The next meeting of the Forest Practices Board is May 12th from 9:00 AM to 3:00 PM at the Dept. of Natural Resources in Olympia. Some of items to be discussed are RMAP rulemaking, consideration of permanent rules for cultural resources, upland wildlife planning, and discussion of the September field tour and meeting that will be held in Clark County. The Board plans to spend two days on the 14th and 15th of September working on small forest landowner issues and touring WFFA small forest landowners tree farms in the area. The public is welcome to attend.

Sherry Fox is also a member of the state Forest Practices Board.

From the Executive Director's Desk



Forest Certification

Forest Certification, for Small Forest Land Owners (SFLO) seems to be a little nuts... or maybe "certifiable" would be a good word for it if you will pardon the pun. Complicating things are three different issues of certification. First: certification to assure good forest practices, second: certification to develop a market place and third: the cost of certification.

The importance of the cost of certification to a SFLO was spelled out in a recent letter to FSC by John Berry, an Oregon SFLO. John does believe that "good forestry practices" could be "assured through certification" so he paid \$5000 to get 214 acres FSC certified. He then wanted to use certified wood in his remodel project and found that it was not only difficult to find in small quantities, but it would cost "many thousands of dollars more" to do his remodel with certified wood. John is an environmentally conscious SFLO, yet he believes there are "major disincentives to getting FSC certified or using FSC certified forest products. He believes that some are apparently making money on the certification process, but it is not the SFLO.

So I was interested to attend a recent seminar hosted by the Family Forest Foundation. Presenter Ian Hanna, of Northwest Certified Forestry (NCF) (www.nwcertified.org) was there to promote FSC certification as a market driven and rewarded process. I do wish him luck. He hopes to create a market place that will pay a premium to offset the \$100 to \$200 annual cost (for less than 400 acres) of the FSC certification. If you then had a product that his program could help you market, you would be able to receive a "relative premium" above market price. For me, this would mean that I would need to harvest two truck loads of logs annually to recoup my certification costs and being a marketing "madman" as I have been called, I am not sure that he and I would agree on what market price really means.

More important is the market place. I can see that some buyers will pay a premium for "certified" wood for special uses. They can then market themselves and their products as "green" to position their business. The Washington Farm Forestry Association has 'niche' sellers and they guard their markets, as Ian guards his, because they can be easily flooded. The majority of my wood is sold in a commodity market to local mills. Having owned a retail lumber yard, been a contractor of homes, and having sold my own logs, I am skeptical that a premium will ever be paid in a larger quantity, supply and demand driven marketplace. And nor should it be. It is important to protect our supply and demand market place that allows the consumer to receive the lowest cost product available. When we socially

engineer the market place, the costs go up, and we the consumer eventually pay.

In fairness to those supporting this FSC process, they believe that they will develop a marketplace that will pay more for certified forest products. John Henrikson, a SFLO and WFFA member has experience and knowledge in certified markets for organic agriculture and Alaskan salmon. He feels this is the opportunity for SFLO to create a new forest products market place and to remove themselves from the constraints of a commodity market. Ian Hanna also stated that the John Berry story above is based on FSC's historical unfair cost bias towards SFLO's and does not represent what NCF offers. Kirk Hanson, a WFFA member as well as board member with the Family Forest Foundation and the NCF confides that he is not a fan of certification but does believe that developing new markets through FSC certification is the way to differentiate SFLO forest products. I do admire their willingness to think out of the box.

While creating a new market place may have merit, suggesting that certification is needed to assure "good forest practices" for a SFLO in the State of Washington, does not. The forest stewardship standard provided by our state forestry laws give adequate proof that the public resources are being maintained. Washington's working forests, both large and small, are responsibly managed. In recent years, more effort has been given to protection of public benefits than to forest product production. To suggest that we need them to also be certified, adding another cost to the landowner, may have unintended consequences.

I would hope that all of those shining the certification spotlight on our small forestry businesses, come to recognize that you cannot regulate good stewardship, it comes from our heart. And currently, certification feels and costs more like regulation than recognition of the public good we provide. If forest certification is truly about providing valuable public benefits, then we challenge those who champion the certification process to do so in a way that will promote keeping all of the family forest land owners on the landscape, for the generations to come.

Treefully,
Rick Dunning

Small Forest Landowner Advisory Committee's Activities for April 2005

by Maurice Williamson,
Chair

A major task before the Small Forest Landowner Advisory Committee for the month of April was to discuss and prepare a memo to the Forest Practices Board regarding what resources we feel are needed for small landowners to be able to comply with the new water typing maps and applications. This project is the result of a request made by Sherry Fox, as a Forest Practices Board Member, during the small landowner office testimony to the Forest Practices Board regarding the proposed water typing systems. While we have a series of recommendations the bottom line is we need more technical assistance and the ability to tailor our application to our specific land versus relying exclusively on the water type map. These recommendations will be forwarded to the Forest Practices Board for their meeting in May.

Phil Hess and Maurice Williamson have been participating in the Small Landowner Workgroup's (subset of Forest & Fish Policy group) consideration of a forest health template for Eastern Washington. We feel this group is making significant progress in giving eastside landowners an additional tool to address management problems

affecting Riparian Management Zones.

RTI presented a report to us on the progress of the spatial database project (may be functional in 2 years). This long awaited project has many beneficial applications to help us demonstrate where we are, what we do, and how regulations affect us.

RTI also briefed us with regard to tools available for economic analysis. Jack Kleinhoff is the Chair of our subcommittee charged with setting a protocol for how we would analyze the economic impact of proposed rules, tax or assistance programs.

We reviewed and made suggestions to simplify the new forest practice application form which is currently being used on a trial basis with potential changes to be made after May based on difficulties experienced primarily by small landowners.

The Small Landowner Committee continues to welcome comments or questions from any small landowner regarding water typing, forest practice applications or any other issue that we may be able to advise the small landowner office for suggested changes. These questions or comments can be directed to the Small Forest Landowner Office in Olympia by phone (360)902-1415 or by Email at sflo@wadnr.gov. If you would like to contact a Small Landowner Advisory Committee member you can do so at the following addresses:

Maurice Williamson (Chair)
general@williamsonconsulting.net
Dennis Dart (Vice Chair)
dennis@infoforestry.com
Jack Kleinhoff
jack@riffelaketimber.com
Phil Hess
flshess@televar.com

Legacy Project Update

In 2002 the Washington Farm Forestry Association set out to document and record the history of this association and the impact that its members have had on it. Project Director Cheryle Easter traveled the state conducting interviews and collecting data.

The book will preserve the history of the WFFA and the people who helped establish it. The story of these individuals and the lives they led are varied and interesting with a common passion for growing trees. Each member contributing in a different way creating an association with diversity that is able to enrich the minds of the general public and share their wisdom and knowledge from years of bonding with the land.

Cheryle will finish the book by late spring, and have to the chapters for a final check for content accuracy. It will then be printed in a high quality coffee table format. The WFFA Board of Directors voted to pay for publishing and then recoup those costs through the sale of this wonderful, "one of a kind" book. You should be able to purchase them, through your local chapter, by the end of summer. Just in time for a Holiday Gift!

Welcome New WFFA Members!

2004-2005 "Outstanding Tree Farmer of the Year" Nominees

Membership Chair **Donna Loucks** reports the following new members. Best wishes that joining WFFA makes your tree farm an enjoyable part of your life.

CLARK COUNTY

Alex Mattila
Per Landsem

LEWIS COUNTY

Don Markham

UPPER PUGET SOUND

Karen Brindle & Terry Roberts
Philip Hardin & Susan Thorbrogger
Philip Swanson

The State "Outstanding Tree Farmer of the Year" will be announced at the WFFA Annual Meeting at Ocean Shores.

Here is a quick look at this year's nominees.

Charles J. Chambers

15 parcels totalling 450 acres in Lewis, Pacific, Cowlitz, Mason and Grays Harbor Counties.

For 40 years Mr. Chambers has managed all of his property to maximize timber production. He has championed management of small acreages to encourage landowners to practice good forestry on acreages less than 20 acres.

John and Pat Malone

40-acre tree farm in Chelan County

The Malones have applied excellent silvicultural treatments to enhance forest health and to reduce catastrophic fire damage. Their guiding principle has been "leave the best and sell the rest."

Michael and Anne Spiger

45-acre Webster Homestead Tree Farm in Pierce County

The tree farm consists of a variety of habitat, stand structure and intensive management. The Spigers have shown good forestland management by example to their family, friends, neighbors and the public.

John and Lois Sutherland Family

100-acre tree farm in Snohomish County

The property has been used as a forestry demonstration area for family, friends and neighbors. The tree farm has been used as an example of harvesting methods in forest stewardship seminars.

Washington Farm Forestry Membership Application

Name _____

Renewal New Member

If this is a family membership:

Spouse's Name _____

Address _____

Local Chapter _____

City, State and Zip _____

Telephone (_____) _____

E-Mail Address _____

Dues Level (Please check One)

- General \$50
 Sustaining \$100
 Benefactor \$250
 Lifetime \$1200 (onetime payment)
 Associate \$50 (non-land owning)
 Additional Chapter(s) @ \$10
Name of Additional Chapters(s) _____

Additional Voluntary Contribution to Support WFFA .
Amount \$ _____

Please cut off this form and mail with a check made payable to "WFFA" to:

Washington Farm Forestry Association
P.O. Box 7663
Olympia, WA 98507

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