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R. L. Wendt Logging
Jerry Rose Resigns



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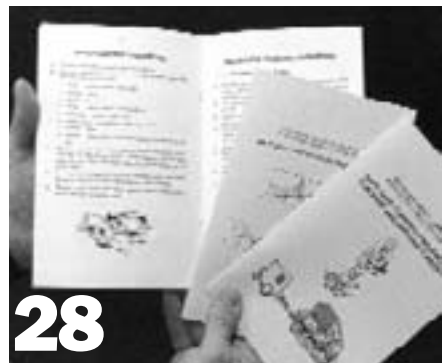
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Freshly fallen snow in northeastern Minnesota.
Photo by Tim Slattery

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Minnesota
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The Minnesota Timber Producers Association sponsored community briefings on timber supply in International Falls, Grand Rapids and Aitkin on Oct. 30, and Nov. 1, and 2, respectively. There was an exceptional turnout of community leaders, politicians and local TPA members. The main focus of the meetings was to show the difference between the various agency's planned

President's Column



harvests and the actual harvests. In some cases the actual harvest was less than 50 percent of their plan. There are lost economic opportunities when planned

harvests are not met. Mills either close or run on imported fiber.

As I was thinking about the economic impact a logging operation could have on a local area, I went and looked back at my accounts books for last year. Killmer Bros. did business with 110 different vendors. Granted, some of these accounts were not very large, but it shows how money gets spread around the community from one operation.

Jerry Rose has resigned as director of the DNR Division of Forestry to pursue other interests. The Minnesota Timber Producers Association has had a long working relationship with Jerry and we wish him well with his future endeavors.

As we head into the winter season it is good to remind ourselves of the changing conditions as they relate to work safety. Take time to work safely.

Robert Killmer

Electronic Commercial Vehicle Monitoring System Promotes Safety, Efficiency

The Minnesota Department of Transportation has announced that an electronic monitoring system that enables law enforcement officials to determine whether commercial vehicles meet operational and administrative regulations without spotting them is now in use at the St. Croix weigh station on eastbound I-94 near Hudson, Wis.

Officials from the state departments of Public Safety and Transportation unveiled the system known as Commercial Vehicle Information Systems and Networks (CVISN) on Friday, Oct. 27, in St. Paul.

Minnesota is among eight states chosen to pilot CIVSN development. Mn/DOT received a total of \$7 million in federal, state and private funding to develop the system.

The system uses technologies that automatically check the vehicle's size and weight, identify its operator and verify its safety performance history and other credentials. By inspecting trucks electronically as they travel, officials can reward safe carriers with no delays and concentrate their efforts on illegal or unsafe operators and/or equipment.

Trucks are weighed as they pass over electronic "weigh-in-motion" scales. Transmitters on board the vehicles send a vehicle identification code to roadside readers which officials use to obtain its operational history. The system uses this code to automatically check the vehicle's credentials and safety record.

A communications network connects the facility to safety and credential information gathered in other jurisdictions including all 50 states, Canada and Mexico and provides officials with a comprehensive picture of a vehicle's history.

Other services developed with the CVISN project include applications for commercial carriers to receive some licenses and

permits electronically. Applications can be filed from the carrier's offices directly with the appropriate government agency more quickly than having to visit the agency's offices in person. Electronic filing reduces paperwork and enables states to more effectively collect taxes and licensing fees.

Chris Conway, CVISN project manager, Mn/DOT Motor Carrier Services, said the system's continued development promises benefits for both commercial vehicle operators and travelers.

"By the summer of 2001," he said, "we expect to add interstate vehicle registration to the system as well as the option for carriers to pay some of their fees electronically. We also expect to expand our enforcement capability to other weigh stations and mobile units all over the state, not just at St. Croix."

"CVISN reduces time lost and costs for carriers in compliance, ensures timely collection of fees and promotes operational safety that helps protect all of the state's motorists," he added.

SFI Committee Awarded Grant

Minnesota's Sustainable Forestry Initiative (SFI) state implementation committee has been awarded a grant of \$38,000 for the American Forest and Paper Association. The grant will be used to provide information to private landowners on sustainable forestry practices and the SFI program.

The Minnesota SFI committee was previously named State Implementation Committee of the year in recognition of its leadership in implementing the SFI program. In addition to industry forest lands, St. Louis, Carlton, Itasca and Lake counties have all become SFI licensees.

The deer are in the freezer, and a few elk, too. Equipment has been brought up to snuff and winter roads are being frozen down. Yes, it's the start of the winter logging season. The majority of wood will be harvested between now and spring breakup. I know many of

Executive Vice President's Column



our members will be running extended hours, some even double shifting, in the seven-day-a-week operations that it takes during the winter.

The pressure to produce during the winter makes it even more important to schedule and hold safety meetings with your crews. TPA members have done an outstanding job in reducing accidents during the past decade. The rates in our LUA program show this.

But, the tough conditions of winter make it easy to let our guard down. Please take the time to keep safety at the top of everyone's mind so we can have a safe and productive winter.



LUA has announced that John Hill will be their new head of operations in Minnesota. The first person tapped to replace Tom Hutchison departed and John has moved up from LUA's smaller Kansas City office. He brings a lot of experience with him and has told me that he's already purchased enough cold weather gear to be out on logging jobs this winter. We look forward to working with John and hearing from him at the December TPA Board of Directors meeting.



We had our meeting with Bishop Peter Strommen of the Lutheran (ELCA) church's NE MN Synod. Former TPA President Rod Bergstrom, who chairs his local congregation board, and LSPI's operations manager, Dave Beal, who is a member of the same

church as me, had a good discussion over breakfast with the bishop.

I learned a bit about how church policies get developed – not as formally as I might have thought, and the bishop's thoughts in this issue. He listened carefully, asked good questions and had real empathy for our views and the importance of this issue to our, and in many instances his, members.

Bishop Strommen indicated that he would look into the issue further and communicate with the Lutheran Office of Government Affairs (LOGA) about the position they took to support the Clinton roadless initiative and to ban logging on federal lands. We also discussed holding a briefing and tour as a follow up. I will also be meeting with the staff from the LOGA in the next several weeks.

This issue has sparked some interest. I received copies of letters sent by people who read about this in my last column. *Outdoor News* editor Rob Drieslen, another good Lutheran, also wrote about it in one of his weekly columns.



We started a series of "Community Briefings" on timber availability in late October. Sessions have been held in International Falls, Grand Rapids and Aitkin so far. Nearly 200 TPA members, elected officials, local business people and community leaders have attended these meetings. This turnout far exceeded our expectations.

The basic thrust of these meetings is to show how much wood is being sold by various public agencies vs. their plans and the amount of wood they grow. We then encourage people to support these timber programs by contacting decision makers.

One interesting fact that we have used in these meetings: if the DNR and USFS had sold the volume of timber in their plans over the past decade it would have supported an average of 1,450 more jobs per year – 50 more than the number of jobs being lost (1,400) with the closing of LTV Steel Mining in Hoyt Lakes.

We've gotten a lot of good

feedback so far. We've also gotten a little negative feedback – mostly from folks who are way below their planned sales or have reduced sales in recent years.



The USFS has released its roadless decision. Needless to say, the Clinton plan is to lock up more land. So what else is new. On the Superior National Forest, if implemented, the policy will lock up an additional 62,000 acres and impact another 10,000 acres of state land as well as additional amounts of St. Louis County and private land.

Minnesota Governor Jesse Ventura has weighed in on the issue by sending a strong letter. A copy of the governor's letter is reprinted elsewhere in this issue of the *Timber Bulletin*. Our hat goes off to the governor, his staff and the folks at the DNR who worked on this issue. We appreciate Governor Ventura's willingness to speak out on this issue.



Barko Hydraulics. Potlatch. Hedstrom Lumber. Just a few of the companies that have been forced to announce layoffs, shutdowns or production cutbacks. Times are tough and we all know it. All I can say is that TPA will continue to fight for our members and to have our forests managed and harvested in the best way possible. If this makes others uncomfortable, so be it. TPA exists to serve its members and that's what we will do.



On a positive note, I had twelve below at my house this morning. It looks like we might have a winter this year, which should help.

In the meantime, I wish each of you a happy holiday season and thank you for the continuing opportunity that I have been given to work for you. The members and leaders of TPA are the best people around.



R. L. Wendt Logging

Mike moves another drag to the landing.



Robert L. Wendt, owner of R. L. Wendt Logging.

Robert L. Wendt, from Effie, Minn., is an active TPA member. He serves on the board of directors and is active on the mechanization committee. When I visited him he was in the process of moving from one timber sale to another. The

new sale is located on a woods road nine miles north of the Scenic (Itasca County Road 7). Martin Boggio, who does a number of different jobs for the company, had just delivered one of the skidders to the site and was



Mark takes down another snow-laden tree.



Mike Pifher operates the John Deere 548G grapple skidder.

bunchers: the Case and a Drott 40; two skidders: the John Deere and a Tree Farmer C6F Maxi; two loaders and slashers: Prentice 210C loader and Siiro slasher and Serco 200 loader and Lemco slasher; a CTR Delimber; and a John Deere 450 crawler. They also have three trucks, two for hauling wood and one used primarily for moving equipment.

After Rob had visited with the crew on this job we drove the 30 plus miles to the other site that they were in the process of completing. This sale was a private sale that involved six private landowners along the Big Fork River. About 15 percent of the aspen timber was blowdown. They harvested the blowdown, the overmature aspen and the balsam. David Priem was just finishing up the skidding and Jim Peterson was completing the slashing when we arrived. One of the trucks was being loaded with tree length aspen for delivery to Boise. With the exception of the hauling, this job would be complete by the end

headed out for another trip with the lowboy. Mark Prather, who operates the Case 1187B feller-buncher, was busy felling and Mike Pifher had just gotten started skidding with the John Deere 548G grapple skidder.

This sale is on Boise Cascade fee land and is mostly mature spruce and balsam fir. The company wants to harvest the balsam before the spruce budworm kills it. Rob has been contracting for Boise for about four years. He also cuts stumpage that he purchases. Wendt Logging has three full-time employees. Like other logging businesses, they hire three or four additional employees for the winter season. They are presently in the process of hiring these people. When they are geared up for winter they will be running two feller-



Dave Priem operates the Tree Farm skidder and is in the final stages of cleanup on this sale.



Mark Prather does the felling with the Case 1187B feller-buncher.

of the day

Rob's concerns are the same as those facing most of the logging businesses in Minnesota. At the top of the list is stumpage availability, stumpage cost and fuel prices. "The companies have addressed the rising fuel costs but it appears as though these costs will continue to increase through the winter," Rob commented. "The best year I have had was 1990, the first year I was in business."

Wendt Logging was started by Rob's father, Robert E. Wendt, in 1955. He had a chainsaw and a John Deere 420 crawler used for skidding. He cut fee land for Blandin until he retired in 1990. Rob took over and continued working on Blandin's fee land until 1997 when he started contracting for Boise.

Jerry Rose Resigns Effective January 26

Jerry Rose, director of the DNR's Division of Forestry, has announced his resignation effective January 26, 2000. Rose, a frequent speaker at TPA meetings, has headed up the Division of Forestry for nearly fourteen years.

"Jerry Rose has always been open and accessible to TPA and our members. We appreciate his many contributions and wish him the best in his new position," said TPA President Ray Killmer.

"Jerry is an open and upbeat person who will continue his many contributions to the forestry community. The TPA Executive Committee has already discussed the process by which the DNR will select a new director of the Division of Forestry with Commissioner Garber and other senior officials of the department. We are confident that they will select an excellent person to lead the division," said TPA Executive Vice President

Wayne Brandt.

Following is the text of Director Rose's letter of resignation and a DNR press release which announced the resignation.

Jerry Rose Resigns

Editor's note: Following is the text of DNR Division of Forestry Director Jerry Rose's letter of resignation.

Due to my interest in and commitment to sustainable forestry and opportunities that have come my way to pursue state-based sustainable forestry nationally and internationally, I have decided to leave the MN DNR effective January 26, 2001. My plans are to join the staff of the National Association of State Foresters (NASF) under an Intergovernmental Personnel Act arrangement by the USDA Forest Service with support from other organizations. The details remain to be worked out but my current plans would be to continue living

in Oakdale.

My new responsibilities would include co-chair of the National Roundtable on Sustainable Forests, NASF liaison to organizations with forest certification systems and other sustainable forestry initiatives, working with states in their sustainable forestry efforts and in reporting on sustainable forest management, and representing the NASF with international initiatives dealing with sustainable forestry, i.e. The Montreal Process Working Group on Sustainable Forestry and the United Nations Forest Forum (UNFF).

I have enjoyed most of my nearly 14 years with the MN DNR. It has been a period of high interest and conflict around forestry issues. The Forestry Generic Environmental Impact Statement (GEIS) was completed. It is unique nationally. Our Sustainable Forestry Resources Act of 1995 (SFRA) is based upon the recommendations in the GEIS. The comprehensive site level guidelines for sustainable forestry
(continued on page 12)

(continued from page 10)

have been developed and are being implemented and monitored for compliance and effectiveness. The landscape level program is being developed and implemented to address broader landscape interests and concerns. The SFRA is based upon collaborative approaches and solutions. It is dependant upon diverse interests working together for sustainable solutions ecologically, socially and economically. While this approach seems slow and messy at times, my experience nationally, and particularly internationally, leads me to conclude it is the only way to achieve sustainability.

Members of the DNR team in general, and particularly the forestry team, are committed, creative, innovative, efficient, and effective. We have been doing more with less for the past decade. The forestry team is stretched to the limit. New, creative, high energy leadership is needed to move MN forestry forward. Our forests are a crucial part of our functioning ecosystem, our social fabric and our economy. A strong Division of Forestry is crucial to sustainability.

I wish DNR leadership much success in the recruitment and appointment of new forestry leadership. Likewise, I wish success to the dedicated employees of the Division of Forestry. This success is crucial to the quality of life of the people of Minnesota and to the sustainability of Minnesota's natural resources.

—Jerry Rose

Forestry Division Director Plans to Leave DNR January 26

Gerald Rose, director of the Forestry Division for the Minnesota Department of Natural Resources (DNR), will be leaving that position January 26 after nearly 14 years and plans to join the staff of the National Association of State Foresters.

"I wish success to the dedicated employees of the DNR Forestry Division," Rose said. "This success is crucial to the quality of life of Minnesotans and to the

sustainability of Minnesota's natural resources."

Rose said his tenure has been a period of high interest and conflict around forestry issues. Under Rose's leadership, the DNR Forestry Division embarked on several innovative initiatives. The Environmental Quality Board completed the nation's only state Forestry Generic Environmental Impact Statement (GEIS), which evaluated the impacts of increased timber harvesting on the forest environment. Minnesota's Sustainable Forestry Resources Act of 1995, based upon GEIS recommendations, has led to collaborative approaches to managing Minnesota's forestry resources. It is dependent on diverse interests working together to reach sustainable forestry management solutions that are ecologically, socially and economically sound. Rose said this innovative approach is the way to go.

"While this approach seems slow and messy at times," Rose said, "my experience nationally, and particularly internationally, leads me to conclude that it is the only way to achieve sustainability."

Brad Moore, DNR assistant commissioner for operations, noted Rose's important work on forestry management. "Jerry has done a fine job for us during his tenure, especially regarding sustainable forestry practices," Moore said. "He will be an important asset at the national level."

Rose's new duties with the National Association of State Foresters (NASF) would include co-chairing the National Roundtable on Sustainable Forests, serving as NASF liaison to organizations with forest certification systems and other sustainable forestry initiatives, working with states on their sustainable forestry efforts, and representing the NASF on international initiatives dealing with sustainable forestry.

"I wish DNR leadership much success in the recruitment and appointment of new Forestry Division leadership," Rose said. "Members of the DNR team in general, and particularly the Forestry Division team, are committed, creative, innovative,

efficient and effective."

Robert Tomlinson, currently the assistant director of DNR Forestry, will serve as acting director while the DNR conducts a national search for a new director.

The Wildfires and CO₂ Emissions

The tragic wildfires that burned uncontrollably around the country this summer had devastating impacts on the landscape. The wildfires destroyed over seven million acres of forest and rangeland habitat, engulfed wildlife in the flames, and denuded landscapes of vegetation. Less obvious was the significant contribution of greenhouse gases into the atmosphere.

The burning of standing timber released significant amounts of carbon dioxide – as much as a 25 million metric tons, based on average timber volumes and wood densities per acre. This represents approximately eight percent of carbon sequestration on managed forestlands in the United States. As a percentage of total U.S. greenhouse gas emissions, it represents approximately one and a half percent.

Under the Kyoto Protocol, the United States is committed to reducing greenhouse gas emissions seven percent below 1990 levels by 2010. To accomplish this, the United States would need to reduce emissions by more than 600 million metric tons annually. Given that forests are a scientifically credible mechanism to reduce emissions and store carbon, forestland management can help achieve our domestic and international emissions targets. Clearly, the U.S. must use proper forest management to enhance the sustainability of the land base and prevent uncontrolled forest fires. By utilizing a long-lived carbon product, we can take advantage of our natural resource base in addressing the greenhouse gas emissions issue. For more information, contact Mitch Dubensky at 202-463-2434, mitch_dubensky@afandpa.org.

Economic Impacts Resulting from Buffers

by Bruce Lippke

In Washington, regulations intended to recover declining salmon populations are imposing new management requirements in forested riparian management zones (RMZ) to reach desirable future biological conditions. The measurement system is inherently complex. Fish populations are poorly correlated with “good” fish habitat because there are so many non-forestry impacts (ocean conditions, dams, hatcheries, fishing, and urban and agricultural influences). Measuring and projecting habitat conditions as dependent upon forest stand conditions appears to be all that forest management can control. Reaching desired future biological conditions, which are social goals and not reflected in market values, inherently increases costs to some while providing benefits to others.

Interest of Different Stakeholders

Economic impacts from management alternatives include the net present value loss to the landowner, the employment and economic activity loss to rural communities, tax receipts to governments, economic gains by other interests such as fishing, and the broader non-market social values placed on fish abundance or scarcity by a society that is numerically dominated by the urban public. Each of these measures is important to different beneficiary groups. Equity considerations are created, and legal requirements to assess these disproportionality impacts, such as the Small Business Economic Impact Statement, result. Economists generally argue for greater efficiency, which means finding ways to reach desirable goals with lower losses while also distributing the costs to those benefiting.

Methods to Estimate Impacts

To estimate these impacts, simulations of a range of

management alternatives have been developed. This requires projecting future biological conditions and economic outputs for a broad array of management alternatives covering all the acres for every owner group, forest type and age class, and from these potential outcomes developing a desirable harvest schedule. These complex model simulations still leave out potentially important impacts such as the cost increase from handling more fragmented stands, increased road costs, accessibility constraints, planning and operational costs, conversion options, and uncertainties in biological measures such as stream typing. To bind some of these potential sources of error, case studies of on-the-ground conditions and surveys of management intentions are also being evaluated.

Simulation Results

Our simulation of Washington’s new Forest and Fish Regulations (FFR) applied on the westside determined the impact of a three riparian zone management scheme, using a 50-foot no-touch buffer for the inner zone on fish-bearing streams, then minimal thinning from 50 feet out to two-thirds of the site potential tree height (SPTH), and finally leaving 10-20 trees per acre in the outer riparian zone up to the SPTH. For non-perennial streams, 50-foot no-touch buffers were assumed for one-half the headwater stream length, and 30-foot no-equipment zones for seasonal streams. Applying these assumptions on non-federal lands in Lewis County, almost 10 percent of the land was designated as no management buffers. Losses in harvest, in landowner net present value, and in rural jobs, for the first two decades, compared to a pre-regulation base, were closer to 18 percent, a reflection of the increasing harvest scheduling difficulty when mature acres become in short supply. Long-term sustained losses were comparable to the acreage impacted. Using the measure of late seral (LS) acres in the riparian zone as a proxy for a set of riparian habitat indices, the new rules increase the percentage of LS in the RMZ to 15 percent in 55 years and 38 percent in 105

years. More active management restoration treatments in the RMZ (which is possible if you have a negotiated HCP), including periodic thinning to accelerate growth of large trees and to restore understory vegetation in dense young stands, cut the economic losses almost in half while increasing the LS in the RMZ to over 50 percent beyond 55 years. This alternative approach infers more than a four-fold improvement in economic efficiency to reach the same biological goals.

Case Study Findings

Using case studies to better understand the limitations of simulations shows a large variation of impacts across small ownerships with impacts of near zero to 65 percent for ownerships in the 100-acre range. This characterizes the large disparity in impacts that may fall on small owners. Some small owners have the immediate option of conversion to other uses, some have already harvested their timber postponing the impact for decades, and others are immediately impacted. In addition, the size of harvestable tracks is substantially reduced by the buffers around headwater streams with some portion of the acres no longer economically accessible. The cost of upgrading roads and culverts is still being evaluated.

Key Uncertainties

Unstable slopes may also induce substantial impacts. Some 15 percent of the industry lands in Lewis County could be considered unstable, potentially restricting management practices. Non-industrial lands are concentrated in the lower elevations with a relatively smaller portion of their acres potentially unstable. Another large uncertainty is stream typing, with many streams either unclassified or misclassified. Some believe many of the unclassified and seasonal streams will be reclassified to potential fish-bearing headwaters, greatly increasing the acres in stream buffers.

Asset Loss Versus Motivation to Manage Timber

The timber restricted by buffer areas appears to average in the 10-20 percent range but may exceed 50

percent for many owners, the likely range of costs for the loss in the owner's previous forest investment. This is often referred to as the size of the asset taking before any compensation. To lower the small landowner losses and reduce the disparity, Washington now offers market value compensation to small owners for 50 percent of these losses in exchange for conservation easements up to a threshold level of about 25 percent and 100 percent compensation above this threshold. The buffer regulations and easement, however, would appear to reduce any motivation for small owners to continue investing in restoration and thinning operations to grow larger trees. These increased costs reduce the profit margin for the next crop by an even greater percentage than the loss in the current crop. The reduction in returns to future management of the land was more than twice the percentage loss in acres impacted or harvest in cases we analyzed. Declining financial returns to forestry investments relative to conversion or sale alternatives calls into question the future viability of small owner management.

Market Value Benefits

In analyzing the benefits of the regulations, one estimate of the potential increase in market value for fishing interests showed the timber losses in buffers to be almost an order of magnitude larger than the fishery gains and the gap widened with buffer width. This suggests that the benefits of importance are non-market social values, not non-timber market values.

Non-Market Value Tradeoffs

Studies that have estimated the values that various publics place on forest management and fish are particularly hard to validate. Experimental choice surveys that ask consumers to make choices among market baskets of alternatives do provide quantitative values for their willingness to pay for forest biodiversity, aesthetics or fish population recovery and their willingness to accept job losses or out-of-pocket costs. Urban communities place the highest value on forest aesthetics and

biodiversity associated with older forests, yet rural communities are being forced to absorb most of the costs and job losses associated with regulatory constraints on forest harvest. One recent survey shows each household willing to pay as much as \$344 per year for a sizeable recovery in migratory fish populations. Forestry is generally considered to have a much smaller impact on fish populations than other causes, hence the forestry fair share would be much lower than this value. Other studies show that the public's unwillingness to accept the job losses and costs that result from new regulations is greater than these gains. However, if more aggressive thinning management strategies are used to reach desired habitat characteristics, costs and job losses are substantially reduced, creating the potential for net social gains, although the costs to rural communities would still be large if not compensated.

Tentative Conclusions

While Oregon's new fish protection rules are still being deliberated and may be economically less negative than Washington's, tentative conclusions would include:

- This fish agreement will impact 15-25 percent of the non-federal forests, although the uncertainty is still large given the potential for further regulatory constraints associated with unstable slopes and stream typing.
- Wider buffers such as those used on federal lands are much more costly.
- Some small owners are disproportionately impacted, and while conservation easement compensation may offset these impacts, it also reduces the motivation of small owners to do any management that would otherwise contribute to habitat restoration.
- The reduced returns to small owner management will likely increase conversions and land sales. A thorough examination of indirect regulatory costs is critical.
- The low economic efficiency of no-management buffers offers promise to more adaptive management strategies such as

habitat conservation plans.

- Non-timber market gains are likely to be small relative to timber losses.
- Non-market social values placed on forests and fish by the general public may be sufficient to generate net social welfare gains but this would likely require more active management alternatives to reduce the economic losses. These alternatives are not the norm under current regulations that are still predicated largely on no-management reserve strategies instead of active management restoration strategies.
- Uncertainties in measuring and modeling the biological impacts are still large.

Bruce Lippe is director, Rural Technology Initiative, College of Forest Resources, University of Washington.

Court Supports Boise EAW

Boise Cascade's Environmental Assessment Worksheet (EAW) was affirmed in District Court. The project, which will make various improvements in the company's International Falls paper mill, projects the use of up to an additional 100,000 cords of wood when completed.

The Minnesota Center for Environmental Advocacy (MCEA) had contested the project and its EAW before the MPCA and the EQB, and finally, by suing in District Court. Each body had affirmed the EAW and its component parts and rejected MCEA's views. The main issues contested by MCEA were the analysis, conclusions and follow up to the GEIS.

"We're pleased that the EQB, MPCA and now the District Court have affirmed the Boise project and the continuing validity of the GEIS. It's sad that MCEA and other environmental groups continue to pursue challenges, appeals and litigation instead of helping us move forward with progressive forest management," said Wayne Brandt, TPA executive vice president.

Overtime Compensation for Drivers

by Cameron R. Seybolt, Esq.¹

Calculating overtime compensation for most of your hourly employees is fairly straightforward. If the employee works more than forty hours in a week, you must pay “time-and-a-half” for the additional hours. When the employee in question is a driver paid by the load, things get a little more complicated. Some drivers do not qualify for overtime at all, and figuring out the proper overtime rate for those that do is not as simple as it is for employees paid by the hour.

Is the driver exempt from overtime?

The first question is whether the driver is an employee. If the driver is an independent contractor, he is not entitled to overtime.² Whether a driver is an employee or an independent contractor depends on a number of factors, including the degree of control exercised by the

employer, the permanence and duration of the relationship, and the extent to which the work is an integral part of the employer’s business.³ For purposes of this discussion, it is assumed the drivers in question are employees.

An employee-driver is exempt from overtime if he is an employee “with respect to whom the Secretary of Transportation has power to establish qualifications and maximum hours of service.”⁴ This is known as the “Motor Carrier Act exemption.”⁵ A driver is covered by the Motor Carrier Act exemption if the driver “moves goods in interstate commerce.”⁶ The question of whether a driver moves goods in interstate commerce is not always easy to answer. If a driver’s route crosses state or international borders, he is clearly moving goods in interstate commerce and is covered by the exemption.⁷ Where a driver makes all his deliveries in a single state, he may or may not be exempt.

A driver who transports goods between two points within a single state still may be moving goods in interstate commerce (and thus be

exempt from overtime), if the transportation is one leg of a journey that does cross state lines.⁸ So, for example, if goods are produced in Wisconsin for Minnesota customers and transported to a warehouse in Minnesota, a driver who takes the goods from the warehouse to the Minnesota customers is covered by the exemption. Where, on the other hand, a driver delivers goods produced in Minnesota to Minnesota customers, the exemption does not apply.

How do you measure overtime compensation for drivers paid by the load?

Once you determine that a driver who is paid by the load is not exempt from overtime, you must figure out how to pay him “one and one-half times the regular rate at which he is employed.”⁹ Unlike an hourly employee, a driver paid by the load does not have an obvious “regular rate.” In 1998, the Department of Labor issued an advice letter regarding this very issue.¹⁰ In the letter, the department stated:

“The general rule for an

employee paid a flat sum for doing a particular job, without regard to the number of hours worked at the job, is that his regular rate is determined by totaling all the sums received at such job rates in a workweek and dividing by the total number of hours actually worked. The employee is entitled to extra half-time pay at this rate for all hours worked in excess of 40 in the workweek.”

The department went on to describe the method for calculating the regular rate for drivers who

perform various tasks and are paid different rates depending on what they are doing:

“The transport drivers employed by your client are paid three separate job rates (per load, waiting and breakdown). To determine a transport driver’s regular rate, your client must total all earnings for the transport driver during the week and divide the total earnings by the number of hours worked.”

Although this is not as simple as calculating overtime for an employee paid by the hour, it should not be unreasonably difficult, as long as the employee keeps accurate records of his hours worked.

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The contents of this article should not be construed as legal advice. This article is an abridged summary of the law relating to overtime compensation for drivers, and is not necessarily applicable to your particular situation. You should consult an attorney before changing your overtime policies.

1. Cameron R. Seybolt is an associate attorney with the law firm of Fryberger, Buchanan, Smith & Frederick, P.A. Mr. Seybolt works in the Fryberger firm’s Duluth office, where he focuses his practice on employment law, business law and estate planning.
2. N.L.R.B. v. Hearst, 322 U.S. 111 (1944).
3. See Brock v. Superior Care, Inc., 840

- F.2d 1054, 1058-59 (2nd Cir. 1988).
4. 29 U.S.C. 213(b)(1).
5. See Foxworthy v. Hiland Dairy Co., 997 F.2d 670,671 (10th Cir. 1993).
6. See id. At 672 (citing 49 U.S.C. 3102,10521).
7. 29 C.F.R. 782.7(b)(1).
8. See Klitzke v. Steiner Corp., 110 F.3d 1465, 1469 (9th Cir. 1997); McGuiggan v. CPC International, 84 F. Supp.2d 470, 482 (S.D.N.Y. 2000).
9. 29 U.S.C. 207(a)(1).
10. Drivers Paid Per Load/Overtime Requirements WHM 99:8153 (April 27, 1998).

Years Ago

20 YEARS AGO

- The Carter Administration proposed budget for the U.S. Forest Service for fiscal year 1982 calls for a national forest timber sale level of 11.9 billion board feet of new volume.
- The Blandin Paper Co. and Reserve Mining Co. have completed a forest management agreement under which Blandin will develop a forest management plan and timber marketing program on lands controlled by Reserve Mining in St. Louis and Lake counties.

30 YEARS AGO

- Richard C. Doolittle has been appointed research forester at Consolidated Papers, Inc. He will work out of the Rhinelander, Wis., office and will be involved in collecting information and developing techniques to improve the yield, quality and economics of growing and harvesting wood.
- A. J. Lupa joins J. C. Campbell Co. as manager of operations.
- Blandin Wood Products Co., a subsidiary of Blandin Paper Co., plans to construct a wafer board plant in Grand Rapids. The plant is designed to produce 480 tons of wafer board per day from aspen chips. The plant will require 75,000 cords of aspen per year at the start and 200,000 per year at full production.
- Alfred J. Withoff will be named the new vice president and general manager of Blandin Wood Products Co.
- Boise Cascade's Midwest region timber and building materials group announced personnel changes. George B. Amidom has been named assistant to the vice president, timber and lands, and Richard H. Rudisile, region manager.
- Raymond Hitchcock has been promoted to assistant staff forester, DNR Division of Forestry, St. Paul.
- The University of Minnesota has elevated the former School of Forestry and Home Economics to college status.

Joint Membership Pays Dividends

by David Olson, president, Minnesota Chamber of Commerce

The Minnesota Legislature has a dramatic impact on Minnesota's timber industry. Issues as broad as tax policy and as narrow as mercury all affect your business.

The Minnesota Chamber of Commerce is comprised of a staff of 30, which includes five full-time lobbyists

who represent the business community's agenda at the Capitol. In addition, we have one individual dedicated to work with the MPCA and other environmental agencies to ensure that the concerns of members are crystal clear.

Many TPA members are members of the Minnesota Chamber of Commerce. They are members of both organizations because they recognize the importance of a strong, united voice for business in St. Paul. Not only on broad business issues like workers' compensation, taxes and health care but active support and leadership on issues such as the TMDL rule, air toxics, mercury and new recycled-content or waste management requirements that affect forest products.

When we bring our agenda to the capitol it is many times seen as benefiting Minnesota's forest industry. When we bring our agenda to the capitol with the Minnesota Chamber it is seen as benefiting Minnesota's total economy. Having the support of a broad-based business organization helps our chances for success.

As a special offer for TPA members this month you can join the Minnesota Chamber of Commerce for 25 percent off the regular investment schedule. This gives the Chamber one year to prove to you just how valuable a Minnesota Chamber membership can be.

Help drive the business community's agenda at the capitol during the 2001 session. Become a part of the state's largest special interest group for business. Call 651-292-4655 or 1-800-821-2230 to find our more information. Be sure to ask for the TPA discount!

Minnesota Timber Producers Association *Meet the Directors*

Tom McCabe Jr. was born and raised in Duluth and still resides here. He graduated from Duluth East High School and attended the University of Minnesota, Duluth. Tom started in the logging business with his father, Tom McCabe Sr., in 1976. He learned all aspects of the business and spent a major portion of his time hauling roundwood and chips from the woods to the mills.

Tom purchased McCabe Forest Products in 1995 when his father retired from the business. He still drives truck when the business doesn't require him to perform some other function to keep things running smoothly.

Tom's father was a very active TPA member for many years and Tom seems to be following in his footsteps. Tom was elected to the board of directors in 1997. He has served on the transportation committee and is presently the chairman.

This past year he was elected to the board of directors of Minnesota Logger Education



Program. He has also been involved in a number of organizations and activities in the Duluth area.

Tom and his wife, Christine, have three children who manage to keep both of them busy. Mike, Brian and Andy are all in school which means they may not be at home during the day but do require more perennial time to attend the extra-curricular activities in which they have become involved.

When time permits Tom does manage to find time for some of his own interests which includes hunting and restoring old cars and tractors.

(414 cu in) engine that features in-line injection pumps is common to both models. The 740 Feller Buncher delivers 170 gross horsepower (127 kW), while the 840 Feller Buncher with an air-to-air intercooler produces 200 gross horsepower (149.2 kW). Fuel capacity is 75 U.S. gallons (284 L) in both machines.

These higher horsepower engines, combined with an overall length of 23.11 feet (7.29 m), give the 740 and 840 Feller Bunchers the power and stability required for continuous high-speed saw applications.

The hydrostatic transmissions in both models offer smooth travel speed with no hesitation. At the same time, front and rear axle hydraulic differential locks provide quick, maximum traction when needed.

Another feature of both machines is a high-pressure, closed-center, load-sensing hydraulic system designed to provide exceptional responsiveness, while reducing fuel consumption. The optional shear-head equipped 740 Feller Buncher features open-center hydraulics.

The 740 and 840 Feller Buncher cabs offer hydraulic tilt systems for easier service access. Other standard cab features include: cloth seats with air suspension, spring-loaded cable guards for front cab protection, CB radios, AM/FM cassette radios, and 90° steering (stop to stop) with rubber steering stops. Lever steering is optional on both models.

For more information on the 740 or 840 Feller Buncher, or other Timberjack forestry machines, visit their Web site at: timberjack.com.

Since April 2000, Timberjack has been owned by Deere & Company of Moline, Ill. With net sales of \$2.8 billion in 1999, Timberjack is the world's leading manufacturer of forest machines. Timberjack has more than 1,900 employees in 16 countries. Timberjack forest machines are currently used in more than 80 countries worldwide and its product range covers 90 percent of the global demand for mechanized logging systems.

Timberjack Introduces Two New Drive-To-Tree Feller Bunchers

Timberjack announces the addition of two rubber-tire feller bunchers to its line of forestry machines. The new 740 and 840 Feller Bunchers are designed for drive-to-tree harvesting applications and are the first rubber-tire feller bunchers offered by Timberjack.

Timberjack 740 and 840 Feller Bunchers are purpose built for use in areas where the surface is relatively firm and the terrain is level to rolling. The 740 Feller Buncher has a 104-inch (2642 mm) wheelbase. The 840 Feller Buncher is slightly longer at 110-inches (2794 mm). They can

also operate in swampy terrain when equipped with flotation tires.

The mobility afforded by the rubber-tire chassis provides advantages in areas where frequent moves between sites are necessary and where the stand is sparse, requiring much travel between trees.

Both models are available with the choice of three continuous high-speed disc saws (from 18 to 22 inches) to suit various applications. An optional shear head attachment is available for the 740 Feller Buncher.

An emission-certified 6.8 Liter

Governor Hits Feds on Roadless EIS

Governor Jesse Ventura has weighed in on the USFS roadless EIS with a strong letter to U.S. Secretary of Agriculture Dan Glickman. In his letter, Governor

Ventura chides the federal government for failing to “take into account the interests of the state of Minnesota.”

“TPA appreciates Governor Ventura taking a leadership role in this very important issue,” said TPA Executive Vice President Wayne Brandt. “Secretary Glickman and the USFS must be

shocked to see their bluff called by a moderate midwestern leader like our governor. Time and again the USFS has tried to position all issues as western issues and we’ve been left holding the bag,” concluded Brandt.

Following is the text of Governor Ventura’s letter:

December 5, 2000

Dan Glickman, Secretary
U.S. Department of Agriculture
200-A Whitten Bldg.
1400 Independence Ave., SW
Washington, D.C. 20250

Dear Secretary Glickman:

The Minnesota Department of Natural Resources (DNR) has reviewed the Final Environmental Impact Statement and the USDA Forest Service preferred alternative for Roadless Area Conservation. I am deeply concerned about the effects of the preferred alternative on the state’s ability to effectively manage the 9,800 acres of state-owned school trust and acquired lands within inventoried roadless areas (IRAs) in Minnesota. In addition, there are over 13,000 acres of state-owned mineral interest potentially affected.

It appears that the associated effect of yet-to-be finalized rules for Cost Recovery for Processing Special Use Applications and the National Forest Transportation System Policy and Rules, and growing pressures for a more restrictive interpretation of Alaska National Interest Lands Conservation Act (ANILCA) access requirements, will make management of state and other non-federal lands within these areas untenable in terms of cost and time involved in gaining access across federal lands.

Therefore, I request that the Forest Service assign a high priority to exchanging equivalent federal lands outside of the IRAs for state lands within these areas.

At present, I believe that the federal government has failed to take into account the interest of the state of Minnesota as a part of these rule-making efforts. Specifically:

- The preferred alternative chose for the Roadless Area Conservation rule includes restrictions on lands outside of unroaded portions of inventoried roadless areas. This new restriction was not included in the alternatives offered for public comment. Therefore, the USFS did not, in fact, give the Minnesota DNR a fair opportunity to comment on the chosen scenario.
- The Roadless Area Conservation Rule is likely to be implemented before the release of the rules on cost Recovery for Processing Special Use Applications and the National Forest Transportation System Policy and Rules. However, we have not been given the opportunity to comment on the combined, cumulative effects of these three interconnected rules. We are told that the rules will be integrated but the Minnesota DNR has been given no opportunity to evaluate their combined effect. We will be unable to do so until the revised rules for all three are released.

Clearly, the three rules in combination present a substantial change in USDA Forest Service road management policies that will likely increase the cost, time and difficulty in accessing non-federal lands across federal ownerships in IRAs. In particular, we are concerned that:

- The amount of land affected by the Roadless Area Conservation preferred alternative is substantially expanded in Minnesota beyond what was presented in the DEIS alternatives;
- The expanded areas in Minnesota include significant acres of state and other non-federal lands;
- New road construction and reconstruction are prohibited throughout entire IRAs (i.e., roaded and unroaded portion);
- Many existing roads and travel corridors within IRAs, especially those that are occasional or winter-use roads, will not be considered classified roads by the Forest Service;
- Existing roads and travel corridors that are not considered classified by the Forest Service will be treated as new roads, thus greatly limiting access options to non-federal lands;
- Growing pressures for more restrictive interpretations of “reasonable access” under ANILCA will limit access options to non-federal lands;
- Road construction and reconstruction allowed within IRAs to satisfy ANILCA requirements (i.e., through special road access permits) will be subject to expanded environmental review requirements; and,
- The increased cost of processing special road access permit applications, including expanded federal environmental review requirements, will be shifted to non-federal landowners.

Absent the opportunity to fully assess the combined effects of these interconnected rules, we conclude that the cumulative effect of these rules will preclude us from effectively managing our lands within Inventoried Roadless Areas.

I would appreciate your directing a representative of your office to meet with officials from the Minnesota Department of Natural Resources to commence discussions on how to proceed with efforts to exchange state lands within these inventoried roadless areas for federal lands outside these areas.

Sincerely,

Jesse Ventura
Governor

C: U.S. Congressional Delegation
Senator Len Price
Senator Jane Krentz
Senator Doug Johnson
Senator David Tomassoni
Senator Bob Lessard

Representative Dennis Ozment
Representative Mark Holsten
Representative Tom Bakk
Representative Tom Rukavina
Representative Irv Anderson
Representative Loren Solberg

Representative Thomas Huntley
Representative Anthony Sertich
Paul Aasen, Director of Policy Management
Joe Bagnoli, Policy Manager
John Wodele, Director of Communications
Allen Garber, Commissioner, MN DNR

Timber Availability Community Briefing



Timber Availability Community Briefing in Grand Rapids.



Timber Availability Community Briefing in International Falls. Attendees included several local government officials.



Raymon Killmer welcomes attendees at the Community Briefing in Grand Rapids.

Prominent Industry Associations Complete Merger

by George Kirkmire, The Springboard

The board of directors for the Northwest Forestry Association (NFA) and the Independent Forest Association (IFPA) recently completed negotiations allowing for the formal merging of the two organizations. The boards of both associations met in Canyonville, Ore., during the month of October in order to formulate an interim operating plan, select an interim director and to nominate members for the board of the new, yet-to-be named association.

Frank Gladies, IFPA's current executive director, was selected as the interim director and was chosen to oversee the daily operations of the new association. The association hopes to have a new president in place prior to the end of the year. Until the new president is selected and in place, staffing levels and other business-related decisions will be on hold. However, it was determined that the annual meeting for the new association will be April 25-27, 2001, at the Hyatt Regency in Washington, D.C.

The merging of NFA and IFPA signifies a further and continuing consolidation of industry trade organizations, as several companies were members of both associations. IFPA represented predominately small sawmills located throughout the west and intermountain region and dependent upon public timber sources. On the other hand, NFA's members were both large and small mill operators and timberland owners located primarily in the states of Washington, Oregon and California.

It is hoped that the adage "there is strength in numbers" will apply to the new association and will allow it to more effectively advocate for the industry on federal timber supply issues as well as regional issues of concern in the Northwest.

Dunagin's People



"Isn't this the forest the environmentalists saved from the lumber company?"

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FRA Revises Site Prep and Tree Planting Safety Manuals

The Forest Resources Association's Southwide Safety Committee has revised two of its manuals providing safety recommendations for land managers and land management contractors.

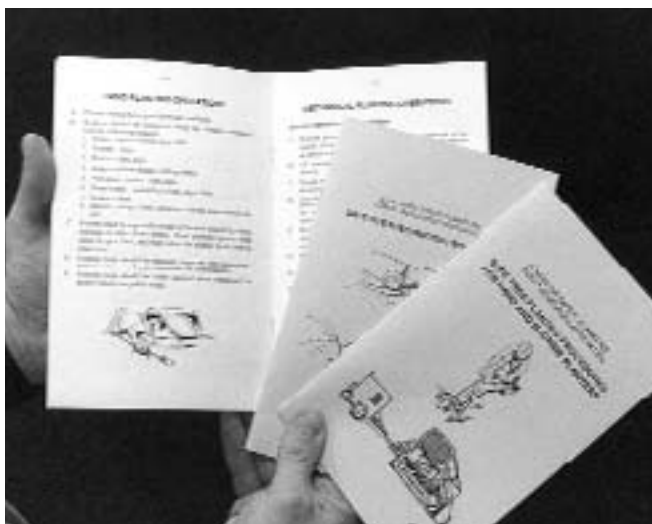
"We've brought both of these manuals up-to-date with input from tree planters, foresters, equipment operators, and mechanics, stated Committee Chairman Harry Archer of International Paper. "The guidelines can help contractors achieve the goal of correct and safe operations."

Safe Site Preparation Procedures (00-A-10), 22 pages, is designed to help site preparation contractors and their employees understand some of the precautions to prevent accidents and injuries in mechanical and chemical site preparation, including safe lifting procedures, mobile equipment operations, slash and cull disposal, herbicide application, responsibilities of tractor operators, and general safety considerations.

Safe Tree Planting Procedures for Hand and Machine Planters (00-A-11), 14 pages, provides safety guidance for planting operations, including use of personal protective equipment, equipment safety, and the responsibilities of tractor operators.

Both booklets are compact and convenient, with recommendations expressed in clear language and illustrated with line drawings. They are suitable as field references and as supplements to safety programs.

Each booklet is available to FRA members at \$3.00 per copy (\$6.00 for non-members), or for orders of 50 or more of any one booklet, at \$2.00 per copy (\$4.00 for non-members). Please order from the Forest Resources Association Inc., 600 Jefferson Plaza, Suite 350, Rockville, Md. 20852; 301-838-9385. Please enclose payment with order, or phone to authorize a credit card draft.



FRA booklets offer pointers on site prep and tree planting safety.

Chippewa National Forest Sales Crash

The Chippewa National Forest intends to offer 25 million board feet (50,000 cords) of timber for sale during the current fiscal year. Of this volume, only 17 million board feet will be new sales, the remainder will be volume carried forward from the previous fiscal year.

The Chippewa National Forest grows 172 million board feet of wood each year, according to inventory data, and has an Allowable Sale Quantity in its management plan of 79 million board feet per year. It sold 42 million board feet of wood in Fiscal Year 2000.

"With a land base of nearly 700,000 acres and 133 full-time employees it is an outrage that the Chippewa's forest management and timber sale programs have fallen off the table," said TPA Executive Vice President Wayne Brandt.

Chippewa National Forest sources indicate that the reasons for the timber program crashing include appeals, internal staff conflicts, environmental documentation and decisions to withhold certain acres from management outside of plan requirements.

Winter State Road Condition Phone Numbers and Be Alert for Icy Bridge Decks

The Minnesota Department of Transportation's District One (Northeastern Minnesota) reminds motorists that they can get winter state highway condition information by contacting any of the phone numbers below:

218-723-4866 – Info from Duluth, south to Pine City and the northshore of Lake Superior to Canada. This is a 24-hour per day recorded message.

218-749-9656 – Iron Range area to Canada. This is a 24-hour per day recorded message.

1-800-542-0220 – This is a statewide road condition information service. This is a toll-free, 24-hour per day service.

<www.dot.state.mn.us> – MN/DOT internet website.

In addition, motorists can also call these two northeastern Minnesota Travel Information Centers for up-to-date information from center staff during normal weekday working hours:

218-723-4938 – Thompson Hill Travel Information Center (Duluth).

218-285-7623 – International Falls Travel Information Center (International Falls).

MN/DOT also cautions drivers to remember that as temperatures drop, bridge decks, overpasses and ramps can ice up during the late fall and winter season because off-ground highway structures are not insulated by the ground. Motorists should be very cautious that, although the main roadway may seem to be relatively safe, its bridge decks may be slippery, particularly in the early morning and late evening hours.

UPM Woodlands Promotions

John McCoy, resource manager for UPM's Grand Rapids operations (Blandin Paper Co.), has been appointed director of North American Forestry for the company. He assumes responsibility for UPM's forestry operations throughout the continent, including operations in Minnesota, and the company's recently acquired holdings from the purchase of Repap.

McCoy has previously served on the TPA Board of Directors, TPA Group Health Plan Board of Trustees and as chair of the MFI Forest Management Subcommittee. While extensive travel will be required in his new position, John intends to maintain his home in Itasca County.

Jim Marshall will succeed McCoy as UPM's resource manager in Minnesota. Marshall, an Itasca County native, has held positions in land management, wood procurement and public affairs during his career with the company. He has also headed up the effort to secure ISO certification for forestry and procurement operations. Marshall has previously chaired the Minnesota Tree Farm Committee and has been active in many other forest management issues.

Stephanie Brown New Deputy Director of American Tree Farm System

-Nicole Hillman also hired as New Tree Farm Program Coordinator

The American Forest Foundation (AFF) recently hired Stephanie Brown as deputy director of the American Tree Farm System. In this newly created position, Brown will serve as liaison to the 48 active state Tree Farm committees located throughout the country. She will also take the lead on a new joint venture between AFF and the Society of American Foresters (SAF), and she will

coordinate a third-party audit of the American Tree Farm System. Other duties include assisting with the annual National Tree Farmer convention and the Outstanding Tree Farmer of the Year recognition program.

"We are delighted Stephanie has joined us," said Bob Simpson, national director of the American Tree Farm System and vice president of forest programs of the American Forest Foundation. "Her

experience in forestry outreach activities and her volunteer leadership role with the Society of American Foresters makes her especially well qualified to strengthen the Tree Farm program," he said.

In addition, Nicole Hillman joins the American Tree Farm System in another newly created position as Tree Farm program coordinator. Her primary responsibilities will be to assist with communications.

"We are very excited to have Nicole on board, too," said Vanessa Bullwinkle, associate director of communications and outreach. "Tree Farm is growing in many different areas and lots of opportunities exist for us to let landowners, legislators and the general public know about all the good things happening behind the green and white diamond Tree Farm sign."

Brown has more than 13 years experience promoting the practice of sound forest management among landowners and managing forestry/natural resource education programs. She comes to AFF from the Illinois Forest Resource Center, an outreach facility of the University of Illinois Department of Natural Resources and Environmental Sciences, where she worked for eleven years as the center's first director.

While at the Illinois Forest Resource Center, Brown prepared publications, conducted workshops and organized educational events in partnership with natural resource agencies, environmental organizations and landowners throughout Illinois. She has been actively involved in programs of the Illinois Forestry Development Council since 1987, most recently serving as council liaison. The council provides a forum for a broad range of stakeholders to discuss issues, share information, recommend actions and support programs to advance forestry in Illinois. In addition, Brown is current chair of the 2000 SAF House of Society Delegates that serves as a means for members to identify forest policy issues and

share ideas to improve the forestry profession.

Brown will work to increase the American Tree Farm System's roster of volunteer certifiers by developing a closer working relationship with the Society of American Foresters. She will strengthen Tree Farm's partnerships with public agencies, and reach out to independent consulting forester, graduating forestry seniors, and retirees. In addition, working the Tree Farm's state committees, Brown will grow the Tree Farm program nationally to help non-industrial private forest landowners across the country sustain their forests.

In the arena of forest certification, Brown will work with Simpson to coordinate a third-party process audit. This will verify the American Tree Farm System as a credible certifier and verifier of sustainable forest practices on non-industrial ownerships and will pave the way for further mutual recognition agreements among other international forest certification bodies. In June, the first such agreement was developed between the American Tree Farm System and the American Forest and Paper Association's Sustainable Forestry (SFI)SM program.

Brown holds a masters of science degree in forest resource education (1992) and a bachelors of science degree in forest science (1985) from the University of Illinois.

Hillman comes to the American Forest Foundation with a technical background in forestry combined with communication experience. She has a bachelors of science honors degree in forestry with a second major in English (1998, magna cum laude) from Stephen F. Austin University. In 1999, she served as project manager for the National Association of State Foresters where she executed a data survey of the 59 state and territorial forestry agencies and produced an on-line clearing on the state forester's website. Prior to that she was a Henry Clepper Forest Policy Intern with the Society of American Foresters (SAF) where she worked on forest policy issues, assisted in

developing policy statements, and wrote articles for SAF publications.

The American Tree Farm System is the nation's oldest and largest forest conservation, education and certification program for private forest landowners. The system encompasses 66,000 certified tree farms totaling 25 million non-industrial acres of sustainably managed forestland. Each certified forest displays the familiar green and white diamond-shaped Tree Farm sign – "the sign of good forestry."

The American Tree Farm System is a program of the American

Forest Foundation, a non-profit organization that develops, funds and administers programs which encourage the long-term stewardship of our natural resources.

LOGGERS OF THE PAST . . .

Days of Busy Tote Roads

by J. C. Ryan

This story is reprinted from an earlier *Timber Bulletin*—one of the first of “Buzz” Ryan’s ever-popular contributions to these pages. The *Bulletin* will continue to reprint selected stories from the memories he recorded for us.—*Editor*



Persons not familiar with the logging industry of the past often refer to the ice logging roads as tote roads and tell of some tote road running across some big swamps.

But “tote roads” were the routes over which supplies were “toted” into the camps—and rather than running across swamps and lowland, they wound around on the hills.

“Toting” is a little-known part of the early logging industry, but a very important part. In a way, tote teamsters and horses were the most important part—because before a camp was constructed a way had to be found to bring in lumber, paper and nails; and as soon as camp work began, supplies and food for the men and horses were needed regularly—including a good amount of “tobacco and stuff.”

Whenever it was decided just what

timber would be cut in the winter ahead, the “walking boss” and “timber cruiser” would lay out the route for toting in supplies from the railroad, lake or river. Tote roads were laid out as much as possible on highland and often wound around and around on the hills to avoid swamps and wet areas.

Some lumber for new camps was usually hauled in on the snow the winter or spring before. Much of the toting was done in early fall before the ground froze or the first snow fell. Some swampy and wet places had to be cordoned off with timber cut from the sides of the road before horses could cross.

In heavy clay of Koochiching County the problem was how to get through the mud that always developed during the rainy season of the fall.

I have seen the wheels of wagons half up with clay so that they could not be

hauled with six horses—and the empty wagons had to be abandoned until the weather dried out. Some of the worst of these mud roads were in the area around Northome and Wirt.

The whole of St. Louis County had its rocky tote roads, with the Thompson Rapids tote road east of Shields and the Britton Rapid tote road along the Cloquet River being the very worst.

“Tote wagons” were heavy wagons, built to carry heavy loads and to stand the bouncing from rock to rock on northwestern Minnesota roads—and to survive the mud and sand of the western part of the state.

Usually four horses were used to haul these wagons, but it was not uncommon to see six horses hitched to a single wagon. In the fall when camps were just getting started, several six-horse teams were used—one following the other. Tote

Tote team and wagon depart camp, near Alden Lake Dam, early on a spring morning in 1918.



teams were different than the heavy sleigh horses—they had to be fast about and able to cross swampy areas if necessary.

Tote teamsters were also a special breed of lumberjack and got top pay in the industry. They were all great men in handling horses and usually had their pick of the best horses available, as the companies recognized how important it was to have supplies reach the camps on time.

These teamsters had to know how to get the teams and supplies over the bad roads. Bunkhouses were filled with stories about which tote teamster was the best and which company had the best tote teams.

In my opinion, the greatest of all of these was Frank McMinn—a quiet Scotman who drove for the Cloquet Northern Lumber Companies. His four horses—Baldy, Pete, Nig and Rowdy—were known by all the lumberjacks.

And when the camp clerk told them that the camp supply of snuff and tobacco was running short or all gone until the tote team arrived, they would all feel relieved if they knew Frank McMinn and his trusty four horses were on the tote wagon.

In his later years, Frank worked on the Cloquet Fire Patrol for me and told me of his many days as a tote teamster. He lived to be over 80—a great tote teamster and gentleman—and was found frozen to death in his cabin on Pequaywan Lake.

Most all camps had from one to two trips a week for the tote team when

camps were in operation. Supplies were brought in by railroad to some siding where the tote teamster parked them up. Often the companies had a man stationed at the railroad siding to bring perishable supplies inside so they would not freeze while awaiting the arrival of the tote team.

Weekly supplies were mostly food for the men and horses and plenty of snuff and tobacco. Hay as a rule, was hauled in over the ice logging roads during the winter months—usually on Sundays when logs were not being moved. In the earlier months, hay came over the tote roads.

Meat toting was usually from 6 to 12 miles, but there were places where toting was done up to 75 miles, and there were places where supplies had to be toted to a lake or river, loaded onto a boat and hauled across and then loaded again onto a tote wagon for the trip into camp.

This was true for some of the very early camps, such as those operating along the Little Park river, where supplies came in from Tower across Lake Vermilion and were then toted to the camps to the west.

Considerable toting was done out of Duluth for the logging camps that operated within 25 miles of town and at one time there were 10 tote teamsters working out of the old Palmer House Hotel on First Street.

Most tote teamsters worked the year around, making their two or three trips a week with supplies during the winter, supplying the wigwags during the

drives, and hauling lumber and building supplies to new camp locations during the summer.

They often left camp before daylight and returned after dark. On longer roads, they left camp before daylight, stayed the night at the railroad or source of supply, and returned to camp the next night.

Some tote roads were so long and so rough that they had to change teams half way to give the horses a chance to rest up. Toting was no doubt the hardest work for both men and horses that the logging industry had to contend with.

As a tote man was not allowed to ride on the tote wagons on their way to and from camp, but they could put their "turkey" or pack-sack on the wagon and walk behind. This was often easier than riding the wagon as it bounced from rock to rock to rock.

Many of the Forest Service roads of today follow the routes of the old logging camp tote roads. But most of these old roads are now grown over with alder brush in the low spots and have trees 18 inches in diameter growing in their centers where they cross the highlands. But on the crest of almost every ridge of highland, one can find evidence of where men and horses struggled in their efforts to keep supply wagons coming and timber rolling in the lumber camps of the 1890s and early 1900s.

When zooming down these forest trails on your snowmobile this winter, try to reflect on the hardships to man and beast as they worked over these tote roads in the early days of logging.

Heavy tote sleighs moved supplies into camps during wintertime.



Classifieds

To serve our readers better, the Timber Bulletin offers free classified ads of up to 85 words to all members and associate members of the Minnesota Timber Producers Association. All ads must be submitted in writing to the Association office. The MTPA assumes no responsibility for ad contents and accepts free ads on a first-come, first-served basis within space limitations.

USED EQUIPMENT FOR SALE

FOR SALE

Morbark 27 whole tree chipper; V12 Cat, new clutch, belts, hyd. selinoids, cylinders and anvil, \$15,000 spent on motor, excellent shape. \$60,000. Call 320-245-2920.

FOR SALE

(New) Portable all-steel heavy-duty manual 20" chop saw. Mounted on 2 wheels with 24 HP Onan engine with centrifugal clutch. 5'16" wide in and out feed rollers. Adjustable length stopper. Well guarded for safety. \$3,200. Al Rhoda, Bemidji, Minn. 56601. 1-218-751-5064.

FOR SALE

1995 643D Sawhead feller-buncher with dual tires on front, 2 sets of tire chains, 1 box of new saw teeth, clean machine, it's never been in the rocks. Approximately 6,500 hours.

1992 648 DuuLarch skidder, 7,500 hours, clean machine, 75% tires, 35x32.

"Older" 210 Prentice loader, 353 Detroit engine (low time) with log bucket and 1/3 cord Barko bypass bucket.

Telephone: 218-743-3408

FOR SALE

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