

# VLA VALOggers Association News & Updates

VLA

**BUCK MORRIS** & Friend of the Forest Natural, Renewable Resource and Energy

Merry Christmas

Happy New Year



### **OP/ED BY BUCK MORRIS, VLA BOARD OF DIRECTORS** PUBLISHED IN NOVEMBER 28, 2019 ORANGE COUNTY REVIEW.

October 2019

To Whom It May Concern:

I have to ask, is it a real good idea to practice de-forestation and covering agricultural (AG) land with solar generators/arrays in the name of green energy?

These are not farms by any stretch of the term. This is a feel-good term for a sterile environment. The greenest energy since the dawn of time is photosynthesis; even AG land has something green growing on it for much of the year.

Solar arrays do not clean one rain drop that fall on or around them; they do not take in carbon dioxide (CO2); they do not create oxygen; and they do not provide habitat for wildlife and/or pollinators. Forest land and AG land do all of this naturally.

I understand the need to produce/generate income from landowner's property. However, in the case of solar energy, does this always have to be the tax payer money subsidizing corporate entities, utilities, end users, etc. to provide this green energy technology, as these companies demand 100% green energy before they locate their facility in the state.

A well-managed forest, such as the one in Spotsylvania, provides income not only for landowners, but for anyone associated with the forest products industry. Foresters, loggers, trucking companies, pulp and paper mills, lumber mills, insurance companies, and everyone employed by the many associated industries. It is a very large number, twenty-two (22) billion dollars in Virginia alone, with agriculture receipts topping seventy (70) billion dollars plus.

Deforestation is the removal of trees/forest including the stumps, roots and all of its' substructure, to bare ground and changing the use of the land it stood on to something other than growing trees or forests.

A well-managed forest, such as this particular site, has been managed for timber for sixty years or longer, much longer probably. It was harvested at different size parcels at time of maturity, and since the 1990's in accordance with Sustainable Forestry Initiative (SFI) standards.

In the case of a clear-cut, giving the parcels time to be replanted and start to green-up before harvesting the next parcel. In most cases a thinning first, then a clear-cut later. Never, to my knowledge, was the entire six thousand plus acres all harvested at one time, unless this occurred over sixty years ago, (before my time). In any case, this land is still growing trees and is the definition of a forest, whether hardwood or pine (conifers); providing all the benefits as mentioned before, including, hunting, horseback riding, hiking, and many other recreational benefits.

The forest provides food and shelter for thousands of species of wildlife from the bottoms of the streams, ponds, and waterways, to the birds of prey overhead and everything in between; literally thousands of animals, all while being a working forest. All while soaking and storing carbon dioxide, (a young forest does this even more effectively than a mature forest); creating oxygen, and cleaning and filtering all the rain that falls on it and flows through it from the up-hill sides, not to mention the thousands of bees and pollinators of all sorts that benefit from a clear-cut while it is re-growing.<sup>1</sup> A solar generator/array does not perform any of this or anything close to these benefits.

Glen Morris & Sons Logging, Inc.

David Glen Morris, Jr., "Buck," President

Danny "Dean" Morris, VP

23035 Constitution Highway Unionville, Virginia 22587

Office: (540) 854-5271

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I wonder if any of the entities that are demanding this green energy realize or even are aware, of this effect on the environment from solar construction. Solar has its place, maybe not in these areas of forestry and agriculture. Maybe on the property, such as on roof-tops of these consumers who are demanding this green energy and/or homeowners who want to use this technology along with the tax credits/E-credits provided with it. And the responsibility for the structures should they fail or something goes wrong and the need for decommissioning the structure.

It is my understanding there are very toxic substances directly in the make-up and construction of some of the solar panels, that in the case of these elements/chemicals if they were to be released (due to failure or accident) could be very harmful if introduced into a very large watershed extending from the edge of Orange County down through the 3,000 acre site already under construction for a genera-tor/array in Spotsylvania, and down the Po River basin into Caroline County and on to the next river to the Chesapeake Bay. This could possibly render this watershed unsafe for use by a lot of people and localities. The price for clean-up would be incomprehensible.

In some cases, if you are looking at global warming/climate change, you might sense powerful politicians on both sides of the isle pushing this technology with renewable energy funds funding. (Taxpayer money.)

Who knows who has invested in this technology, there is a huge amount of money to be made with this from the beginning to the end. Tax payer money being allocated for a possible perceived crisis and corporate interest. There is science on both sides of this, we need to find the truth and the very best way to make this work for all taxpayers.

I hope we can all see the hypocrisy of deforestation in the name of green energy policy and taking productive farm land (true farms) in the definition of the word, out of production for something as sterile/radical as this technology, in a state and area where the sun does not shine many days of the year; how efficient can this really be.

We can find places for solar and wind to work truly efficiently as it can while planting more forests, working, well-managed productive forests. Planting more trees in areas that are not useable for farming, (wet areas) to protect the watersheds, create carbon bank areas, and wildlife habitat. Keep AG land productive and sustainable with something growing green if possible.

Taking up carbon dioxide, producing oxygen, cleaning water, providing wildlife habitat; these areas will have a cooling effect on the atmosphere, especially if done on a larger scale than now, over thousands, even millions of acres all around us, not to mention food and fiber we all need. While continuing to find more efficient technologies to use our vast resources of natural gas and petroleum, we have made huge progress in these areas over the past forty years and continue to do so.

The greatest country on earth, with all of our technical engineering talent and experience can surely make these things become a reality, without practicing deforestation, and covering AG land with something productive and green other than a sterile solar array.

In the long term, the benefits of preserving this land for food and fiber, from working productive forests and farm/AG land will pay us all more than we can possibly comprehend.

Sincerely,

David Glen Morris, Jr. ("Buck") 3rd Generation Logger/Lumberman Glen Morris & Sons Logging, Inc. Unionville, Virginia (Orange County)

Virginia Loggers Association - Charter Member Virginia Forestry Association - Member

<sup>1</sup> Resource: Virginia Forest Landowner Update. V. 32, No. 4. Fall 2018; Pollinators of the Forest By: Celia Vuocolo, Piedmont Environmental Council: https://forestupdate.frec.vt.edu/newsletter/archives.html

### What's Inside

Op/Ed by Buck Morris Page 2-3

Supporting Members Page 5

Get to Know VLA Page 6

Director's Corner Page 7-8

> Tree of Life Page 10

SHARP Logger Page 12

Department of Forestry Page 14

ALC Report Page 14-15

Safety Spot Page 18

Virginia Department of Labor and Industry Page 19-20

> Department of Forestry Page 19

Setliff's Law Page 22

Forest Products & Markets Page 24

Year-End Tax Reminders Page 25

Log-A-Load for Kids Events Page 27

4

# WELCOME NEW MEMBERS

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SOUTHERN LOGGERS COOPERATIVE — PINEVILL. LA

Special thanks to Forestry Mutual and VLA Members for Bringing our New members!

Recruitment supports the heart & soul of our future! Bring a new member today!

# IMPORTANT 2020 DATES

lerry

**DEC 17** Legal Training for Business, Ashland, VA **DEC 24** Christmas Eve **DEC 25** Christmas Day **DEC 31** New Year's Eve JAN 1 New Year's Day Martin Luther King, Jr. Day **JAN 20** Legislative Breakfast **JAN 22** 

**JAN 25** VLA Board Meeting Valentine's Day

**FEB 14** 

**APR 2-4** ALC 2020 Spring Fly-in to Capitol Richmond Logging Expo MAY 1-2 ALC Summer Board meeting JULY 24-25 AUG 20-23 VLA Annual Conference SEP 24-26 ALC 26th Annual Membership Meeting

December						
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Christmas

804-677-4290 info@valoggers.org www.valoggers.org This newsletter is published to keep members and friends of the Virginia Loggers Association informed.

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GARY ROBERTSON Donnie reaves Victor simmons

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#### DISTRICT 4

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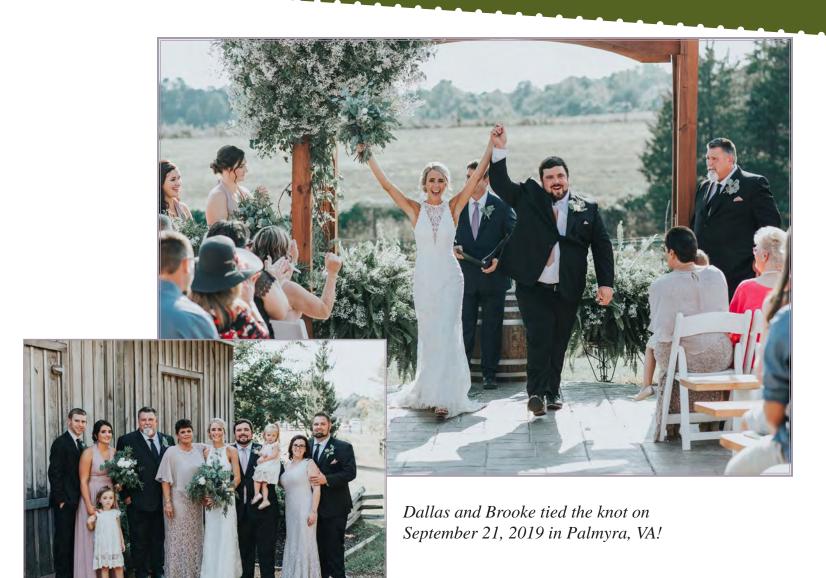
#### SILVER

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5

# GET TO KNOW Your VLA Members

This section is designated for members to share with members. We hope you'll send pictures and short stories about something in your family, business or from your community. Examples include graduations, weddings, birthdays, travel and more. Please share your stories and VLA will publish them here!





#### **EXECUTIVE DIRECTOR'S CORNER** Ron Jenkins

Good stories about logging trucks are rare! However, we have a great story for this issue.

VLA is blessed with many great people and sometimes the good things they do go unnoticed! This is a testament to the character of great people who got "caught" doing the right thing.

Back in October, Goochland County residents Al and Patsy Martin were making their normal early morning three – mile walk along Davis Mill Road. They were enjoying a beautiful sunny morning, birds chirping and great scenery along this rural western Goochland County road.

The Martins love the beauty of the rural landscape and frequently walk this road. They moved from the Richmond urban community to build their home and grow roots in western Goochland. We have known them for several years and have worked together on Church activities.

Al and Patsy were always eager to learn more about the forest products industry and especially logging. Both attended a political function a few years back held at the Tapscott's home in Fluvanna. At the 2018 Virginia State Fair, Al & Patsy volunteered two days of their time to work at the VLA booth.

Al and Patsy had reached out a few years ago to tell us about a very nice log truck driver who slowed and pulled over as far as possible on Davis Mill Road during their morning walk. The truck was owned and operated by **Tapscott Brothers Logging, Inc.** 

Fortunately, Al and Patsy recently had another very pleasant experience and shared their testimonial with us, and we want to share with you.

"Big trucks are somewhat intimidating to meet on a narrow road, maybe especially log trucks, however, my wife and I have had some excellent experiences lately that I want to tell you about. We often walk on one leg of Davis Mill road here in western Goochland county and although it is narrow,

a lot of people tend to go too fast. Not so for a recent log truck. We were meeting a vehicle and for some reason we turned around to see a log truck stopped and pulled partially off the road to allow us space to comfortably walk with plenty of room, we were both relieved and appreciated the log truck driver's courtesy."

By Al & Patsy Martin

Al & Patsy Martin Goochland County, VA



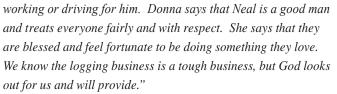
#### This time Al and Patsy were describing the kind actions of another logger. DNA Logging, LLC was travelling on Davis Mill Road while Al and Patsy were on their morning walk. Their testimonial above is about DNA Logging and Neal Allen.

"Neal Allen established DNA Logging, LLC in 2006. Neal started out when he was 16 yrs old working in the summers helping his Dad, Richard Allen, work at Wood Sawmill near Wingina, VA. When Neal was 18 yrs old his Dad opened Dillwyn Lumber Co. Inc. Neal continued working there until 2003 when his Dad retired and sold the sawmill. Neal and his brother Tommy ran

Dillwyn Truck and Auto but it didn't take long for them to realize their heart was in logging. They both opened their own Logging and Trucking businesses.

DNA Logging, LLC is family owned and operated by Neal and his wife, Donna, who runs the office. His son, Dusty, also is carrying on the family name and works for DNA.

Neal treats all his employees like family. He often says that he could not have a better group of men



We are happy to report this great story about another one of our great VLA members DNA Logging. Business owner Neal Allen and log truck driver on that given day was a great representative of our industry. Unfortunately, the story does not end with these good deeds.

Recently we've received several other types of inquiries and concerns from other people about logging trucks. Our best guess was that people just didn't like road noise or trucks on "their" road.

Not long after this story was given to us a citizen living on Davis Mill Road asked their supervisor to submit a proposal to close the road to thru trucks. Susan Lascolette, Supervisor for the district submitted the proposal! Recently the announcement appeared in the Goochland Gazette that the BOS December 3rd meeting would include the request to prohibit trucks on this portion of Davis Mill Road.



Fortunately, my wife saw this announcement and shared it with me. We immediately contacted Susan (our Supervisor) and discussed this proposal! I reminded Susan that western Goochland was primarily working forests and farms. This was by design in our approved Comprehensive Plan. Equally obvious and important to all is that Goochland is one of those counties that is a "travel through" between forests and mills. So, Davis Mill Road serves Goochland's working forests but is also an important link between neighboring counties and mills.

VLA wrote about its concerns to both the Supervisor and the County Administrator explaining our industry perspective. Western Goochland is still rural and working forests and farms are still the prominent landscape.

Once the Supervisor heard about how this would affect our industry, she acknowledged our concerns and asked the board to remove it from the December 3 agenda. This issue has now been delayed until March 2020 board meeting to give supervisors time to do more research.

Restricting roads in rural areas with working forests and farms to thru truck travel will impact our industry. Safety is not always improved and it can sometimes be less safe putting trucks on alternate routes. Efficiency can also be impacted through loss of time and production.

We believe that everyone engaged in this industry must stay aware of local government issues and most important get involved and participate to meet challenges head-on when our livelihood is being impacted. What can **we** do to ensure that our elected representatives really understand our industry and the consequences of government decisions?

First, we must believe that we can make a difference!

- WE must also believe that our experience and our advice is important.
- WE must speak out and share our experience and knowledge with our elected representatives and government officials.
- WE must also invest in the time to understand the concerns being raised against our industry. This will help us better arm and prepare for healthier discussions with those who disagree with us.

Each of us must ask our elected representatives and officials for the results that **we** seek for our industry. **We** are all important to local decisions and beyond our local jurisdictions. In most cases, representatives and government officials want to hear from those impacted by their decisions. **In all cases, better informed public officials should make better and more balanced decisions.** 

Finally, you are not alone. You have the Virginia Loggers Association and many others who are fighting for your business interests and the forest products industry. VLA encourages you to become involved. Use VLA and other trusted sources to help you with the issues. Get involved, stay alert and work with VLA and others ready to tell our side of the story.



#### 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.

#### **Michelin Logging Program**

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:

Desmond Hall Territory Business Manager Michelin North America, Inc., Richmond, VA (804) 993-4119 | desmond.hall@michelin.com



### 2020 Conference New Vision/New Day

Virginia Loggers Association Annual Conference will be held at The Hotel Roanoke.

Make your plans early to attend our 18<sup>th</sup> annual conference and spend a few extra days with your family on vacation!

Booking Website: https://book.passkey.com/e/50038453

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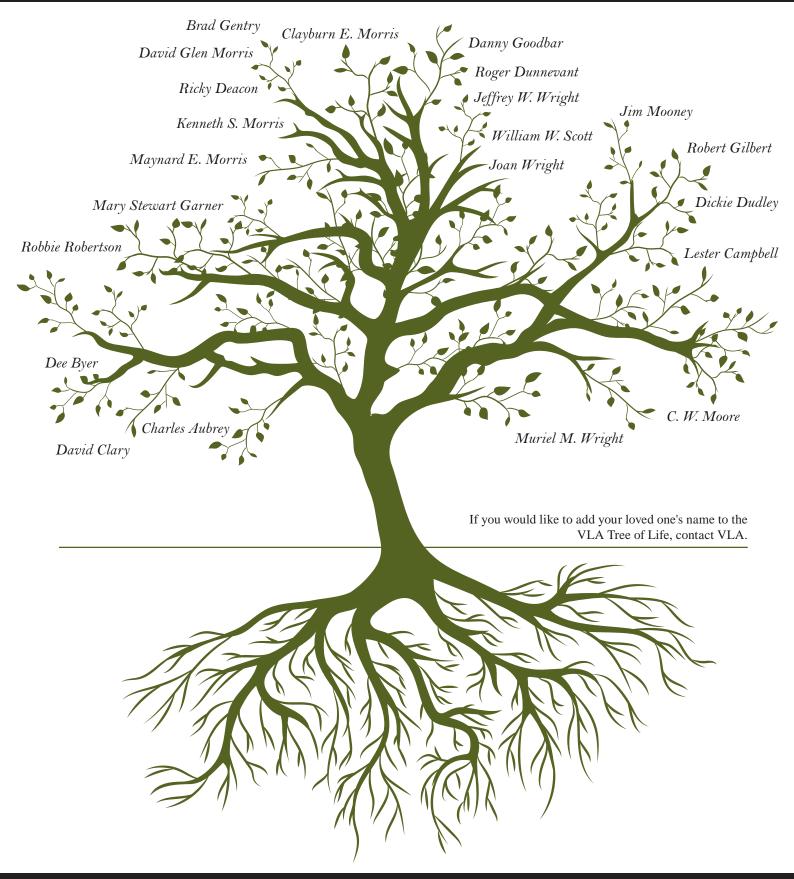
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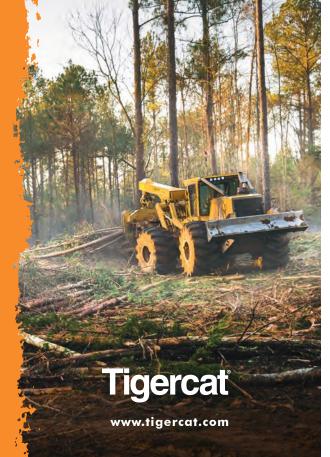
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#### NEWS AND UPDATES FROM VIRGINIA TECH FOREST OPERATIONS EXTENSION SPECIALIST

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

Coordinator for the VA SHARP Logger Program

Department of Forest Resources & Environmental Conservation

# A LOT TO BE THANKFUL FOR AS WE HEAD INTO 2020

As we finish celebrating Thanksgiving and head toward Christmas and New Year's, it reminds us that we are about to close out another year. It is important to remember that we all have a lot to be thankful for. We might not have accomplished everything we planned to in 2019, but 2020 will soon be here along with opportunities to do even more.

In 2019 we added a new member to our VA Tech Forestry Extension team when Karen Snape began working for us in August. I look forward to being able to accomplish even more now in 2020. To give you an idea of what we have planned for 2020, we will of course continue to offer the required SHARP Logger update classes and core classes where they are needed across the state. We will also be at the Richmond EXPO in May and look forward to seeing many of you there. As in the past, we plan to offer SHARP Logger CE credit for attending the EXPO, but don't forget you'll have to drop by the SHARP logger booth and sign in to get the CE credits. We also plan to offer the required SHARP Logger update at the Expo like we did in 2018. We'll post more details on that as we get things finalized for the EXPO.

We are also nearly finished with the 2019 SHARP Logger survey. We have already had nearly 600 questionnaires completed and returned and the data is entered for those. In 2020 we will begin to analyze that survey data and present the results at meetings, through these newsletter articles, in peer reviewed journals and other publications as well. I appreciate the time and effort you put into completing these questionnaires, and I look forward to sharing information about Virginia's logging businesses and how they have changed over time. We could not have done this survey without you. It wouldn't be possible to share the ideas, opinions, and characteristics of Virginia's loggers and logging operations without Virginia's loggers taking the time to give us that information, and that is something I am thankful for. We also plan to update some of our programs and develop new online trainings in 2020. The feedback from the survey will help to determine which trainings we want to focus on and how we can improve our programs based on your responses.

In 2020 as always, I hope you will continue to make safety a priority. If you haven't visited the TEAM safe trucking website yet, you can find out more about them at www.TEAMsafetrucking.com . TEAM safe trucking recently produced a public safety announcement (PSA) about staying safe around log trucks. Our recent research project at VA Tech showed that in log truck crashes across the US, over half of the "critical pre-crash events" that made a crash imminent were attributed to another vehicle, often a passenger vehicle and pointed out the need to make other drivers more aware when driving around trucks. This new public safety announcement is one step towards increasing awareness of the public when driving around log trucks and other large trucks. You can find the video on YouTube by searching for "TEAM Safe Trucking PSA". You might even recognize one of the stars of the PSA!

I look forward to continuing to work with you in 2020. If you ever have ideas or suggestions for what we can do to help or make our programs better, just let me know.

#### LEGISLATIVE UPDATE

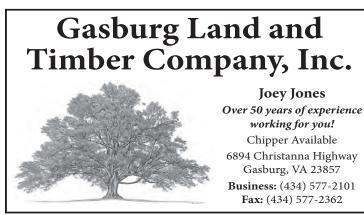
Virginia Loggers Association lead the way for tax relief on forest harvesting equipment. Vice - President Chad Shelton submitted a resolution for adoption by the Virginia Farm Bureau. Pittsylvania County Farm Bureau organization approved the resolution and ultimately the entire Virginia Farm Bureau Federation approved the following resolution to give personal property tax exemption to forest harvesting equipment.

"We believe localities should have the option to exempt forest harvesting equipment from personal property taxes."

VLA members Donnie Reaves and Bobby Nichols also submitted the resolution to their Bedford County Farm Bureau association. Bedford FB also approved the resolution.

The accomplishment is huge and provides VLA and the logging industry with the support of the Virginia Farm Bureau Federation. The next stop is the Virginia General Assembly and Delegate Leslie Adams has submitted legislation to accomplish this mission. VLA will share a draft of the language as soon as it is available. VLA encourages everyone interested in this issue to contact their legislator and give your testimonial about the importance of having your forest harvesting equipment exempted from personal property taxes.

<u>Passage of this legislation in 2020 will put the logging industry in a position to ask counties to exempt their forest harvesting equipment from personal property taxes after July 1, 2020.</u>





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## VIRGINIA DEPARTMENT OF FORESTRY TIPS FOR LOGGING IN URBAN AREAS

By Molly O'Liddy – Urban and Community Forestry Partnership Coordinator

Often in urban areas it is difficult to decipher the line between arboriculture practices and forest harvesting. Depending on the local regulations, a tree company may be permitted to remove 30 trees at once; however 'logging operations' may not be permitted. As areas of our state become more urbanized, the interactions between people and logging are becoming more frequent. Forest aesthetics are playing a bigger part in our industry than they ever did before. Below are some tips for harvesting in urban areas.

Be aware of your surroundings – Urban property owners and their expectations can be very different than those in a rural area. Do your 'due diligence' to make sure the landowner understands the concept of 'it's my land - I'll do with it what I want' may not be the best approach. If they take the care to inform the surrounding property owners of their harvesting plans, the less likely you are to meet resistance on site.

Adhere to all federal, state, and local code regulations – One of the most common instances where localities and harvesting operations conflict is on soil disturbance. Work with local governments to understand the erosion and sediment regulations before bringing in equipment. A way to mitigate some concern with harvesting in urbanized areas is to reach out to your local forester with the Virginia Department of Forestry. The VDOF monitors all logging jobs across the state and offers landowners the option of a pre-harvest plan to discuss different components of a harvest operation. Doing some research and planning ahead of time will go a long way to help prevent speedbumps in the future.

Use low impact equipment – The less impact on the land the better. Visible soil ruts, ripped bark, oil pools and noisy equipment are all magnets for criticism. Smaller, specialized equipment will improve the efficiency of the operation and cause less of a headache in wet areas.

Be prepared to answer questions –The average citizen may not understand the idea of forest succession or edge habitat. Clear cutting for replanting? Thinning for forest health? Salvage harvesting after a storm? The ability to communicate the importance of different forestry practices is extremely beneficial in these situations.



#### Loggers Seek Parity with Agriculture on Trade, Tariff Policies | For Immediate Release- December 9, 2019 Contact: Daniel Dructor- americanlogger@aol.com or 409-625-0206

The American Loggers Council (ALC) and its member state logging associations delivered letters to U.S. Department of Agriculture (USDA) Secretary Sonny Perdue, asking the administration to include unrefined forest products as an agricultural commodity. ALC and its members say aligning timber and agriculture would enable impacted loggers to receive relief as the industry continues to be impacted by retaliatory tariffs.

"The West Virginia forest products industry has been, and continues to be, concerned that federal support for our products is not being treated equally with agricultural products," wrote Curt Hassler and William Robinson, representing the West Virginia Loggers Council. "While the agricultural sectors have been the primary beneficiaries of tariff relief, we believe it is time for forest products to be included in tariff relief policies. We stand ready to support policy initiatives that ensure all sectors of the forest products industry, including timberland owners, loggers, and mills, are no longer overlooked as a needed, valued, and sustainable industry in our national economy."

The logging associations noted that unrefined forest products, such as wood fiber and logs, are among the most widely exported commodities to foreign countries. Retaliatory tariffs have had severe impacts on certain sectors of the forest products industry, resulting in the closure of businesses and the loss of jobs.

"Even though the '2018 US Agriculture Exports to China" chart ranks forest products as the number two largest industry, the USDA does not list hardwoods on their website as an exported commodity," wrote Tommy Carroll, Executive Director of the Southeastern Wood Products Association. "As hardwood and other mills adapt to tariffs in their own operations, logging companies are feeling the impact in their operations as well. In addition, many forest landowners who have significant investment in their timberlands are experiencing a lack of demand and lower prices for standing timber."

The associations also noted that like agricultural commodities, unrefined forest products are also perishable commodities that are sensitive to trade and tariff policies.

"Trade or exporting wood products is vital to Oregon's forest sector economy," wrote Rex Storm, Interim Executive Vice President of Associated Oregon Loggers. "During recent trade debates we've come to realize the lack of federal government support for forest commodity consideration. Timber products are a perishable commodity susceptible to decay, insects, disease and fire- a perishable commodity that is 40 or more years to grow as a crop. Forest products are not treated equitably with agriculture."

The associations thank Secretary Perdue and the Trump Administration for its efforts to support the forest products industry on various issues. Aligning timber and agriculture on trade policies would enable logging businesses to weather the impacts of retaliatory tariffs as the administration seeks to resolve trade disputes.

"The timber industry helped build the United States economy as well as agriculture," wrote David Livingston, Executive Director of the Mississippi Loggers Association. "We need to make them one in the same, for the only difference between agriculture and tree farming is the length of the crop rotation."

The American Loggers Council is an 501(c)(6) not for profit trade association representing professional timber harvesters throughout the United States. For more information please contact the American Loggers Council at 409-625-0206, or americanlogger@aol.com, or visit our website at www.amloggers.com



By Danny Dructor

# AS WE SEE IT: The power of a survey

For most of us, completing a survey pertaining to our businesses or livelihoods is no big deal, unless it competes with time needed to run parts, attend business meetings, repair equipment, attend little league ball games, or get a little extra rest. To be certain, we often times find ourselves distracted from participating in a survey simply because life is short, and there are a lot of other things needing accomplished on our to-do list.

For that reason, surveys are usually generated to as wide and broad a group as possible, and sometimes the end results can be a little confusing. That is why we, the American Loggers Council, have decided to create a survey that will only be distributed to our members and those that are directly engaged in the timber harvesting and hauling industry.

While we have heard from many of you in the past on political issues that are impacting your businesses, but now we need to find out just how our industry is doing in the 21st century in order to gauge what it might look like going forward, politics aside.

We went to work with our many sponsors through the American Loggers Council Membership Advisory subcommittee requesting that they help develop the questions that they might have in manufacturing and supplying the many goods and services that all of your operations depend on in order to keep running. This has been a labor of love for many of the participants, and their feedback has helped to form a survey that can be replicated on a yearly basis in order to better gauge the trends and nuances in the timber harvesting profession that can lead to a better analysis of what is expected for not only our sponsors as they continue to supply the industry, but from all of us as well, as we continue to purchase and utilize their products and services.

Realizing that not all regions across the country are the same, survey participants will remain anonymous, but the regions or states of those that participate in the survey will be revealed. We hope to have a strong showing across all regions of the country.

The American Loggers Council exists to represent professional timber harvesters and log truckers. Without you completing surveys like the one presented here, it is difficult for us to keep our hands on the pulse of the industry and what some of the driving issues are outside of Washington. If we are to continue to represent those that have kept us going for these past 25 years, then we need your input to make certain that we are remaining focused on those things that are impacting you the most, and those that support us and supply us with the many goods and services that are required by our industry will know how to better respond to those needs as well.

We need your input and taking the time to complete this simple survey will ensure that your needs are known to all of those who are working together to make your job better. The survey can be accessed at surveymonkey.com/r/2019ALCSURVEY

Thank you in advance for taking the time to complete the survey, and please feel free to pass it along to others in the industry who you feel should be responding as well.

The American Loggers Council is an 501(c)(6) not for profit trade association representing professional timber harvesters throughout the United States. For more information please contact the American Loggers Council at 409-625-0206, or americanlogger@aol.com, or visit our website at www.amloggers.com.



### \$5000 TRUCK REBATE: 2019 WESTERN STAR ASSOCIATION Rebate for VLA Members and Affiliates

Western Star is proud to support and extend the Association Rebate Program for members of the Virginia Loggers Association

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 Association membership must be valid for at least 90 days prior to taking retail delivery.



- 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.
- Not valid for gliders or used units.



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- Limited to three (3) rebates per member for calendar year 2018.

• 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, 2019

and December 31, 2019. 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 VLA 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.

For information on ALC memberships, contact Danny Dructor at 409-625-0206 or Americanlogger@aol.com.





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## SAFETY SPOT: OVERHEAD HAZARDS

#### By JJ Lemire

Each year we experience several injuries from limbs falling from trees. Trees with full canopies make seeing overhead hazards more difficult. One of the constant hazards in any logging operation is the unknown hazard in the trees. Broken limbs, vines, crossed branches from other trees, etc., pose severe injury hazards up to and including possible death. A program was produced to address these hazards and it is called "Heads Up For Hazards." Anyone on a logging job, from loggers, timber cruisers, land owners, truck drivers, ground personnel and equipment operators are all at risk. Each one of you must be cautious of the hazards around them.

Employees should be trained on the following information:

• Follow safe operating procedures: Use well maintained, approved personal protective equipment (PPE) for head protection.

• Keep a hard hat with you and wear it. Hard hats have prevented severe injuries by deflecting falling limbs.

• Look and scan at least 50 feet ahead on your path of travel.

• Look and scan at least 100 feet ahead for any overhead hazards.

• Do not walk or sit under a lodged tree.

• Do not place your body under anything that falls or moves due to gravity or the loss of hydraulic pressure.

• Maintain at least two tree lengths from all felling operations.

- Be visible! Wear high visibility safety colors.
- Maintain communication with others in the work zone.

• Never walk into a work zone with running equipment or moving equipment until the equipment is stopped, engine shut off and implements grounded.

In nearly every accident, it is ground personnel (truck drivers and deck hands most often) that are most at risk from hazards from above. As a team, you must work together and stay focused. Take the time to look for overhead hazards, identify the hazard, tell everyone about it, and remove it or flag it to keep personnel away. Your proper decisions will result in a safe Spring and Summer for all. LOOK UP & STAY ALIVE!



Mike Pickrel Sales NAPA Auto Parts 716 Main Street Altavista, VA24517



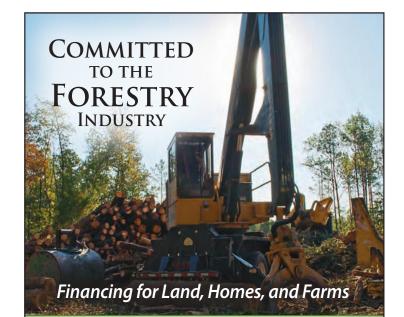
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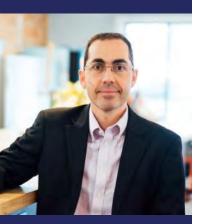
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# VIRGINIA DEPARTMENT OF Labor and industry



**Occupational Safety and Health – Logging Sector (Cold Stress)** 



The logging sector due to the nature of the work has a higher risk profile for the workforce due to increased hazard exposure. Hazards are more acute when dangerous environmental conditions are factored in, such as inclement weather including rain, snow, lightning, winds, and extreme cold and/or remote and isolated work sites where health care facilities are not immediately accessible (OSHA.gov).

The body can tolerate very little exposure to cold without protective clothing. When exposed to cold temperatures, the body begins to lose heat faster than it is produced.

The body cannot adjust itself as well to cold as to heat. Blood vessels will shrink in order to prevent heat loss. Loggers in certain outdoor environments are especially susceptible to cold stress.

# HAZARDS

#### **HYPOTHERMIA**

This occurs when the internal body temperature drops to or below 95° F. Normal muscular and brain functions are impaired. Hypothermia usually happens at very cold temperatures, but can also occur in cooler temperatures, if an individual is submersed in water or becomes chilled from rain.

Symptoms:

- Shivering (uncontrolled);
- Fumbling hands/ clumsy movements;
- Slurred speech;

#### FROSTBITE

This is the actual freezing of tissue. Exposed skin is susceptible to frostbite when the air temperature is below 0° F or when there are high winds combined with cold temperatures. Frostbite can lead to tissue damage, scarring, and possible amputation.



- Memory loss;
- Erratic behavior;
- Cool bluish/ purple colored skin.



Symptoms:

- Pale, waxy-white skin color, cool to touch;
- Tingling, stinging, or aching feeling in exposed area, followed by numbness;
- Ears, fingers, toes, and cheeks are areas primarily affected;
- Freezing of muscles and tendons, causing areas to become numb, painless and hard to the touch.

#### TRENCH FOOT

This condition results from prolonged exposure of the lower extremities to cold  $32^{\circ}$  F to  $50^{\circ}$  F and moisture. There is no formation of ice crystals in the tissues. It usually develops slowly, over a period of hours to days.

Symptoms:

- Initially reddened skin, which later becomes pale and swollen;
- Numbness, followed by leg cramps;
- Blister formation, followed by ulceration.
- Symptoms of Trench Foot- Reddening of the skin- Tingling pain- Numbness- Blisters or ulcers- Leg cramps- Bleeding under the skin
  - Gangrene (foot may turn dark purple, blue, or gray)

# **POSSIBLE SOLUTIONS/CONTROLS**

Instruct workers regarding the selection of proper clothing for cold, wet, windy conditions. Wear at least three layers of clothing:

- Swelling

- An outer layer to break the wind (gortex or nylon);
- A middle layer of down or wool to absorb sweat and retain insulation;

- An inner layer of synthetic weave to allow ventilation 40 percent of body heat can be lost through the head. Wear insulated hats, gloves and footwear.

- Do the majority of the work in the warmest part of the day.
- Allow employees to take frequent breaks in shielded areas.
- Encourage employees to drink warm, non-caffeinated beverages.
- Work in pairs.
- Educate the supervisors and employees of symptoms of cold related disorders.
- Use thermal insulation on equipment handles when temperatures fall below 30° F.
- Avoid worker fatigue and exhaustion.





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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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# SETLIFF'S LAW

#### Trucking Company's 'Unnecessary' Fitness Test

In today's case law update we continue our series on employment law issues in the trucking community and highlight a pending case in which workers' compensation, gender discrimination, and retaliation allegations intersected to create a perfect legal storm for one midwestern carrier. (See also our recent news article regarding sexual harassment in trucking.)

The EEOC is suing Minnesota-based carrier, Stan Koch & Sons Trucking, on behalf of Alana Wilson, a woman who says Koch refused to rehire her after she filed a gender discrimination complaint following her workers' compensation claim, per May 2019 EEOC press brief.

The lawsuit names Stan Koch & Sons Trucking Inc., a Twin Cities-basedfleet with more than 800 drivers and 1,300 power units, as defendants. The lawsuit seeks back pay and other financial awards for plaintiff Alana Nelson, as well as punitive damages. Federal suit by the EEOC was filed May 24, 2019.

According to the EEOC's lawsuit, Stan Koch & Sons Trucking refused to allow Nelson to apply for re-employment, because she had filed an EEOC charge of sex discrimination against the company.

According to court documents, Nelson was hired as a driver in July 2012, and was injured at work around April 13, 2013. The documents do not specify the nature or circumstances of the injury. Nelson was reportedly placed on leave through the company's workers' compensation program from the time of the injury until July 15, 2013. The complaint alleges she was fired on July 18, 2013, after failing an isokinetic test she was required to take before returning to work.

"At the time of her discharge, defendant informed Ms. Nelson that she was eligible to re-apply for employment with defendant," the complaint states.

Following her termination, Nelson filed a charge in December 2013 alleging that the company's use of the isokinetic test was discriminatory to women.

The complaint states that Nelson applied for a job with the company in April 2014 but was allegedly told in a letter that her application was on hold "due to a pending legal matter." The EEOC complaint alleges the legal matter in question was Nelson's gender discrimination complaint.

The commission states the alleged conduct violates Title VII of the Civil Rights Act of 1964, which prohibits workplace discrimination, including retaliation for filing a charge of discrimination with the EEOC.

"Refusing to hire an individual because she filed an EEOC charge is retaliation," Gregory Gochanour, EEOC's regional attorney in Chicago, said in a news release. "That is the law, and the EEOC will hold employers accountable if they violate it."

Following the initial suit in May 2019, the EEOC then filed another suit against Koch and Sons on August 7, 2019, alleging disparate discriminatory impact on behalf of the class of women filtered out by the employer's strength test. It released an additional press release indicating:

Koch's use of the CRT Test, a strength test developed by Cost Reduction Technologies, Inc., discriminates against women truck drivers because of their sex.

Specifically, the EEOC alleges that the CRT Test disproportionately screens out women who are qualified for truck driver positions at Koch. This includes the original complainant, who was fired from her job as a truck driver by Koch when she failed the CRT Test.

Such alleged conduct violates Title VII of the Civil Rights Act of 1964, which prohibits workplace discrimination, including the use of employment practices that have a disparate impact on women because of their sex and that are not job-related and consistent with business necessity. The EEOC filed suit, EEOC v. Stan Koch & Sons Trucking, Inc., Civil Action No. 0:19-cv-02148, in U.S. District Court for the District of Minnesota after first attempting to reach a pre-litigation settlement through its conciliation process. The EEOC is seeking relief for a class of women who were fired because they failed the CRT Test and an injunction preventing Koch from continuing to use the test.

"Employers cannot use a test that disproportionately excludes women unless they have proof that the test is actually related to one's ability to do the job," said Julianne Bowman, the EEOC's district director in Chicago. "The EEOC is committed to expanding women's access to traditionally male-dominated careers through the removal of unnecessary and discriminatory barriers to employment."

Gregory Gochanour, EEOC's regional attorney in Chicago, added, "It is unfair to deprive qualified women of the opportunity to work in these jobs. The EEOC will continue to enforce federal antidiscrimination laws against employers who use unlawful tests as part of their hiring process."

The evolution of legal claims stemming from Ms. Nelson's work injury provides us an opportunity to remind our followers of several things:

1) When addressing what may appear to be a narrow legal issue it's important to seek input from a well-rounded attorney who will advise you regarding related legal issues that may need to be considered. Here, a workers' compensation claim spawned multiple employment law matters that may not have been considered by the individual involved in the initial injury case.

2) Any physical examination required by an employer must be narrowly tailored to test for the actual job requirements. Should such exam go beyond the scope of the physical needs of the job the employer will unnecessarily screen out qualified candidates and potentially find themselves on the defensive for disparate or discriminatory treatment litigation.

3) Employers are prohibited from retaliating against employees who have exercised their legal rights. You should seek the input of a knowledgeable attorney before you take any actions against an employee who may later be able to make a retaliatory discharge claim against you.

4) To the extent such agreements are permitted in your jurisdiction or in the context of the legal matter you have at hand, you may want to consider speaking to your attorney regarding resignation and release of claims agreements.

Should you need assistance navigating these waters, please contact Megan Wagner at mwagner@setlifflaw.com (804-377-1275) or Steve Setliff at ssetliff@setlifflaw.com (804-377-1261).

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#### TEAM SAFE TRUCKING PUBLIC SAFETY ANNOUNCEMENT

TEAM Safe Trucking (TST) is excited to announce the release of their new Public Service Announcement. This PSA will be broadcast across the United States pointed specifically at the

general driving public in order to improve their interactions with log trucks, and other heavy rigs on the road. Working together with the Virginia Loggers Association to produce this timely PSA, TST hopes to have an impact on how people drive around log trucks by sharing valuable steps they can take to improve their level of safe interactions with them.

The filming of the PSA took place in Virginia under the development, planning and direction of Ron Jenkins the Executive Director of the Virginia Loggers Association, along with Vance Wright, the President of the Virginia Loggers Association and Owner of Charles Wright Logging. Everyone involved with the shoot worked hard to get this very important message across within a precise amount of time.

The TST Public Service Announcement's message is a simple one, log trucks require a cushion of space around them to operate safely. The general public needs to be informed that large trucks hauling cargo can require up to a football field's length of distance to stop.

Cutting out quickly in front of a truck hauling thousands of pounds of cargo can immediately create an unsafe situation for the motorist, and for the Forestry Transportation professional.

Joe Conrad, Assistant Professor of Forest Operations at the Warnell School of Forestry and Natural Resources at the University of Georgia had this to say about accidents involving tractor trailers, **"Re**search shows that in accidents involving heavy trucks and passenger vehicles, drivers of passenger vehicles are at fault far more often than drivers of heavy trucks. Public education is critical to highway safety." Through this PSA, TEAM Safe Trucking hopes to raise the general public's awareness that they play an important role in improving the safety around tractor trailers, and can help to reduce the number of accidents involving trucks each year. By utilizing the safety tips shared in this PSA, motorists can play a part in creating a safer environment for log haulers to deliver the forest products that consumers enjoy every day.

TEAM Safe Trucking will be making this PSA available to all Educational Sponsors of Team Safe Trucking, as well as all logger associations across the United States. Logging organizations can help by contacting their state television stations to ask them to air TEAM Safe Trucking's PSA by placing it in their PSA rotation list. Educational Sponsors will receive the PSA via email. If your organization is not a TST Educational Sponsor please reach out to Miranda Gowell at 207-841-0250, or email her at miranda.gowell@teamsafetrucking.com





FOREST PRODUCTS AND MARKETS VIRGINIA WOOD PRODUCTS UPDATE

Henry Quesada

Associate Professor and Extension Specialist

Department of Sustainable Biomaterials, Virginia Tech

## TESTING OF THERMALLY MODIFIED HARDWOOD LUMBER CONFIRMS IMPROVED PERFORMANCE FOR INDOOR AND OUTDOOR APPLICATIONS

The Department of Sustainable Biomaterials was awarded a grant by the US Forest Service last year to test mechanical performance and durability of thermally modified (TM) yellow poplar, ash, and red maple species.

The market for TM wood in the US is growing at a more than expected pace. Architects and engineers like this product because of their improved performance against decay and potential use in outdoor applications. The stability of TM wood is higher than non-treated making it very attractive for applications where shrinkage and swelling must be kept to a minimum. In addition, the different levels of TM treatment can produce several colors that are also attractive for end-consumers.

The results of bending saw an increase in performance of the three TM species when compared to values in the US Forest Service Handbook. However; the strength test indicates that the performance is lower for the tested TM lumber. In terms of hardness, the results indicate that yellow poplar and red maple perform better than the untreated species in the US Forest Service Handbook. But TM ash does not perform better than the textbook value of untreated ash.



Figure 1. MOE and MOR test of TM treated lumber

As expected, all tested TM species performed very well related to shrinkage. Radial shrinkage is on average five times better for the TM species than the untreated ones. Tangential shrinkage is up to 8 times better for the TM species in the textbook.

What does this mean for the industry and the market?

TM treated species such as poplar, ash, and red maple could be used in applications such as flooring where stability is a top priority and hardness is less critical. The limited capability to absorb moisture of TM treated lumber is a very desirable property by engineers and contractors.

Other indoors applications where these TM treated species could be used are molding, door and window frames, and many architectural features including handrails and stair threads.

Figure 2. Test set up for the durability test.

The limited



capability of absorbing moisture of TM treated lumber is also an attractive property for outdoor applications that are rated for above ground contact. Siding is perhaps the most attractive outdoor application but other uses could be in patio furniture and deck boards. TM treated

lumber is less attractive to fungi because the content of sugars is lowered during treatment but according to other research TM treated lumber is still attractive to termites.

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

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# **YEAR-END TAX REMINDERS**

#### Year-End Tax and Financial To-Do List for Individuals

With the dawn of 2020 on the near horizon, here's a quick list of tax and financial to-dos you should address before 2019 ends:

- Check your Flexible Spending Account (FSA) balance. If you have an FSA for health care expenses, you need to incur qualifying expenses by December 31 to use up these funds or you'll potentially lose them. (Some plans allow you to carry over up to \$500 to the following year or give you a 2½-month grace period to incur qualifying expenses.) Use expiring FSA funds to pay for eyeglasses, dental work or eligible drugs or health products.
- Max out tax-advantaged savings. Reduce your 2019 income by contributing to traditional IRAs, employer-sponsored retirement plans or Health Savings Accounts to the extent you're eligible. (Certain vehicles, including traditional and SEP IRAs, allow you to deduct contributions on your 2019 return if they're made by April 15, 2020.)
- Take required minimum distributions (RMDs). If you've reached age 70<sup>1</sup>/<sub>2</sub>, you generally must take RMDs from IRAs or qualified employer-sponsored retirement plans before the end of the year to avoid a 50% penalty. If you turned 70<sup>1</sup>/<sub>2</sub> this year, you have until April 1, 2020, to take your first RMD. But keep in mind that, if you defer your first distribution, you'll have to take two next year.
- Consider a qualified charitable distribution (QCD). If you're 70<sup>1</sup>/<sub>2</sub> or older and charitably inclined, a QCD allows you to transfer up to \$100,000 tax-free directly from your IRA to a qualified charity and to apply the amount toward your RMD. This is a big advantage if you wouldn't otherwise qualify for a charitable deduction (because you don't itemize, for example).
- Use it or lose it. Make the most of annual limits that don't carry over from year to year, even if doing so won't provide an income tax deduction. For example, if gift and estate taxes are a concern, make annual exclusion gifts up to \$15,000 per recipient. If you have a Coverdell Education Savings Account, contribute the maximum amount you're allowed.
- Contribute to a Section 529 plan. Sec. 529 prepaid tuition or college savings plans aren't subject to federal annual contribution limits and don't provide a federal income tax deduction. But contributions may entitle you to a state income tax deduction (depending on your state and plan).

- Review withholding. The IRS cautions that people with more complex tax situations face the possibility of having their income taxes underwithheld because of changes under the Tax Cuts and Jobs Act. Use its withholding estimator (available at https://www.irs.gov/individuals/tax-withholding-estimator) to review your situation.
- If it looks like you could face underpayment penalties, increase withholding from your or your spouse's wages for the remainder of the year. (Withholding, unlike estimated tax payments, is treated as if it were paid evenly over the year.)

For assistance with these and other year-end planning ideas, please contact us, Thomas & Thomas or your professional tax and accounting service provider.

#### Pump the Brakes Before Donating That Vehicle to Charity

Many people might consider donating their vehicles to charity at year end to start the new year. Why not get a fresh ride and a tax deduction, eh? Pump the brakes — this strategy doesn't always work out as intended.

Donating an old car to a qualified charity may seem like a hasslefree way to dispose of an unneeded vehicle, satisfy your philanthropic desires and enjoy a tax deduction (provided you itemize). But in most cases, it's not the most tax-efficient strategy. Generally, your deduction is limited to the actual price the charity receives when it sells the car.

You can deduct the vehicle's fair market value (FMV) only if the charity 1) uses the vehicle for a significant charitable purpose, such as delivering meals to homebound seniors, 2) makes material improvements to the vehicle that go beyond cleaning and painting, or 3) disposes of the vehicle for less than FMV for a charitable purpose, such as selling it at a below-market price to a needy person.

If you decide to donate a car, be sure to comply with IRS substantiation and acknowledgment requirements. And watch out for disreputable car donation organizations that distribute only a fraction of what they take in to charity and, in some cases, aren't even eligible to receive charitable gifts. We can help you double-check the idea before going through with it.

Provided By Thomas and Thomas, Inc. - A professional tax and accounting firm in Ashland, VA. Contact Information Dale Campbell, dale@ thomas-accounting.net



\*\*\*\*\* \* BITCO INSURANCE COMPANIES

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# LOG-A-LOAD For Kids v





### VIRGINIA LOGGERS ASSOCIATION









To all Forestry People:

As we come to the end of our Log-A-Load for Kids year, I would like to thank all of our volunteers and supporters. We truly do take care of our most precious resources.

I just wanted to let you know that if any one would like to make an end of year donation you can pick the hospital! Just send in a check made to Children's Miracle Network and don't forget to put Log-A-Load for Kids in the memo. Please email me the amount and hospital so we can be sure it is added to Log-A-Load for Kids total for the year.

Looking forward to seeing you all next year! Thank you and Merry Christmas,

> Nikki Robertson Robbienikki@aol.com

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

Support your state's Log-A-Load for Kids Campaign! To find your state's Log-A-Load organization and contact person, visit www.logaload.org/pages/Participating\_Hospitals.html

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