

ATPA

MEMBER UPDATE

March 31, 2020 Issue

Dear Members & Affiliates:



This issue of ATPA **Member Update** to include a message from Arkansas Secretary of Agriculture Wes Ward about the debate over designation of facets of our industry as "essential." We will continue to monitor and provide input on this challenge as necessary in the coming weeks, and will keep you up-to-date as we receive new information.

We acknowledge that in an effort to turn-around information quickly to our members, there may be times when we include updates from our affiliates, such as the Forest Resources Association (FRA), American Loggers Council (ALC), and the Arkansas Forestry Association (AFA). We will commit to best practices of acknowledging the sources of that information in our updates, and we apologize if from time-to-time, we reprint without full credit. It is my hope that we can all work together to get this incredibly important information out to our entire industry and forestry communities.

Please stay connected and feel free to contact me with any questions or concerns, or even useful information you think our members would appreciate. All calls to our main office number, 501-224-2232 will be routed to my cell phone, as will your emails to me directly.

In deep appreciation, concern and hopefulness,

Larry Boccarossa, Executive Director

A handwritten signature in black ink that reads "Larry J. Boccarossa". The script is cursive and fluid.

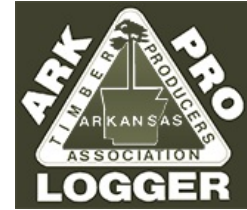
[Visit our website](#)



Ark Pro Logger Training Workshops

CODIV-19 BEST PRACTICES: WORKSHOPS IN THE COMING MONTH(S) POSTPONED

As a reminder, and per earlier correspondence and announcements on our website, **Ark Pro Logger** workshops have been postponed through the beginning of April, and we anticipate there may be a need to do so in the coming weeks as well. We will work to reschedule those once we have a better idea of what the CODIV best practices will entail to contain the spread. We will keep you informed via regular electronic correspondence, via our FB page (linked below), and also on our [website](#). We appreciate your patience and understanding - we are all in this together.



COVID-19 News - FEDERAL

UPDATED DHS CRITICAL INFRASTRUCTURE GUIDELINES

On Thursday, March 16, President Trump announced updated CODIV-19 Guidance as many states experience exponential growth in cases due to the virus. In hopes of the entire Nation coming together to slow the spread and alleviate the impacts on hospitals and first responders, the new guidance includes the following:

Department of Homeland Security (DHS), including healthcare services and pharmaceutical and food supply have a "special responsibility" to maintain normal work schedules. The President reiterated this requisite, before turning to guidance on categories of **"Essential Critical Infrastructure Workers"** derived under the auspices of the Cybersecurity and Infrastructure Security Agency (CISA), which is charged under the Homeland Security Act of 2002 to provide strategic guidance, promote a national unity of effort, and coordinate the overall federal effort to ensure the security and resilience of the Nation's critical infrastructure. CISA uses trusted partnerships with both the public and private sectors to deliver infrastructure resilience assistance and guidance to a broad range of partners.

In accordance with this mandate, and in collaboration with other federal agencies and the private sector, CISA developed an initial list of **"Essential Critical Infrastructure Workers"** to help State and local officials as they work to protect their communities, while ensuring continuity of functions critical to public health and safety, as well as economic and national security. The list can also inform critical infrastructure community decision-making to determine the sectors, sub-sectors, segments, or critical functions that should continue normal operations, appropriately modified to account for Centers for Disease Control (CDC) workforce and customer protection guidance (AFA *TreeMail*).

NOTE >>> On March 28, the Department of Homeland Security Cybersecurity & Infrastructure Security Agency (CISA) updated the Guidance on the Essential Critical Infrastructure Workforce document. Now included in Version 2.0 of the CISA guidance are sections regarding **Commercial Facilities and Residential/Shelter Facilities and Services**. Housing construction is now included in revised document.

If you are in a state that is not recognizing residential construction and its associated workers as an essential business , we hope this new guideline will be helpful with state officials (or governor).

Important additions to Version 2.0 to the forest products sector are the following:

“Workers supporting the construction of housing, including those supporting government functions related to the building and development process, such as inspections, permitting and plan review services that can be modified to protect the public health, but fundamentally should continue and serve the construction of housing (e.g., allow qualified private third-party inspections in case of government shutdown).”

“Workers who support the supply chain of building materials from production through application/installation, including cabinetry, fixtures, doors, cement, hardware, plumbing, electrical, heating/cooling, refrigeration, appliances, paint/coatings, and employees who provide services that enable repair materials and equipment for essential functions.”

If you have any questions, please contact FRA’s Director, Government Affairs Tim O’Hara, (218) 390-7965, tohara@forestresources.org or FRA President Deb Hawkinson, (202) 296-3937, dhawkinson@forestresources.org.

Our partners at the Forest Resources Association (FRA), working with state forestry executives, have produced the following tracker identifying state-by-state critical infrastructure designations. You can use this [LINK](#) to receive real-time updates as they become available.

[CLICK HERE TO READ MORE ON THE GUIDANCE.](#)

PHASE 3 CONGRESSIONAL STIMULUS SUMMARY

From the Arkansas Forestry Association (AFA) *Tree Mail* issue

As of March 27, both the House and the Senate passed the **Coronavirus Aid, Relief, and Economic Security (CARES) Act**, otherwise known as **Phase 3**. The \$2 trillion bill will deliver emergency aid to nearly every sector across the U.S., including \$1,200 checks to many Americans. The bill is now being sent to the President for his signature. Provisions that may be of interest to your companies:

- Tax provisions (pages 11-13): A refundable payroll tax credit for businesses impacted by COVID-19; a delay of payment of employer payroll taxes; modifications for net operating losses including for pass-through businesses; increases in the limitations on business interest expenses.
- Small Business provisions (pages 1-8): A \$367 billion loan program for small businesses.
- Labor provisions (pages 19-20): Limitations on employer payouts for emergency paid sick leave.
- Business lending (pages 27-28): \$500 billion for Treasury's Exchange Stabilization Fund to

provide loans, loan guarantees, and other investments for industries, cities and states.

[CLICK HERE TO READ THE FULL PHASE 3 BILL via the Arkansas State Chamber](#)

DEPARTMENT OF TRANSPORTATION (DOT) COMMERCIAL DRIVER LICENSE WAIVERS

The US Department of Transportation (DOT) has issued a waiver applicable to the regulation of interstate commercial drivers licenses (CDLs) and learners permits (CLPs). This waiver will be helpful to truck drivers in our sector. Please use this information in any way that may be helpful to your supply chains.

[CLICK HERE FOR THE WAIVER.](#)

State & Association News

AEDC COVID-19 Resources for Businesses and Employers

The *Arkansas Economic Development Council (AEDC)* has produced a downloadable Resource Guide for Businesses and Employers during the Challenge of CODIV-19. **We have attached that [HERE](#).** We will continue to share these up-to-date resources from AEDC when they are modified or provide additional listed resources.

ADDITIONAL LINKS FOR MONITORING CODIV-19

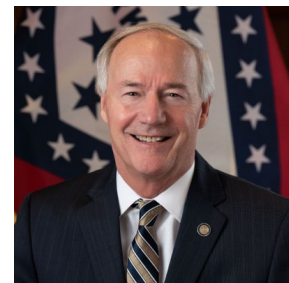
[Arkansas State Chamber Updates on CODIV-19:](#)

KNWA FOX24 Statewide Coverage and Resources

For Up-to-Date INFO on Reporting of CODIV-19, including not only cases, location, but also helpful information on where to get tested, KNWA FOX24 is a good resource online. LINKED [HERE](#):

COVID-19 Update from Governor Asa Hutchinson

On Friday, March 27, Arkansas Gov. Asa Hutchinson suggested that the number of coronavirus cases in the state could surge into the thousands in the coming weeks. Speaking at a news conference, the Governor revealed a statistical projection that shows an estimated 3500 cases of COVID-19 by mid-April, with the possibility of 750 people requiring hospitalization for more serious symptoms and care requirements. This model, which is one of several examined by state officials, shows the number of cases in our state could reach peak sometime between late April and early June.



The state's plan, says the Governor, is "to do all we can to beat the worst-case scenario,"

At the time of Hutchinson's address, 381 Arkansans had tested positive for the virus; and 1545 had tested negative. Three people have died from complications of the virus, and 48 had been hospitalized, with 13 people deemed recovered. More on the Governor's COVID Update, [**LINKED HERE.**](#)

To see the Governor's full press conference, click <https://youtu.be/MvwLhX4NXQY>

Disaster Declaration Approved

The U.S. Small Business Administration (SBA) has approved Disaster Declaration #16372 Arkansas Disaster number AR-00109 as a statewide declaration for small business affected by Coronavirus (COVID-19). Effective date 1/31/2020. Businesses located in all counties in Arkansas can apply at <https://disasterloan.sba.gov/ela>

GOV HUTCHINSON ANNOUNCES PROPOSAL TO PROTECT AND SUPPORT HEALTH CARE PROFESSIONALS, PUBLIC, AND PROVIDERS

The Arkansas Department of Human Services (DHS) is submitting a Medicaid Section 1115 Demonstration Project ("waiver") to the federal Centers for Medicare and Medicaid Services (CMS) to provide support to Arkansans in response to the COVID-19 outbreak, Governor Asa Hutchinson announced at a news conference last week.

The waiver will provide \$116 million in additional Medicaid funding to support a number of initiatives to protect Arkansas health care workers and their patients and to support health care providers. Additional funding is aimed at helping the Long-term Services and Supports (LTSS) sector to ensure Arkansas's vulnerable populations continue to receive care whether they reside in facilities or in their homes. The initiatives also provide additional support to rural hospitals, independent physician practices, and other Medicaid providers struggling as a result of the COVID-19 public health emergency (***AFA TreeMail***).

This new waiver is just one piece of federal and state efforts to help our hospitals, nursing homes, and physicians. Regulatory relief and additional payments to providers will also be provided through federal legislation.

ARKANSAS SECRETARY OF STATE ANNOUNCES TEMPORARY WAIVER OF FRANCHISE TAX LATE FEES AND INTEREST CHARGES

Arkansas Secretary of State John Thurston announced today that late fees and interest charges on businesses' annual franchise taxes will be waived until July 15th. The filing deadline for annual franchise taxes is May 1st. Typically, companies filing after the deadline are charged a \$25 late fee plus 0.000274% interest per day the payment is delinquent. These penalties will be waived for

those who file between May 2nd and July 15th. This only applies to the 2020 franchise tax reporting year.

"The May 1st deadline is set by state law," Secretary Thurston said, adding, "however, we thought this would be one way to help companies who may need a little extra time to get their tax payments in order. The ongoing COVID-19 pandemic is having a serious impact on our business community and we want to help them in any way that we can."

The Secretary continues to work closely with all stakeholders and coordinated these efforts with those of the Governor's Office and the Department of Finance and Administration.

ARKANSAS FRANCHISE TAXES CAN [BE FILED CONVENIENTLY ONLINE HERE](#).

Secretary Perdue Applauds State Department's H-2 Decision

Press Release

Release No. 0207.20

Contact: USDA Press

Email: press@oc.usda.gov

WASHINGTON, March 26, 2020 – U.S. Secretary of Agriculture Sonny Perdue issued the following statement in response to the Department of State and the Department of Homeland Security's decision to authorize temporary waivers for in-person interviews for eligible H-2 visa applicants.

"Temporarily waiving in-person interviews for H-2 visa applicants streamlines the application process and helps provide steady labor for the agriculture sector during this time of uncertainty," said Secretary Perdue. "H-2 labor is vital to the economy and food security of America – our farmers and producers depend on these workers to continue to feed and clothe the world."

USDA has been directly engaged with the State Department and the Department of Homeland Security to ensure minimal disruption in H-2A and H-2B visa applications during these uncertain times. This Administration is doing everything possible to maintain continuity of this critically important program. These flexibilities will allow our farmers and ranchers to utilize workers they have used in the past, or those who are already in the U.S., to get our food from the farm to our tables.

#

USDA is an equal opportunity provider, employer, and lender.

[CLICK HERE TO READ MORE FROM THE FOREST RESOURCES ASSOCIATION](#) .



COVID-19 March 30 Daily Update

The U.S. Chamber of Commerce has provided a **Coronavirus Emergency Loans Small Business Guide** and Checklist [at this link](#). The Coronavirus Aid, Relief, and Economic Security (CARES) Act allocated \$350 billion to help small businesses keep workers employed amid the pandemic and economic downturn

The U.S. Small Business Administration (SBA) has announced new changes to COVID-19 Disaster Loan Application requirements. Applicants need only submit Form 5 or 5c (depending on entity) and EIDL Supporting Information Worksheet P019. SBA is not requiring personal financial statements or 4506T, according to the Office of Disaster Assistance. Please go [here](#) and download the necessary forms for submission.

The SBA has also provided a **list of Arkansas banks that can make 7(a) loans to businesses:** [here](#)

The **Arkansas Department of Commerce** is receiving applications for the Quick Action Loan Guaranty Program to address the immediate needs of businesses affected by the COVID-19 outbreak. The program will be administered by the Arkansas Economic Development Commission (AEDC) in partnership with Arkansas banks. Click [here](#).

What is available for chambers: Chambers of Commerce organized as 501 (c)(6) organizations are eligible to apply for SBA's Emergency Economic Injury Disaster Loan (EIDL) program. This program has been in place but was modified in this stimulus package. One modification is that (c)(6)s can apply for a modest \$10,000 advance to help with payroll, and that \$10,000 does not have to be repaid. Details and links are [here](#). Chambers and other (c)(6)s are **not eligible** for the \$350 billion in small business loans under the Paycheck Protection Program, which includes loan forgiveness for funds used for certain payroll, rent and other expenses. Chamber foundations that are 501 (c)(3) organizations can apply for the Paycheck Protection Program.

Arkansas Attorney General Leslie Rutledge announced the allocation of \$1 million for the State to acquire lifesaving personal protective equipment (PPE) to be used by doctors, nurses and medical providers in the State to combat COVID-19 [here](#).

The **Centers for Disease Control (CDC)** has released new facility guidance for manufacturers on how to operate safely during the COVID-19 outbreak including [this letter](#) and [this additional guidance](#), which you can use to supplement your current plans and response efforts.

The **Environmental Protection Agency** has [announced](#) a temporary enforcement discretion policy due to COVID-19. The EPA's guidance will help manufacturers navigate this evolving

landscape, easing compliance uncertainties while ensuring the health and safety of employees, communities and the environment remain a top priority.

The Export-Import Bank has approved a [resolution](#) to support four temporary measures to help inject liquidity into the market and provide maximum flexibility for exporters and suppliers. Find more information about these measures [here](#), which include temporary bridge financing, progress delivery payment financing, supply chain finance guarantees and working capital guarantee expansion. This comes on top of the Ex-Im's [initial relief measures](#).

State Chamber member **ARcare** has implemented an organization-wide Telemedicine program, under the guidelines from the government and the CDC. Patients are urged to call (870) 347-3461 or utilize virtualcarenow.arcare.net/users/sign_up/consumer to request a virtual appointment with an ARcare provider. During these appointments, patients can request medication refills, lab results, and receive acute care. ARcare also encourages patients who think they may have been exposed to or have COVID-19 to utilize self-screening via their [at https://arcare.virtriage.com/#/arcarecovid19](https://arcare.virtriage.com/#/arcarecovid19). Patients will answer a set of questions to determine if they are at risk for Covid-19.

The State Chamber/AIA and the Arkansas Center for Health Improvement (ACHI) will broadcast our next weekly COVID-19 Podcast featuring Dr. Joe Thompson of ACHI and State Chamber President & CEO Randy Zook at **10 a.m. this Thursday, April 2. See log-in details below.**

Zoom link:

Topic: COVID-19 Employer Update with Dr. Joe Thompson & Randy Zook

Time: Apr 2, 2020 10:00 AM Central Time (US and Canada)

[Join Zoom Meeting](#)

Meeting ID: 927 143 580

The **State Chamber/AIA and ACHI** held a Weekly COVID-19 Podcast on March 26 featuring Dr. Joe Thompson and Randy Zook (thanks to State Chamber member **Waymack & Crew** for facilitating this): <https://waymackandcrew.box.com/s/718ps4l0ufogtwqbbkrdcubth67ibcqg>

For additional information and resources, check our **COVID-19 Coronavirus and Arkansas** page [here](#).

A MESSAGE TO ARKANSAS AGRICULTURE

Arkansas Secretary of Agriculture Wes Ward

Below is a letter sent by Arkansas Secretary of Agriculture Wes Ward earlier last week.



The Arkansas Department of Agriculture has received many inquiries regarding COVID-19 response efforts, as well as many requests for food and agriculture to be considered as essential critical infrastructure.

We are encouraged by the efforts of the President and the federal government in their response to COVID-19 and we appreciate the U.S. Department of Homeland Security including food and agriculture in their guidance on the essential critical infrastructure workforce.

Please know that Governor Hutchinson is in frequent communication with the President and Vice President regarding COVID-19 response efforts. As a former Under Secretary for the U.S. Department of Homeland Security, Governor Hutchinson has a deep appreciation for the guidance that they released on March 19th regarding the essential critical infrastructure workforce.

We are fortunate in Arkansas to have a Governor who grew up on a farm in Northwest Arkansas and has a deep personal affection for our state's agriculture industry that plays such an important role in providing the food, fiber, and shelter that we all depend on every day.

The Governor has been consistent in his message that we must do everything that we can to ensure that our state's economy, as well as our state's agriculture industry, be able to continue to operate to the full extent possible while also taking the necessary and appropriate actions to ensure that COVID-19 remains controlled and that residents and visitors in Arkansas remain safe.

Governor Hutchinson is holding daily COVID-19 updates with the media and I would encourage everyone to follow these events for the most recent announcements from the Governor and the Arkansas Department of Health. You can sign up for the Governor's emails and press notifications through this link on the Governor's website: [here](#).

Under Governor Hutchinson's leadership, the Arkansas Department of Agriculture is working diligently to make the necessary adjustments to our operations in order to support the industry and provide our services to the maximum extent possible. Additional information and announcements can be found on our website at: <https://www.agriculture.arkansas.gov/covid-19>

Please know that we are in frequent communication with our federal partners as well as state agricultural organizations and that we appreciate the efforts of our state's agriculture industry as we all work together to get through this difficult time.

Please don't hesitate to let us know if the Arkansas Department of Agriculture can be of assistance in any way at all.

(Reprinted from Last Week)

- From Mitchell Williams

Arkansas Department of Energy and Environment - Division of Environmental Quality ("DEQ") Director Becky Keogh has issued an Emergency Order ("EO"). Director Keogh states in the EO that DEQ has determined that emergency conditions exist as a result of the outbreak of COVID-19.

Further, impacts on the licensing programs administered by DEQ's regulatory programs are noted, which include:

- Office of Water Quality
- Office of Air Quality
- Office of Land Resources

The licensing programs are noted to require licensees to:

- Obtain professional development hours
- Pay required licensing fees

The cancellation of various training opportunities are referenced.

As a result, Director Keogh has extended the time to renew respective licenses. Further, she orders that the following actions be taken:

- Licensees shall submit their respective license renewal applications and the required license renewal fees within the time required by the respective DEQ-administered license program requirements.
- For DEQ-administered licensing programs with licenses that expire on or before July 1, 2020, DEQ shall provide an additional six (6) months for Licensees to obtain the necessary professional development hours required to renew their respective licenses. Licensees shall submit documentation of completed professional development hours within ten (10) days of completion.
- Licenses that fail to submit the proper renewal application, license renewal fee, and documentation of completed professional development hours within the time period set forth in Paragraphs 1 and 2 above, will not be renewed.

The EO is in effect for one year from March 20, 2020.

YOU CAN FIND COPIES OF THE EMERGENCY ORDER FROM [ADEQ](#) AND FROM GOVERNOR [ASA HUTCHINSON HERE](#).

Interested in learning more about ATPA and ARK LOGGER or becoming more involved?

[Click here to learn more](#)

[Links to More Federal and State News](#)

- [Arkansas Forestry Commission](#)
- [Arkansas Forestry Association](#)

- [Log A Load For Kids](#)
- [American Loggers Council](#)
- [Forest Resources Association](#)

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