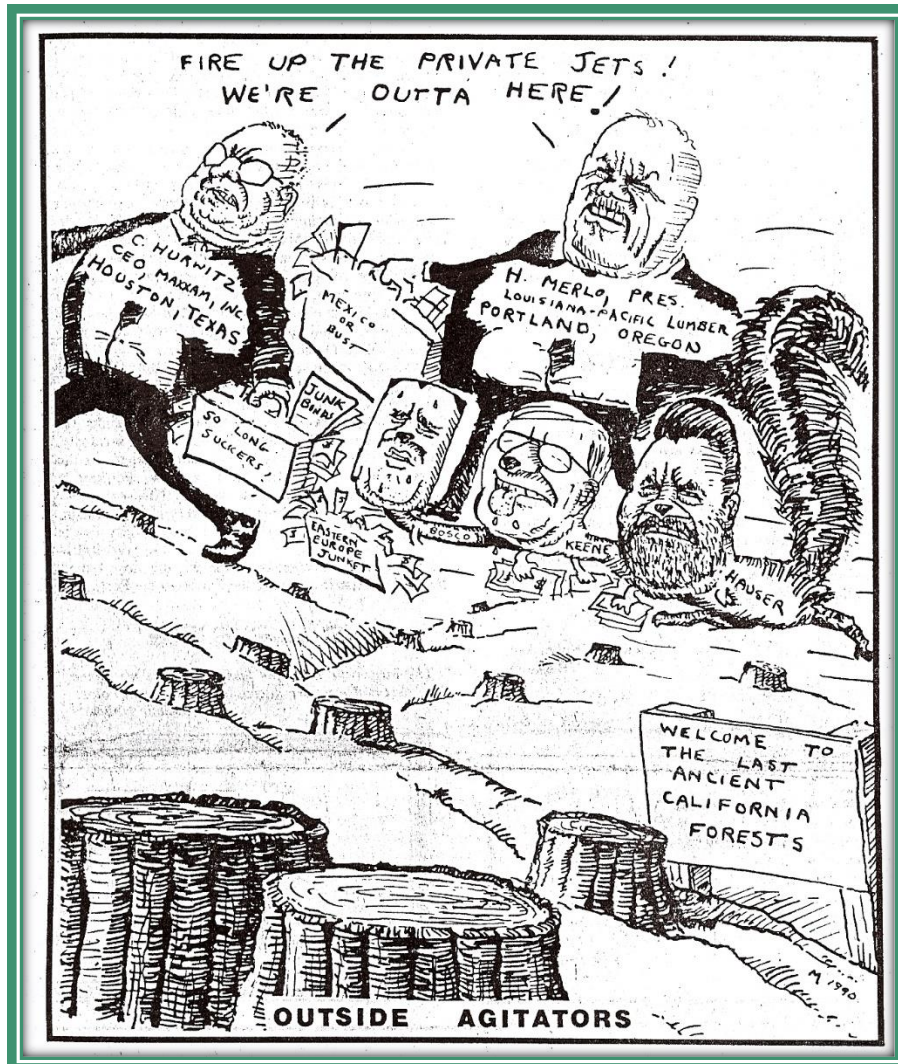


Chapter 20 : 'Timberlyin'



For the past 3 years we've been talked at, talked about, talked down to, and talked up. Isn't it time that we start talking? Time that we started talking to each other about what's happening at Palcotraz. Talking about overtime. Talking about who we are really working for anyway? Talking about Uncle Charle selling our logs across the ocean and selling us down the river.

Of course, working for 50 or so hours a week there's not much time to talk to anyone. Nobody remembers the last time they talked to their wife or kids. So we need a real employee newsletter, don't we? We can't count on Uncle Charlie or Soupman John to tell us the truth. Let's stop listening to their timber lyin'!

—Anonymous Pacific Lumber Workers, July 1989.

As bad as things might have seemed for the marginally organized Georgia Pacific millworkers of IWA Local 3-469, the nonunion Pacific Lumber experiences could easily be described as several degrees worse. For example, on Friday, May 19, 1989, 63 year-old Pacific Lumber maintenance millworker Clifford L. Teague, a ten-year company veteran, died when he fell or was sucked into the machinery and was dismembered while tending the hog conveyer belt in Scotia mill B. P-L vice president and controller Howard Titterington claimed that nobody witnessed the event, but some employees were convinced he had fallen into the chipper which ground up unused wood scraps into hog fuel. Fellow P-L employee Bob Younger, Teague's friend and a harsh critic of the Maxxam regime, was convinced that the accident happened due to fatigue as a result of the 60-hour workweeks now common since the takeover. "They're working us too hard... There have been too many accidents in the last three months... when you get tired and don't stay alert all the time, you do things you probably wouldn't do again... people don't pay as much attention as they should," declared Younger, and noted an accident in which another employee had been hit by a forklift and another in which a separate employee had lost a toe.¹

Fellow P-L dissident Pete Kayes agreed that accidents had risen since the institution of the longer workweeks, but wasn't sure that Teague's death was directly attributable to them, since it had happened early in the shift, though perhaps Kayes had not considered the possibility of *cumulative* exhaustion. Titterington, on the other hand, flat-out denied that accidents had increased, and neither TEAM nor WEC-ARE had anything to say about the matter.² Nobody knew for sure why this happened, and Maxxam was not particularly forthcoming about it. None of the pro-(Corporate)-timber publications issued so much as a blurb about the incident, although the matter was serious enough to warrant a mention in the *Earth First! Journal*. Although the latter neglected to mention Teague by name and though they got some of the details (such as his age and the date of his death) wrong, they at least covered the story.³

* * * * *

For a man who had come close to death himself and who was next to John F Kennedy when he was shot in Dallas in November 1963, former Texas governor and one-time US Treasury Secretary John Connally seemed quite unconcerned with the death of Clifford Teague or the redwoods for that matter. Connally had worn many hats in his time, including those of both Democratic, and later Republican, parties. He was also a close friend and ally of Charles Hurwitz and served on the Maxxam board of directors at the latter's urging. In truth, the former politician was quite at home there, having once been a "self-made" multimillion dollar oil man who had seen his fortunes disappear due to a bust in the oil market in 1987 which forced him to declare bankruptcy.⁴ It was no matter to Hurwitz, however, and he signed Connally to a three-year, \$250,000 annual consulting agreement.⁵

Connally rewarded his friend by parroting his rhetoric and attempting to sanitize Maxxam's reputation. For example, during a visit to Scotia in mid June, the former governor dismissed negative descriptions of Hurwitz declaring, "He's not a raider—far from it. He made an investment in Pacific Lumber because he thought it was a wise investment. He invested in it in order to operate it, not to liquidate it." This statement was practically a verbatim regurgitation of the paid advertisement that ran in the *Eureka Times-Standard* on November 11, 1985. Connally also waxed unsympathetic to the now dying ESOP campaign, stating that he didn't think it made sense. He concluded by rejecting the charges that Maxxam had *tripled* the timber harvest (as claimed in a recent expose by 20-20) and repeated the official company line (invented largely by John Campbell and Rich Stephens) that the P-L board of directors had planned to increase their cut upon discovering that there was more standing timber than they originally thought.⁶

This last falsehood was a complete reengineering of history. Although Charles Hurwitz and John Campbell testified under oath at a congressional hearing on Maxxam's takeover in 1987 that the increased harvest had been agreed upon by the previous ownership, later investigations by US Attorney General Edwin Meese (who was hardly one to question Corporate Timber hegemony) could find no records

¹ "Hike in Mill Mishaps Workers Say", by Clark Mason, *Eureka Times-Standard*, May 22, 1989.

² Mason, May 22, 1989, op. cit.

³ "Maxxam Worker Dies", *Earth First! Journal*, Lughnasadh / August 1, 1989, *Conservation Call*, September / October 1989, and *Mendocino Commentary*, September 21, 1989.

⁴ "Ex-Texas Governor Defends P-L Takeover on Local Visit", by Mark Rathjen, *Eureka Times-Standard*, June 20, 1989.

⁵ "Maxxam and Junk Bonds; Hurwitz Makes Millions", *EcoNews*, June 1989.

⁶ Rathjen, June 20, 1989, op. cit.

of any such agreement.⁷ In actual fact, the timber cruise that established the existence of additional standing timber hadn't taken place until *after* the Maxxam takeover. If anything, the estimations of standing timber had been deliberately *lowballed* by P-L insiders sympathetic to the takeover to help make the company a more inviting target. It was later discovered that Campbell and Stephens had attempted to convince the P-L directors to abandon the Murphy Dynasty philosophy of sustainable logging only to be soundly rebuked by the board of directors including Gene Elam. Connally's assertion was a bald faced lie. Indeed, he fit into the Maxxam family quite easily.

* * * * *

Meanwhile, around that time, Sierra Club attorney Joe Brecher attempted to salvage his legal case against the CDF and Pacific Lumber hoping still to halt logging in Headwaters Forest. Appearing before Humboldt County Superior Court Judge William Ferroggiaro, Brecher argued that in spite of the 90 day limit stipulated under CEQA, the judge could still overturn the THP based on violations of Z'berg Njedley which had no such restrictions. Already the court had already found grievous and substantial errors committed by the CDF, according to the attorney. Jared Carter, Pacific Lumber's attorney, challenged this interpretation, arguing, "The law allows that my client should get a hearing in a timely fashion. It also allows that trees should be cut. I am very sorry for Brecher's mistake, but my client shouldn't suffer because of it. I'm not here trying to hurt Mr. Brecher's feelings." The judge made no decision, but the stay against logging in Headwaters remained in place for the time being.⁸

Then, on July 28, 1988, Charles Hurwitz made one of his very rare visits to Humboldt County. At the Scotia ballpark on a sunny day, in front of an assembled crowd of carefully invited dignitaries, including Doug Bosco, Barry Keene, and Dan Hauser, Hurwitz stood upon a makeshift stage on a flatbed truck draped in red, white, and blue bunting. From behind a podium, he gave a scripted speech, where he dedicated Pacific Lumber's cogeneration plant. "The reasons for this begin with John Campbell and his management team, and the more than 1,200 mill and timber employees, as well as independent contrac-

tors." He noted that the plant's lifespan was at least 40 years, and proclaimed, "This cogeneration plant can be seen as tangible evidence of the start of a new and exciting era for the company, its employees, their families, and suppliers in Humboldt County."⁹

In contrast with Pacific Lumber's accelerated harvest under Maxxam, the \$45 million cogeneration plant was designed to provide clean, biomass generated energy to Scotia and beyond. Hurwitz described the plant as a source of "special pride", because it had been awarded the America Society of Civil Engineers' top award for environmental engineering.¹⁰ Apparently this elite organization took no issue with the reportedly less than stellar (nonunion) workmanship and apparently shoddy construction that had caused Factory Mutual Engineering to cancel its insurance coverage of the facility. The assembled crowd also seemed unconcerned with such matters and applauded and cheered at the conclusion of Hurwitz's speech.¹¹

Following the ceremony, Hurwitz uncharacteristically fielded questions from the media, and certainly there were many given the two cases pending in Humboldt County Superior Court over contested THPs, and three federal investigations, including Kayes and Younger's Unfair Labor Practice charge with the NLRB, and Bertain's two shareholder lawsuits, in one of which Hurwitz was being charged with perjury. The subject of the ESOP and the *tripled* timber harvest were also very much matters of concern.¹² Hurwitz dismissively rebutted all of these charges by stating:

"There has been much nonsense said and written. They say we want to destroy the forest or we don't care if people have jobs or not. That's simply not true... The Pacific Lumber Company has never been stronger. The future for redwood lumber has never looked brighter. We are here to stay as a good neighbor, a good employer and as responsible stewards of the

⁹ "Hurwitz on Hand at Dedication", by Glenn Simmons, *Humboldt Beacon and Fortuna Advance*, August 3, 1989. Demonstrative proof of this publication's fawning admiration for the Maxxam CEO, in spite of his reputation for ruthlessness, can be clearly evidenced by the description of Hurwitz as "well respected in the financial community for his business acumen."

¹⁰ "Power Plant Formally Dedicated: \$4.5 Million Price Tag for Facility", by Glenn Simmons, *Humboldt Beacon and Fortuna Advance*, August 3, 1989.

¹¹ Simmons, August 3, 1989, op. cit.

¹² "Hurwitz: PL Will Survive; Maxxam Head Denies Plan to Cut and Run", by Marie Gravelle, *Eureka Times-Standard*, July 29, 1989.

⁷ "Surprise, Surprise", *Timberhyin'*, October 1989.

⁸ "Sierra Club Attorney Argues Against Dismissal of Pacific Lumber Case", by Marie Gravelle, *Eureka Times-Standard*, June 18, 1989.

land...I can assure you that we at Maxxam intend to continue to provide whatever financial support is needed to keep Pacific Lumber the leading producer of redwood lumber in the world. We are here in Scotia and Humboldt County to stay.”¹³

The event was not free of dissent however. A pair of Earth First!ers stood outside of Scotia, barred by locked gates, picketing and chanting while children—no doubt whose parents had no problem telling them that *The Lorax* was merely a fairytale and that the Once-ler was their friend—jeered at them. John Campbell defended the lockdown by declaring, “We didn’t feel it was proper to let (Earth First!) interfere.”¹⁴

Not everything was as rosy a picture as the *Eureka Times-Standard* or the *Humboldt Beacon and Fortuna Advance* painted it, however. According to an account by an anonymous dissident Pacific Lumber employee, on the morning of the big dedication ceremony, there was a significant accident involving the log monorail that transported green, unmilled logs into the Mill A and Mill B facilities. At about 9 AM, the superstructure gave way near the office bungalow in Scotia. The driver was able to escape with a few broken ribs and an injured knee. A somewhat embarrassed John Campbell angrily blamed “sabotage” for the monorail’s failure, and though he apparently didn’t come out and say it, he no doubt wanted to leave the impression in the workers’ minds that it was caused by Earth First!. This was likely another falsehood. It seems that OSHA had warned P-L about the state of the superstructure prior to the accident and was ignored. Immediately following the incident, the apparently rotted timber that buckled was hastily chipped in the new hog facility thus eliminating any evidence of negligence. The anonymous worker who described the bizarre affair waxed angrily about the disregard for safety concerns raised by P-L workers thusly:

“One of the problems with our safety committee concept is that when suggestions are made they are not reviewed and put on a schedule to be fixed. And when month after month they show up on the committee’s list, the foreman usually speaks to the person who made the complaint so that it doesn’t show up again. Because of this, people see the process as a for-

mality that management uses to meet its obligation to the employees without actually doing anything.”¹⁵

These accusations were damning, but few knew of them. The only forest Maxxam seemed to be growing was a forest of lies, but if the truth were spoken in the forests of southern Humboldt County, who would be around to hear?

¹³ Simmons, August 3, 1989, op. cit.

¹⁴ Gravelle, July 29, 1989, op. cit.

¹⁵ “Oops!”, *Timberlyin’*, October 1989.