

IN THIS ISSUE...

Page 2

President's Letter

Page 3

Cost of Doing Business
Survey & Website Updates

Back Page

Convention Schedule

Legislative Report

IS DC ABOVE THE LAW?

Great news. We have finally reached the point where we will be putting our ESA case before US. District Court. As you know we have filed suit against the National Marine Fisheries Service, USFWS, EPA, Corps and Federal Highway Administration for violating the Endangered Species Act. They have applied a whole new set of standards to Washington, DC that would never be allowed anywhere else in the country.

A major bridge being replaced in Washington is going to be blown up. They are going to blow up dozens of piers from the old bridge without any measures to reduce the shockwaves and resulting mudwaves even though they admit that the federally endangered shortnose sturgeon is in the river. They argue it is too expensive and too time consuming to use protective measures. Unbelievably, they also argue that the fish is so rare that the probability of one being blown up is low.

Upstream, the EPA has allowed the Corps to dump millions of pounds of sludge through a National Park right into the spawning area. The sludge is from the city's water treatment plant that is run by the federal government like nowhere else. It is allowed to dump the sludge back into the river unlike any other city — something usually at night. You would have to go somewhere like India or Bolivia to find something like this. The sludge is toxic enough that it killed all of the fish placed in test cages in the wake of the plume in 10 minutes. We even have video of a beaver caught in the sludge and was killed by it. Amazingly, the Corps has argued that the discharge might be "good for the fish" because it causes them to flee the area and escape fishermen who might catch and eat them. The National Marine Fisheries Service has given a permit for the EPA to issue a new discharge permit to the Corps that anticipates that sturgeon will be killed in a discharge. The discharges will be allowed to continue another 6 and 1/2 years or even more as long as the Corps— the same guys who said the sludge was good for fish – put forth their "best professional effort" to fix the problem. That's as long as it took us to go to the moon after President Kennedy set the goal. Amazingly, NMFS, the same agency that said the bridge could be blown up without protections because endangered sturgeon are so rare that they are unlikely to be killed (how does that make sense?), concluded that the sludge discharges could continue because there are enough sturgeon upstream that the sludge won't kill all of them. This is pretty amazing since the fish swim upstream to spawn from around the bridge where they are so rare to the area where the Corps dumps the sludge. I guess they think that if there is the exact right number of an endangered species — at least in Washington, DC — they do not need any protection.

I am not making this up. Can you imagine a rancher or farmer Idaho or someone else outside of Washington, DC trying to make these arguments? The agencies would arrest them.

continued p.2

This is a great case. Even better, we have beaten government motions to dismiss, won our motion to discover, endured their continual delays, reviewed the 10,000 page plus administrative record and now they cannot delay any longer. All we have to do is file our summary judgment motion and then related motions, answers and replies. Our side has never had a case like this.

Written by Rob Gordon, National Wilderness Institute

Submitted by Jim Howard, Atlanta Hardwood Corp

For further information concerning this issue go to www.nwi.org



H.D.A. Sep. 2003

LETTER FROM THE PRESIDENT

Atlanta, Here We Come!

Can you believe that summer is almost over? It seems like just yesterday that I was cleaning up the yard for the first time, and now it is time to start raking leaves and watching football. As we approach fall it is once again time for our annual meeting, being held in Atlanta, and the opportunity to see our fellow H.D.A. Members.

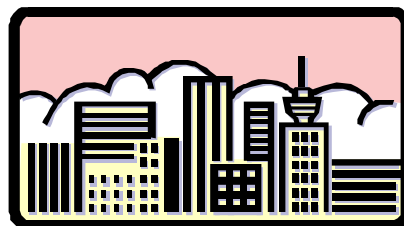
We have a great program planned this year for convention so please make sure to attend. We will start with the Board Meeting on Thursday, followed by the Planning Committee Meeting. On Friday morning, we will kick things off with Danish and coffee at 7:30AM to be followed by the General Membership Meeting at 8:30 AM. This year's meeting will include the results of the **Cost Of Doing Business Survey**. After the general meeting we will visit two yards and be back to the hotel around 4:00PM. We will end the day Friday with a fantastic evening at the "Piedmont Driving Club". This is an exclusive Old South Club in the heart of Atlanta with a strict dress code for men. All men will be required to wear coat and tie! As you can see, we once again have packed a lot into the two day format giving our members as much time as possible for NHLA events.

Also, do not forget the "H.D.A. Hospitality Suite" at the hotel. We did this for the first time last year and it was a great success. The room will be open for H.D.A. members from 4:00PM till 6:00PM on Thursday and Friday. Please stop by for a drink and some time with fellow H.D.A. members to catch up and problem solve. Please remember that one of the greatest assets of the association is the membership and the knowledge we all have.

Well, enough about the convention, it is now time for me to wrap up my last letter from the president. I would like to thank all those who have given time to the association during my two years as president. This association is made up of very strong people and it is through their commitment to H.D.A. that the group stays as active and respected in the industry as it does. As I step down you will be left in good hands with excellent leadership. I want to once again thank all who have helped me to run the association for the last two years, and urge all to step in and be an active part of H.D.A. in the future.

SEE YOU IN ATLANTA!

Your President
Scott Heidler



COST OF DOING BUSINESS SURVEY MAILED IN JULY

The 2003 version of the “Cost of Doing Business Survey” has been mailed to all members. The format is very similar to past years. Instructions to help you to provide data are included. Use your most recent two fiscal years of data. Please take the time to fill out as much of the information as you can. Filling out some of the information is better than none at all. We’d like to receive your data by August 15th, 2003. The final report will be summarized and presented to the membership in Atlanta in September..

We will be using Murrill Eakes & Company again to summarize the data and produce our report. Of course, the information you provide will be held in the strictest confidence by the accounting firm.



When you receive your survey, please support your Hardwood Distributors Association and FAX or mail in your survey ASAP. If you have not received a survey please contact Jim Ross in our office @ 503-692-6620 and he will expedite a copy of the survey and instructions to your attention.

Survey Coordinator
Jeff Wirkkala

HDA’s Website Finalizes Facelift!

PLEASE VISIT THE NEW HDA WEBSITE!!

If you haven’t visited www.hardwooddistributors.com recently, you’re missing out on our organization’s most improved marketing asset. A recent “facelift” has given the site a colorful new look, as well as improved usability for our potential customers. Internet surfers can find member’s information by clicking on an interactive map rather than scrolling through a large list. In addition, we were able to double the number of direct links to members’ individual websites by doing exhaustive search engine tests on each member company. If anybody has a website that hasn’t been linked, contact me at (314) 231-9343.

I would like to thank Chris Striker for all of his fantastic work on the web design. It really is a great looking site. And thanks to Dave Bramlage & Angie Gard for their contributions during this project as well. Our new website will be appearing in a “cleaner” fashion with many search engine sites. This means that more people will see our site when they’re searching for information on hardwoods, and more of them will be looking at our membership list. So, if you have multiple yard locations, it would be best to get them recognized on the website. Contact Patrick Altham for satellite yard membership information at (704) 875-6587. Don’t let this great marketing opportunity go untapped!

Scott Thomas



Convention Schedule

Hot 'Lanta Here We Come!

Chip Spellman

We're looking forward to seeing you all in Atlanta. We've planned a great convention with a lot of fun things to do. This year's format is essentially the same as last year, but we do have a larger site to accommodate everyone more comfortably. As a reminder, the Hospitality Suite is open Thursday and Friday from 4:00 p.m. to 6:00 p.m.

Friday morning our meeting kicks off with a continental breakfast at 7:30 a.m. Following the Annual Meeting, the yard tours will leave at 11:30 a.m. with our first stop at Atlanta Hardwoods, "Home of the Braves", where Jim Howard will prepare a good old fashioned southern barbeque for us. From there, we make our way to Peach State and then back to the hotel.

The buses for dinner will leave our hotel at approximately 6:30 p.m. where we can enjoy dinner, conversation, and entertainment at the Piedmont Driving Club. Coat and tie are required at the club for men.

CONVENTION SCHEDULE

Thursday, September 18, 2003

Board Meeting	1:00 p.m. – 4:00 p.m.	Consulate Room
Planning Meeting	4:00 p.m. – 6:00 p.m.	Consulate Room
Hospitality Suite	4:00 p.m. – 6:00 p.m.	Room #3908

Friday, September 19, 2003

Continental Breakfast	7:30 a.m. – 8:30 a.m.	Copenhagen Room
Annual Meeting	8:30 a.m. – 11:30 a.m.	Copenhagen Room
Yard Tours	11:30 a.m. – 4:00 p.m.	Atlanta Hardwoods & Peach State Lumber
Hospitality Suite	4:00 p.m. – 6:00 p.m.	Room # 3908
Dinner	6:30 p.m. – 11:00 p.m.	Piedmont Driving Club <i>(Coat & Tie Required)</i>



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