

Fire, and now ice, batter Oregon's timber industry

By MATEUSZ PERKOWSKI
Capital Press



Mateusz Perkowski/Capital Press
Trees in Oregon's Coast Range were damaged in the recent ice storm.

Oregon's timber industry was already contending with the aftermath of last year's fires when forestland owners were recently hit with an ice storm that snapped and knocked over trees.

The double dose of destruction is expected to bring more damaged logs onto the market at a time when many loggers and sawmills already have their hands full, experts say.

Some mills have reduced their log purchases to focus on cutting trees from their own properties, so it's not an ideal time to be selling salvage timber, said Gordon Culbertson, international development director at the Forest2Market consulting firm.

"You'd be competing with all the logs already on the market," he said. "There's plenty of logs available right now."

Though the ice wasn't as catastrophic overall as last year's wildfires, individual landowners are "really devastated" in specific areas, said Roger Beyer, lobbyist for the Oregon Small Woodlands Association.

Small woodlands are often at lower elevations, which sustained heavy damage from ice because the "cold air got trapped below the warm air" in a range of about 500 feet to 1,200 feet, he said.

Ice-ravaged forest stands may need to be clear-cut and replanted, but landowners may find damaged logs aren't merchantable, Beyer said. "The mills are getting pretty fussy. Mills have no trouble finding logs now."

Apart from the immediate problem of downed logs, trees whose tops snapped off from the weight of the ice pose another conundrum.

While a branch from below the break may form a new top, the timber quality is permanently diminished, said Randy Hereford, president and CEO of Starker Forests, which owns about 90,000 acres of forestland in Western Oregon.

"At that point, there's a defect in the tree when it turns into a log," Hereford said. "Those are weak spots and they tend to break again."

Depending on the age and the damage sustained by forest stands, landowners may decide to log them and start over rather than spend more

time growing defective trees, he said.

"You're triaging the damage," Hereford said.

However, harvest schedules are difficult to change at a moment's notice, as foresters usually secure replacement seedlings and make other preparations long in advance, he said.

"Forestry is flexible but everything is planned," Hereford said.

Topped trees may be salvageable but getting them to the mill in a timely manner is challenging due to limited logging labor availability, he said. By this summer, downed logs may be worth one-third less due to insect damage and cracks from drying.

"They lose value pretty quickly," Hereford said.

Bark beetles that consume downed trees will eventually move onto living ones, which is why it's important to clear them out, said Mark Gourley, silviculture director at the Cascade Timber forest management firm.

"If that happens, you get more of a problem with wildfire potential, so it's a vicious cycle," he said.

Logging machinery was destroyed in last year's wildfires and will take up to a couple years to replace, Gourley said.

Meanwhile, the industry is also dealing with a logging truck and driver shortage.

"There's not as much infrastructure as there used to be," he said. "We've got to get the fuels out of there somehow."

Unsalable fallen trees and limbs create a logistical challenge for forestland owners, as they're often in remote areas and can't be efficiently hauled off, said Greg Peterson, a forestland owner who sustained damage in Polk County, Ore.

"They just get in the way of everything," he said. "It's an obstacle to anything you want to do."

Bill would allow workers to enforce Oregon labor regulations

By MATEUSZ PERKOWSKI
Capital Press

Workers could enforce regulations and recover fines on behalf of Oregon labor agencies under a bill that's alarmed the agriculture and timber industries.

While business groups fear House Bill 2205 will result in a cascade of new litigation against employers, proponents claim the legislation will help the state government become more efficient.

Lawmakers have enacted numerous statutes intended to ensure the "dignity and respect" of workers in recent years, such as requiring paid sick leave and predictive scheduling, said Rep. Barbara Smith Warner, a Portland Democrat.

"Passing these laws is important. And it's even more important to make sure they're enforced. Our state agencies do work hard and their staff are extremely dedicated, but they cannot be everywhere at once," she said during a recent legislative hearing.

The coronavirus pandemic has exacerbated problems with wage theft, health and safety violations and other workplace abuses, but state regulators aren't keeping up with the record number of complaints, Smith Warner said.

"When the state fails to enforce those laws, companies rarely face penalties," she said.

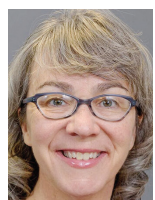
Workers in the agriculture, manufacturing and retail sectors are particularly vulnerable to abuses and would greatly benefit from HB 2205, she said.

"We need enforcement tools that



Capital Press File

A worker dumps cherries from his picking bucket into a bin. Employees could pursue lawsuits to enforce Oregon labor regulations under a bill being considered by lawmakers.



Rep. Barbara Smith Warner

promote deterrence," said Terri Gerstein, a senior fellow at the Economic Policy Institute, a think tank focused on policies affecting low- and middle-income workers.

An amended version of HB 2205 would reduce the scope of the legislation to clarify that it only applies to the state's Bureau of Labor and Industries and Occupational Safety and Health Administration, said Kate Suisman, an attorney for the Northwest Workers' Justice Project.

The original version of the bill raised concerns that private right of action lawsuits could be brought against farms and other businesses for alleged violations of environmental regulations and other statutes.

Several business organizations testified against HB 2205, arguing the legis-

lation would undermine the state's existing system of labor law enforcement.

State authorities have other tools besides penalties to bring companies into compliance, such as mandatory training and random spot checks, said Paloma Sparks, vice president of government relations with the Oregon Business & Industry Association.

A similar law in California has led to a situation where penalties are the "only real tool," with employees reaping minimal rewards, she said. "Where does that money go? To attorneys. The only real beneficiaries of that system are the attorneys."

The state's court system is already under strain and HB 2205 would only add to that burden, said Tim Bernasek, an attorney representing the Oregon Farm Bureau.

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