



March 2020 Issue

VA Loggers Association

News & Updates

2020 VISION

*The Future of
Our Forests*



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IMPORTANT 2020 DATES

MAR 17

St. Patrick's Day

MAR 21

VLA Board Meeting

APR 2-4

ALC 2020 Spring Fly-in to Capitol

APR 10

Legal Training at DOF HQ

MAY 1-2

Richmond Logging Expo

MAY 10

Mother's Day

MAY 25

Memorial Day

JUNE 24

Safety Seminar at Keystone Antique Truck & Tractor Museum

JULY 24-25

ALC Summer Board meeting

AUG 20-23

VLA Annual Conference

SEP 24-26

ALC 26th Annual Membership Meeting

March						
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Slusher Survey and Pierson Engineering
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South Rivers Forestry Consultants, LLC.
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2020 OUTLOOK

We all want to know what's in store for our industry and individual business owners. What does our future hold for us in 2020? Do we have 2020 vision for our business or organization? VLA actively seeks expert sources to help you. For our first issue, VLA researched housing reports, economic analysis, an author and Virginia's General Assembly to provide food – for – thought!

Key Elements from General Assembly 2020 – Energy, Forest Products & Labor & Management



Energy

The House of Delegates and Senate both passed strong energy bills that promote carbon neutral energy in Virginia. Biomass is still a source for electricity production, but those supporting these bills are intent on eliminating biomass in Virginia's future energy policies. We must be vigilant in our efforts to promote biomass as a natural renewable, carbon-free source for electricity production. Those who support these policies are strong and bear the message that biomass burning emits carbon in the atmosphere. They do not care that trees are our only renewable natural resource. With sustainable forest management, our country can use biomass in its renewable energy policy, have plenty of forests that improve air quality.

Forest Products

The General Assembly passed HB 1021 (**Personal property tax; forest harvesting machinery and equipment**). This important bill provides that a locality may exempt from tangible personal property taxes certain farm machinery and farm implements, which shall include equipment and machinery used for forest harvesting and silvicultural activities. Bill now awaits the Governor's approval into law.



The General Assembly also passed HB 1348 and the companion Senate version. (**Overweight permits; forest product**). This bill clarifies that the definition of forest products for the purpose of qualifying for an overweight permit for hauling forest products includes wood pellets. Bill now awaits the Governor's approval into law.



Labor & Employment

Minimum Wage: The House of Delegates and Senate passed different bills for minimum wage increases. Debate is still ongoing over the details. As of this writing, minimum wage could be as follows.

- From January 1, 2021, until July 1, 2022, every employer will pay to each employee wages at a rate not less than the greater of \$9.50/hour or the federal minimum wage (FMW).
- From July 1, 2022 until July 1, 2023, the greater of \$10.50/hour or FMW.
- From July 1, 2023 until July 1, 2024, the greater of \$11.50/hour or FMW.
- From July 1, 2024 until July 2025, employees shall receive not less than the greater of the adjusted minimum wage for the wage region of the employer's location or the FMW.

Earned Sick Leave: The House of Delegates is working on a Senate bill version requiring employers to give employees earned sick leave. Requires public and private employers with 15 (pending) or more employees to provide those employees with earned paid sick time; however, the provisions of the bill would not apply to an employer that has entered into a bona fide collective bargaining agreement. The measure provides for an employee to earn at least one hour of paid sick leave benefit for every 30 hours worked up to a maximum of 40 earned hours.

Virginia Tech – US Forest Service Housing Report December 2019 Conclusions

Total starts were reported at 1,608 million units in December 2019 – this is the greatest number reported since December 2006 (1,649 million units). Further, single-family starts were 1,055 million units, the first-time single-family starts have exceeded one-million units since July 2006 (1,042 million units). Two factors may be behind this upsurge: 1) a mild December and 2) a large increase in the Midwest region's starts. Winter seasonal adjustments for the Midwest typically are greater than the other regions. Total single and multi-family permits and new single-family sales declined month-over-month. Except for single-family units under construction, all housing metrics were positive on a year-over-year basis.

Housing, in most categories, remains substantially less than their respective historical averages. The new single-family housing construction sector is where most value-added forest products are incorporated, and this housing sector has ample room for improvement.

Pros:

- 1) Historically low interest rates;
- 2) Select builders are beginning to focus on entry-level houses.

Cons:

- 1) Housing affordability indicates improvement;
- 2) Lot availability and building regulations (according to several sources);
- 3) Laborer shortages;
- 4) Household formations still lag historical averages;
- 5) Changing attitudes towards single-family ownership;
- 6) Job creation is improving and consistent, but some economists question the quantity and types of jobs being created;
- 7) Debt: Corporate, personal, government – United States & Globally;
- 8) Other global uncertainties.

Economic Summary for December 2019:

Sentier Research LLC Median Household Income for December 2020 “New data from the monthly Current Population Survey (CPS) indicate that median annual household income was \$65,666 for December 2019, down by 0.8 percent from November 2019 but 1.1 percent above the median in December 2018.

Following the “great recession” defined as lasting from December 2007 to June 2009, median household income fell to its low point in June 2011 (\$56,308). The December 2019 median of \$65,666 is 16.6

percent higher than the June 2011 median. The December 2019 median is 1.1 percent higher than that for December 2018 (\$64,945).

Median household income for December 2019 was 6.7 percent higher than the median of \$61,571 for December 2007, the official start of the Great Recession and 16.6 percent above the post-recession low point of \$56,308 in June 2011.

Despite numerous monthly increases following the June 2011 post-recession low for median household income, the December 2019 median was just 5.4 percent above the January 2000 level of \$62,303 (first year in this monthly series) after adjusting for changes in prices. – Gordon Green and John Coder, Sentier Research LLC

Key Findings of Economic Report Recently Shared with Board of Forestry

- US Economic growth expected to weaken but remain positive in the near term.
- Housing sector remains at historically weak levels. Underlying fundamental demand for housing demand is strong, but supply side issues and lack of affordable homes restraining growth.
- **Solid wood product markets will rebound modestly in 2020. Production increases focused in the South.**
- Opportunities in international trade markets will be limited. Resolution of trade dispute with China will take time and growing competition from Europe.
- Despite rising demand, softwood log prices will remain at historically low levels due to supply overhang.
- **Grade conversions and capital investments have strengthened pulp sector. Grade-conversions improve expectations for VA mills.**
- Pulpwood and lower quality wood fiber will likely come under pressure due to increasing supply of residual chips.

Reflections of David Abbott, Southern Loggin' Times

“The story so far in 2020 has been rain. For many southern states, it feels like it has rained more days than it hasn't for the first two months of this year. That hasn't helped things.

We are oversupplied on pine pulpwood, it seems. Mills are full. There are too many loggers who are too productive because machines are too efficient, and too many landowners who planted pine pulpwood. There's simply more supply than there is demand, and that isn't good for anyone's bottom line.

I have heard that in some parts of Virginia pine pulpwood may be going for \$3 a ton. Loggers are caught in the middle between landowners wanting to get the most money for their timber and mills wanting to pay the least for their stumpage. I have heard that some landown-

Continued on page 9



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ers have even paid loggers to thin pine plantations and leave the wood on the ground. I think it might be harder now than it has been in a long time for loggers and landowners and I think it is harder in southern Virginia and northern North Carolina than it is in many other parts, and that is somewhat of a reversal from what the situation seemed to be maybe 10 years ago or so.

And it is an easy temptation to blame the mills for low prices, and some of those common complaints are or may well be justified. However, we should remember that this too is a supply and demand issue; should mills pay more for a product than their own markets will bear? It's capitalism, it's free market, and again, there is more supply than there is demand, and that means prices will inevitably be lower.

That said, I think the thing that bothers so many loggers is that they feel they can't count on anyone's word anymore. You make deals, whether it's buying timber months or even years ahead, or buying new equipment, based on projected prices, but then those prices fluctuate weekly or even daily. Of course those companies have a responsibility, to their shareholders if they are publicly traded, to try to maximize profitability; but it would be nice if they would also choose to be more than just fair and ethical in a legal sense; if they could be less short sighted and take care of the suppliers who take care of them, not take them for granted or treat them as interchangeable, and if they could honor their agreements. It's understandable if the money just isn't there, but I think some loggers feel that they can't rely on what the mills tell them not to change with too little advance notice; it's hard to plan when you don't know from one week to the next how much you can haul and how much you can expect to make from it. Again, that is just an anecdotal observation, not an accusation against any mills or individuals, none of whom I personally know. It appears to me that some loggers feel this way, but I can't say if it is justified or not.

Another concern for many of our logging friends in Virginia is the near monopoly some companies have on consuming mills in some areas. I've been told that a logger or landowner may only have two options for some products in a 300-mile radius, in that all the mills are owned by the same two or three companies. If you don't like the price they set, what can you do? Where else can you go? Virginia loggers have also pointed out to me that certain power companies that use wood have no loyalty or, as one logger put it, "warm fuzzy feelings," for loggers; they are not in the wood business, they are in the business of making money (of course), so when prices no longer make sense for their purposes, they will cut off wood in a heartbeat.

It goes without saying that trucking, insurance, labor, equipment costs, regulations, and all the other usual complaints continue to bedevil logging business owners. Some on the southeast and Atlantic coast states who have had hardwood exports as a major piece of their pies have suffered due to the trade war and tariffs with China, but perhaps this situation is improving.

It's already been 11 years since we hit the lowest part of the recession; I'm not sure we fully realized or appreciated the recovery, but it

has been about 8 years since things got better (of course that varies from state to state, county to county and even logger to logger; when some were doing badly, others were doing well, and vice versa; and when some started recovering, others never did or found theirs delayed). Overall, I think things started improving pretty well in 2012. My point is: the market is cyclical, and we are currently in a low point. It feels like the recession was recent, but it was over a decade ago. Things got better, whether we knew it or not, and now the pendulum for some has swung back again almost before we realized it. The good news there is that it will again swing for the good side, but who knows when.

It affects loggers, landowners, mills, equipment sales; it affects us, too. Ad sales are down for us. In some sense we are all in this together and it does all tie together.

Again, I do so wish I knew how to unravel the knot and come up with some advice that could help loggers. I'm not sure that there is a perfect solution that will work for everyone. Perhaps my best advice is to try to diversify. I've known many loggers who also get involved in cattle and farming, in timber dealing and land, real estate ventures, equipment dealerships (think the Tapscott brothers), truck repair shops; I knew one in Georgia who also owned a Zaxby's franchise. Eric Chambers was and still is a logger who also designed, patented and marketed his Chambers Deliminator, and others have embarked on similar ventures. Of course, in the very old days few logged full-time all year long; many logged parts of the year and farmed part of the year. Perhaps it would behoove some to, in some way or to some extent, consider revisiting that business model. Not putting all of one's eggs in the same basket is old but good advice, I think, especially with a basket prone to volatility and highly vulnerable to uncontrollable outside factors.

I do think things are looking somewhat down at the moment, but I suppose the silver lining in which we might find consolation is in this thought: how much lower can it go? Let's hope we like the answer to that."

Closing:

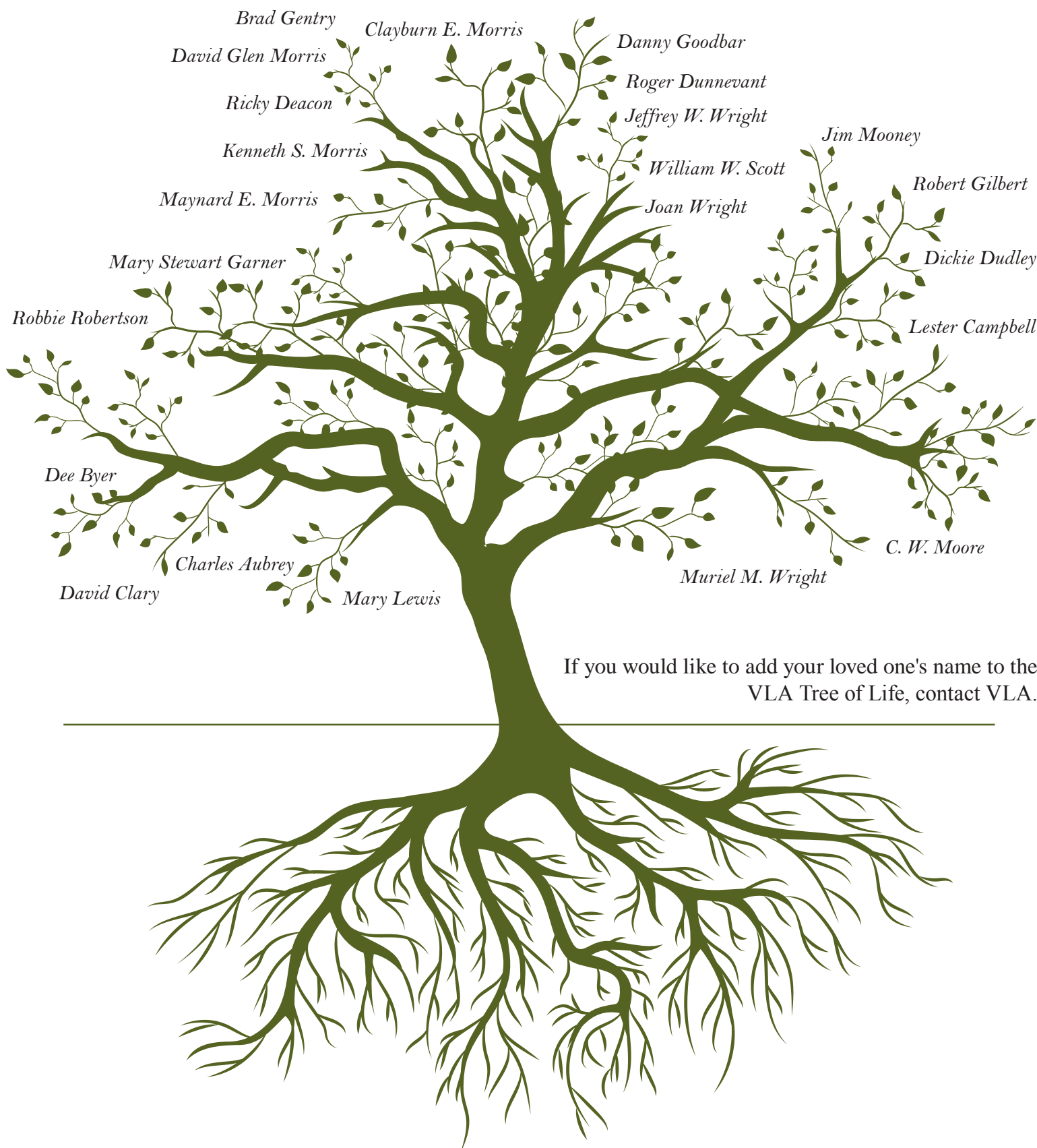
VLA plans to bring new data and reflections on our businesses and markets through our 2020 publications. Although markets may seem at a low point for many, we believe bringing attention can offer something positive. If one idea helps one business, then we'll celebrate that small success.

Our goal is to bring information to everyone. Better information may lead to better decisions. The result may be a better vision about our future. Please let us know what you would like us to cover in future issues.

We are like the mighty Oak! How we remain strong depends on our "roots"! Let's "hold on", believe in our strengths, for this too shall pass.

TREE OF LIFE

*Love Lives On Even When Those We Love Go to Heaven
-Memories of Those Who are No Longer With Us Live On*



EXECUTIVE DIRECTOR'S CORNER

Ron Jenkins

Kicking Off 2020

Virginia Loggers Association kicked off the new year with an informative board meeting. Guests included our board members along with Congresswoman Abigail Spanberger, Secretary of Agriculture & Forestry Bettina Ring, State Forester Rob Farrell and many VLA family members. Ricky Allen, Jason Critzer and Peter Schurig joined us to compliment discussions.



We put all our issues and concerns on the table and asked our members to describe each in detail to help our guests better understand our industry. Board members Vance Wright, Frank Myers and Buck Morris spoke on issues very dear to them. The issues consisted of markets, biomass, insurance, contractor/employee status, broadband and transportation.

Our meeting went very well. We are grateful to Binky Tapscott and his staff for setting up the meeting room and providing all the refreshments. This was our first ever board meeting with white tablecloths! Very nice touch Mr. Tapscott!

Most satisfying was the quality of how our members illustrated the issues. Our guests really listened and heard our concerns. We are grateful to Bettina Ring and Rob Farrell for providing excellent overviews of Virginia from each of their roles in state government.

For example, VLA board member Thomas Evelyn gave an excellent example of the situation on rural route 249 through New Kent County and the hazards for log trucks. He explained the schools, citizen driveways, speed changes and traffic and said that I-64 ran parallel to the highway and that log trucks should be able to haul the same weight on the interstate. Congresswoman Spanberger responded that she really understood because she had family in New Kent and knew the roads. This was one of those “light bulb” moments and we felt a small breakthrough.

During Frank Myers’s presentation on broadband, Congresswoman’s scheduler had texted me to see if she had safely arrived. Although I could receive her message, I could not get a text message or email out from the rural area to tell her that Congresswoman had arrived without delay. Although everyone laughed because of the timing following Frank’s presentation, it emphasized the importance of broadband and having good internet connections for rural business owners.

Following the meeting, Secretary Ring has reached out to get more information about the broadband issues for rural businesses.

Congresswoman Abigail Spanberger signed onto the HR1785 Careers in Logging three days following her visit to VLA’s board meeting.

Congresswoman Spanberger delighted everyone with her listening skills. Taking what appeared to be 3 + pages of notes, she told us about her role as Chair of the Sub-Committee on Conservation & Forestry. While speaking she pinpointed her interests in our areas and talked about her challenges and hopes.

She was presented with a sweatshirt, toy Tigercat model and more from Forest Pro and VLA. Accepting our gifts was a highlight for all.



Our elected and appointed leaders listened carefully to the issues your fellow members (Frank Myers, Jason Critzer, Buck Morris, and Peter Schurig) described to them. Time spent in the board meeting and the one – on – one meetings were helpful to get our message across in early 2020.

We plan to keep up our dialogue with our leaders in the federal and state government. Our next federal opportunity will come during our visits with Virginia’s elected congressional leaders April 1-4. Our primary goal for those meetings will be federal legislation that authorizes Virginia’s maximum hauling weight on interstate highways.

Next board meeting of the VLA is March 21. If you have a hot topic for your board’s consideration, please send it to me for the agenda.



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Members of the forest products industry joined Governor Northam, Secretary Bettina Ring and Rob Farrell for some Q & A about our industry and phot-op on January 22 following a legislative breakfast event. VLA Board members Chad Shelton and Kirk Richardson attended along with VLA members Palmer & Nicole Dugger, Michael Harold, Jason Critzer, Kirby Funderburke, Jay Phaup and John Magruder.

SAFETY SEMINAR

JUNE 24, 2020 | 9 AM – 3 PM

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Michelin North America, Inc. Tire Discount Program



VLA Board of Directors has some exciting news to share with all members. VLA Board of Directors and Michelin entered a partnership to provide VLA members with great discounts on purchases of Michelin tires. Michelin North American, Inc. is a member of the VLA and only VLA and members of other state logging associations have access to Michelin's tire discount program

You must follow the procedure below to open your account and receive the full benefits.

Below is the process of setting up a Michelin Account and the guidelines.

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- 1) Interested VLA Members should reach out to your Local Michelin Dealer.
- 2) Complete the application and send it to Desmond Hall (desmond.hall@michelin.com) or Kallie Golicher (kallie.golicher@michelin.com) **They will verify the account with Ron Jenkins.**
- 3) Once the application is verified it will be sent to Michelin for approval.
- 4) Michelin will provide the customer with a Bill To and Ship To number. (Account Number) **At that time they will have to Register their account at Michelinb2b.com and upload their Credit or Debit Card.**
- 5) Program available to ALL members with the VLA.
- 6) Program for Michelin and BF Goodrich tires. Tires available are Truck, Light Truck, Passengers Car, Agricultural Tires, Industrial Tires, Off Road Tires, Retreads
- 7) Once a member is registered on Michelinb2b they will have access to all their purchases reports and pricing
- 8) Members can go to any Michelin dealer to purchase tires
- 9) Tires cannot be ordered online or shipped to customer. They must go through a Michelin Dealer.

Please let me know if you have any other questions. Thank you!

You may also direct your inquiries direct to the following Michelin contact:

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NEWS AND UPDATES FROM VIRGINIA TECH FOREST OPERATIONS EXTENSION SPECIALIST

Scott Barrett, PhD,
Assistant Professor
and Extension Specialist,
Forest Operations

Coordinator for the VA
SHARP Logger Program

Department of Forest
Resources &
Environmental
Conservation

SHARP LOGGER SURVEYS ARE IN

Our 2019 SHARP Logger survey has now been completed. We had over 600 responses to the survey, which means that over 600 people took the time to sit down and fill out our questionnaire to provide us more information about themselves and their operations. Without everyone taking the time to complete the questionnaires, this survey wouldn't have been possible. So first and foremost, I wanted to say thank you to those that completed the questionnaire. This is the third survey of VA SHARP Loggers with previous surveys completed in 2009 and 2014, so we can now show changes in Virginia's logging operations over the past decade. We have just begun the process of analyzing the data and I plan to present much more detail at the VLA annual meeting coming up in August and will also share some additional details through future articles here as well.

Of the responses that we received, about 250 of them were from logging business owners, or in other words it represents feedback from about 250 logging businesses from across Virginia. As in the past, this data shows us just how much variability there is in logging operations among the different regions in Virginia. There is considerable variability in the types of equipment, size of operations, and types of harvests they perform. Much of this variability in operations is due to difference in topography, forest types, markets, as well as the individual preferences of logging business owners.

It is probably no surprise to most of you that this survey also showed that the average age of logging business owners continues to increase. When we did the first survey in 2009, the average age of logging business owners was 48.7 years. In 2014 it had increased to 51.2 years, and now the average age of logging business owners that responded to our survey was 53.1 years. This is not necessarily something that is unique to Virginia loggers or even to loggers in general. Others have noticed an increase of the average age of loggers in other regions of the US and this is part of a nationwide trend for a lot of industries.

In addition to the aging logging workforce, the survey results also provide some insight into how changing markets and changes within the overall industry have impacted operations. As you all know, logging is a challenging industry and this survey helps to show some of those challenges. The questionnaire asked loggers to identify the biggest challenges they face in their operations. Again, it's probably not a surprise that some of the most common responses to this question were things like trucking, finding dependable and qualified employees (including truck drivers), and dealing with costs related to fuel, insurance, and equipment repair. Other common responses included challenges associated with the weather, as well as market variability.

We added some additional questions to the survey this year and it showed that many logging operations are starting to use technology such as dash cameras as part of their operations and some are even utilizing drones in their operations. This survey provides a great way to show the current characteristics of logging operations across the state and to see how they have changed over time. I look forward to seeing you at the annual meeting and sharing much more detail on this survey.



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VIRGINIA DEPARTMENT OF FORESTRY

EFFECTS OF DIFFERENT LEVELS OF UTILIZATION ON LONG-TERM SITE PRODUCTIVITY

Forests cover nearly two-thirds of Virginia and provide over \$21 billion and nearly 108,000 jobs to our economy in addition to many other environmental and social benefits. Over the last 75 years or so research by federal and state forestry agencies, universities and forest industries has taught us how to grow more productive and healthier forests in less time (shorter rotations) than ever before.

As in agricultural systems, the removal of all or parts of the crop plants potentially influences the site. In the case of trees, water quality and quantity, aesthetics, wildlife habitat, fire hazard and long term site productivity (LTSP) may be affected.

LTSP is a critical attribute of Virginia's forest ecosystems. Site productivity is broadly defined as the capacity of a forest site to capture carbon and convert it into biomass; but the attributes most frequently used as indicators of site productivity are various measures of tree growth (size, volume per acre, biomass, etc.). Site productivity can be affected during harvest by forest floor disturbance or removal, soil erosion or compaction and the amount or frequency of biomass removed.

Since at least the early 1980's, interest in using forests as a source of renewable bioenergy has periodically peaked. Decades ago this occurred as a result of high fossil fuel prices. More recently, concerns about the combustion of fossil fuels and climate change have increased interest. Deriving bioenergy from forests could involve the utilization of more of the trees than traditional "stem-only" harvests – particularly smaller stems and branches in what is often referred to as "whole tree" harvesting. Studies indicate that the amount of additional residue that could be harvested is between 10 and 45 tons per acre for pine forests and 22 to 38 tons per acre for Appalachian hardwoods. This could be combined with more frequent removals of these smaller stand components. The scenario of more complete biomass removal on a shorter rotation raises a new level of concern about potential negative impacts on LTSP.

Because LTSP is vitally important to the health and sustainability of forests, which provide significant ecological, social and economic value, it has been a concern of forest managers for decades and has been widely studied.

Perhaps the best example of this research is the North American Long-term Soil Productivity Program. This effort by the U.S. Forest Service and numerous collaborators began in 1989 to quantify the short- and long-term effects of different intensities of timber harvesting and biomass removal on soil productivity at more than a hundred study sites located across North America. The test sites include plots with stem-only, whole tree, and complete removal of

all material down to mineral soil. The 10-year assessment of harvest effects showed that forest sites are generally able to experience high levels of biomass removal with little or no negative effect on seedling growth and nutrition. There was no evidence that soil productivity had been seriously impaired in the first 10 years despite massive removals of surface organic matter and substantial soil compaction. Whole-tree harvesting or whole-tree plus forest-floor removal did not consistently reduce tree growth or foliar nutrients compared to stem-only harvest. The data suggest that removing surface organic matter reduces productivity more on poorer sites than on better sites, but the difference is not statistically significant across the program. Some pine stands in the Gulf Coastal Plain, for example, showed 15-20 percent reductions in pine growth following whole tree removals.

Relevant research findings from other projects include:

- Whole-tree harvesting as part of a thinning operation is considerably less likely to diminish site productivity than as part of a final harvest.
- In northern hardwood forests no difference was detected in growth, biomass or species composition of regeneration following whole-tree vs conventional harvesting.
- In southern pine forests, increased utilization is often credited with increasing productivity by improving planter access (more trees planted per acre) and planting quality (more seedlings planted correctly), leading to better survival.
- The risk of negative impacts varies by site. Highest risk occurs in stands characterized by shallow depth to bedrock, lower clay content, drier aspects and lower organic matter content.
- Although not often possible or practical, adding organic matter to a harvest site can increase nutrient availability.
- Where negative effects do occur, they can be mitigated by fertilizer application.

In summary, increased harvest utilization does not consistently or universally diminish site productivity. Removing more material more frequently can negatively impact LTSP on sites which are already nutrient limited or otherwise low in productivity, but even on these sites productivity can be restored or even improved by the application of fertilizer. At least one economic analysis has shown that the value of the bioenergy harvested is greater than the costs of harvest and fertilization. So on the majority of sites more risk arises from erosion or compaction than from increased utilization per se. Complying with BMPs is still the best way to protect LTSP.

Further Reading:

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PROGRAM DETAILS



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Peterbilt is pleased to offer the American Loggers Council (ALC) the following rebate incentive:

Program Details:

- Members receive a \$2,000 **CASH** rebate on Models 567, 367, or 365.
- Limited to three (3) rebates per member for calendar year 2020.
- ALC members must be in good standing for at least 90 days prior to taking retail delivery.
- ALC members must take retail delivery between **January 1, 2020** and **December 31, 2020**.
Retail delivery is defined as the time the ownership of the truck is transferred from the Peterbilt dealer to the customer.

Other Details:

- Request for customer rebate incentives must be **received by ALC** within 90 days of taking retail delivery.
- Allow 6 to 8 weeks for check to process.
- This program may not be combined with any other rebate offers from Peterbilt.



AS WE SEE IT: FEBRUARY 2020



By: Dave Duren, Coordinator – Texas Logging Council

So, I'm driving south bound on U.S. 59, just entering the city limits of Diboll, and on the left, behind the car/truck fuel convenient station, sits a state trooper unit with a loaded log truck. Curiosity gets the better of me, so I made a U-turn to check it out.

I recognize the trooper as one who presents in logger training and education for the Texas Logging Council (TLC), and I pull up beside him as he was walking alongside the log truck trailer. I greet the trooper and ask him how he was doing; you know, the typical cordial greeting. However, since he knows what the TLC is trying to do to promote truck safety, he voluntarily gives me a few details about the stop. He does not name anyone, and I don't even think there is a company name on the side of the door. It's just another log truck going through a typical inspection.

What I learned about the incident really begs the question, HOW and WHY does this stuff keep happening? For three years I've been the TLC's coordinator and heard this statement numerous times, "so and so isn't pro logger trained, doesn't have the proper insurance, and yet they roll into these mills just like the rest of us."

What am I talking about with my question? It turns out the driver of this truck did not have a proper driver's license and, by the way, didn't have one the last time he was stopped in the same truck by the same trooper a month or so ago. The truck and trailer were not registered, and there was no insurance. With the appearance of the tires and the apparent lack of maintenance, I would not have been caught dead in that truck.

Two things are happening here. The State has a revolving door policy when it comes to removing unlicensed drivers from the highways, and some of the area mills have a "look the other way policy," because they are certainly not checking anything.

This past year the conversation in several people's minds has been, "where are we going to find enough trucks to log the mills?" Truck safety is being preached basically from shore to shore in the hopes of stabilizing rising insurance rates threatening the profitability of logging contractors.

How long do you have to dance with a gorilla? Until the gorilla slams you down, or gently releases you. Sometimes, it's hard to tell who the gorilla is.

The Texas Logging Council is an affiliation of private businessmen and businesswomen who make their living from the harvesting and delivery of wood fiber to forest products mills all over East Texas. Their purpose is to improve and expand the use of professional logging and trucking practices responsive to the needs of customers, employees, landowners and the general public; to provide educational training for members within the logging and hauling professions; and to improve upon worker safety.

www.amloggers.com



2020 WESTERN STAR ASSOCIATE REBATE- US ALC ASSOCIATIONS



Western Star is proud to support and extend the association rebate for members of the American Loggers Council (ALC) and its affiliates. Dealers can apply the rebate to the truck purchase or process a direct rebate to the customer. ALC Members may qualify for a rebate when they purchase a brand new Western Star 4900 logging service truck; the leading brand in the logging industry.

Members can now enjoy the power and versatility of a Western Star truck, which have been manufactured for higher payloads, better maneuverability, serviceability, and equally important, durability and dependability.

Western Star Trucks reserves the right to terminate this program at any time without notice. Transactions submitted and approved for this offer are subject to audit at any time. Western Star reserves the right to charge back any incentives provided if found that the transaction does not fully meet the program requirements.

Rebate amount is based on truck model and configuration:

- \$3,000 for 4900 model with vehicle service code of A85-012, logging service truck

Requirements:

- **Valid only on vehicle service data code of A85-012, logging service truck.**
- **Valid only on StarQuote pricing.**
- **Not valid with stock truck concession or other program incentive claims.**
- Verification of membership or affiliation status with ALC.
- Association membership must be valid for at least **90 days** prior to retail sold date.
- Trucks must be new and never been retail sold regardless of model year or mileage.
- Maximum of **five (5)** trucks per customer/company in a calendar year.
- Rebate claim must be processed within **30 days** of retail sale date.
- No gliders or used trucks are eligible.
- Only one association rebate can be applied per claim per truck.

Process:

1. Association member advises dealer he or she is a member of the American Loggers Council or affiliate organization, and asks dealer to verify membership with ALC.
 - o To verify membership, dealer needs to contact Mr. Daniel J. Dructor, American Loggers Council via e-mail at americanlogger@aol.com or by phone at 409.625.0206.
 - o Please identify yourself as a Western Star Dealer requesting approval to offer a discount to the customer. Provide applicant name, organization, and membership number, if applicable.
 - o Mr. Dructor will verify and provide you with an approval. He will also send a copy of the approval to WST.Dash@Daimler.com
2. Association member makes his/her best deal on up to **five (5)** new trucks.
3. Dealer report and enter the retail sale date and warranty registers the truck(s).
4. Dealer submits a TIA using request type, Trade Association/Sales Rebate category
 - o If Association does not have a membership list or number, proof of membership (i.e. Membership Card or Membership dues receipt) must be attached in TIA system.
5. Dealer submits Rebate Claim Form through the DASH.
6. Association membership and truck sale are verified before TIA is processed.
7. Dealer can apply the credit as requested by the customer/member:
 - o Dealer credits customer's parts/service account with full rebate amount.
 - o Dealer pays the customer full rebate directly.

Western Star will send a Thank You letter to the customer to thank them for their purchase listing the rebate that was processed.

Dealer is responsible for ensuring all conditions of this program and Association memberships are met. TIA's will not be approved if any condition or Association memberships are not in accordance with this program.

For questions, please contact WST.DASH@Daimler.com

VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY



– Logging Sector (Personal Protective Equipment – PPE) –



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The logging sector workforce has an increased hazard exposure, due to the nature of the work performed. Personal Protective Equipment (PPE) has a key role in protecting our workforce on the day-to-day activities, so it is important to know the basics.

HIGHLIGHTS OF PPE REQUIREMENTS

PPE must be inspected prior to use on each work shift to ensure it is in serviceable condition per OSHA standard 29 CFR 1910.266(d)(1)(i) - (ii).

The following PPE must be used when hazards make it necessary - per OSHA standard 29 CFR 1910.266(d)(1)(iii) - (vii)).

Except for foot protection, all PPE must be provided by the employer at no cost to the employee.

- Head Protection;
- Hearing Protection;
- Eye/Face Protection;
- Leg Protection;
- Foot Protection;
- Hand Protection.

PERSONAL PROTECTIVE EQUIPMENT (PPE)

- Head, ears, eyes, face, hands, and legs;
- Must be inspected before each use;
- It is the employers responsibility to ensure workers use adequate PPE.

HEAD PROTECTION

- Many loggers are killed by being struck in the head;
- Without a Hard hat, even the smallest piece of wood can be deadly;
- Hard hats are designed to absorb energy;
- Must be ANSI approved, look for the ANSI stamp;
- Must be worn!



HEARING PROTECTION

- Must be chosen to limit exposure to less than 90 decibels (dBA) for 8 hours;
- Muffs or plugs;
- Must be used and cared for according to the manufacturer specifications.



Typical Noise Levels & Time Weighted Averages (TWAs) (Source: West Virginia University)

- Timber Cutter - 104 TWA (dBA);
- Skidder - 88 TWA (dBA);
- Loader - 85 TWA (dBA);
- Dozer - 97 TWA (dBA).



Typically, the timber cutter and dozer operator exceed OSHA's 90 TWA (dBA), and need protection. All workers should use protection at a Logging Work Site.

EYE AND FACE PROTECTION

- Eye and Face protection must be worn;
- Equipment must comply with ANSI standards, look for ANSI approval;
- No regular glasses or sunglasses unless ANSI stamped;
- Logger type mesh screens are considered to be the best protection for timber cutters!.



LEG PROTECTION

- Each worker who operates a chain saw must wear leg protection;
- Chaps / Logging Pants are made of cut resistant material;
- They must extend from upper thigh down to boot top;
- Must be UL approved, check the tag.

FOOT AND HAND PROTECTION

- Employers must ensure that workers wear boots;
- Boots must be heavy duty and water repellant;
- Boots must cover and support the ankle;
- Cut resistant boots are required for chainsaw operators;
- Cut resistant boots are UL approved as cut resistant, check the tag;
- All workers should use gloves and gloves are required of all workers who handle wire rope.



The OSHA Logging eTool provides additional valuable information on PPE for the Logging Sector.

https://www.osha.gov/SLTC/etools/logging/manual/logger/personal_equip.html

All employees prior to working for a company need to be trained when assigned new tasks or equipment and on PPE correct use for each task. Workers who need training must work under close supervision of designated person until they prove they can safely perform their duties.

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ABATEMENT ADVICE: Any hazards or violations identified by the consultant will be discussed during the walk-through, including guidance on eliminating existing and potential safety or health hazards.

TRAINING: Can be conducted on-site if requested and recommendations for ongoing training will be provided.

PROGRAM ASSISTANCE: Assistance will be provided to develop safety and health programs that will prevent injuries and illnesses by eliminating and controlling hazards.



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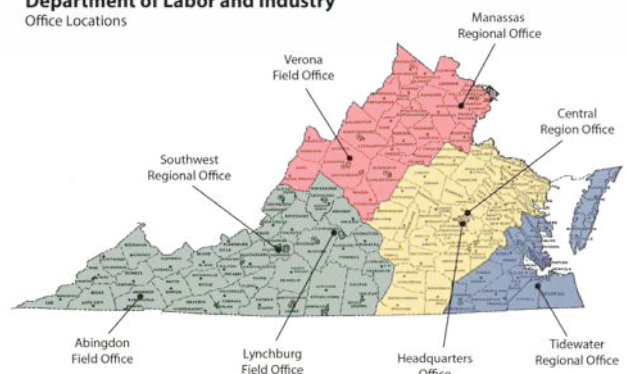
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What is the Dillon Rule and Why Should Trucking Care About It?

The age-old argument of where the power of lawmaking should reside - state or local - began with a man named John Forrest Dillon, who was Chief Justice of the Iowa Supreme Court. In 1868 he stated a rule of law known as the Dillon Rule doctrine that has come to govern how 39 states, including Virginia, interact with local and municipal governments within those states. In *In Merriam v. Moody's Executors*, 25 Iowa 163, 170 (Iowa. 1868), Judge Dillon stated:

It is a general and undisputed proposition of law that a municipal corporation possesses and can exercise the following powers, and no others: first, those granted in express words; second, those necessarily or fairly implied in or incident to the power expressly granted; third, those essential to the accomplishment of the declared objects and purposes of the corporation – not simply convenient, but indispensable; fourth, any fair, reasonable, substantial doubt concerning the existence of power is resolved by the courts against the corporation.

Stated simply, the Dillon Rule means that local governments are limited to the powers expressly granted to them by their state. As a Dillon Rule state, local jurisdictions in the Commonwealth are prohibited from adopting laws or ordinances without specific permission from the General Assembly to do so.

In recent years, local governments have waged a battle against application of the Dillon Rule in Virginia without much success. Their efforts have been turned back by General Assemblies that have understood the importance of the Dillon Rule to maintaining Virginia's status as one of the best states in the country for business. However, support for the Dillon Rule may be fading as local governments have become entangled in the debates over confederate monuments and guns.

To understand this shift, let's look at recent local ordinances that have been overturned or otherwise due to Dillon's Rule.

The City of Charlottesville recently challenged the efficacy of Dillon's Rule and lost. In response to growing calls for removal of Confederate statues and monuments, the Charlottesville City Council voted in 2017 to remove statues of Confederate generals Robert E. Lee and Stonewall Jackson. A group of residents sued the City to overturn Council's vote to remove the statues arguing that Council had gone beyond its authority. A circuit court judge sitting in Charlottesville agreed with the group of residents and overruled the Council's decision.

The judge's ruling was premised on the Dillon Rule.

Similarly, local governments have been limited in their efforts to enact ordinances and restrictions on guns within their borders. The city councils in Falls Church and Alexandria have sought in recent years to implement local laws aimed at limiting gun use or otherwise restricting guns in public spaces.

In late 2018, the Falls Church City Council removed 15 sections of City Code that limited gun use in the city because they violated the Dillon Rule. During debate on the action, the Council expressed considerable frustration over the long-standing constraints it faces on limiting gun use in the City because of the Dillon Rule.

The City of Alexandria learned the same lesson when residents there inquired about enacting gun restriction laws after a group of guns rights activists and others marched through Old Towne Alexandria last September openly carrying shotguns and rifles. Frightened and frustrated residents asked Alexandria police if laws were being broken and if the police could do anything to stop the march but were informed that Virginia is an "open carry" state. As such, the city of Alexandria is at the mercy of the General Assembly with respect to gun restrictions.

Is the Dillon Rule in danger of being overturned? The shift in political and geographic power in the 2020 General Assembly has given opponents of the Dillon Rule hope.

Legislation to loosen Dillon Rule restrictions on local governments' authority to regulate guns and make decisions on Confederate statues and monuments have a good chance of passing this session. The business community is concerned that such actions will start Virginia down the path of rolling back or outright ending the Dillon Rule, which will lead to conflicting regulations across the state that will increase the cost of doing business in Virginia.

This is particularly true for the trucking industry and the Virginia businesses it serves. Those of you who were involved in trucking since the 80s will remember the industry's fight to end the patchwork of state taxes, registration fees and regulations that burdened interstate freight movement throughout the U.S. We now have the International Registration Plan (IRP) and the International Fuel Tax Agreement (IFTA) that allows carriers to deal with only their home state for payment of registration fees and fuel taxes everywhere they travel. We also have the Federal Motor Carrier Safety Regulations that preempt state laws so trucking fleets have a uniform set of rules that govern the safety of their operations throughout the country.



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Now, imagine if Virginia does away with the Dillon Rule and our 133 counties and cities are allowed to tax and regulate truck operators in any way they want? Trucks could easily become rolling ATMs for localities seeking various taxes and fees from every truck traveling in or through their borders. Drivers could face enforcement stops in every locality they enter making it impossible to deliver freight on time and comply with hours of service requirements, not to mention the productivity wasted to go through multiple inspections.

Virginia must keep the Dillon Rule and retain state authority over environmental, taxation, labor, health and safety regulations. Doing so will continue Virginia's status as a business-friendly state and ensure we have an efficient freight transportation system that businesses and industries in the Commonwealth depend on.

If you have questions about this article, contact Chad Murchison at cmurchison@setlifflaw.com (804-377-1270) or Steve Setliff at ssetliff@setlifflaw.com (804-377-1261).

For information on how you can support efforts to retain Virginia's Dillon Rule, contact Dale Bennett of the Virginia Trucking Association at dbennett@vatrucking.org or (804) 355-5371.

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Virginia Loggers Association Political Action Committee

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We are grateful to you because your financial contributions make the difference for VLA members receiving recognition by legislators. Without the PAC, our industry and businesses have less power to impact political agendas good for our business.

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Thank you!

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CIRCULAR ECONOMY AND WOOD PRODUCTS



FOREST PRODUCTS AND MARKETS VIRGINIA WOOD PRODUCTS UPDATE

Henry Quesada

Associate Professor
and Extension
Specialist

Department of
Sustainable
Biomaterials,
Virginia Tech

**If you have any
questions about this
topic, please contact
Dr. Henry Quesada at
quesada@vt.edu.**

How do wood products fit into Circular Economy?

Circular Economy (CE) is defined by the Hellen McArthur foundation as “the process of eliminating waste and pollution, keeping products and materials in use, and regenerating natural systems.” There are many examples of products and services that have incorporated the principles of CE such as refurbished cell phones, recycled batteries, tires to shoes, biogas, and fertilizers.



Recycled pallets and reclaimed wood furniture

There are a few products in the wood products industry that incorporate the principles of circular economy. For example, recycled pallets, are mostly made of used materials that come from other pallets. New fasteners, labor, and energy are added, along with the used lumber to create a product that has the same functionality as a new pallet but it is more affordable. Lumber from the old pallet that cannot be used anymore is turned into energy or compost material, which is returned to the biosphere. As we can see from this example, a recycled pallet meets the three principles of circular economy: waste elimination, keeping products in the economy, and helping to regenerate natural systems.

Other interesting circular wood products are pooled pallets and timber matts. The business model for these two products is based on the principle of renting and sharing assets and returning them to their owner when the service is completed and where the renter assumes responsibility of taking care of the assets while it is used. There are many examples of leasing products such as car rentals, car leases, construction equipment, and cell phones. Pooled pallets have an estimated life span of 10 years and currently there are over 500 million pooled pallets embedded in the global supply chain. Because of improvements in the design of the pooled pallet, repairs are rarely required, making it easy for the pooled pallet owner to insert them back into the supply chain. Rental timber matts follow a similar shared business model.

Other forest products such as recycled paper also fit the definition of circular economy but the required processes and inputs to keep it in the economy are larger and more complex than the requirements of pooled pallets or timber matts. In the case of recycled paper, the used paper needs to be processed using specialized equipment and chemicals to be able to recover the usable fibers. When comparing the recovery process of recycled paper against pooled pallets, the cost and impacts of recycled paper are much higher because of the required complexity of the fiber recovery process.

Commercial and residential buildings include some principles of circular economy. Today there are over 500 reclaimed wood companies in the United States. Recovering timber, flooring, doors and windows from old buildings and using them as raw materials or products of new products. Reclaimed wood has become an important business activity given the perceived value of reclaimed wood products by some niche markets. However, some construction materials such as structural and non-structural panels and structural lumber have little or no value in many cases.

Applying circular economy principles to wood products is a difficult task because it requires a business model that works well for the investors. In addition, the participation of industry associations, government, the general public, and Universities is critical to support circular economy wood products.

The Consortium for Research on Renewable Industrial Materials (CORRIM), a non-profit organization, has worked over the last 25 years in developing life cycle assessment (LCA) reports for a large variety of wood products. Currently, CORRIM is in the process of incorporating circularity into its mission and vision by creating a relevant circular economy framework that works for wood products.

The incorporation of CE principles to wood products would certainly increase the positive impacts of using wood products in our society. A key part in the process of incorporating CE principles is the design process. In most cases, 80% of the cost and the environmental impact of any products is already determined at the design stage. Therefore, product designers are a critical link in circular wood products.

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LOG-A-LOAD FOR KIDS



VIRGINIA LOGGERS ASSOCIATION

UPCOMING EVENTS

March 4th: Amherst Golf Tournament Meeting at 10am
Westrock Conference Room

Tentative date for the tournament will be May 8th

May 1st & 2nd: Logging and Sawmill Expo

If anyone would like to volunteer their time on those days for the Log-A-Load Booth please contact Nikki Robertson (804) 586-5413. Come out and see what we have this year! We may have a visit from Pikachu as well!



**SOME PICS FROM
LAST YEAR'S EXPO**



NIKKI ROBERTSON | State Chairman | Log-A-Load Foundation
9318 W. Oak River Drive | South Chesterfield, VA 23803 | 804-586-5413

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