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4

- Finley's Rigging Shack "Classic"

This Rigging Shack is from January 1977

I'm sitting here in my office on a bad weather day thanking the powers that I'm not out working in the woods. For that I'm thankful on the bad days. But miss working in the woods on the good days. No matter I'm too old and fat to do it anyway.

PLANNING & SETTING GOALS

This is the time of year we here at LOGGERS WORLD spend a lot of time for several months planning, reviewing and setting goals. We plan what we want to do next year, which is now this year, and how we are going to do it. We review what we accomplished last year and what we did right and where we need some improvement. Based on our performance of last year we add 15% and say we can do that much more. It is a time we all get better acquainted, like ourselves and each other better and share that feeling of doing our work the way we want to do it.

One of our goals for this coming year is to meet oftener and review our performance, plan coming issues and work and change those things needing the changing. Simple, work closer together with more understanding and get more done and enjoy it more.

For the past several weeks

I've been feeling tired and sort of depressed. I just figured out what it was. (NO it is not a hangthat long.)

What it is we have been talking, planning and scheduling a lot of work. Involved in writing and putting these papers together is myself, Myron Metcalf, Jean Hays, Gail Holding, and the publishers representatives. Publishers reps are Bill and Vi lund. Myron, Jean, Gail and I are the ones who will take care of the writing and photographing and bringing up the paper. Myron sells advertising in LOG TRUCKER and makes up the ads. Bill and Vi sell advertising in LOGGERS WORLD and TIMBER CUTTER and make up those ads. Gail an-

swers the phone and does the bookkeeping work. Jean does some of the bookkeeping, purchasing, lay-up work and whatever needs the do-



OUR NORMAL WORKLOAD

Now here is the normal run of the mill job that we are faced

> (Continued on Page 5) See "Rigging Shack"





COVER PAGE PICTURE: OUT ON THE JOBSITE, LHH CUTTING AND LOGGING'S 071 Madill Yarder and 200 John Deere With a Wartah Processor get to work.

See "on The Cutting Edge" starting on Page 6.

2 RIGGING SHACK "CLASSIC" - by Finley Hays

4 "On THE CUTTING EDGE"

22 BLAST FROM THE PAST

24 A DAY IN CAMP - by Heidi Leib

25 OBAMA'S EPA LAND GRAB

- by William Perry Pendley

26 IRONMART

26 Show & Sell

28 As We See It...

29 Index/Coming Events



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NEXT YEAR

Now next year we want to come out with two or three special books that will be about 40 pages each. Call it two and now we are looking at about 1712 pages.

On top of that I'm involved in helping John H. Markham put together a book of his life, activities and people he has known. This is a big project and I've got about two more months of spare time work to put into that. Our whole staff will be involved in this project. Name of that book will be 'REMARKABLE JOHN MARKHAM'. Subtitle will be "Seventy Years in the Northwest Forests"

THEN - talked to a book publisher that said something like. "Why don't you put out a full color high quality book? If you do, we will publish it for you?" Now those are the kind of words that excite me and that project is in

the planning stage. This book by itself will take almost six full months of traveling, writing and picture taking. And I want to do it, my lord how I want to do it.

That's what I've been doing. Sitting and planning a whole year of work. Viewed that way it is such a big task, almost an impossible task, that it makes one tired to think of it and depressed to think of how tired I'm going to get, at times, this coming year.

The trick is to look at what we must do each week in order to accomplish these goals and bring these plans to a workable and rewarding end.

It means doing some new things and discarding some of the things we have done. It means working smarter and maybe a little bit harder. But if we do the smart thing, the right thing, each week we can get the whole job

On top of that will get some p, too. help, too.

BOOKS

Books cost a hell of a lot of ₹ money to put out. They, like all things, cost more minute by minute. To keep the cost down to where it is as low as we can make it, we print these books on the mewspaper presses. High speed presses. Since the hard cover of a ? book oft-times costs more than the rest of the book, we do without a hard cover. Thus a book that would probably cost you seven or there about costs three dollars. We believe it is what the book says that is important.

This has worked so well, these books with pages sized like this issue of LOGGERS WORLD, that we hope to do some more of them this coming year. There are many good poets, writers, and artists connected with the woods that we like to get them published and share these good works with

Of course we expect to keep a dime or two in our pockets too. Our batting average in publishing these books is pretty good. We lost like crazy on one of them and this almost sank the book boat. But the rest of them that did Okay helped to pump out the book boat and it is riding high right now.

This is going to be a good year for us. My fond hope is that it is going to be good for you too. Let's work at it and see if we can make it happen. Deal?





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By Brandon Hansen

Expanding your operation can be a challenge, but when you have 31 years of experience out in the woods, chances are, you know a thing or two.

After cutting for contract in the mid 1990s, Bud Hanson along with his son Tyson expanded their company - LHH Cutting and Logging in Enumclaw, Wash. - to include a yarder in 2008 and has since expanded his crew to 10 employees and one truck.

"I enjoy working with them," Hanson said of his crew. "I'm a

LHH

(Continued from Page 9)



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ing a 071 Madill Yarder operated by Bonney Lake's Jim Willoughby.

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Trailer, 903 Cummins, 4,000 hrs., Like New 6 Guylines, Boman Condition, Fire Suppression System, Job \$155,500 Ready\$300,000



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FEATURED IN THIS MONTH'S ISSUE



ENUMCLAW

WASHINGTON

Enumclaw is a town of 10,000 in King County in Western Washington. The town was first settled in 1879 and in 1910 the Chicago, Milwaukee, St. Paul and Pacific Railroad routed a branch line through Enumclaw. The mainstay of the town is dairy farming and the Enumclaw Expo Center hosts the King County Fair, the Pacific Northwest Scottish Highland Games, Creation Festival North-West (the largest Christian Music Festival in the US) and the Olympic Kennel Club dog show.

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(Continued from Page 6)

hands-on boss and I don't like sitting in the pickup."

Hanson was seven years-old when he found himself in a logging camp in Alaska with his stepdad and uncle. He began logging when he was 17 years-old and hasn't stopped since. Hanson spent 10 years rigging before moving into cutting. When he began contracting out cutting jobs his six-man crew was cutting 33million board feet per year.

"Sometimes you do a lot for almost nothing to keep your guys busy and that's how it works because you want to keep good workers around," Hanson said.

Tyson began cutting when he was 18 and spent time as a forester as well.

Both Tyson and Budd enjoyed the cutting aspect of the job, but with the changing nature of the business and the use of bunchers - being a cutter turned into more of a day-to-day thing.

"We were day-waging," Tyson

said. "You really couldn't make any sizable amount of money to advance or grow and at that point why don't you just become an employee of that company instead of contracting out to them."

Tyson and Budd instead decided to take matters into their own hand and grew the logging part of their operation. In 2008, they purchased an Eco logger yarder and began logging on the east side of the state near Usk, Wash in Pend Oreille County near the Idaho border.

Yarder logging is something of

a rarity on the east side of Washington so LHH was in high demand. They did their work for Vaagen Brother's based out of Colville, Wash. in Stevens County roughly two hours north of Spokane. When they left the area, LHH was told that there was over three years worth of work they could do in that area.

"I prefer being a cutter but this offers us a little more control over our work," Tyson said. "We

(Continued on Page 14)



04 HITACHI ZX350LL FORESTER w/2008 Waratah 624C Processor w/approx. 5,400 hours., heel rack, low hours on 624C, good undercarriage, runs & ood undercarriage, runs & ell, 13,337 hours......\$199,500



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2012 KOBELCO SK260-9, 48" bkt, standard stick, aux hyd, IT Tier 4 @ 176 hp, 2,201 hrs, very clean......\$140,000



2006 CAT 325C LCR, 68" smooth-edge bkt, hyd wedge QC, aux. hyd, very clean for age/hours, 7,905 hrs...\$96,000



2006 DOOSAN DX300LC, Tier III, bucket w/ HPF link thumb, aux 4,400 hours, clean......\$7



1998 CAT IT38G, good 20.5 radial tire QC, third valve, good bucket, 20,856



dig bkt, 10'6" stick, 33 1/2" pads, system, cab guard, rear camera, 2,182 hrs, priced to sell!!!..



2010 VOLVO EC210CL, QC bkt, 9'6' stick, aux hyd, AC, rear view camera 3 950 hours \$110,000

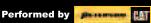


1979 CAT D6D, SB w/tilt, CAT winch good UC, recent hard bar, new radiator shows 10,548 hrs.....\$35,000

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LHH Cutting and Logging's crew pauses for a moment for a photo. (From left to right) Shovel operator Ryan Bowie of Black Diamond, Bud Hanson of Enumclaw, Tyson Hanson of Enumclaw, Mike Kruse of Enumclaw, Mike Weber of Buckley, Tyler Kruse of Enumclaw and Jim Willoughby of Bonney Lake pose away from their job site just outside of Enumclaw, Wash. Bud Hansen began contract cutting in the mid-90s and along with his son Tyson bought their first yarder in 2008. After spending time on the eastern side of Washington, LHH moved back to **Enumclaw to log for Hanock Forest Management.**





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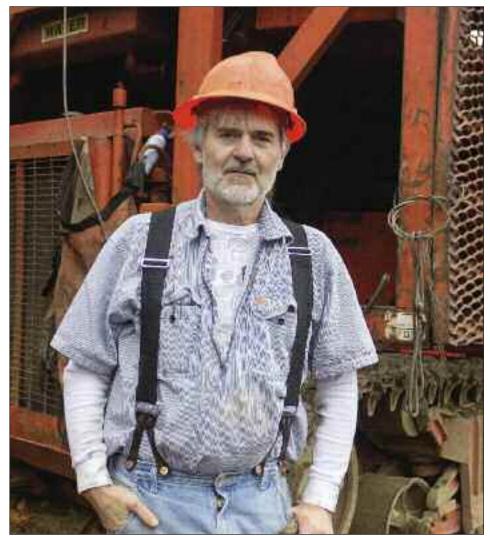
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2008 Cat 320DFM, Cat grapple, 7,900 hrs, new u/c, auto lube system\$194,500	2003 Link-Belt 3400Q , w/Pierce 3345, good cond., 20,000 hrs\$40,000
2008 Cat 330DFM, Pierce grapple, 10,000 hrs, good cond\$230,000	2000 Ultimate 5300, w/controls and computer\$11,500
2004 Cat 320CFM, 23,000 hrs, good u/c, 2 available \$80,000	BUNCHERS
2004 Cat 322C, w/Pierce grapple, new pump, new bushings & pins in boom, 50% u/c, 19,000 hrs\$82,500	2004 Tigercat 870L , w/23" hot saw, 12,500 hrs, rblt motor\$120,000
2004 Cat 322C, w/Pierce grapple, foresty cab, rblt motor, 15,400 hrsPOR	2005 Madill T2250B , rblt 22" Quadco 360, 12,000 hrs, new u/c & bushings, 2000 hrs on motor \$169,500
2012 Madill 2850C, Young grapple, 4,600 hrs, like new condPOR	2004 Madill T2200B , Quadco 22" 360 hot saw, new u/cPOR
2004 Komatsu PC 300, 17,000 hrs\$87,500	2005 Timbco 425EXL, Quadco 22", 9,000 hrs\$115,000
2008 JD 2554, Jewell grapple, 11,200 hrs., new u/c & rebushed & pump drive\$185,000	EXCAVATORS
2000 Prentice 625 CRX, w/Jewell 3 axle carrier, rblt Cummins in upper, 13,000 hrs, xlent cond\$135,000	1999 CAT 322B , c/w bucket, thumb & 52" grapple, heel, rblt motor, 13000 hrs. \$47,500
2004 Link-Belt 290LX, w/Pierce grapple, Forestry cab\$85,000	SKIDDERS & DOZERS & GRADERS
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2004 Link-Belt 240LX, w/Pierce grapple\$69,500	2005 Cat 525B , bunching grapple, w/winch & new chains, 9,000 hrs \$57,500
2007 Kobelco SK330, w/Jewell grapple, recent motor, pump, 70 % u/c, rebushed, forestry cab\$145,000	1999 Cat 527, swing boom, good u/c, sorting grapple, recent motor, trans, torque & u/c\$165,000
2005 Kobelco SK330, w/Pullmaster, Jewell grapple, 3 years on motor, pump rebushed, forestry cab \$139,500	2001 Cat 517, w/swing boom, new u/c and paint, recent motor & trans, 14,000 hrs \$140,000
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2006 JD 2054, w/06 Waratah 622B, rblt head, good u/c, recent pump, swing group\$145,000	Madill 6240, w/Acme car, xlent cond, good linesPOR
2005 JD 2054 , w/05 Waratah 622B, 7000 hrs on unit, rebushed head, new hyd pump, 80% u/c. \$170,000	Washington 188, Cat power, rblt trans, good lines, tank mount, good u/c\$190,000
2005 JD 2054, w/05 Waratah 622B, good u/c, rblt pump and swing at 11,000 hrs .\$79,500	Pacific 1188, Cat power, hyd u/c, live boom, rblt trans, torque, new shafts & bearings\$325,000
2012 Link-Belt 290, w/2012 Waratah 623 , like new cond., 5,400 hrs\$425,000	1995 Link-Belt 4300C-2, w/2 HL25-4 Pullmasters 2 speeds piston motors, Eaglet & radios\$119,000
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2010 Komatsu PC270 , w/Pierce GP, 3000 hrs on head & 7000 on carrier, xlent cond\$359,500	Link-Belt LS98, w/Eaglet, Allison trans, Detroit power\$39,500
2005 Tigercat LX 830, w/2012 Waratah 623, 1,800 hrs on head, 12,000 hrs on carrier, good u/c \$290,000	T-Bird 6150 , c/w 2 Eagle 4s, rigging, recent total rebuild of yarder, exlent cond POR
2013 Cat 325DFM , w/2013 Waratah HTH 623, 2,400 hrs, 5000 hrs warranty on L.L\$490,000	T-Bird TY 90, T100HD trl, 8 guyline 1 3/8", Cummins KTA 1150, new paint, xlent cond \$450,000
	T-Bird TY90 , T100HD trl, 7 guyline 1 3/8", Cummins KTA1150, ready to log POR
	Madill 071, water brakes, 2 Acme cars, ele. chokers, radios, stubs & sky ex., 8V92, tall gearsPOR
	Skagit 737 , T100 trl, 7 guyline 1 1/4", Cummins 855, Allison, water on all drums \$169,500
	Koller 301, w/Koller 2.5 clamping car, radios & rigging, on Ford 9000, Cummins 5.9\$47,500
	Washington 137 Slackliner , T90 self prop., Cat 3408, 8 guyline, 1" 3/8 yarder \$160,000
2002 Kobelco SK 330 , w/02 Waratah 624, rblt motor, rb front	
	2008 Boman IV, Cummins power, w/ bugs, smart box, 2,355 hrs \$54,900
	2005 Eagle 5, rblt motor and other recent repairs\$30,000
2005 Waratah 622B, w/controls, comp. color screen\$60,000	
2001 Waratah 622, w/ controls, comp	2007 Western Star, 18 speed, rblt 60 series, dual lockers, rblt trl, Alum wheels, 310K\$85,000

2008 Komatsu PC270, w/Denharco DM 4550, Forestry cab, 6,000 hrs, new boom, xlent cond...\$240,000 1985 Ford 9000, Cummins 400, 15 speed, 40 rears, Hendrickson spring, HD rails, 14' box, 185,000K....\$14,500



LHH

(Continued from Page 9)

know the job from both sides so that gives us something a little different from other operations. Your crew kind of becomes a family and with our cutting crew it was a lot like that, not just someone you brought in."

LHH moved back to Enumclaw and began working for Hancock Forest Management which is working on lands owned by the Muckleshoot Indian Tribe. Tyson said that he likes the vision that the tribe has for their lands and that it's a long-term, sustainable management plan.

Enumclaw is a town of 10,000 in southern King County outside of Seattle and has the excellent quality of being close to the job site.

"We've been lucky, we haven't been traveling very far to go to work," Budd said. "Hancock has also been a good company to work for."

The work in Enumclaw offers world-class views of the 14,411-foot Mt. Rainier, and on some landings, they can see all the way to Tacoma and Seattle.

"Logging is one of those things where it's hard work so you have to love it to do it," Tyson said. "That's what keeps a lot of guys in this industry. I like that it keeps things fresh. You never are just doing the same thing. Whether it's pulling rigging or doing some cutting, it's always a challenge. You can make more money doing something else but out here you really get a sense of pride and love."

Running the 071 Madill yarder on their job site is Jim Willoughby of Bonney Lake. A veteran of the woods for 41 years, Willoughby had tended hook, been a chaser and driven dump truck. Born in Sedro-Wool-

(Continued on Page 16)

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2005 Link-Belt 240LXDHP, 7,704 hours, #020069\$179,000

2003 Timbco T475E, w/20,400 hrs, runs, as-is, Tacoma, WA, #019056**\$85,000**

2002 Timbco 445D Feller Buncher, single bar grousers, plumbed for processor and hotsaw, has Keto 600TS processing head, 12,657 hrs., Portland, OR, #020108\$129,500

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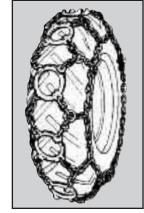
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LHH

(Continued from Page 14)

ley, Willoughby began logging in Lester, Wash.

"Budd is a seasoned logger and he's done it all," Jim said. "He's a real honest guy and the thing that's most important is he's a logger first. Not someone that drove truck and then decided to start an operation. To me that makes all the difference rather than someone that just thinks money, money. You talk to him and he understands."

Ryan Bowie of Black Diamond runs the loader - a new Doosan 225 - for LHH and started out driving log truck.

"Doosan's seem quick, good on fuel and gets around well," Bowie said. Buckley's Chad Carroll runs the processor - a 200 John Deere with a Waratah head.

Hook tender Mike Weber of Buckley has been with the company for four years. Weber began logging in 1985 - a few weeks after graduating from Buckley High School. He's been a slinger and yarder operator as well as being a hook tender along with

working outside the timber industry.

"I've done a lot of other things like working as a mechanic or doing construction and it doesn't compare to being out here in the woods working with good people," Weber said. "The work's hard but it's a lot of fun. Most of all, you

(Continued on Page 18)





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LEFT: LHH's hook tender Mike Weber has been with the operation for four years and hails from Buckey. Weber began logging in 1985 a week after graduating high school. "I've done a little of everything: working as a mechanic or in construction and it just doesn't compare to being out in the woods," he said.

ABOVE: LHH's Mike and Tyler Kruse are cousins and work on the rigging crew. Both grew up in Enumclaw, Mike has been logging for two years while Tyler has been out in the woods for a few months.







RIGHT: Ryan Bowie of Black Diamond runs the loader for LHH Cutting and Logging, the loader is a new Doosan 225. Bowie started out in the woods a half decade ago driving log truck before moving into a piece of equipment.

ABOVE: LHH Cutting and Logging's Tyson and Budd Hanson pose with Cascade Trader's Shannon Pesicka.

LHH

(Continued from Page 16)

have to have a can-do attitude and can't be afraid to work hard and do the best you can."

On the rigging crew are cousins Mike and Tyler Kruse from Enumclaw. Slinger Mike has been out in the woods for two years while setter Tyler has been working for a handful of months.

"I wanted to follow him out here after all of his stories he told me," Tyler said.

While they're the youngest of the crew, they're the ones navigating the tough and rocky terrain that their job site presented to them. But ask them what the toughest part of the job is and they'll tell you it's the early wake up call in the morning.

"Our bosses are great, and the camaraderie is one of the best parts of the job," Mike said. "They also gave us free boots which is a pretty cool deal."

LHH also runs one company truck - a 2000 Peterbilt driven by Mark Heath of Enumclaw. Now 55, Mark began driving when he was 18 years old and likes the independent nature of log trucking. He's a fourth generation log trucker and considers the freeway more dangerous than being on the landing.

"Traffic is more dangerous, not a load goes by when you don't get pulled out in front of," Heath said.

Heath has also hauled in Montana and Idaho along with serving as a mechanic in North Dakota.

"I came back here where it's warmer," he said.

Budd's girlfriend Brenda also does the important job of keeping book for the company.

(Continued on Page 20)





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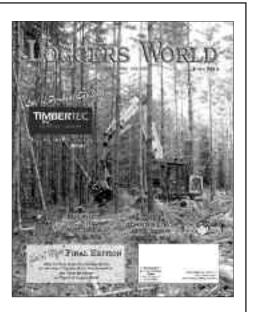
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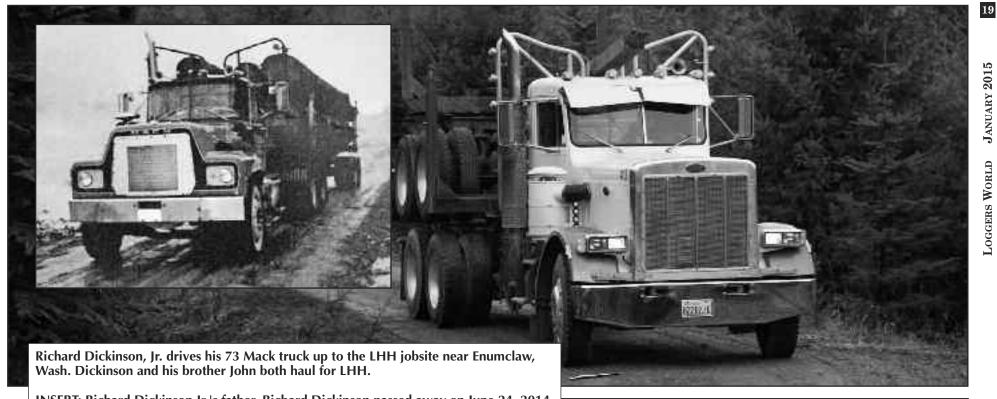
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INSERT: Richard Dickinson Jr.'s father, Richard Dickinson passed away on June 24, 2014. Here is a photo of Dickinson hauling a load of logs in his 1973 Mack truck.



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(Continued from Page 18)

She comes from a logging family so being part of LHH is no strange experience.

It's a crew that's helped Budd and Tyson tackle the challenge of starting their own logging company in a tough business climate.

"It can be kind of overwhelming," Tyson said. "There is a lot of risk and you're gambling on your back when you start a new company. With contracts, it can be hard when you first start up because a lot of companies already have their core group of guys."

But LHH has shown they're here to stay and they're serious about the job they do. With their experienced crew its easy to see why they were able to expand during the Great Recession and as things recover, look to LHH to continue to make the log decks full.

"With logging there's a sense of love and pride," Tyson said. "It's not just a job but it's an identity. It's who we are and I don't think many other professions get into a guy's blood like this one does."



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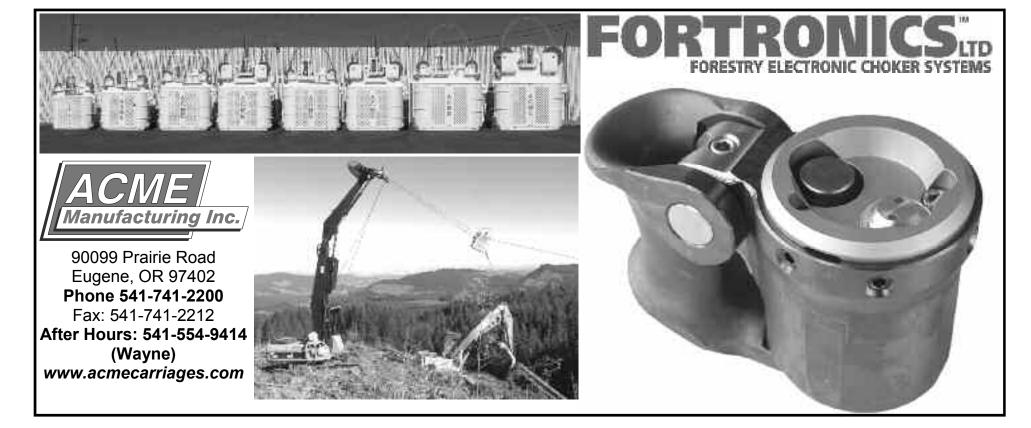
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FROM THE PAST





he Union Lumber Co. of Fort Bragg, California at one time was a sizable operation. Like most redwood logging in the 1950's and 60's, it used "selective cutting" and tractor skidding.

Special skidding cats were built without blades, and fitted with front bumpers to protect the front idlers from impact. This saved a lot of track tension problems on these hard-working cats. Some manufacturers even offered special transmis-

sions for hard, low geared pulling.

Dipper stick shovels were also frequently used in the big timber at that time. Fitted with "air tongs," the double line purchase gave increased lifting capacity.

Also, the crowd action on the dipper stick itself offered precise placement of the log on the truck. This made loading faster and safer. These off-highway trucks packed a heck of a load back in the day of 150 hp engines.

This 1955 photo is from the collection of Quinn J. Murk, Siletz, Oregon.



A NOTE FROM OUR WRITER

Hello Readers,

I'd like to thank those of you who have already contacted me with positive comments on the new "Blast from the Past" pictures segment we are running. At this time I've had my copy of Loggers World" for less than a week, so it was great receiving your responses so quickly. A second batch of pictures is being worked up right now, and by the time those are submitted we will have a year's worth ready to go.

Also, I personally like hearing from those who have history to share. So, contact me if you choose to do so, and I will do my best to get back with you in a timely manner.

I hope that you enjoy looking at the old photos and reading the captions as much as I enjoy pulling them together for "Loggers World.

Thank You, Quinn Murk



Wood Water Pipes

Before iron became plentiful in parts of America, a lot of items were made of wood. This in-thewoods water pipe boring operation is a classic example.

A portable steam engine in the center of the photograph provides power for the small sawmill and boring machine. To the left of the engine are bored logs, and to the left of them are the hollow logs being "coned."

One end of the log would have a male taper and the other end a female socket. When the pipe was put into use, a tar pitch mixture was usually applied to seal the joints.

When water filled the wood pipes everything would swell, making things relatively water-tight. Even today, we sometimes hear about wooden pipes being dug up that were still in use.

This old hand-tinted photo from the Goldendale, Washington area, is from the collection of Quinn J. Murk, Siletz, Oregon.



ktmurk@ centurylink.net In Loggers World and Log Trucker we often hear the story of the logger, trucker, or business support personnel, but we rarely hear the voice of the other people in their lives. As we seek to include the full story of loggers and logging it makes sense to give a voice to the people closest to them - their loved ones, friends and the others who keep them going. These people are just as important as the machinery used, the way the job is set up or the history of how the outfit got started. I suspect that on a daily basis, the people that support the loggers and truckers are one of the most important factors of their success.

This is the first of what I hope will be many reader-submitted stories of logging life as viewed through the eyes of the non-logger. It is different than the articles we normally print, just as people are different and have different ways of seeing things based on what their experiences are. Grab a cup of coffee, keep an open mind and see what logging looks like through someone else's eyes.

Reader submitted stories are welcomed but subject to space available and publisher's preference of editorial content.

A DAY IN CAMP

By Heidi Leib

My unwelcomed need to pee draws me out of bed. Sleepwalking I remove my cozy socks and slip into damp flip flops. Outside loggers in stiff boots and greasy pants huddle around a fire gulping coffee while their diesel trucks idle in the shadows. An empty log truck rattles by in the dark. Morning is here and it's the last day of the week to haul logs. I glance up to see the moon hanging in the west and stars twinkling high in the sky. Thinking it's going to be a sunny day, I pull up my pants and make my way back to the trailer and into bed to catch a few more z's.



Heidi Leib. Forester

After hitting "snooze" three times Jon staggers out of bed. As he struggles to dress in the dark I hear him bonk his head, bang his elbow, and stumble down the three stairs, making me wonder if a fox is running loose in our trailer. Success! He made it outside in one piece to start the generator, which I can hear humming in the background. Time to eat! A timber fallers breakfast consists of: two fried eggs, five slices of Canadian bacon, two slabs of cheese, two pieces of toast, one banana, two glasses of juice, two mugs of coffee and one and a half bear claws. While waiting for his muscles to loosen up with the likes of warm food and the propane heater on full blast, he scans over a few pages of his latest issue of Loggers WORLD Magazine. Outside I can hear Steve, his cutting partner, start up the quad that will soon carry them to their strips. Jon leans in to kiss me goodbye and locks the door from the outside where he puts on his caulks, his last task before climbing onto the quad and puttering up the dusty logging road.

With the loggers gone and the cutters on their way silence sweeps through camp until I slowly tune in to the birds and breeze in the trees. Too cold to sleep alone on the air filled mattress, I reluctantly fold back the blankets and throw a sweatshirt on before shuffling to the coffee pot to finish off the gritty remains. A timber fallers girlfriends breakfast: One cup of luke warm coffee and one bear claw, accompanied with two wool blankets and one book. After finishing my nutritious breakfast, I put on another sweatshirt and head outside into the cool morning air in search of a sunny spot to warm my bones.

From where I sit I can hear Jon working on the other side of the ridge. With his saw revving high, I imagine him facing up a tree. An echo from pounding hard on wedges reverberates down the draw until lastly I hear the first signs of a tree making its way to the ground. Creaking, cracking, pulling, thousands of needles and hundreds of branches shattering and a loud but soft whsssooommpph! No time wasted the sound of the running saw fills the canyon again. Behind me I see three log trucks rumble down the road loaded with Douglas fir headed to the Port of Oakland to be shipped to China. Two hummingbirds fly around the Alder tree beside me. Soon after the trucks are out of hearing range an empty one drives by returning for another load.



Timber Fallers Jon Marrs and Steve Furrow. Jon is the timber faller mentioned in Heidi's story.



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Summary Judgment....

Obama's EPA Pursues Land Grab To "Protect" Water

by William Perry Pendley

Last month, comments closed on a proposal by the Environmental Protection Agency (EPA) and U.S. Army Corps of Engineers to redefine "waters of the United States," as set forth in the Clean Water Act (CWA) of 1977. While Senator Edmund Muskie (D-ME), author of the 1977

law, required 88 pages for his entire statute, this spring's Federal Register notice ran 370 pages, not counting appendices, one of which hit 300 pages alone. Little wonder the new "wetland" rules have generated controversy and a likely Supreme Court

Over the years, the EPA and the Corps read "waters of the United States," and hence their authority to regulate private property, both broadly and ambiguously. Unfortunately for landowners in their crosshairs, their interpretation is reminiscent of Justice Potter Stewart's views regarding hardcore pornography, "I know it when I see it." Worse yet, such a sighting is followed by a cease and desist order violation of which results in fines of tens of thousands of dollars a day, and double that, if the violation is "willful." Worst of all, landowners could not challenge those orders because they remained "unenforced" until violated.

For example, when the EPA declared arid lands owned by Dr. Larry Squires of Hobbs, New Mexico, "waters of the United States" be-

cause birds landed in ponds created by sporadic heavy rains, Dr. Squires challenged the order; but, his lawsuit was dismissed as untimely. A federal appeals court ruled his inability to question whether his lands were "wetlands" without paying hundreds of millions of dollars in fines or going to jail was not "constitutionally intolerable" given that it would "undermine the EPA's regulatory authority." Fortunately, in 2012, the Supreme Court unanimously ended this abuse in a suit by Pacific Legal Foundation.

Nonetheless, targeted landowners did reach the Supreme Court. In 1985, deciding at which point "water ends and land begins," the Court upheld a definition that included wetlands that "actually abut[] on" traditional navigable waters. In 2001, the Court held that "non-navigable, isolated, intrastate waters," even those used by migratory birds (remember Dr. Squires) were not within the CWA. In 2006, ruling on whether the CWA included intrastate wetlands adjacent to nonnavigable tributaries of navigable waters, the Court vacated the Corps' rules. On behalf of a four judge plurality, Justice Scalia required "continuous surface connection to bodies that are 'waters of the United States' in their own right," but Justice Kennedy, while concurring in striking down the rules, demanded "a 'significant nexus' to waters that are or were navigable in fact or that could reasonably be so made.'

In 2007, the EPA and the Corps responded to the Court's rulings and in late 2008, after the receipt of 66,000 comments, issued new guidance on identifying "waters of the United States." Then, in 2011, the two agencies proposed new guidance that expanded significantly the reach of the CWA, including over vernal pools, prairie potholes, natural ponds, and playa lakes. In response to 230,000 comments, many of which demanded a formal rulemaking, the agencies issued that proposal in April 2014.

Living up to its reputation for creating, as liberal law professor Jonathan Turley put it, "a constitutional tipping-point," the Obama administration's new rules constitute a historic land grab. Contrary to Justice Kennedy's instruction, the rules: extend to all waters (not just wetlands) and all waters adjacent to non-navigable interstate waters; create a new jurisdictional concept "similarly situated waters" by misquoting the Justice; and ignore his demand that an agency "establish nexus on a case-by-case basis when it seeks to regulate wetlands based on adjacency to non-navigable tributaries." Worse yet, in violation of the Commerce Clause, they assert authority over waters that are neither instrumentalities nor channels of interstate commerce and that do not substantially affect interstate commerce.

Over its last six years, the Supreme Court has ruled unanimously against the Obama administration's position on 20 different occasions. These new wetland rules may make 211

Mr. Pendley, a Wyoming attorney, is President and Chief Legal Officer of Mountain States Legal Foundation and a regular columnist in Loggers World.

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EXPERIENCE MATTERS

Logging equipment can come in all different sizes, shapes, colors and ages. Equipment can be old, new, dirty or clean. Machines can cut down trees, skid them, process them and put them on a truck, but one thing they all have in common is that they need a skilled operator to make them productive.

make them productive.
Daily costs may vary across the country depending on what kind of logging is taking place but production is what drives cost, and everyone must be concerned with cost of production. Cost can be measured per ton or thousand board feet, but in either case production is the most important factor and it can be tracked right back to the quality and experience of employees operating the equipment.

Logging has shifted towards mechanization across the country and employing and retaining experienced equipment operators is a necessity, however they are also a necessity to the construction, oil and gas, and any other industry whose business requires the use of heavy equipment.

Anyone who has operated equipment knows what level of coordina-

tion and concentration is required to run an excavator or a bulldozer, but what about a processor that falls, limbs and bucks a tree to very tight tolerances. Tolerances that if not met may result in penalties, and loss of revenue. Are the people that are operating these highly sophisticated and expensive machines compensated more than someone that operates an excavator on a highway project?

A little research on the Bureau of Labor Statistics paints a pretty clear picture of where we have been. The data is a little sketchy prior to 1999 so let's use that as a starting point for comparison. In 1999 the mean annual income for a logging equipment operator was \$25,390. Fast forward to 2013 and the mean annual income for the same operator was \$34,700. The Bureau of Labor Statistics also had an inflation calculator and when the 1999 wage of \$25,390 was plugged in out came a 2013 wage of \$35,502, showing that we have not even kept up with inflation. We are paying operators less today then we were in 1999 and the equipment is much more complex to operate.

For comparison a construction equipment operator in the same tables was making \$34,760 in 1999 and \$48,605 in 2013. Good, hardworking productive employees are going to go where they are best compensated for their work; this is why we constantly hear about logging companies trying to train new equipment operators in house. Conversations are abundant about the rising cost of fuel, insurance, and equipment but what we should be talking about is how we can pay our employees more so that they will stay in the forest products industry. Hard working men and women have a distinct trait that cannot be taught, and if not appreciated and compensated for those traits, they often go somewhere else.

In a fantasy world we could simply print money as is the case with our Federal government. The change in SIC code 901 for federal employee's shows the median annual income in 1999 was \$43,600 and in 2013 it rose to \$71,700. Inflation during the period would put their 1999 wage at \$60,950 in 2013. Next time a federal employee tells you how hard they are working you can remind them that they are getting well compensated for that work.

Loggers are being asked to increase production as our economy slowly improves. As the number of inexperienced people entering the work force grows; so will our exposure to accidents and possibly poor public perception of the industry. Productivity losses resulting in higher production costs may also be experienced unless we train and retain good employees. Our industry will be much better served by keeping the experienced employees we currently have and augmenting them with new, trained, professional and reliable employees. How this industry deals with their employees will, for good or bad, reflect on each of us. If we do not work together to attract and retain employees with pay rates that are comparable to similar trades, we will continue to lose good people to higher paying industries.



Myles Anderson is the current President of the American Loggers Council and he and his father Mike own and operate Anderson Logging, Inc. based out of Fort Bragg, CA.

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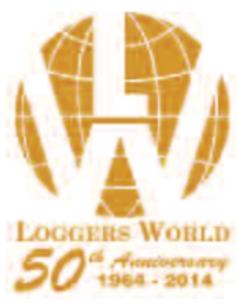
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