

THE VOICE OF THE TIMBER INDUSTRY

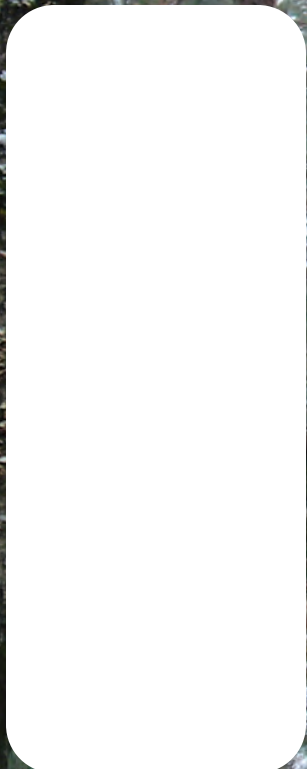
TIMBER BULLETIN

DULUTH, MINNESOTA

JANUARY/FEBRUARY 2011

VOLUME 66

Richard Dukek Logging TPA Requests Extensions Truck Weights— Frequently Asked Questions



TIMBER BULLETIN

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Duluth, Minnesota

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ON THE COVER

Brett Dukek of Richard Dukek Logging operates a cut-to-length harvester in Clearwater County. Brett and his brother Stuart are leading the company after enduring a difficult couple of years. For more, please see page 8.

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I hope this article finds everyone doing well. Recently I found out that Timbcos don't float; what a hopeless and helpless feeling, but after a few calls and lots of hours we were back on top again. What is amazing is the willingness of everyone to help: from dealers, contractors, other loggers, and

President's Column



friends. People offered everything from equipment to bringing out food. It is nice to know that even though we are competitors, people in our industry will help someone out even in the busiest time of the year. It just goes to show what a great group of people we work with. All that said, it was good to get some help with timber sale extensions from the agencies. Hopefully, we will have a good spring – and remember to work safely.

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Logger of the Year Nominations Being Accepted

The Minnesota Sustainable Forestry Initiative® Program Implementation Committee is now accepting nominations for the 2011 Logger of the Year Award.

The award is designed to recognize outstanding independent logging contractor performance, increase the visibility of competent professional independent logging contractors within the forestry community, encourage independent logging contractors to emulate the outstanding performance of award winners, and improve forester-logger-landowner relations by publicly recognizing outstanding logging performance as an essential element of every planned timber harvest.

Among the areas in which nominees loggers will be evaluated are safety, forest management, timber harvesting practices, and business management, as well as community involvement.



The winning logger will receive a \$500 cash award and "2011 Logger of the Year" plaque. In addition, this year's honoree will be nominated for FRA's Regional and National Logger of the Year awards. Minnesota's

2009 winner, Dave Berthiaume, was also named Regional Logger of the Year and National Logger of the Year.

Previous Minnesota winners include:

- 2010 – Lovdahl & Sons LLC
- 2009 – Berthiaume Logging LLC
- 2008 – Pittack Logging, Inc.
- 2007 – McCabe Forest Products
- 2006 – Rieger Logging, Inc.

Nomination forms can be obtained through the MN SFI Implementation Committee office by calling 218-722-5013. Nominations are due March 11, 2011. The winner will be notified in April and the award will be presented at the MLEP Logger Conferences.

OK, where were we when last I wrote this column? We were a few weeks from an outstanding year in the TPA/LUA program.

Unfortunately for the second year in a row after a great 11+ months we got some injuries at the end of the year. I'm not sure if it's the excitement of the holiday season or something else. In the end, it just shows that safety is something that we have to pay attention to 24 hours a day, 365 days a year.

Let's be careful as we wrap up the winter logging season.



Who's on first? It's not quite like that but new DNR Commissioner Tom Landwehr has named his new management team. Dave Schad, formerly Director of the Division of Fish and Wildlife is

Executive Vice President's Column



the new Deputy Commissioner. Mary McConnell, formerly General Counsel to Polaris, is an Assistant Commissioner with

the Divisions of Forestry, Lands and Minerals and Eco Resources/Waters reporting to her. Erika Rivers, formerly a DNR Planner, is an Assistant Commissioner with the Divisions of Fish/Wildlife, Parks/Trails and Enforcement reporting to her. Mike Carroll, formerly NW Region Administrator and formerly Division of Forestry Director is an Assistant Commissioner with the Regional Administrators reporting to him. Note, this is one additional Assistant Commissioner position. Former Assistant Commissioner Bob Meier is a Special Assistant to the Commissioner for legislative affairs. Former Senator Bob Lessard is a Special Assistant to the Commissioner for liason activities. Former Assistant Commissioner Larry Kramka is the new Director of the Division of Lands and Minerals. Former Deputy Commissioner Laurie Martinson is the newly created Operations

Services Division Director reporting to the Deputy Commissioner. Ed Boggess, formerly Deputy Director is the new Director of the Division of Fish and Wildlife. Chris Niskanen, former outdoors writer for the St. Paul Pioneer Press is the new Communications Director. Dave Epperly continues as the Director of the Division of Forestry.



The TPA DNR Timber Sales Task Force met with various DNR officials to go over our recommendations. We were able to work out a number of the issues and are continuing to discuss others. The Division of Forestry folks also had some good ideas for streamlining their timber sales processes. I know that the Division staff appreciated the thoughtful work that went into our task force's recommendations.



Speaking of the DNR, twenty six of their staff took the state's early retirement offer at the end of the year. Those retiring include some technicians, who are the lifeblood of the work that gets done, all the way up through regional and St. Paul staff. We appreciate their dedication to forestry and wish them well in their retirement.



A big thank you also goes out to the DNR for their action in extending timber sales due to the adverse conditions this winter. This came following extensive discussions we had with the department and just a week after TPA had written requesting that extensions be granted. We appreciate all DNR staff for working with us on this issue. See the story elsewhere in this issue of the *Timber Bulletin* for additional details.



Now here's an optimist - as I write this we are in the midst of the February thaw. I was visiting with TPA President Mike Warren and asked him about conditions in his

area. As I expressed my concern about conditions he said that he thought the thaw might knock the snow down and allow some frost to get into the ground when the weather turned cold again making conditions better for the rest of the winter. Now there's a guy whose glass is always half full!



We've been spending a lot of time meeting with newly elected legislators and newly appointed people in the agencies. They are an eager group. Some of them appear to be really good. Others, well I'm not sure that they'll be making a career of it.



The best quote I've heard amongst the new folks in St. Paul came from the new PCA Commissioner Paul Aasen. Several times he has said that the PCA must move at the speed of commerce. That couldn't be more true.

One of the examples that we are using is the situations faced by UPM in considering significant investments. UPM was able to get a decision on permits to build a paper machine in southern Germany in six months. The same agency decision in Minnesota took twenty seven months. The machine was built in Germany. As we know, the machine has not been built in Minnesota. And, the permit limits were more strict in Germany. Now the time that it took to get a decision from the government was not the only issue in the decisions that were made.

But, if we are going to attract investments in the worldwide economy that we face, the government must move at the speed of commerce!



Stuart and Brett Dukek

Reaching a Crossroads

Richard Dukek Logging changed with the times to survive the industry's downturn

by Ray Higgins

Snow is again falling where Richard Dukek Logging is harvesting aspen, jack pine, red pine, and spruce, off the Chimney Road in Clearwater County, just south of the town of Zerkle.

"The snow is up to your knees," Brett Dukek says. "We have plenty. We don't need any more."

It's a common remark amongst Minnesota Loggers during the 2010-11 winter logging season. Heavy snow fell before the ground could freeze in most of the forested areas of the state, and it seems like a couple more inches are falling every couple of days. It's one of the snowiest winters in memory, and with much of the ground still soft, it's been difficult for many

loggers to operate.

The Dukeks haven't had to worry about that, thanks to their cut-to-length equipment, which is a little more maneuverable on soft ground than conventional logging equipment.

"There's not much frost in the ground," Dukek says, "but we haven't needed it. This could have been a summer sale. But the mill

needed spruce, too.”

“We haven’t had any issues with the soft ground yet. We have to go north in a couple of weeks across swamps. But that’ll be balsam, so we’ll be in a little bit higher ground.”

That sort of challenge is a small one compared to what the Dukeks have faced over the past couple of years, when they’ve had to deal with tight markets, rising fuel costs, mill closures, and a change from conventional equipment to cut-to-length.

“It was a long two years,” says Stuart Dukek, Brett’s brother.

* * *

Richard Dukek Logging is named for Brett and Stuart’s father, but has its roots in another business. Richard and his brother, Larry, ran Dukek Logging, Inc. In the early 1990s they decided to split the business when some of the next generation of Dukeks started to come of age. Larry kept Dukek Logging, Inc., while Richard started the separate company.

“There got to be a lot of little Dukeks around,” Brett says. “That was the reason for the split. We all get along great.”

The start of the new company couldn’t have come at a better time for both Brett and Stuart. Both graduated from Bagley High School and headed off to college. They’d both helped out in the woods during their high school years, running chainsaw after school, on weekends, during Christmas break, and during summer vacation. But Brett was on his third college major at Bemidji State – first medical tech, then elementary education, and finally psychology – and was getting ready to marry his high school sweetheart, Darlene, and needed a job. Stuart was at North Dakota State but running out of enthusiasm for getting his degree. Both decided it was time to put away the books and join their father in his new venture.

“When I was younger there was no way I was going to go into logging,” says Brett, who turns 43 in March. “All I’d ever done was run a chain saw and you get pretty tired by the end of the day limbing 120 cords of wood a day. But it was time to go to work.”



Eric Jemtrud off-loads harvested timber from the John Deere forwarder so it can be trucked to the mill.

“Logging wasn’t the plan when I got out of high school,” 41-year-old Stuart says.

At about the same time, tragedy struck the Dukek family. Stuart’s and Brett’s mother, Sharon, was diagnosed with colon cancer and died three months later at the age of 50. Understandably, Richard took some time off to grieve, and Brett and Stuart were there to help with the business.

“My dad needed the help,”

Stuart says, “and I needed a job.”

Richard eventually returned to work and the three ran a conventional logging operation; Ainsworth and Norbord were the main markets, with half of the Dukeks’ wood going to each.

In 2001, it was time for Richard to turn the business over to the boys. He’ll still operate a machine during the winter months, but it’s been Brett’s and Stuart’s company ever since. Along with employee



Stuart Dukek Runs the Timbco harvester as part of a pine thinning on state land.

Eric Jemtrud, the three took turns operating the four machines of a conventional logging operation: the buncher, skidder, delimeter, and slasher/loader. They rode the good times through the early part of the decade, but then the Ainsworth mills shut down in 2006 and eventually closed for good. Then Jemtrud had an opportunity to work on the pipeline. That meant the brothers had to consider some big changes.

"Markets were tough," Brett says. "It wasn't even a price issue. Prices were just starting to come down."

"We were kind of in over our head," Stuart says. "We had just bought a brand new delimeter and that was a huge payment."

"It was only a year old at the time, but Eric was leaving," Brett says. "We were lucky to get rid of it because equipment wasn't moving at that time. Somebody said they'd buy it so we said 'ok'."

That created another challenge. How would they de-limb their wood?

With no delimeter, and with the company down to just Brett and Stuart as a result of Jemtrud's departure, their solution was to sell the rest of their conventional equipment and switch to cut-to-length.

The Dukeks actually purchased two harvesters and forwarders: A Timbco processor with a Logmax 7000 head; a Timberjack 1070 processor with a smaller Timberjack head for use in smaller wood; a John Deere forwarder and a forwarder manufactured by Eco Log.

The switch couldn't have come at a worse time.

"Everything went bad," Brett says. "Prices dropped, fuel went high, and we were learning on the cut to length stuff."

"I'm not saying I'm the greatest operator," Stuart says, "but it takes a long time to figure this out, right down to all the little nuances of the processing head."

"People say it takes six months to learn how to run one of these processors," Brett says. "I say it takes about a year and a half at least. You can learn what buttons to push in six months, but knowing when to cut a tree, when to swing, without swinging and cracking into



Brett Dukek is thinning aspen and spruce with a Timberjack harvester.

a tree and breaking the fittings off, that takes a while."

But they persevered. They worked at learning the systems, including what sorts of sales to buy for cut-to-length.

"You can't compete with people with conventional equipment and go buy an aspen sale because you're not going to cut it as fast as they are," Brett says.

Markets have also improved for the Dukeks over the last couple of years. Plus, Brett's oldest daughter, Shelby, began helping out in the summer by running one of the forwarders, and Eric Jemtrud didn't enjoy working on the pipeline as much as he thought he would and has returned to the company in the fall. And Blandin and Potlatch have stepped in to fill the void in their markets that was left when Ainsworth closed its doors. Two years after the switch, things are looking up.

"We're back to producing what we did before," Brett says.

"It's been a struggle the last two years," Stuart says. "I'm hoping that will make us a little stronger in the long run. If we can get through the next few years here, hopefully the markets turn around."

They'll typically operate both systems on the same sale, like the 850-cord tract of state wood they're currently working on. Brett is in the Timberjack and Stuart is running the Timbco. Meanwhile, Jemtrud is forwarding with the

John Deere, and Richard would normally be running the Eco Log, but it needs some maintenance.

"The Timberjack has a smaller head," Brett says, "so we keep it in smaller wood. It cuts up to 13 inches just fine. And even pine you can go up to 15 on it. But big popple is tough on it."

"For that the Timbco works great," Stuart says. "The Logmax head is as big as you'll see used around here. They have bigger heads for the bigger wood out west."

"We're taking most of the aspen," Brett says. "In the areas where there's not much red pine, where it's overgrown with popple, I leave some of the popple so there's something there when we're done."

"This spruce should have been thinned 25-30 years ago," Brett says. "It's big, it's a mix of 22-inch spruce down to inch and a half. It's stunted out. The aspen that's in there is big, 20-inch aspen. And we're just thinning that and leaving some of the aspen there. It's all the same age, but it never got thinned, so some of it got big and some of it was stunted. They're hoping some of it releases."

What's particularly nice about this sale is that it's so close to Bagley – about 30 miles – where the brothers still live, both within a couple of miles of Richard's place, where both grew up. Working so

close to home is a rarity.

"We'll probably only cut 2-3 sales all year this close to home," Brett says. "We go all the way from Warroad to Long Prairie. We've been over to Carlton, Sandstone, wherever we have to go."

Because they purchase their own stumpage about 90% of the time, the Dukeks have some control over where they go, but they need to find sales that fit their business model and their cut-to-length systems.

"The last few years we've cut mostly state and county wood, just because the private wood has kind of disappeared for a while," Brett says. "There's starting to be more private now. Once they got over the shock that the prices aren't as high as they were, now people still need to get some money out of it. In fact when we're done here we're going to go cut a private sale."

Typically, the timber the Dukeks harvest is trucked to UPM Blandin's mill in Grand Rapids and the Potlatch and Norbord mills in Bemidji. They used to have their own trucks and drivers, but that's another change the brothers have made in the last year.

"We used to have two of our own trucks," Stuart says. "In the wintertime we'd hire out some trucking. But the last few years, we ended up hiring out most of our trucking. When Brett and I are in the woods 99% of the time, getting to the shop to work on the trucks was next to impossible, so then we'd have to hire out the mechanic work too, so we made the switch. It's been working out so far."

It's decisions like these that the brothers make together. They share responsibilities in all aspects of the business, from going to auctions to dealing with land managers and the mills. The Dukeks are basically interchangeable: talking to one is like talking to both.

"We both deal with everything," Stuart says. "We'll both go to timber sales, not at the same time, but one of us will go. It doesn't matter if it's him or me. As far as dealing with the procurement guys, we both deal with them, too."

They get some help at home. Brett's wife, Darlene, handles the books while working as a medical transcriptionist. Brett and Darlene have two daughters, Shelby and



Harvested red pine waits on the landing to be trucked to the Potlatch mill in Bemidji.

Emily. Stuart's wife, Brenda, is a teacher, but runs parts for the company when necessary. Stuart and Brenda have three children, Joshua, Bayli, and Jakob. It's support like this that has helped Richard Dukek Logging through a difficult stretch, but with the

changes they've made and improving operating conditions, they're confident the business will grow and thrive.

"The last couple of years have been tough," Brett says, "but we've had tough times before. I think we'll make it through OK."

Dukeks Working Near Historic Logging Camp

In January, Richard Dukek Logging's job site was in Clearwater County off the Chimney Road, which intersects with County Road 39. Nearby is the site of the Nichols-Chisholm Lumber Company, the county's largest employer in history. The camp is gone, but a chimney remains, hence the name of the road. Three years ago, the Clearwater County Historical Society and Long Lost Lake Area Association placed a monument at the site. It reads:

Old Headquarters

This monument honors the site of the Nichols-Chisholm Lumber Company Headquarters Camp where vast stands of white pines were logged from 1904 to 1918. It was the largest employer in the history of Clearwater county with 500 employees. The camp had an office, engine house, blacksmith's shop, two bunkhouses, and a store. Evidence of the buildings appears on both sides of County Rd.



A chimney is all that remains from the Nichols-Chisholm Lumber Company in Clearwater County.

39. Construction on the Nichols-Chisholm railroad began when it became impractical to haul lumber by

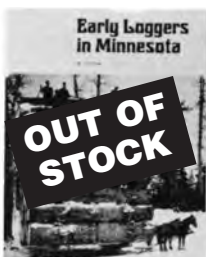
sleigh. The company used four engines and up to twenty-six cars to move the logs to elbow Lake where they were stacked on the ice until spring, then floated down the Ottertail River to the company sawmill at Frazee. Many of the area roads are old railroad grades.

During the depression years of the 1930s this became a camp of the Civilian Conservation Corps (CCC), a work program of the New Deal which hired unemployed young men. Here the CCC constructed roads, buildings, provided fire protection, and planted trees. Begun in 1933, CCC Camp S-69 was known as both Long Lake Camp and Headquarters Camp. It also served WWI veterans as a VCC Camp. The buildings of the Headquarters and CCC Camps have all disappeared. Only this stone chimney from those historic times remains.

Long Lost Lake Area Association
Clearwater County Historical Society
2008

Early Loggers in Minnesota

VOL. I



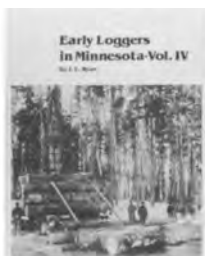
VOL. III



VOL. II



VOL. IV



by J. C. Ryan

First-hand recollections by storyteller "Buzz" Ryan of the loggers, loaders, swampers, wood butchers and bull cooks who ruled the woods in the heyday of the pioneer lumberjacks—with dozens of historical photographs.

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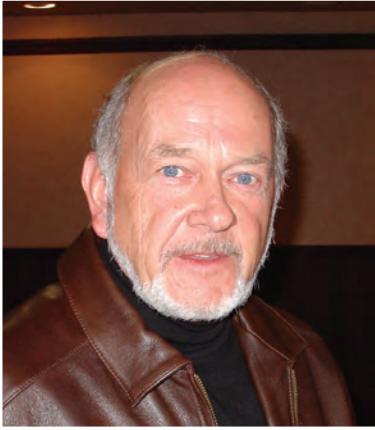
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Minnesota Timber Producers Association Meet the Director—Rod Enberg

Rod Enberg set out to be a watchmaker. He even went to



school in St. Paul to learn his trade.

“But I found out I couldn’t be cooped up inside,” he says. “I

just wanted to be outside.”

So Enberg started in the logging business in 1972 in his hometown of Aitkin. He then moved to Verndale before settling in Motley where Enberg Logging is currently located.

Enberg not only serves on the TPA Board of Directors, but also on the board of the Minnesota Logger Education Program, serving as president of the MLEP Executive Committee.

Enberg says he got involved in both organizations because “there are a lot of issues that need to be dealt with and TPA and MLEP are capable of dealing with those issues.”

Rod and his wife, Lynn, have been married 24 years. They have six grown children.

Minnesota Sawmill Fined by FMCSA

A Minnesota sawmill was fined in December by the Federal Motor Carrier Safety Administration (FMCSA) for not following federal regulations, including the absence of an adequate drug and alcohol testing program.

The civil penalties totaled \$9,120. Specifically, the company was cited for:

- Using a driver before the motor carrier had received a negative pre-employment controlled substance test result.
- Operating a commercial motor vehicle without a valid commercial driver’s license.
- Failing to preserve driver’s records of duty status supporting documents for six months.

Federal regulations require that commercial motor carriers have a drug and alcohol testing program. TPA offers an affordable drug and alcohol testing program to all members. Call the TPA office for details.

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What Can Log Truckers Do to Prepare Themselves for CSA?

Now that the Comprehensive Safety Analysis (CSA) initiative is in use for determining compliance with federal safety regulations, The Forest Resources Association (FRA) has provided some tips for trucking companies and their drivers to help navigate and understand the new program.

Carriers and drivers: Check your scores. Go to <http://csa2010.fmcsa.dot.gov>. If you are accessing scores for the first time, you will have to register with a US DOT # and a personal identification (PIN) # which must come from US DOT.

Carriers and drivers: Verify and update your data in the CSA website – especially the number of trucks and vehicle miles driven.

Carriers and drivers: Get your paperwork in order, especially the following:

- Proof of participation in drug testing program.
- Documentation of pre- and post-trip inspections.



- Hours of service recordkeeping.
- Planned and implemented maintenance schedule.
- Unified Carrier Registration. (See <http://www.ucr.in.gov/>).
- Verify physical exam card for CDL is current and valid.
- Ask your insurance company for assistance if necessary.

Drivers: Do not give state troopers and other officers an easy reason to pull you over and initiate a roadside inspection:

- Don't speed!
- Keep your seatbelt fastened.
- Don't haul loads with wood loaded above the standards.
- Secure your loads with properly rated straps/binders in good condition.
- Consider carrying spare light

bulbs in your truck so you can replace a bulb on the spot.

Carriers and drivers: Understand that trucks and trailers need to be kept in good repair and not placed in service if they have "problems."

Carriers and drivers: Understand that now both of you are accountable to each other for safety issues.

Carriers: Educate your drivers about CSA, and document safety training. If necessary, communicate with your local DOT or traffic officers and ask them to explain or demonstrate what they look for during roadside inspections.

See the CSA/FMCSA website (shown in first paragraph above) for more details.

NOTE: These "tips" are by no means a complete listing. Heeding the advice given does not guarantee full compliance with the many requirements for trucking businesses and drivers.

Mark Your Calendar

Here are some of the events in the coming months you'll want to make sure are on your calendar:

Sept. 8-10

Great Lakes Timber
Professionals Association
66th Annual Lake States
Logging & Equipment Expo
Escanaba, Mich.

Visit: www.timberpa.com
or call: 715-282-5828

Sept. 16 & 17

58th North Star Expo at Itasca
County Fairgrounds in Grand
Rapids, Minn. Parking \$3,
admission is free. For more
information, call the TPA
office at 218-722-5013.

DNR Achieves Recertification of Nearly 5 Million Acres

The Minnesota DNR successfully recertified its resource management of 4.96 million acres of state-administered forestlands to two independent, third-party forest management certification systems. Those third parties are The Sustainable Forestry Initiative® (SFI) and the Forest Stewardship Council® (FSC).

“Forest certification is a system that recognizes and rewards sustainable forest management,” explained DNR Division of Forestry Director Dave Epperly. According to the DNR, certification of Minnesota

forestlands has led to a sustainable supply of forest products and services from healthy, diverse and productive ecosystems. It also leads to continuous improvement in forest management practices, better interdisciplinary coordination and communication among resource managers and stakeholders, and increased global competitiveness for consumers of forest products from certified state forestlands.

Forest certification of state-administered forestlands involves several elements. These include a voluntary commitment to adhere to independently established standards for responsible forest management; participating in annual audits performed by external auditors; and addressing any non-conformances or compliance gaps identified during audits.

In addition to the 4.84 million acres of state administered lands certified since 2005, the DNR successfully expanded its dual forest management certificates by approximately 104,000 acres. This includes 81,673 acres of Land Utilization Project (LUP) Lands in northwestern Minnesota and 22,600 acres of trails-administered lands in northeastern Minnesota.

Along with the county-administered lands, these were the first public forestlands to be certified

in the United States, thereby establishing the DNR as a national leader in Forest Certification and in protecting and managing natural lands.

100 Years of Growing Forests in Minnesota

A year-long recognition for the 100th anniversary of the Department of Natural Resources’ (DNR) Division of Forestry begins this year. The division’s history, historical collections, a pictorial timeline and excerpts from old-time forester Don Wilson’s book “To Be a Forest Ranger” are available on newly created web pages at www.mndnr.gov/forestry/index.html.

A 104-page history book, “Connected to Our Roots: 100 Years of Growing Forests in Minnesota,” is also now available for \$10.95 through Minnesota’s Bookstore at 651-297-3000, toll-free 800-657-3757 or order online at www.comm.media.state.mn.us/bookstore/mnbookstore.asp.

“The 58 state forests we use for recreation and hunting exist today because the Minnesota Forest Service, which was later named Division of Forestry, committed to replanting the barren and burned landscape of the early 1900s,” said Dave Epperly, DNR division of forestry director.

New Beltrami County Land Commissioner

The Beltrami County Board has selected Richard Moore as its new land commissioner. Moore replaces Greg Snyder, who left the county for a job with the Minnesota DNR.

Moore comes to Beltrami County from Montana, where he had been an area resource conservation manager for the Montana Department of Natural Resources and Conservation in Billings since 2007.

Moore is familiar with the region,

having worked in Cass County’s Land Department from 1987 to 1991. He also worked as director of forestry and natural resources for Douglas County, Wisconsin.

John Deere Launches WoodyBiomass.com

John Deere Construction & Forestry has launched a new woody biomass website (www.woodybiomass.com) designed to educate and inform about the importance of harvesting woody biomass and its potential in the marketplace.

The website simply explains how woody biomass works as a fuel and what types of innovative public policies are needed to encourage responsible harvesting and its use.

The site’s short, informative videos showcase woody biomass experts explaining the biggest issues: How the harvesting of woody biomass leads to healthier forests, a cleaner environment and stronger rural communities.

The website’s “Making It Reality” section makes it easy to fill out a simple form that generates and sends an automated letter, encouraging inclusion of woody biomass in the new renewable energy standards, to legislators in Washington, D.C.

FMCSA Proposes Rule on Hours-of-Service Requirements for Commercial Truck Drivers

WASHINGTON – The U.S. Department of Transportation’s Federal Motor Carrier Safety Administration (FMCSA) has issued a regulatory proposal that would revise hours-of-service (HOS) requirements for commercial truck drivers.

“A fatigued driver has no place behind the wheel of a large

Timber Talk

commercial truck,” said Transportation Secretary Ray LaHood. “We are committed to an hours-of-service rule that will help create an environment where commercial truck drivers are rested, alert, and focused on safety while on the job.”

The publication of this proposed rule coincides with the timeframe established in a court settlement agreement that requires FMCSA to publish a final HOS rule by July 26, 2011.

This new HOS proposal would retain the “34-hour restart” provision allowing drivers to restart the clock on their weekly 60 or 70 hours by taking at least 34 consecutive hours off duty. However, the restart period would have to include two consecutive off-duty periods from midnight to 6 a.m. Drivers would be allowed to use this restart only once during a seven-day period.

Additionally the proposal would require commercial truck drivers to complete all driving within a 14-hour workday, and to complete all on-duty, work-related activities within 13 hours to allow for at least a one-hour break. It also leaves open for comment whether drivers should be limited to 10 or 11 hours of daily driving time, although FMCSA currently favors a 10-hour limit.

Commercial truck drivers who violate this proposed rule would face civil penalties of up to \$2,750 for each offense. Trucking companies that allow their drivers to violate the proposal’s driving limits would face penalties of up to \$11,000 for each offense.

Other key provisions include the option of extending a driver’s daily shift to 16 hours twice a week to accommodate for issues such as loading and unloading at terminals or ports, and allowing drivers to count some time spent parked in their trucks toward off-duty hours.

A copy of the rulemaking proposal is available on FMCSA’s Web site at <http://www.fmcsa.dot.gov/HOS>. Comments are being accepted through the end of February.

Gorder Joins Wallwork Truck Center

Scott Gorder has joined Wallwork Truck Center as the new heavy truck service manager.

He started working at W.W. Wallwork, Inc. in November 1996 and has spent the last 13 years with Wallwork Financial Corp. Scott attended Concordia College (Moorhead, Minn.) where he earned a BA Degree in Accounting.

Mike Lausch, Wallwork Truck Center’s general manager in Fargo, cites Gorders’s experience in the transportation lease and finance industry as key to helping Wallwork Truck Center’s Service Department continue to provide great customer care to its customers.

“Scott has been on the other side of the service counter with his lease and finance customers and knows firsthand what customers expect. He will use his excellent organizational skills, business acumen and attention to customer care to improve the service delivery for our customers.”

Scott’s office is located in the Wallwork Truck Center at 900 35th Street Northwest in Fargo. Hours of operation are 24 hours Monday beginning at 7:30 a.m. Saturday through at 7:30 p.m. and Sunday 7:30 a.m. to 7:30 p.m.

Truck Weights – Everything You Need to Know

We're often asked to clarify what the regulations are regarding truck weights at different points of the year under different circumstances.

In consulting with officials at the State Patrol and at MNDOT, we've put together the following information that we hope clears up any questions you might have. We've also included answers to "Frequently Asked Questions" regarding truck weights.



Legal Load Limits:

Summer Hauling Weight Limit –

5-Axle Units: 80,000 lbs

Summer Hauling Weight Limit –

6-Axle Units: 90,000 lbs

Winter Hauling Weight Limit –

5-Axle Units: 88,000 lbs

Winter Hauling Weight Limit –

6-Axle Units: 99,000 lbs

You must have a MNDOT permit to haul the extra weight with 6 axles. A copy of this permit must be kept in the truck at all times.

Relevant Evidence Exemption:

The "Relevant Evidence Exemption" provides that a weight exemption kept at the place of unloading may not be used to develop a civil overweight case if the gross weights of the truck do not exceed the legal limits by more than 10%. This does not mean that a load 10% over the limits as shown above is a legal load. This exemption does not apply to a truck that is weighed by enforcement officers at a fixed scale site or roadside with portable scales.

5% Tolerance Law:

The "5% Tolerance Law" provides that overweight fines and penalties may not be issued if the weight of the truck or its axles do not exceed the

registered gross weight by more than 5%, when weighed at the roadside. This does not mean that a truck that has a gross weight within 5% of its registered gross weight is a legal truck.

Note: Do not mistakenly combine these two tolerances for a total exemption. They are independent of each other. 5% is for roadside only and 10% is for civil case exemptions at the point of delivery.

Truck Weights – Wood Hauling Frequently Asked Questions

Q: What is the legal weight limit for summer hauling?

A: 80,000 lbs with a 5-axle unit and 90,000 lbs with a 6-axle unit.

Q: What is the legal weight limit for winter hauling?

A: 88,000 lbs with a 5-axle unit and 99,000 lbs with a 6-axle unit.

Q: Do I need a permit to haul the extra 10,000 lbs with a 6-axle unit?

A: Yes. The permits are issued by Mn/DOT. A copy of the permit must be kept in the truck at all times.

Q: If I have a 6-axle unit and a permit can I haul the extra weight allowed anywhere?

A: No. You may not haul the extra weight on Interstate Highways or

on any roads or across any bridges that are posted for lower weight limits.

Q: What is the "Relevant Evidence" exemption?

A: The "Relevant Evidence Exemption" provides that civil penalties may not be issued based on information gathered from weight receipts at delivery sites, if the total weight of the loaded truck is within 10% of the permitted limit with a permit or legal limit without a permit. This does not apply to trucks weighed on the roadside. This does not mean that a load 10% over the limits as shown above is a legal load.

Q: Does the "Relevant Evidence" exemption mean that I can legally haul 108,900 lbs with a 6-axle permit in the winter?

A: No. It simply means that you cannot be assessed a civil penalty based on information gathered from weight receipts at delivery sites, if the total weight of the loaded truck is within 10% of the permitted limit of 99,000 lbs.

Q: Does the "Relevant Evidence" exemption mean that I can legally haul 99,000 lbs with a 6-axle permit in the summer?

A: No. It simply means that you cannot be assessed a civil penalty based on information gathered from weight receipts at delivery sites, if the total weight of the loaded truck is within 10% of the permitted limit of 90,000 lbs.

Q: What amount of overweight will I be assessed a civil penalty for if I am over the 10% provided in the "Relevant Evidence" exemption?

A: The first two civil penalties will be \$150 each. After that, you will be assessed civil penalties as follows:

"Summer" (non-winter weight increase/spring load restriction time period)

- If you are permitted for 90,000 lbs. and you have 6 axles, and you exceed the 90,000 lb. permit weight by more than 10% or 9,000 lbs., you will be assessed civil penalties for the amount of weight over the 90,000 lb. permitted weight limit.
- Example: If you weigh 103,000 lbs. you will be assessed penalties based on 13,000 lbs. of overweight. $103,000 - 90,000$

$= 13,000$.

"Winter" (winter weight increase time period)

- If you are permitted for 99,000 lbs. and you exceed the 99,000 lbs. by more than 10% or 9,900 lbs., you will be assessed civil penalties for the amount of weight over the "permitted winter weight" of 99,000 lbs..
- Example: If you weigh 110,000 lbs. you will be assessed civil penalties based on 11,000 lbs. of overweight. $110,000 - 99,000 = 11,000$.

Q: What is the 5% Tolerance Law?

A: The "5% Tolerance Law" provides that overweight citations or civil assessments may not be issued when a truck is weighed at roadside scales, if the gross weight of the truck and the gross axle weights are within 5% of the legal limits without a permit or within 5% of the permitted weights with a permit. This does not mean that a load 5% over the limits shown is a legal load.

On the Markets

The Timber Bulletin publishes information regarding results of a sampling of recent timber sales and other market indicators, as well as other market-related news items.

Recent Timber Sales

Average prices, as reported by each agency

Agency	Regular	Intermediate
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Beltrami County

December 1&2 – Oral & Sealed Bid

Aspen Pulp	\$28.50	
Hardwood Pulp	\$13.24	
Birch/Maple	\$15.56	

DNR–Sandstone Area

December 8 – Oral Auction

Aspen Species (WC)	\$41.93	\$18.25
Trembling Aspen (WC)	\$30.78	\$16.21
Pine Species (WMP)	(NA)	\$20.10
Norway Pine (WMP)	(NA)	\$23.50

Intermediate auction included tracts from the Little Falls Area

Clearwater County

December 9 – Oral Auction

Aspen	\$27.23	
Basswood	\$ 2.00	
Birch	\$ 9.54	

DNR–Bemidji Area

December 9 – Sealed Bids

Aspen Species (WC)	\$27.80	\$26.65
Trembling Aspen (WMP)	\$31.17	\$32.67
Jack Pine (WMP)	\$34.47	\$31.95
Norway Pine (WMP)	\$47.40	\$16.53

Regular auction included tracts from the Park Rapids area. 22 of 26 tracts offered were sold

Carlton County

December 10 – Oral Auction

Aspen	\$27.01	
Birch	\$10.00	
Balsam	\$15.56	
Norway Pine bolts	\$25.60	

DNR–Aitkin Area

December 13 – Oral Auction

Aspen Species (WC)	\$40.43	\$29.19
Trembling Aspen (WC)	\$32.22	\$21.74
Northern Hardwoods (WC)	\$23.17	\$21.46
Norway Pine (WMP)	(NA)	\$33.85

23 of 30 tracts offered were sold

Aitkin County

December 13 – Oral Auction

Aspen P&B	\$23.37	
Maple P&B	\$ 8.42	
Mixed Hardwoods Pulp	\$ 8.98	
Mixed Hardwood P&B	\$ 9.66	

Lake County

December 15 – Sealed Bid

Aspen (PB)	\$27.18	
Birch (PB)	\$13.42	
Balsam Fir	\$14.36	

Agency	Regular	Intermediate
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DNR–Warroad Area

December 15 – Oral Auction

Aspen Species (WC)	\$14.17	\$13.24
Trembling Aspen (WC)	(NA)	\$12.87
Balsam Fir (WC)	\$11.35	\$14.80
Aspen Species (pulpwood)	\$ 9.49	\$ 5.90
Jack Pine (WC)	(NA)	\$22.82

DNR–Backus and Deer River Areas

December 15 – Oral Auction

Aspen Species (WC)	\$28.27	\$17.60
Trembling Aspen (WC)	\$21.03	\$23.16
Balsam Fir (WC)	\$13.18	\$14.35
Northern Hardwoods (WC)	\$ 5.34	\$ 6.40

34 of 40 tracts offered were sold

DNR–Two Harbors Area

December 16 – Oral Auction

Aspen Species (WC)	(NA)	\$21.24
Trembling Aspen (WC)	(NA)	\$15.75
Black Spruce (WC)	\$36.00	\$ 9.63
Mixed Spruce (WC)	(NA)	\$18.09

6 of 15 tracts offered were sold

Cass County

December 22 – Sealed Bid

Aspen	\$24.69	\$24.24
Basswood	\$10.17	\$10.24
Maple	\$ 9.93	\$12.56
Red Oak	\$27.53	\$ 8.00

DNR–Backus Area

January 5 – Oral Auction

Aspen Species (WC)	\$26.40	\$15.95
Trembling Aspen (WC)	\$16.91	\$22.15
Red Oak (WMP)	\$11.40	\$17.60
Norway Pine (WMP)	\$17.95	\$27.61

Intermediate auction included tracts from the Little Falls area. 18 of 22 tracts offered were sold

Hubbard County

January 18 – Oral Auction

Aspen Mixed	\$30.30	
Jack Pine Mixed	\$40.73	
Birch Pulp	\$ 9.84	
Tamarack Mixed	\$ 4.57	

Koochiching County

January 19 – Oral Auction

Aspen (PB)	\$31.64	\$29.49
Spruce (PB)	\$27.53	\$28.46
Balsam (PB)	\$20.35	\$16.83

30 of 31 tracts offered were sold

Cass County

January 27 – Oral Auction

Aspen	\$21.97	\$28.09
Birch	\$18.71	\$22.83
Jack Pine	\$20.96	(NA)
Red Oak	\$21.27	\$32.16

Products:

PB= Pulp and Bolts

WMP= Woodsrun mixed Products

WC= Woodsrun cordwood

ST=Sawtimber

WST=Woodsrun Sawtimber

DNR Responds to TPA Letter, Begins Granting Extensions

Other agencies also considering relief

The Minnesota DNR is now accepting written requests for “adverse surface conditions” extensions on state timber permits expiring in 2011 and 2012.

The move is in response to a letter sent by the TPA Executive Committee to all agencies selling timber, including the Minnesota DNR, citing poor operating conditions due to heavy snow and lack of frost in the ground.

“Our members are currently spending time and money attempting to freeze down and operate sales,” the letter said. “The money is being spent on fuel, equipment and employee wages. We do not believe that this time and money will produce any wood this winter – it will simply be a cost that some of our members cannot afford.

“Targeting our efforts for the balance of the winter on sales that can be operated will produce more stumpage revenues for your agency,” the letter continued. “It will also produce more wood for our mills and eliminate spending money on sales that we will not be able to harvest this winter.”

Newly appointed DNR Commissioner Tom Landwehr responded by declaring an emergency under the state statute that allows timber sale extensions.

“Modifying and extending permits will give loggers the flexibility they need to harvest when conditions are more favorable,” said Dave Epperly, DNR Forestry director.

Written requests for “adverse surface conditions” extensions must be received by a DNR Area Forestry Office before a permit expires and no later than March 31. Each written request must be signed by the timber permit holder and include:

- A clear justification for the extension
- A plan for completing the permit
- An explanation of the need for a timely decision by the DNR in this winter logging season (if applicable).



One of the following conditions must be met to be eligible for an “adverse surface conditions” extension:

- The timber permit is dependent on frozen ground conditions for access or harvest.
- The permit holder attempted to gain access and start harvest operations but conditions did not support such operations; or the state prohibited harvest activity; or the permit holder and the state mutually agree that harvest activities would not be successful.

“State timber permit holders are encouraged to contact their local DNR area forestry office to determine if they are eligible for an extension and how long that extension will be, and to ensure that they are able to submit their written requests before their permits expire or no later than March 31,” said Epperly

Other agencies are considering TPA’s request for extensions. At its February 1 meeting, the Koochiching County Board voted unanimously to provide free one-year extensions to permits expiring in 2011, as well as to permits already in extension. County

Commissioner Mike Hanson cited the TPA letter as the catalyst for the move.

Hubbard County is also offering extensions to permit holders affected by the winter’s adverse harvesting conditions.

The Lake County Board has also approved extensions of expired or expiring permits without a 25% increase in the stumpage prices and without paying off the timber sale balance in 2011.

Several other counties are also considering timber sale extensions as outlined in TPA’s request.

LOGGERS OF THE PAST . . .
"The Log Hoist"

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*



One of the questions most asked by people whenever I address a group or discuss early logging is, "Why did they put all the logs in the lakes?" This is brought up because most all of our lakes in northern Minnesota have "dead heads" or logs lying on the bottom.

After railroad logging came into the picture, nearly all lakes adjoining a railroad spur had logs landed in them. The reason for this was that most of the early logging was done in the winter, and since the sawmills could not handle all the logs that were taken out during the winter

they were landed on lakes and stored in the water so the worms and other infestation would not get at them before they were needed at the mills.

Logs that remained in skidways or decked on land during the summer months were subject to much insect damage. Some logs were sleigh hauled to lakes and remained there through several summers if the demand for logs at the mills was down.

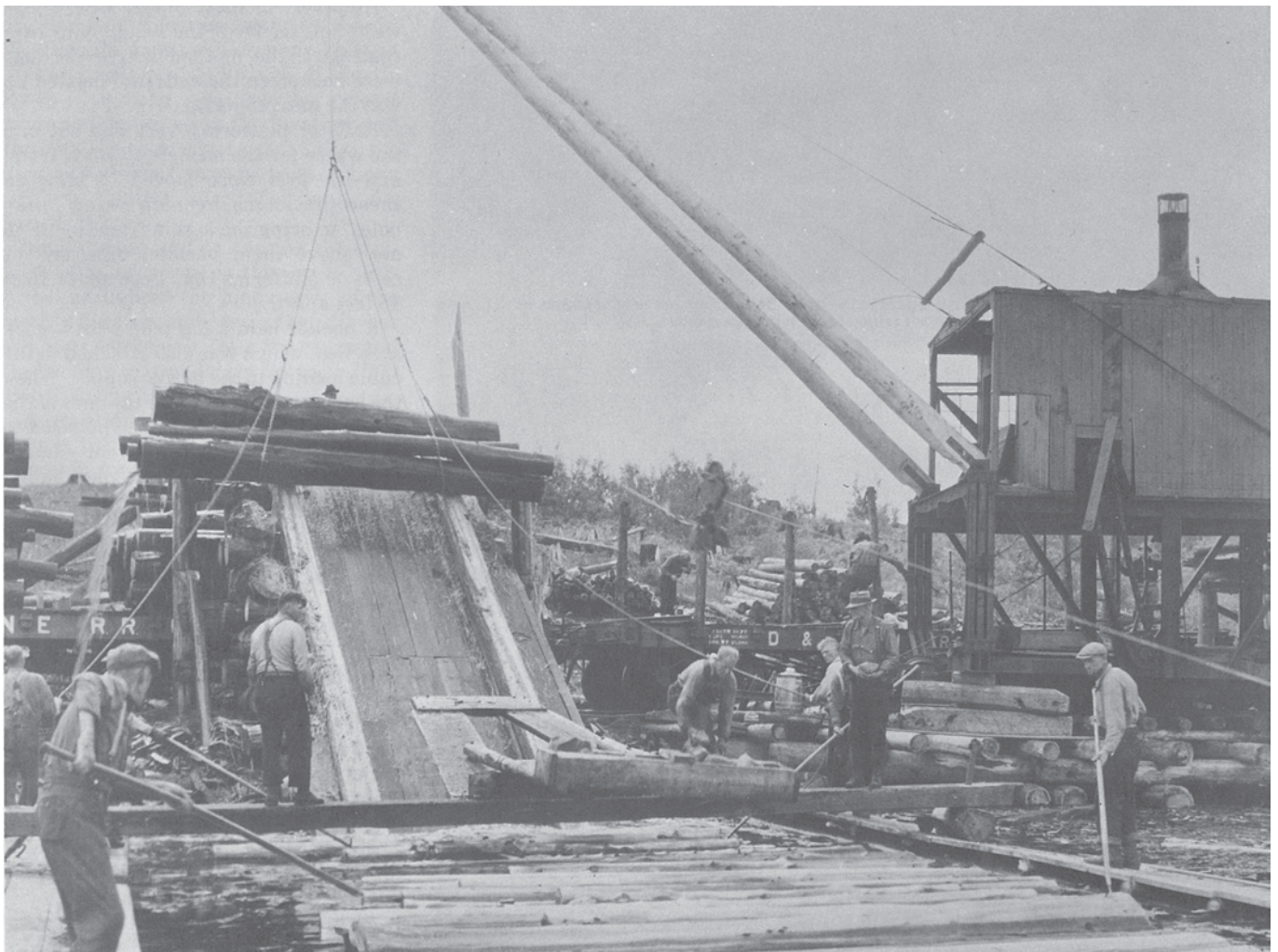
Sometimes several miles of spur was built to a lake just to take the logs out. Some logs were driven down rivers to a

lake that was on a railroad or where a railroad spur had been built in to a lake.

Some logs were towed across a lake, hoisted out onto railroad cars, hauled by rail a number of miles and dumped into a river and driven the balance of the distance to the mills.

An example of this was the logs that were hauled over the famous four-mile portage from Basswood Lake, then dumped into Ella Hall Lake and then towed to the mills at Winton. Another example was the logs that were driven down the St. Louis River, hoisted out and

First poled into position by hookers, these logs were hoisted from Island Lake by a jammer.

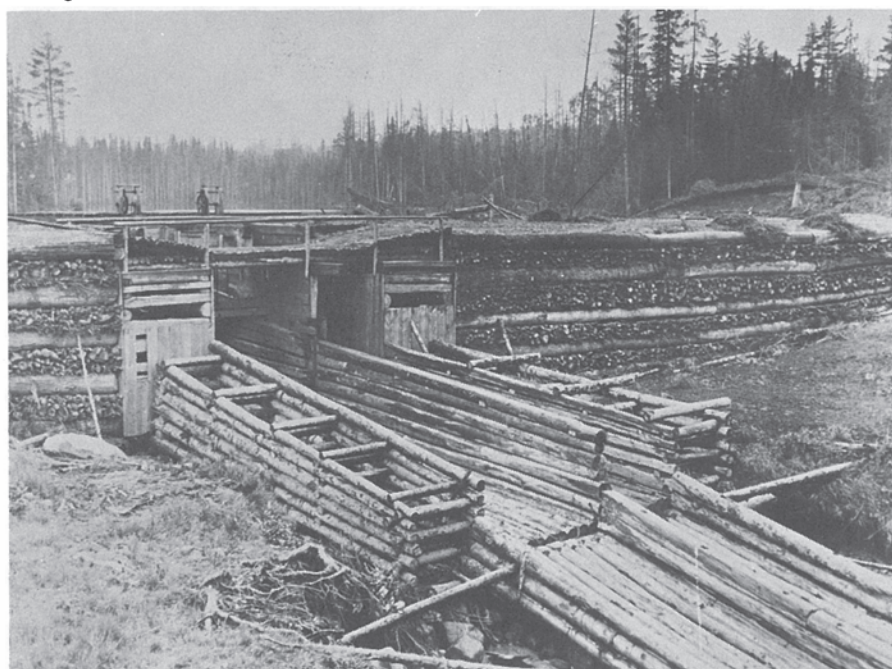




A steam "alligator" used by Virginia Rainy Lake Co. to tow logs to hoist.



Above: Men used long pike poles to push logs in to the hoist. Below: One of the many dams used to help float logs downstream to hoists. Note timber reinforcement in dam construction.



hauled over the Campbell and Williamson Line, known as the Moose Line, dumped into Island Lake and then driven via the Cloquet River to the mills at Cloquet. There were many other examples.

This brings me to the title of this article: the log hoist. Hoist means to lift or raise up and this is just what log hoists did.

When logs were raised from the ground and placed on either sleighs or railroad cars, this process was referred to as loading of logs, whether it was done by horsepowered or steam-powered "jammer." However, when logs were taken from a lake or a river, the process was referred to as hoisting the logs.

These hoists were of many different designs but fell into two main types. One was where the logs were hooked on the ends and hoisted by blocks and cable. The other was where the logs were carried up by endless chains revolving on a power-driven axle.

These chain hoists were usually installed where the hoist would be used for a considerable time—maybe several years. Some of these chain hoists had three chains and some four. As the logs were carried up the chains, they were dropped onto the cars.

However, in most places where logs were hoisted from the water onto railroad cars, the method where the logs were hooked on the ends and hoisted up was the most common.

Rafts or platforms were run out into the water for the hookers to work from, and the logs were moved in between these platforms by men using "pike poles" to bring the logs in from the boom and shove them parallel between the rafts or platforms that were about 16 to 19 feet apart.

A hooker held a log pole with a hook attached, which was also attached to the cable leading to the power supply. When the hooks were driven into the ends of the log, the hooker or top loader hollered to the engineer and up the log went—and as it was placed on the car the hooker pulled the hook loose, pulled the cable back and started the process over again.

We had two of these hoists operating about a block from my home as a boy, and I would be awakened every morning by the men hollering "Ahoy" and "Let her go!"

Many of these hoists on a lake had permanent tripods made from three large pine trees that the cable blocks were fastened to. At Turtle River, where I was raised, two of these large tripods stood for years after log hoisting was a thing of the past.

The hoisting engine would set on a platform directly under the center of the tripod. Where the hoist was only temporary, a steam jammer setting on a car or platform might be used instead of a

tripod. And if horse power was used, a regular woods-type jammer sitting behind the car might be used.

Besides these two main types of hoists, there were others for hoisting ties, pulpwood and cedar poles from the water. Many of these tie and pulpwood installations were similar to a bull chain that carried logs into a sawmill. With this type, the poles, ties and pulpwood went up the chain lengthways one piece at a time, one behind the other. This type of hoist was used more on rivers than on lakes and as a rule where the bank was quite high above the water.

The Coolidge and Schusler Co. had a hoist of this type on the Littlefork River just below the town of Littlefork and the bank was a good 50 feet above the water.

There were a good many hoists scattered throughout the pine region of Minnesota, but I will name just a few of the better known ones: the Virginia and Rainy Lake Lumber Company hoist at Hoist Bay on Namakan Lake; the Campbell and Williamson hoist in Section 33 of Township 58, Range 14; the Oliver Mining Co. hoist at Indian Lake in Section 3 of Township 55, Range 12; the International Lumber Co. hoist at Loman; the Crookston Lumber Co. hoist on Lake Ervine; the Cloquet Tie and Post Co. hoist at Brevator, about five miles upriver from Cloquet on the St. Louis; the Bemidji Lumber Company hoist at Turtle Lake in the Village of Turtle River (this hoist was used by several other companies also); the Swallow and Hopkins hoist at Basswood Lake; the Cloquet Lumber Company hoist on Long Lake in Section 13 of Township 54, Range 16.

I could go on and on naming the locations of these hoists as they were scattered throughout the pine region of the state wherever logs and other timber products were taken from the water and loaded onto railroad cars for their final ride to the mills.

As mentioned, when I lived in the little town of Turtle River as a boy, the hoisting of logs just a block from my home made quite an impression on me. I got to know the men working on the hoists as they walked right past our house on the board sidewalks with their calk shoes morning, noon and evening on their way to and from work, and we barefooted children could not walk on the sidewalk because of the slivers that were made by the calks.

However, we were all anxious to see the hoists get started as soon as the ice went out of the lakes in the spring, and as they continued through most of the summer I was awakened many a morning by the shouts of the hookers as the logs went up the skids onto the cars.

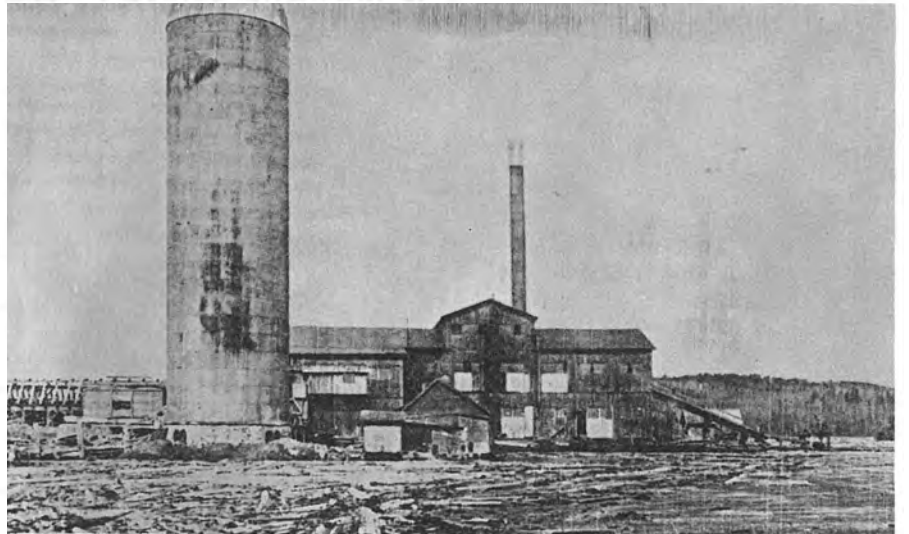
Both the log hoists and the men working on them played a very important part in bringing our vast virgin pine stands to market.



Logs landed on Burnside Lake were later hoisted out and sent to mill by railroad.



Above: Logs being driven downriver to hoist. Below: Swallow and Hopkins Mill at Winton. Most logs sawed here were hoisted out of Basswood Lake.



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.

WANTED

Barrel stave logs – White Oak and Burr Oak butt cuts 12-inch diameter and up – random lengths
For more information call
Robert Staggemeier at
Staggemeyer Stave Co. Inc.
Caledonia, MN 55921
Office: 507-724-3395
Cell: 608-792-7598

WANTED

Private Land Timber Sales for
Biomass
South and Southeast Minnesota
Area
TPA / MLEP member,
DNR-Certified Logger
Call John at 612-867-1282
Dakota Wood-Grinding, Inc.
Rosemount, MN

FOR SALE

60" Siiro Slasher.
Call 218-787-2264 for details

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