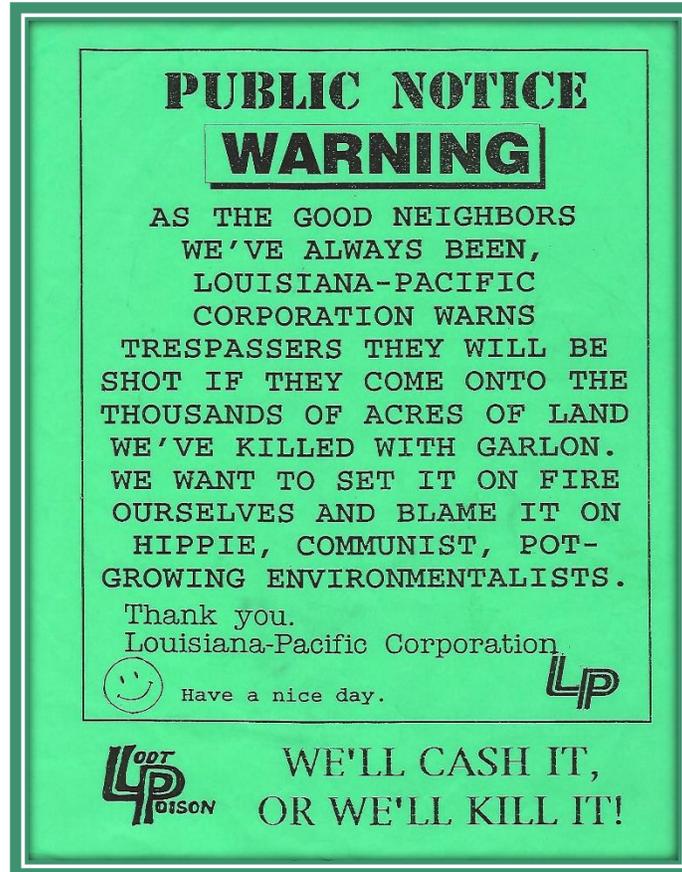


## Chapter 3 : He Could Clearcut Forests Like No Other



“Come to light: L-P’s literally poisonous policies literally poisoning forest workers. Has any other business a higher profit-to-wages ratio? And yet, are any local workers at higher risk? Where’s the IWW? The first *Wobbly* who writes in gets a free lunch, courtesy of RADIO \* FREE EARTH.”

—Marco McClean, *Mendocino Commentary*, April 18, 1985.

“Harry Merlo is one of the highest paid executives in the industry. He makes \$353,000 and he just got a 10 percent raise”

—Harold Broome, carpenter.

“Harry was down to see the strike in his mink coat the other day.”

—Walter Newman, spokesperson and business representative for Lumber Production and Industrial Workers Union Local 2592.

Americans are raised on the mythology of the “self-made man”, the “enterprising go-getter” archetype who creates his own fortune and charts his own destiny. Very often he faces incredible odds, and, armed only with his wits and will to succeed, he alone overcomes disadvantages to become a leader among his fellow Americans. The gender specific pronoun is intentional, because in these stories, women more often than not play a subordinate role. There is an element of “pioneer” spirit within this narrative, and this is not entirely coincidental, because much of the narrative stems from the European-American subjugation of indigenous peoples and the wild. This archetype certainly matches the description of most “captains of industry”, particularly railroad bosses, oil magnates, and timber barons. There is more than folktale about such individuals. Indeed there is a strong ideological component to them, a personification of capitalism, perhaps expressed most unapologetically, albeit crudely, in the narratives of Ayn Rand, particularly Atlas Shrugged or The Fountainhead.

Whether fact or fiction, in these narratives, the entrepreneur is always the hero—virtuous to the core—and he is held up as an example to the rest of us to follow. Very often they not only rely on their own means, they often struggle against a cool and callous society, usually personified by a bureaucratic government, who appropriates some or all of the hero’s self-made fortune to serve its own political ends. What these stories consistently omit, is that most often these “conquering heroes” are neither self-made nor are they virtuous. They often lie, cheat, bend or break the rules, stab those close to them in the back, and rely on the benefits provided by the very same “government” they decry when it doesn’t serve their every need. They appropriate the fruits of others’ labor and call it their own. If there are consequences to their actions, they are shifted to the general public, usually upon the backs of those most unable to resist. And, it is the richest and the most powerful among them who commission the narratives that celebrate their triumphs, sanitizing their own histories so that it is difficult to tell what constitutes fact or fiction.

Harry A. Merlo Jr. was such a man. He began his career as a shipping foreman at a small, independently owned mill, advanced to partner, and then, after the mill was bought out by Georgia Pacific (G-P) he quickly moved up ranks of the G-P corporate structure.<sup>1</sup> Georgia Pacific spun off Louisiana Pacific (L-P) as a result of an antitrust suit brought by Boise

Cascade (B-C) against the former for monopolistic practices in 1973. The Federal Trade Commission had threatened to break up the former for monopolizing the timberlands of northwestern California after acquiring holdings formerly held by Boise-Cascade, including the Fort Bragg California mill.<sup>2</sup> Merlo took over as head of the newly created L-P, and, under his management, the latter quickly expanded to become the second largest lumber company in the United States with 110 plants and at least 13,000 employees nationwide, with annual sales in excess of \$1 billion.<sup>3</sup> Despite Merlo’s reputation as a self-made man, he received achieved many of his “successes” on the backs of others.

Merlo was vilified by both environmentalists and the timber unions alike, and not without reason. When it served him he adeptly pitted the two camps against each other. For example, the expansion of Redwood Park in northern Humboldt County could not have been accomplished without the acquisition of land from L-P (and Simpson). Merlo used this to his advantage. L-P, along with Simpson, claimed that the park’s expansion would result in the loss of possibly as many as 6,000 jobs—though in the years that followed the acquisition of the land, a mere 300 jobs were lost and there is no substantive proof that the park’s expansion had anything to do with them, and if anything, L-P (and Simpson) profited handily from the exchange.<sup>4</sup> Similarly, in order for Save-the-Redwoods League to preserve the nearby Big Lagoon redwoods along US 101, Merlo demanded \$4.3 million and that the park be named in his honor.<sup>5</sup>

In the late 1970s and early-to-mid 1980s, economic stagnation—reflected in the lumber industry by a drop in housing starts from 2 million in 1976 to 1 million in 1982—had increased pressure on the employing class to redefine its relationship to both the working class and the environment, escalating its exploitation of both. The Reagan Administrations “supply-side economics” ideology manifested in timber as a call for increased sales of national forest timber as a means to lower prices and overcome the housing slump. To facilitate this expansion, Reagan appointed John Crowell Jr. to the position of Assistant Secretary of Agriculture for Natural Resources and the Envi-

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<sup>2</sup> “Chronology of California North Coast Timber Industry Activity 1767-1988”, by R. Bartley and S. Yoneda, *Anderson Valley Advertiser*, July 25 and August 1, 1990.

<sup>3</sup> Wodetzki, May 1, 1985, op. cit.

<sup>4</sup> “Timber Outlook”, by Bob Martel, *Country Activist*, June 1988.

<sup>5</sup> “Opinion: New Hope for Old Trees”, by Don Lipmanson, *Mendocino Commentary*, November 7, 1985.

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<sup>1</sup> “Identifying the Louisiana-Pacific Corporation, Part 2”, by Tom Wodetzki, *Anderson Valley Advertiser*, May 1, 1985

ronment, which functioned as the head of the USFS. Crowell Jr. had previously been general counsel for none other than L-P, the largest purchaser of federal timber.<sup>6</sup> He had simultaneously served as assistant secretary of L-P's subsidiary, Ketchikan Pulp Company, in Alaska. Ketchikan and a Japanese firm had been found guilty of colluding from 1975 to 1979 to drive other southeastern Alaskan timber companies out of business. Yet, in 1982, the USFS slashed stumpage rates in Alaska's Tongass National Forest where Ketchikan still held a 50 year contract. In a 1984 leaflet titled, "Why are we paying billions to destroy our national forests?" the Wilderness Society wrote:

"The US Forest Service consistently sells timber at a price below the direct costs of building logging roads, managing the sales, and reforesting the cut land. Over the past ten years this policy has produced a net loss to the Treasury of \$2.1 billion. For example, in Fiscal Year 1983 the Forest Service spent \$83 million for roading and other expenses in Alaska. They received in return \$500,000. That's less than a penny in revenue for every dollar spent!"<sup>7</sup>

Upon Crowell's appointment, he immediately proposed doubling of the rate of harvest from federal forest lands in Oregon and Washington from an annual rate of five bbf to ten bbf by the 1990s. This was well above the maximum harvest level that still allowed feasibility, and it was plainly obvious that the fox was guarding the henhouse.<sup>8</sup> Crowell, who was unrepentant in this role declared that the chief barrier to "more efficient National Forest management has been the timber policy of 'non-declining even flow'... The volume of wood present in these old-growth forests far exceeds what would be present as growing stock inventory once the forest is in a fully managed condition."<sup>9</sup> Or as he stated more bluntly elsewhere, "If you cut the old-growth you're liquidat-

ing the existing inventory and getting the forests into a fully managed condition."<sup>10</sup>

Crowell was not the only L-P fox appointed to guard the henhouse. When the USFS announced plans to cut two million board feet of aspens near Montrose, Colorado ostensibly for "fire prevention," L-P declared it would open a plant that made a wood composite composed of woody debris called "wafer-board" there. The Forest Service, under the direction of Ron Desilett, suddenly increased its allowable cut figure from 2 million to 50 million board feet. Desilett's predecessor, Robert Rosette, had officially resigned the previous August and moved on to none other than L-P. In actual fact, Rosette had begun working for his new employers two months *before* his resignation. Rosette's new job was to represent the company in the negotiations with the USFS. L-P was already building the plant before the negotiations had concluded. Although this was clearly a conflict of interest, the Reagan administration tacitly approved of the collusion.<sup>11</sup>

The Reagan administration's strategy of increased exploitation of the U.S. national forests depended on vastly accelerated harvesting in the Northwest in particular, since it was from these national forests that the great bulk of the net proceeds from federal timber sales were obtained—although most federal timber placed on the market came from forests elsewhere in the United States. Costs associated with timber sales depended primarily on the area sold, but revenue depended on the volume of timber sold and wood quality. Both volume/area and quality were very high in the Northwest old-growth forests, which made them by far the most profitable area of U.S. Forest Service operations. Profit criteria demanded higher rates of cutting in these forests. And since almost everywhere else in the United States the Forest Service was in fact selling timber at a complete loss, continued sales of high value old-growth timber in the Northwest were essential to keep the overall timber sales budget profitable and prevent substantial losses elsewhere—and hence the entirety of the federal timber subsidy to capital—from becoming visible.<sup>12</sup>

However, in order to justify increasing sales and harvests of timber from the national forests of the Pacific Northwest, the administration had to cre-

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<sup>6</sup> Foster, John Bellamy, "The Limits of Environmentalism Without Class: Lessons from the Ancient Forest Struggle of the Pacific Northwest" New York, NY., Monthly Review Press (Capitalism, Nature, Socialism series), 1993., "Part 3 – Monopoly Capital and Environmental Degradation: The Case of the Forest".

<sup>7</sup> Wodetzki, May 1, 1985, op. cit.

<sup>8</sup> Foster, op. cit., "Part 3 – Monopoly Capital and Environmental Degradation: The Case of the Forest".

<sup>9</sup> John Crowell, "Excerpts from a Speech by John B. Crowell, Jr.," in Bureau of Governmental Research and Service, University of Oregon, Old-Growth Forests: A Balanced Perspective, Eugene, OR, 1982, pages 133-36.

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<sup>10</sup> Foster, op. cit., "Part 3 – Monopoly Capital and Environmental Degradation: The Case of the Forest".

<sup>11</sup> Wodetzki, May 1, 1985, op. cit.

<sup>12</sup> Foster, op. cit., "Part 3 – Monopoly Capital and Environmental Degradation: The Case of the Forest".

ate a demand—since there was a nationwide trough in housing starts caused by the ratcheting inflation of the early 1980s. The only way to accomplish that was to lower the price charged to the corporations for that same national forest wood. Contract arrangements for federal timber had traditionally allowed companies to purchase cutting rights for standing timber and delay harvesting for two to five years until market conditions become favorable—a policy that encouraged widespread speculation. The housing market crash of 1982 left timber companies holding vast inventories of federal timber that were overpriced in relation to depressed domestic prices. In 1984, President Reagan signed a timber contract bailout bill into law which bailed the timber companies out of this situation, releasing them from their obligations. The companies were allowed to void their contracts to buy several mbf of uncut timber, and then purchase that same timber at vastly reduced prices. Corporate Timber's profits soared as sales and harvests reached unprecedented levels throughout the 1980s. Meanwhile internal BLM plans in 1983 to reduce cutting and introduce longer rotation times in the forests in western Oregon under its jurisdiction, in the face of dwindling agency timber supplies, were abruptly halted, quite possibly by Reagan's arch conservative and ideologically anti-environmentalist Secretary of the Interior, James Watt, near the end of that year, and instead harvests were accelerated.<sup>13</sup> L-P, and especially Merlo, profited mightily from these policies.

L-P likewise took advantage of protectionist trade policies which facilitated increases in the export of raw logs, particularly to east Asia.<sup>14</sup> Log exports boosted Corporate Timber's bottom line, but resulted in a net loss in timber workers' jobs, at a rate of about three direct timber jobs and six jobs in supportive industries for every one million board feet exported.<sup>15</sup> In October 1973, there was an appropriations provision prohibiting the export of raw timber from Federal lands in the western United States. The provision additionally "prohibited purchasers from using timber harvested from federal lands in their processing plants while exporting private timber that could have been used in those plants." However, the House Committee on Appropriations explained in a February 1974 letter to the Chief of the Forest Service that they in-

tended to "allow historic patterns of trade without disruption" and that the provision was targeted only at preventing log exports from increasing.<sup>16</sup> These restrictions also varied from area to area, and were different for large corporations (to their advantage) than for independent companies (to their disadvantage) and were oft circumvented by corporations anyway.<sup>17</sup> Both the USFS and the BLM relied on company reports to monitor their practices, which were neither audited nor tested for verification of compliance. Violations were only discovered if one company reported on another.<sup>18</sup> L-P was one of the largest log exporters operating on the North Coast, and though it claimed that it exported few logs from that area, its export operations elsewhere had a cumulatively negative impact on the sustainability of its operations there.

Merlo also took advantage of the economic recession of the early 1980s by shifting the economic burden to L-P's rank and file employees. A series of temporary mill closures by Louisiana-Pacific plagued mill workers early in the decade. L-P closed its mill in Samoa (near Eureka, California in Humboldt County) in early 1980.<sup>19</sup> In second wave of closures that took place less than a year later, L-P temporarily shuttered mills in Carlotta, Big Lagoon, Ukiah, Potter Valley, and Covelo as of October 30, 1981.<sup>20</sup> The company reopened most of the mills early the following year<sup>21</sup>, but the closures had taken a severe toll on the livelihoods of the millworkers, and had also affected workers in the Georgia-Pacific mill in Fort Bragg.<sup>22</sup> While these closures were not the fault of the work-

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<sup>16</sup> "Lumber Workers' Jobs Hit the High Seas", staff report, *Industrial Worker*, February 1989, and *Earth First! Journal*, staff report, Brigid / February 2, 1990 (the latter edition is abridged somewhat).

<sup>17</sup> Tim Skaggs, President, International Woodworkers of America, Local # 3-98, private interview conducted by Edie Butler, February 1, 1982, reprinted in "Log Export History: Mill Jobs Exported", by Edie Butler, *Hard Times*, Volume 3, #1, February 1983.

<sup>18</sup> *Industrial Worker*, February 1989, op. cit.

<sup>19</sup> "LP Closes Samoa Mill, Gears for Young Growth", *Arcata Union*, February 7, 1980; "LP Posts Record Year", *Arcata Union*, February 21, 1980.

<sup>20</sup> "LP to Close Mills", *Eureka Times-Standard*, October 22, 1981; "650 Workers Laid Off: L-P Extends Coastal Mill Shutdown", by Rob Fowler, *Fort Bragg Advocate-News*, October 23, 1981; "LP's Fort Bragg Plant Closes", *Mendocino Beacon*, October 29, 1981; "L-P Extends Mill Closure", *Eureka Times-Standard*, December 9, 1981; "L-P Extends Mill Layoffs", *Mendocino Beacon*, December 10, 1981;

<sup>21</sup> "LP Workers Back on Job", by Mark Chapman, *Eureka Times-Standard*, January 4, 1982.

<sup>22</sup> "Mill Cuts Shift: Employees Share Work", *Fort Bragg Advocate-News*, November 4, 1981 (This article is about the G-P mill in Fort Bragg, but it mentions the L-P mill closures); "G-P Mill Cuts Back", *Mendocino Beacon*, November 12, 1981.

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<sup>13</sup> Foster, op. cit., "Part 3 – Monopoly Capital and Environmental Degradation: The Case of the Forest".

<sup>14</sup> Foster, op. cit., "Part 3 – Monopoly Capital and Environmental Degradation: The Case of the Forest".

<sup>15</sup> "Jobs, Automation and Exports", by Eric Swanson, *Mendocino Country Environmentalist*, July 22, 1992.

ers, whose productivity (when able to work at all) remained as high as ever, L-P shifted the burden of the slump onto their backs, demanding wage and benefit freezes in the spring of 1982, to which the workers publically objected.<sup>23</sup> In May, L-P temporarily closed its pulp mill in Samoa for the second time in as many years.<sup>24</sup> That fall, L-P conducted another round of layoffs<sup>25</sup> and a third wave of temporary mill closures in Mendocino County, in particular at their mills in Ukiah and Potter Valley<sup>26</sup> as well as its stud mills in Fort Bragg and Willits<sup>27</sup>, and its Carlotta saw mill in Humboldt County until February of 1983.<sup>28</sup> A year later, L-P shuttered its mill in remote Alderpoint (in the mountains of southern Humboldt County east of Garberville) permanently.<sup>29</sup>

L-P blamed these temporary closures on unfavorable “economic factors”, and indeed these existed, including:

“A drastic drop in housing starts; increased exports of unprocessed logs, coupled with rising excess capacity in Northwest mills; a vastly stepped up rate of imports of lumber from Canada (which had the effect of creating deep fissures between Canadian and U.S. workers within the International Woodworkers of America); a rapid decline in employment due to mechanization; wage competition from southern woodworkers (who earned almost \$3 an hour less on average in 1986 than their Northwest counterparts); and a general shift of the industry from the Northwest to the Southeast, where faster growing pine plantations and right-

to-work laws provide a greater ‘comparative advantage’ in timber production.”<sup>30</sup>

Yet, such conditions were not at all unfavorable to the timber corporations’ profit margin, and in many cases, they had caused them to happen in the first place. As a result, the employers, including Merlo, were experiencing unheard of prosperity in contrast with their workers. Several times during the course of these layoffs, L-P *in particular* had recorded earning record quarterly profits.<sup>31</sup>

Merlo cared little about protecting his employees’ livelihoods. If this were not the case, he could have easily kept these millworkers employed by retraining them to engage in labor intensive underbrush removal as part of their logging efforts. In the early 1980s, this was increasingly accomplished by capital intensive aerial herbicide spraying. One person piloting a helicopter could cover 3,000 acres of forestland during a spray operation. One company would receive \$100,000 for the work, and generally the money would not even be spent in the struggling timber communities. In contrast, between 200 and 300 chainsaw wielding loggers could be employed to cover the same acreage in one year if the work was instead done manually. Dozens of small companies could earn \$400,000 for the same amount of work, and, if hired from local communities, the local economy would benefit.<sup>32</sup> This technique, known as “manual release”, also had the benefit of sparing the local ecosystems and watersheds from the careless deployment of Phenoxy herbicides which were more often than not highly toxic to both workers and the local environment. Manual Release was advocated both by environmentalists and the timber unions, including the IWA.<sup>33</sup> Of course, such labor intensive practices would not benefit the bottom line of corporations like L-P or the likes of Harry Merlo.

L-P’s practices were so devastating to the long term job security of the workers that even the normally compliant timber unions began to openly question them. For example, in 1982, the IWA issued statements critical of current corporate timber prac-

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<sup>23</sup> “Small Gains in Timber Industry”, *Fort Bragg Advocate-News* and *Mendocino Beacon*, January 6, 1982; “LP Asks Employees to Forgo This Year’s Wage Increases”, by Mike Chapman, *Eureka Times-Standard*, March 26, 1982; “Postponed Wage and Benefit Increase Snubbed By Workers”, by Mike Chapman, *Eureka Times-Standard*, March 27, 1982; “Wage Freeze Sought By L-P; Depressed Market Blamed”, *Mendocino Grapevine*, March 31, 1982;

<sup>24</sup> “LP to Shut Down for Two Months”, *Eureka Times-Standard*, May 24, 1982

<sup>25</sup> “LP Wants to Cut Back Work Week”, *Eureka Times-Standard*, September 17, 1982; “LP to Lay Off 300 Workers”, *Eureka Times-Standard*, September 23, 1982;

<sup>26</sup> “LP to Shut Down Last Two Mills”, *Eureka Times-Standard*, November 23, 1982.

<sup>27</sup> “Willits Studmill Slated For Closure”, by Bill Regan, *Eureka Times-Standard*, November 6, 1982; “LP to Temporarily Halt Studmill Operations in Fort Bragg”, *Fort Bragg Advocate-News*, November 10, 1982; “LP Shuts Down Fort Bragg Mill”, *Mendocino Beacon*, November 11, 1982;

<sup>28</sup> “LP Closes Carlotta Sawmill”, *Eureka Times-Standard*, November 2, 1982.

<sup>29</sup> “LP to Close Sawmill at Alderpoint”, *Eureka Times-Standard*, January 7, 1984.

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<sup>30</sup> Foster, op. cit., “Part 4 – Ecological Conflict and the Class Struggle”.

<sup>31</sup> “LP’s President Expresses Hope for the Future”, *Fort Bragg Advocate-News*, May 26, 1982; “Louisiana-Pacific Third Largest Lumber Producer”, *Eureka Times-Standard*, August 9, 1982;

<sup>32</sup> “Don’t Spray My Job”, by an (anonymous) unemployed forest worker, *Hard Times*, Volume 2, #3, October 1982.

<sup>33</sup> “IWA Demands Safe Jobs and Clean Water”, speech given by Tim Skaggs, Business Agent, IWA Local #3-98, reprinted in *Hard Times*, February 1983.

tices. They charged the timber corporations with shifting the costs of its actions to the public. They identified plant closures as being as much of a social problem as they were a matter of simple economics, and recognizing it as a problem created by the employers' increasing ability, enabled by modern technology, to transfer capital at fantastic speeds. The union understood that workers could not adjust equally rapidly, and therefore they became a burden on the local community. The IWA noted that by far the vast majority of timber resources and production in that region were increasingly controlled by six large corporations such as G-P and L-P. The IWA declared that these tendencies and conditions were a direct result of employer friendly and corporate friendly government policy.<sup>34</sup> Tim Skaggs, representative for IWA Local #3-98, based in Arcata—just north of Eureka—argued that the expansion of Redwood National Park was necessary to protect nearby Redwood Creek from siltation that would ultimately destroy that riparian environment. The union official placed the blame for the devastation of the nearby watercourse on corporate timber practices, namely clearcutting.<sup>35</sup> The unions' sudden willingness to even think about acting independently of capital represented a potential problem for L-P.

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L-P was initially a union company, at least in its mills, having several contracts with various unions, including the Carpenters and International Woodworkers of America though previous agreements with G-P in many cases. Merlo had always been an anti-union ideologue throughout his ascendancy in the 1970s, but had known that liquidating the unions outright would bring about a backlash and shrewdly waited until the conditions were favorable for such a draconian move.<sup>36</sup> In the summer of 1983, L-P deliberately provoked a protracted strike by demanding an 8 to 10 percent roll-back of wages and a two-tiered wage structure.<sup>37</sup> The demands also included a one-year contract, termination of the union health plan, man-

datory overtime, and tougher eligibility standards for vacation and holidays. Merlo also insisted that the union bargain mill-by-mill as opposed to negotiating an industry-wide contract, which had been the established precedent for several years.<sup>38</sup> The Lumber Production and Industrial Workers Union (LPIW, affiliated with the United Brotherhood of Carpenters and Joiners Union) and the International Woodworkers of America (IWA) naturally opposed such a drastic, and relatively unprecedented, cut in wages, and were forced into a strike by necessity. The strike affected 1,700 mill workers at 18 L-P mills in California, Oregon, Washington, and Alaska.<sup>39</sup> On the North Coast, the strike affected union workers at Big Lagoon, Samoa, and Carlotta in Humboldt County, as well as numerous facilities in Mendocino County.<sup>40</sup>

The dispute became one of the longest and most bitter strikes in the history of the West Coast timber industry, and was rocked by bombings, gunfire, and fights between union members and strike breakers.<sup>41</sup> L-P's demands were initially too much for even the other major timber corporations, Crown-Zellerbach, Boise-Cascade, Champion International, Georgia-Pacific, Publisher's Paper, Simpson Timber, and Weyerhaeuser, who were not yet emboldened enough to declare open class war (at least not to the extent proposed by L-P) on their workers.<sup>42</sup> The latter had just concluded negotiating modest wage increases averaging 8.5 percent, spread over three years. Merlo's actions were seen as too draconian and were no doubt motivated (at least partially) by his ideological aversion to labor unions, but they were also influenced much more strongly by his intuitive understanding of the changing conditions of the market being brought on by neoliberal economics.<sup>43</sup> Already the Reagan administration had demonstrated that it was in Merlo's corner, and he had every expectation that they would be this time as well.

Merlo justified his demands for wage cuts in his Western mills, where workers made between from \$9.50 to \$13.50 an hour, by claiming they were not competitive with mills in the Southeast. Merlo could speak from direct knowledge, of course, because it

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<sup>34</sup> "IWA Statement before the Senate Committee on Industrial Relations: a Public Hearing on the Plant Closure Situation and the Proposed Senate Bill 1494", Redding California, October 21, 1980.

<sup>35</sup> "IWA Demands Safe Jobs and Clean Water", speech given by Tim Skaggs, Business Agent, IWA Local #3-98, reprinted in *Hard Times*, February 1983.

<sup>36</sup> "Identifying the Louisiana-Pacific Corporation, Part 1", by Tom Wodetzki, *Anderson Valley Advertiser*, April 24, 1985.

<sup>37</sup> Foster, op. cit., "Part 4 – Ecological Conflict and the Class Struggle".

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<sup>38</sup> Wodetzki, April 24, 1985, op. cit.

<sup>39</sup> "Chronology of California North Coast Timber Industry Activity 1767-1988", by R. Bartley and S. Yoneda *Anderson Valley Advertiser*, July 25 and August 1, 1990

<sup>40</sup> "L-P Strike Lingers, Simpson Lockout Begins", *EcoNews*, June 1985.

<sup>41</sup> Wodetzki, April 24, 1985, op. cit.

<sup>42</sup> "Lengthy Strike at Louisiana-Pacific Tests Chairman's Resolve to Cut Starting Wages", by Marilyn Chase, *Wall Street Journal*, October 17, 1983.

<sup>43</sup> Wodetzki, April 24, 1985, op. cit.

was L-P's *own mills* there from which he drew comparisons. Taking advantage of the aforementioned "right-to-work" laws prevalent in most Southeastern states, made possible by the lack of a strong union movement in the wake of the busting of the IWW's Brotherhood of Timber Workers, L-P workers there made substantially less. L-P's Eufala, Alabama mill, for example, paid a top wage of only \$5.10 per hour. Most of workers, who were predominantly black, made a mere \$3.35. Furthermore, pensions, medical benefits, and vacation pay were rare.<sup>44</sup>

Merlo's demands were not a result of L-P struggling to meet its bottom line, however, as L-P had made over \$200 in profits between 1980 and 1985, and he understood that the nonunion mills reaped higher profits. Merlo, himself, earned \$2.4 million in 1984, making him the nineteenth highest paid executive in the United States that year. L-P had no difficulty recruiting strikebreakers either. Due to the high unemployment caused by the recent mill shutdowns and the recession brought on by Reagan's economic policies, there were plenty of workers willing to defy the unions' picket lines. The union members naturally reacted to the presence of the scabs emotionally, and sometimes violently. There were many incidents of slashed tires and broken car windows at many of the struck facilities, and even a few reports of shootings, fire bombings, and use of dynamite. In Oroville, California, a van transporting strikebreakers drove headlong into rock throwing strikers and injured several of them.<sup>45</sup>

In spite of the confrontations, three months into the strike, the unions were losing the war, and they knew it. Having invested in collaborationist policies with the employing class, they were utterly unprepared to resist the attacks by their supposed senior "partners". Hoping to salvage what they could, the unions offered unprecedented concessions, including the one year contract and company administered health plan demanded by L-P as well as a wage freeze. However, L-P countered with even tougher demands, to which the unions responded by filing an unfair labor practices (ULP) charge with the National Labor Relations Board (NLRB). The ULP charged that L-P's entire strategy "(desired) to avoid an agreement and ultimately to break the union." In April of 1984, NLRB General Counsel William Lubbers found in favor of the unions, and directed the Board to issue a

ULP complaint against the company. The unions had seemed to have scored a major victory:

"News of this decision boosted spirits on the picket lines. Had the charges prevailed in court, none of the striking workers could have been permanently replaced by the company, no strike-breaker would have had the right to vote in the then-pending elections to decertify the union, and L-P could have been held liable for millions of dollars in back pay to the striking workers."<sup>46</sup>

The NLRB's ruling was consistent with industrial relations in the United States over the previous four decades, and Merlo's calculated gamble temporarily seemed to have been reckless, but alas, the "self made man" had reasoned, correctly, that he had friends in high places. Merlo had every reason to remain confident. In the twelve years of L-P's existence, the company had already been the perpetrator of countless frauds, the target of numerous lawsuits, and the recipient of a plethora of fines. Merlo accepted such things as calculated risks and all too often, he was the victor in such struggles.<sup>47</sup> The Reagan Administration had already made it quite clear that its forestry policies were designed to benefit the interests of Corporate Timber and further the acceleration of a return to laissez faire capitalism. No more clear indication of this was necessary than Reagan's appointment of former L-P top lawyer John Crowell to head the US Forest Service in 1981.<sup>48</sup> Crowell's \$600 million bailout allowing L-P and other timber corporations to void their expensive federal timber contracts was a clear indication that Merlo could act with near impunity.<sup>49</sup> Sure enough, the unions never got their day in court. Three days following Lubbers' ruling, his term expired. Reagan replaced him with an official far more conducive to the new order who overturned his predecessor's ruling, clearing L-P of any crimes.<sup>50</sup>

Sufficiently demoralized, enough rank and file workers threw in the towel, and many of the mills solidly voted to decertify the unions. The still stunned leadership of the Carpenters and the IWA contested the elections with the NLRB on the grounds that L-P

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<sup>46</sup> Wodetzki, April 24, 1985, op. cit.

<sup>47</sup> Wodetzki, May 1, 1985, op. cit.

<sup>48</sup> Foster, "Part 3 – Monopoly Capital and Environmental Degradation: The Case of the Forest", op. cit.

<sup>49</sup> Wodetzki, May 1, 1985, op. cit.

<sup>50</sup> Wodetzki, April 24, 1985, op. cit.

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<sup>44</sup> Wodetzki, April 24, 1985, op. cit.

<sup>45</sup> Wodetzki, April 24, 1985, op. cit.

had held the elections on company property, rather than neutral ground, thereby discouraging striking union members from participating. The unions also claimed that L-P stuffed the ballot box by keeping replacement workers on their payroll, even though they weren't actively engaged in mill work to assure a company victory. The NLRB dismissed these charges as well. The union officials who had hitherto accepted their role as capital's junior partner for several decades now pledged to fight L-P to the bitter end, though for the most part this was posturing. The picket lines diminished in size as struggling rank and filers, mostly unable to support themselves and their families on the \$100 per week strike funds and food donations, sought work elsewhere.<sup>51</sup>

The leadership of the UBCJ and IWA tried to save face by engaging in ultimately ineffectual corporate campaigns. For example, in the Fall of 1984, 200 striking workers and their supporters organized informational pickets at the L-P sponsored Davis Cup tournament in the company's home city of Portland, Oregon. The unions argued that the \$750,000 L-P paid to sponsor the Davis Cup could have easily covered the union's final, concessionary offer. What the unions didn't grasp, however, was that Merlo wasn't trying to save money. He was trying to bust the unions outright and no amount of givebacks would have satisfied him. The only reason he didn't demand more than he did was that doing so would have likely have been too much for even the now more conservative NLRB.<sup>52</sup>

The unions also attempted a retail boycott. That tactic was a bold step for the Carpenters at the very least since it was the first such action in that union's 100 year history. It called for weekly pickets of 220 retail stores nationwide and encouraged customers to not purchase various L-P products, including wood, prefabricated doors and windows, insulation, and synthetic wood products. In Mendocino County in particular, the targets included the Mendo Mill and Yaeger & Kirk. The AFL-CIO international added L-P to its "do not patronize" list in support of the timber unions. At least 200 of the stores *did* pledge to stop selling L-P products, but ultimately the unions' efforts were for naught.<sup>53</sup> A retail boycott was doomed to fail, because timber is generally purchased wholesale—not retail, and a consumer boycott only really hurt the middlemen thus eroding potential sup-

port for the strike in the long run. More significantly, the workers' primary economic impact is at the point of production, and with the unions successfully broken, that power had already been lost.<sup>54</sup>

Desperate, the unions even began to make overtures to the environmental movement, suddenly taking stands against L-P's proposed THPs. For example, in the Fall of 1984, Fort Bragg IWA Local 3-469 filed a formal protest with the California Department of Forestry (CDF) over a proposed clearcutting of 2,530 acres by L-P in the headwaters of Big River, east of the town of Mendocino in northwestern coastal Mendocino County, stating:

The accelerated cut in Mendocino County by L-P will also have an economic impact upon us when L-P has finished cutting over their timberlands and we can no longer look to them for jobs and taxes. We submit that they are not managing their property on a sustained yield basis and we request that all Timber Harvest Plans be reviewed with the effect upon the landowners sustained yield program as the final determining factor predicated approval or rejection.<sup>55</sup>

A few of the more forward thinking environmentalists, including EPIC, appreciated the unions' sudden realization that shared common adversaries, but just as many environmental organizations throughout the Pacific Northwest, including many on the North Coast, ignored the unions' struggle, no doubt still wary from the squabbles over Redwood National Park a half decade earlier.<sup>56</sup> The situation looked very bleak indeed, but this was but the dark before the dawn. Further actions by L-P would soon make the mutual distrust between the unions and the environmentalists rapidly dissipate.

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The catalyst that the unions and environmentalists needed to bring them together came from L-P's use of aerial herbicides. By 1983, the had EPA banned 2,4,5-T outright, and many argued that 2,4-D should

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<sup>54</sup> "Earth First! in Northern California: An Interview with Judi Bari" by Douglas Bevington, reprinted in The Struggle for Ecological Democracy: Environmental Justice Movements in the United States, edited by Daniel Faber, New York, NY and London, Guilford Press, 1998, 255.

<sup>55</sup> "Loggers Defend the Environment", by Ron Guenther, *Mendocino Commentary*, November 14, 1984 and *Country Activist*, June 1985.

<sup>56</sup> Foster, "Part 4 – Ecological Conflict and the Class Struggle", op. cit.

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<sup>51</sup> Wodetzki, April 24, 1985, op. cit.

<sup>52</sup> Wodetzki, April 24, 1985, op. cit.

<sup>53</sup> Wodetzki, April 24, 1985, op. cit.

be as well.<sup>57</sup>In 1984, the California State Supreme Court upheld the Mendocino County herbicide ordinance which had been lingering in legal limbo since 1979. That same year, however, under intense lobbying pressure from both the timber and chemical industries, the California State Assembly passed AB 2635, which stripped control of herbicide and pesticide regulation away from counties.<sup>58</sup> The bill was sponsored by then Speaker of the California State Assembly, Willie Brown of San Francisco, a machine Democrat known for his pandering to special interests, particularly corporations.<sup>59</sup> This law placed spray regulation under the jurisdiction of the State Department of Food and Agriculture, which was dominated by agribusiness interests.<sup>60</sup> Despite all of the evidence establishing a clear pattern of toxicity, Mr. Matt Anderson of the California Forest Products Association dismissed the community's concerns as little more than "a controversy of emotions versus facts."<sup>61</sup>

As a result, the battle over aerial herbicide spray reached a fevered pitch. In January 1985, while the unions were still fighting the corporation, Louisiana-Pacific and Longview Fibre Company announced plans to resume spraying herbicides in Mendocino County in the fall, due to the passage of AB 2635.<sup>62</sup> L-P planned to use Dow Chemical's Garlon, which the timber corporation claimed was safer, but was in fact a relatively unknown and unregulated compound one molecule removed from the now banned 2,4,5-T.<sup>63</sup> L-P reforestation manager Fleming Badenfort claimed at a company convened press conference on January 29, 1985, that spraying was the only cost effective way to prevent hardwood species such as tanoak, madrone, and ceanothus from competing with their at-

tempts at conifer monoculture.<sup>64</sup> The same individual also conceded that the herbicides would be an efficient way to thin out the habitats of rabbits, gophers, and other mammalian "varmints" that posed a threat to the human-introduced conifer seedlings.<sup>65</sup> The corporation's disregard for life, both human and other did not sit well with environmentalists or timber workers.<sup>66</sup> L-P spokesman Bill Smith appeared on an environmental talk show on KMFB, a local Fort Bragg community radio station, and insisted "Louisiana-Pacific is not slapping the face of the voters of Mendocino County... We wouldn't be doing it if we didn't think it was safe."<sup>67</sup>

Mendocino County environmentalist activist and school board member, Don Lipmanson, who surveyed the affected forest areas from the air, reported, however:

"The spray sites were unmistakable on account of their striking reddish brown color, dotted with green. In addition to one large, browned out blotch, there are erratic splotches at the periphery of the spray zone, raising unanswered questions about drift. ... The spray zones have recently been logged for conifers, so company claims that they are too inaccessible for manual hardwood release are nonsense..."

"The proximity of spray drift to waterways was another major concern. The Water Quality Control Board (WQCB) requires that a one hundred foot buffer be left unsprayed around streams and rivers, theoretically to prevent herbicide drift or runoff into the water. L-P assures us that Garlon 'didn't drift. It didn't get in the water?..."

"At the Poverty Gulch spray site, the Big River itself was buffered according to the rules. However, the feeder streams did not receive such protection... The infiltration of Garlon into streams is significant because, in the midst of uncertainty about its effect on human health, it is acknowledged by the manufacturer to be lethal to fish."<sup>68</sup>

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<sup>57</sup> "In Our Opinion", by Barry Vogel, Mills Matheson and David Drell, *Mendocino Commentary*, February 21, 1985.

<sup>58</sup> Martel, May 1985, op. cit. Since 1979, incidents at Times Beach, Massachusetts; Love Canal, New York; Newark, New Jersey; and the settlement of court cases brought by men exposed to 2,4-D and 2,4,5-T in Viet Nam bolstered the cases against both chemicals. In 1983, the EPA banned 2,4,5-T outright. The Auditor General of California issued a report concerning the Department of Food and Agriculture's data to support the safety of registered pesticides. The report concluded that the State lacked crucial data to determine the safety of pesticides. For example, when reviewing the files on 2,4-D Dimethylamine salt, the Auditor General could find no data on chronic toxicity or oncogenicity or teratogenicity or neurotoxicity. Clare Berryhill, the Director of the Department of Food and Agriculture, agreed with the findings of the Auditor General.

<sup>59</sup> Bartley and Yoneda, op. cit.

<sup>60</sup> Martel, May 1985, op. cit.

<sup>61</sup> Vogel, et. al., op. cit.

<sup>62</sup> Martel, May 1985, op. cit.

<sup>63</sup> "The Truth About Garlon", *Mendocino Beacon*, June 6, and *Anderson Valley Advertiser*, June 12, 1985.

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<sup>64</sup> "Greens, Loggers, and Woodworkers Blast Louisiana-Pacific's 'Good Neighbor Policy'", by Don Morris, *Earth First! Journal*, Samhain (Nov. 1), 1985.

<sup>65</sup> Vogel, et. al., op. cit.

<sup>66</sup> Morris, op. cit.

<sup>67</sup> Vogel, et. al., op. cit.

<sup>68</sup> "On the Garlon Trail: A Visit to L-P Spray Site Reveals Total Forest Devastation, Ineffective Chemicals, Minimal Watershed Protection", by I.M. Green, *Anderson Valley Advertiser*, June 5, 1985 (Don Lipmanson

Angry citizens not convinced by L-P's reassurances mobilized to protest in order to defend both their health and property rights, and gathered 1,500 signatures opposing the spray in three days. The IWA joined in the opposition as well, passing a resolution against herbicide spraying.<sup>69</sup> Practically everybody but Corporate Timber (and Dow Chemical) opposed being subjected to "2,4,5-T in drag". Such a coalition between timber workers and environmentalists was virtually unheard of however, and there was much disarray in trying to combine their forces.<sup>70</sup> The two constituencies had hitherto never worked together on a large organized scale before, and there were still some bones of contention—such as the ongoing struggles over the Redwood National Park, Humboldt Redwoods State Park, and the Sinkyone Wilderness area. Harry Merlo, of course, was not one to let a little public opposition stand in his way, and he was slick and knew the value of good PR. So he did what he could to blunt the opposition by having his handlers market L-P as "a Good Neighbor" to the citizens of Mendocino County. Such propaganda was believable to some, at least, due to the fact that L-P donated a sizable amount to local charities.<sup>71</sup> Still, the strike and union busting had left a lot of resentment among the residents of the county, which—like a forest doused in Agent Orange—could ignite at any second.<sup>72</sup> As it turned out, L-P was outdone by their own hubris.

In early march, as two logging crews working for gyppo operations owned by Dana Hastings and Steve Okerstrom were working in the woods near Juan Creek—not more than 15 miles southwest of Usal. Unannounced to them, L-P—who had contracted the two gyppo crews—sprayed Garlon from a helicopter as little as 400 yards away into the woods adjacent to the logging site.<sup>73</sup> Over a dozen loggers and truck drivers working for the two operations, including Hastings loggers Rick Rial, Tom Fales, Fales' two sons Tommy and Frank, as well as trucker Rod Cudney, who worked for trucker Ed Kelley and had been hauling logs away from the site, were affected. They continued to work, however, because, being

employed by nonunion gyppos, they lacked even the meager protections offered by the unions.<sup>74</sup>

Within 48 hours, all of them developed eerily similar "flu-like" symptoms including odd tastes in their mouths, headaches, vomiting, and diarrhea. However, influenza is spread by direct or near direct contact, and not all of these workers came in contact with each other. Even more strangely, *none* of their family members who did experience contact developed these same symptoms, thus ruling out the possibility that the flu was the culprit. Also, each of the workers also developed symptoms inconsistent with the flu, such as visible chemical burns.<sup>75</sup> Furthermore, there was the added case of a Comptche resident's five-year old son, who had been outside playing on the day of the spraying. For days after the spraying the child and his father could smell and taste the Garlon in the air. Shortly after that, both the father and son developed symptoms very much like the sprayed loggers and were bed-ridden for at least a week after that.<sup>76</sup> The workers were examined by a local physician who could not determine the source of the illness.<sup>77</sup> However, the effects were entirely consistent with those experienced by other timber workers and individuals exposed to aerially deployed phenoxy herbicides.<sup>78</sup> In spite of all of the evidence, the timber companies insisted that the workers were suffering from nothing more than the flu.

Rick Rial's mother, Arlene, happened to be the wife of Wayne Thorstrom, and she suspected a cover up by L-P and the gyppos. She consulted Dr. Mills Matheson, a local environmental activist who was well respected and had some knowledge about toxicology. Arlene Rial recalled:

"(Matheson) took a urine and blood sample and froze them—because the only people evidentially who can find out if Garlon is in the blood or the urine is Dow Chemical Company...

"There's a law that says a chemical company must produce evidence that a chemical is safe before they put it on the market or spray it into the atmosphere. Dow Chemical Company has not done this and this particular law has not been enforced. If that's the case, then the

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confirmed that he was in fact I. M. Green in a phone interview with the author in 2009).

<sup>69</sup> Bartley and Yoneda, op. cit.

<sup>70</sup> Morris, op. cit.

<sup>71</sup> Morris, op. cit.

<sup>72</sup> "Timber Wars: Footloose Wobs Urgently Needed", by Judi Bari, *Industrial Worker*, October 1989.

<sup>73</sup> Morris, op. cit.

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<sup>74</sup> "Sprayed Loggers", Tom Fales, Arlene Rial, Frank Fales, Wayne Thorstrom, Rick Rial, and Rod Cudney, Interviewed by Beth Bosk, *New Settler Interview*, Issue #3, April 1985.

<sup>75</sup> Bosk, April 1985, op. cit.

<sup>76</sup> "The Truth About Garlon", op. cit.

<sup>77</sup> Morris, op. cit.

<sup>78</sup> Bosk, April 1985, op. cit.

fox...is in charge (of the henhouse). It is very difficult to prove exposure to Garlon. Dow Chemical will not release the necessary procedures because of trade secret laws.

“I called the toxicity center in Texas to find out just what Garlon was and the gal there told me it was one atom removed from Agent Orange and I almost had a heart attack at that time. After that, I immediately called several different newspapers and I said, ‘Are you aware that they are spraying a dangerous chemical not only in our community, but around people who are working’—and that’s how the whole thing got started. I called Okerstrom logging and told him, ‘Get the men out of Juan Creek because it’s contaminated.’”<sup>79</sup>

However, neither Hastings nor Okerstrom was particularly in a hurry to pull their loggers out of the site. Both of them were under contract by L-P, and that corporation had long eclipsed G-P as the “big dog” in Mendocino County, being its largest timberland owner and private sector employer. If one didn’t toe the L-P line, they often did not get awarded the contract.<sup>80</sup> Okerstrom and Hastings put pressure on their crews to keep quiet about the incident. One of L-P’s foresters even addressed the crew saying “People shouldn’t take a little thing and make it into a big thing” and gestured towards the affected workers. Hastings singled out Rick Rial in particular, counting on the cultural machismo of his fellow workers to ostracize Rial for having relied on the protectiveness of his “mommy” (even if though she was married to a union activist).<sup>81</sup>

Ms. Rial refused to be silent, however. She contacted the Department of Agriculture who responded “There’s no problem. The spray happens all the time. Too bad the guys were out there. Too bad they’re sick, but the doctor says it sounds like the flu.”<sup>82</sup> Unwilling to give up, she took the matter to the local press, who were actually willing to listen.<sup>83</sup> In response, spokesmen from L-P and the two gyppo operators accused Arlene Rial of “making a mountain out of a molehill”, but this was not a particularly convincing argument, and the mainstream press, which normally toed the Corporate Timber line, didn’t go

along with it this time.<sup>84</sup> *Fort Bragg Advocate* reporter Martin Hickel, who had covered the story, described the affected workers opining, “They do not look like the kind of men who complain.”<sup>85</sup>

Dana Hastings, flummoxed by the negative press and fearing reprisal from L-P decided he had to act, and act he did by firing Rick Rial and the Fales, without cause, threatening to sue each of them if the matter caused him any damages. In a heavy handed phone call to Arlene Rial—in which Hastings announced his decision to terminate her son—he exploded, “I didn’t know (LP was) going to spray. I am not responsible!” The act was clearly one of retaliation, according to Wayne Thorstrom, as evidenced by the fact that Tom Fales had a reputation for being an expert logger and a model employee, having never been previously fired:

“Talk to any of Tom’s past employers and you would find a job done 100 percent in making money for the company. And as far as safety around operators and his fellow employees, you couldn’t find a better old growth faller and with old growth, you’ve got to know what you’re doing. He’s probably helped out hundreds of boys coming up the ladder. He’s been a leader in falling in the woods.”<sup>86</sup>

Thorstrom also asserted, however, that, “Out of all the loggers I’ve spoken to since this last spray, every one of them is against it. There’s not one logger who I’ve spoken to who’s for spraying any kind of a herbicide.”<sup>87</sup> Few of them were willing to speak out, however, for fear of reprisal.<sup>88</sup>

This time, however, the affected loggers had an entire community of support behind them. The executive board of the IWA sent a letter to the Mendocino County supervisors to ban all spraying in Mendocino County and not submit the loggers any more chemical exposure. On March 19, a standing room only crowd packed the meeting of the County Board of Supervisors to demand that something be done about L-P’s disregard for the workers and the environment. Dr Mills Matheson relayed the compa-

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<sup>84</sup> “All Chemicals Have to be Treated with Respect, Not Fear”, *Fort Bragg Advocate News*, March 28, 1985.

<sup>85</sup> “Loggers Complain of Illness Following Herbicide Spraying”, by Martin Hickel, *Bragg Advocate News*, March 28, 1985.

<sup>86</sup> Bosk, April 1985, op. cit.

<sup>87</sup> Bosk, April 1985, op. cit.

<sup>88</sup> “A Logger Speaks Out – An Interview with Walter Smith”, by Bruce Anderson, *Anderson Valley Advertiser*, July 4, 1990.

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<sup>79</sup> Bosk, April 1985, op. cit.

<sup>80</sup> Lipmanson, November 7, 1985, op. cit.

<sup>81</sup> Bosk, April 1985, op. cit.

<sup>82</sup> Bosk, April 1985, op. cit.

<sup>83</sup> “The Truth About Garlon”, op. cit.

ny's insensitivity to the plight of the timber workers in previous sprayings thusly:

“When they arrived at the site they were told...that there would be spraying. When they asked, ‘was it safe?’ the L-P people sort of laughed at them and said, ‘Well, the only thing that happens is that 20 years from now your teeth are going to fall out,’ and they laughed at them. And then they said, ‘Well, if you smell it, don’t breathe.’ And then the last statement was, ‘If it starts coming towards you, run like the dickens!’”<sup>89</sup>



Unfortunately for the opposition, as was typical in timber dependent communities, the five member board was dominated by three conservative-to-reactionary corporate timber supporters: Marilyn Butcher, John Cimolino, and Nelson Redding, and a fourth member of the board, James Eddie, had, at best, been a fence sitter. Norm de Vall from the coast hamlet of Elk, the board's lone progressive at the time, was generally a minority of one. L-P made sure its voice was heard. As recounted by EPIC activist Bob Martel

“An L-P spokesman, when confronted with petitions signed by thousands of citizens demanding an end to the spraying, made petulant noises about L-P being able to do whatever it want-

ed with its own property. He also threatened that L-P might pull up stakes and leave the county if people continued to complain about its forestry practices.”<sup>90</sup>

The Supervisors passed a largely symbolic and ineffectual ordinance requiring only that neighboring landowners be notified before the aerial deployment of herbicides.<sup>91</sup> The irate Mendocino County residents were outraged and refused to let this setback deter them.<sup>92</sup> Due to their common adversary, environmental activists, represented primarily by the Sierra Club and the local chapter of the fledgling Green Party, and the union officials—primarily from the IWA and WCIW—and the affected workers formed a coalition of necessity.<sup>93</sup>

The first gathering of the coalition took place less than two weeks following the ill-fated Supervisors' meeting. The atmosphere was one of hope and optimism. Bob Martel elaborated:

“On Sunday, March 25th, 1985, over 200 people from many different areas in the county gathered together in Boonville to plant a seed for a whole new era in county politics.

“Activists for many causes, writers, political organizers—folks involved with a multitude of issues that are effecting the quality and safety of our lives both here in Mendocino County and on a global scale—came to explore the ways in which we can increase our power through cooperation, sharing of resources, linking of networks, reducing areas of duplication and most important of all, acknowledging our common ground.

“Issues of tactics, goals and methodologies surfaced from time to time in the meeting. These are the things that in the past have tended to separate us and dilute our strengths. The energy of the people present was such that we were able to stay focused and build on what brings us together rather than what has kept us apart. It was a real inspiration for me to experience the solidarity among us.”<sup>94</sup>

<sup>90</sup> Martel, May 1985, op. cit.

<sup>91</sup> Martel, May 1985, op. cit.

<sup>92</sup> Morris, op. cit.

<sup>93</sup> Martel, May 1985, op. cit.

<sup>94</sup> Martel, May 1985, op. cit.

<sup>89</sup> Bosk, April 1985, op. cit.

Local affiliates of the IWA and UBCJ announced support for the coalition in exchange for the Greens support of the unions' still active boycott of L-P wood products. The latter enthusiastically reciprocated.<sup>95</sup> The Mendocino Unified School District, whose jurisdiction covered over 400 plus square miles, and included extensive timber company land holdings, and whose buses often transported children on rural roads running right beside those holdings joined in the campaign against L-P as well.<sup>96</sup> The coalition printed a bunch of joint leaflets with slogans such as, "WHO CARES IF L-P SPRAYS? PARENTS AND CHILDREN CARE! LOGGERS, WOODWORKERS, FISHERMEN, HUNTERS & FIREWOOD USERS CARE! TOURISTS AND BUSINESS PEOPLE CARE, TOO!"<sup>97</sup> On April 14, Arlene Rial spoke at a meeting of the Mendocino Greens who were receptive to the workers' plight, and not just for ecological reasons. Ms. Rial stated, "You know what my son looks forward to every day now? That maybe he won't be sick tomorrow." The Greens raised \$414 for the affected workers simply by passing a hat around the room.<sup>98</sup> The Comptche Citizens for a Safe Environment, with support from two other local groups—(SOHO) Support Our Herbicide Opposition, and the Mendocino Greens—planned a protest demonstration at the Louisiana-Pacific mill and offices in Ukiah.<sup>99</sup>

On April 23, demonstrators gathered at L-P's Ukiah headquarters and vowed to picket until the company agreed to halt all herbicide spraying for two years while instituting a manual hardwood removal test program.<sup>100</sup> For two weeks, a coalition of Mendocino County Greens, anti-spray activists, loggers, millworkers, and IWA and Carpenters Union members and leaders jointly picketed Louisiana-Pacific and several local lumber retailers who sold primarily L-P based products.<sup>101</sup> The failing union picket lines were now renewed and reenergized. One of the most outspoken union leaders in this effort was IWA Local

#3-469 union representative Don Nelson.<sup>102</sup> By the end of the first week over 500 people had signed in at the picket line. The L-P security chief spent most of his time videotaping the demonstrators and their parked cars. Community support for the demonstration was mostly positive, and many of those who drove by cheered as they passed through the picketers while delivering logs to the mill. Some protestors jammed the company's phone lines speaking at length to public relations representatives. Callers who engaged befuddled L-P employees in long conversations on the company's toll-free lines encountered some sympathy and very little rancor. Local media coverage was extensive and one documentary film maker recorded the activities for a potential PBS series on herbicides.<sup>103</sup>



The coalition efforts, at least temporarily, seemed successful. By the end of the first week Louisiana-Pacific, supposedly responding to negative publicity, agreed to meet with representatives of the anti-spray coalition on neutral turf in Willits. After two hours of discussion, however, the two sides emerged from the meeting still deadlocked. The company offered to halt spraying for the remainder of 1985 and planned to give 60-90 day notice before spraying in 1986. The coalition considered this an empty gesture, however, since the timber corporation, spending in excess of \$12,000, continued to take out paid advertisements in local publications claiming to be "a good neighbor" and that Garlon was harmless. It didn't help reassure the protesters that L-P's spokespeople engaged in subterfuge, sometimes writing letters to the editor of local publication claiming to be private

<sup>95</sup> Morris, op. cit.

<sup>96</sup> "Letter to the Editor", by Donald L. Kirkpatrick, Mendocino Unified School District Superintendent and Secretary of the Board, *Anderson Valley Advertiser*, May 1, 1985.

<sup>97</sup> Martel, May 1985, op. cit.

<sup>98</sup> "Second Large Turnout for Mendocino Greens; Fledgling Group Collects 414 dollars for Mother of Sprayed Logger", and "Out of the Woods", by Mike Koepf, *Anderson Valley Advertiser*, April 17, 1985.

<sup>99</sup> Morris, op. cit.

<sup>100</sup> Morris, op. cit.

<sup>101</sup> Bartley and Yoneda, op cit.

<sup>102</sup> Don Nelson: Candidate for Supervisor, 4th District (Mendocino County), Interviewed by Beth Bosk – *New Settler Interview*, issue #31, May 1988.

<sup>103</sup> Morris, op. cit.

citizens (by virtue of not mentioning their role as company officials) making the same claims.<sup>104</sup>

The community stepped up their efforts to pressure L-P. The Mendocino County Greens raised approximately \$2,000 for the loggers' legal defense fund and continued to support the local woodworkers' boycott.<sup>105</sup> They also sent three local representatives, Carol Erickson, Don Lipmanson, and Poppy O'Sheehan to the L-P stockholder's meeting in Grand Junction, the first week of May, 1985.<sup>106</sup> Lipmanson had acquired stock in the company with an eye towards shareholder activism. Erickson and O'Sheehan, meanwhile, had both given proxy shares cast by concerned stockholders, under the auspices of the United Brotherhood of Carpenters and the Lumber Production and Industrial Workers Union, both of whom had been on strike with the IWA for two years hence.<sup>107</sup> While the coalition of anti-spray protesters demonstrated against L-P at the Pacific Stock Exchange in San Francisco, the environmentalists took their case to the shareholders in Colorado.<sup>108</sup> There they offered a resolution from the floor calling for a moratorium on the aerial application of herbicides. According to Lipmanson, it was ruled out of order on the technicality that it concerned "regular business." He also reported that Merlo's personal response was, "(I want you) to know that I will look into the matter and get back to you with something," though in retrospect this was a case of talk being cheap. Don Lipmanson lamented:

"Since L-P already sprayed hundreds of acres with the herbicide Garlon last spring a manual removal project next year would allow comparison of the two hardwood control methods. Instead of speculation we would have facts on costs, effectiveness and safety of each technique. It is this possibility of comparison, of course, which threatens the corporation. The results of a manual removal experiment might contradict L-P's advertising campaign about how forests should be managed. Rather than risk being contradicted by facts, the company

will simply not give manual removal a trial. Their willingness to even discuss manual removal appears, in retrospect, as a delaying tactic. L-P sought time to gauge the depth of community opposition to aerial spraying, and to soften that opposition through advertising and favorable newspaper editorials from the beneficiaries of those ads...

"Both L-P and the State of California are using their power and money to overwhelm people, to persuade or intimidate them into accepting toxic spraying in their backyard or adjacent forests...

"Opponents of L-P's spray policies are left with their backs to the proverbial wall. All conventional political channels have been exhausted, and a possible lawsuit by Fort Bragg loggers for damages owing to spraying is years from resolution. 500 pickets at their Ukiah mill got the company's attention but didn't quite convince management of citizens' determination to stop the spread of poisons."<sup>109</sup>

Merlo had also correctly gauged the fragility of the coalition of those opposed to L-P's various activities, reasoning that it would not take long to break it. The unions were easy to isolate and manipulate by this point, their strike already having been mostly defeated. Thanks to Erickson and O'Sheehan, union members who had been on strike for over 20 months had been able to address the annual meeting because State Farm Insurance, one of the corporation's largest stockholders, allowed the strikers to appear at the meeting as their proxies. According to Lipmanson, "90 union members from half-a-dozen states, who together had worked for over a thousand (person)-years for L-P, each got up and asked the company to relent." L-P did not relent however. Each and every one of the 90 union members, who had spoken out at the shareholders' meeting was soon replaced.<sup>110</sup>

After that, an administrative law judge dealt the strikers a crushing blow ruling that they were not eligible to receive unemployment benefits and that those who had received them had to pay back the money already received.<sup>111</sup> A separate strike in June involving 450 union workers in the L-P facility in Antioch in eastern Contra Costa County also ended in defeat, in part due to disputes between the IWA and

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<sup>104</sup> "She Thinks Garlon is OK", letter to the editor by Jane Fish, *EcoNews*, June 1988. Fish was, in fact, the public relations director at L-P's Samoa facility at the time.

<sup>105</sup> Morris, op. cit.

<sup>106</sup> "Locals Journey to Colorado Meeting", staff report, *Mendocino Beacon*, May 9, 1985.

<sup>107</sup> "Correct the Record", letter to the editor by Carol Erickson, *Mendocino Beacon*, May 16, 1985.

<sup>108</sup> Morris, op. cit.

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<sup>109</sup> Lipmanson, October 24, 1985, op. cit.

<sup>110</sup> "Locals Journey to Colorado Meeting", op. cit.

<sup>111</sup> "L-P Strike Lingers, Simpson Lockout Begins", *EcoNews*, June 1985.

the IBEW.<sup>112</sup> L-P's profits had dropped 95 percent in the first quarter of 1985 after dropping 72 percent the previous two, and the union officials spun this revelation as proof that the boycott had succeeded, but Harry Merlo countered that this was due more to market factors.<sup>113</sup> Adding salt to the wounds, on December 5, 1985, the NLRB officially recognized the decertification of the unions at five more of L-P's mills, including facilities in Big Lagoon, Carlotta, Cloverdale, Fremont, and Samoa, bringing the total number of L-P mills that purged the union to 14.<sup>114</sup>

Meanwhile, the other timber corporations throughout the Pacific Northwest, now emboldened by Merlo's brazenness, began demanding wage cuts and provoking strikes to attempt to bust the unions in *their* mills and woods divisions. For example, in June of 1985, Weyerhaeuser demanded wage and benefit cuts of about \$4 an hour at 22 of mills in Oregon and Washington. Almost 7,500 IWA members went on strike for six weeks, but Weyerhaeuser weathered the strike and was able to force an agreement with the IWA including the initially proposed concessions, plus the implementation of a complex "profit-sharing" scheme.<sup>115</sup> Tying the workers' wages to the company's profits, an institutionalized form of labor-management "partnership", recalled the production bonuses of the old Humboldt Labor Company, and violated the very core principles of unionism, by pitting worker against worker (especially in matters of safety), enabling speedups—which the now competitively minded workers wouldn't likely challenge, and forcing down conditions in other mills. Additionally, the wage "enhancements" pitted workers against environmentalists, and ultimately themselves, because now short term bonuses were far more important than long term sustainability and job security.<sup>116</sup> Yet, the unions were weakened beyond a capacity to refuse. Lumber companies throughout the Pacific Northwest followed suit and the unions lost many bitter and prolonged strikes over the next half-decade.<sup>117</sup> Even when they won partial gains, they lost ground, as did the IWA members at Simpson's Kor-

bel and Arcata facilities, who won modest wage increases—less than the union had wanted—but were subjected to the incentive scheme.<sup>118</sup>

In spite of his grand showing in protesting L-P's spray at Juan Creek, Don Nelson himself caved into economic pressure at Georgia Pacific. In the summer of 1985, IWA Local 3-469 fought against, but was ultimately forced into accepting G-P's demands for concessionary contract, though as many as 80 percent of the rank & file workers initially voted to strike.<sup>119</sup> The company threatened a lockout from the start, demanding that the union, "better play ball, or else."<sup>120</sup> The rank and file's resistance to the concessions was broken by pressure from the IWA's international officials who sent representatives to Fort Bragg to browbeat the local into accepting the give-backs out of fear of backlash from G-P.<sup>121</sup> Average wages decreased from \$10.71 per hour to \$8.74. They also gave up four paid holidays, and vacation pay was cut by 30 percent. The wage and benefit cuts amount to almost 25 percent, and the starting wage, \$7.00 per hour was the same as the now non-union L-P mills.<sup>122</sup>

Nelson urged the rank and file members to accept the cutbacks, because the company claimed it needed more profits to assure the workers continued employment. In exchange for the wage cuts, workers would receive production bonuses based on the company's profit earnings. Over the next three years, however, these bonuses totaled far less than the 25 percent wage give-back, and by 1989, the mill workers were making far less than they had expected.<sup>123</sup> During the life of the contract, the company modernized the mill and made cut backs anyway,<sup>124</sup> and ultimately, IWA International President Bill Hubble would denounce the profit sharing scheme and urge IWA locals to oppose them.<sup>125</sup> To make matters worse, the IWA's concessions had also included language allowing G-P to begin contracting out what was once union logging divisions to gyppo firms, thus eliminating

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<sup>118</sup> "IWA Local Votes to End Strike at Simpson: Six-week Walkout Could End Today", by Marie Gravelle, *Eureka Times-Standard*, August 25, 1988.

<sup>119</sup> Interview with Anna Marie Stenberg, January 23, 2010.

<sup>120</sup> "L-P Strike Lingers, Simpson Lockout Begins", *EcoNews*, June 1985.

<sup>121</sup> Interview with Anna Marie Stenberg, held October 18, 2009. According to Stenberg, the International officers held a meeting which lasted nine hours where they proceeded to coerce Nelson and the rank & file into accepting the concessionary contract.

<sup>122</sup> Atkinson, et. al., op. cit.

<sup>123</sup> Atkinson, et. al., op. cit.

<sup>124</sup> "Damage Control", by Mike Koepf, *Mendocino Commentary*, November 16, 1989.

<sup>125</sup> Atkinson, et. al., op. cit.

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<sup>112</sup> "Union Busting At the Mills", by Andy Alm, *EcoNews*, August 1988.

<sup>113</sup> "L-P Strike Lingers, Simpson Lockout Begins", *EcoNews*, June 1985.

<sup>114</sup> "Union Decertified at L-P Sawmills; Labor Board Confirms Workers' Votes.", *UPI Wire*, *Eureka Times-Standard*, December 6, 1985.

<sup>115</sup> "Lumber Strikes Splinter Northwest; Unions Slump", *EcoNews*, August 1985.

<sup>116</sup> "IWA Rank-and-File Union Millworkers Reply", by Ron Atkinson, et. al., *Anderson Valley Advertiser*, December 13, 1989, *Mendocino Commentary*, December 14, 1989, and *Industrial Worker*, January 1990.

<sup>117</sup> Foster, op. cit. page 20.

union membership—which robbed the millworkers of significant economic clout provided by the formerly unionized loggers—and further depressing wages and working conditions throughout Mendocino County.<sup>126</sup>

Wayne Thorstrom summarized the dismay felt among the IWA Local 3-469 rank and file members as well as many loggers in the county declaring:

“Through the union, we developed a lot of new safety precautions for the company and now that all the G-P loggers are going to be eliminated eventually, all these guys are going to be out in the cold. Who’s going to represent them? These are the guys these big companies think they can spray, and spray, and not warn them ahead of time. We’re going backwards instead of forward. I believe in organized labor. Who’s going to represent these fellows?”<sup>127</sup>

Sierra Club activist Ron Guenther shared Thorstrom’s dismay, opining:

“A lumber workers union that asks the State Legislature for sustained-yield legislation to protect the future of the forest industry...and which acts in solidarity with forest workers poisoned by the Louisiana-Pacific Corporation at Juan Creek is subject to immediate mass firings of its members. Union woods crews, truck drivers, and support crews are eliminated and replaced with others more amenable to speeding up the pace of forest destruction and increasing corporate profit. With top timber industry executives being paid close to \$1 million a year, and with the industry raking in many hundreds of millions in exploitive profits each year, deep wage cuts are demanded of local union members to increase corporate profit and ‘efficiency.’”<sup>128</sup>

By 1986 and 87 the already cutthroat logging business in Mendocino County became extremely so, with the locals gyppos not only trying to underbid each other, but facing added competition from gyppos brought in from out of the area by the logging corporations (es-

pecially G-P and L-P) to further accelerate the race to the bottom. Under these circumstances, the unions had no chance of winning a purely defensive campaign, and the fate of both the forests and timber unions seemed to be certain doom.

Nevertheless, L-P successfully quieted the environmentalists by temporarily curtailing the deployment of aerial herbicides. This was certainly due to the combined opposition of the timber unions and environmentalists, at least partially, but it was also due to the adoption of new tax regulations at the California state level making spraying less economical. Hitherto, companies could shift the burden of spraying onto the backs of the taxpayers, but now this had changed. L-P Chief Forester Chris Rowney conceded as much by declaring, “Spraying is less viable as an option because spraying expenses will have to be capitalized, and intensive [silvicultural] methods become very expensive in this context.”<sup>129</sup> Perhaps in response to the burst of joint protest of greens and unions against L-P, Simpson announced their intention, in May of 1985, to engage in manual release (rather than use Garlon) on a 72 acre clearcut northeast of Blue Lake in Humboldt County.<sup>130</sup>

This proved to be an empty promise in the long run. Simpson continued to spray Garlon-4 on Yurok tribal lands near the Klamath River for years.<sup>131</sup> Meanwhile, smaller operators, such as Barnum Timber, also announced their intent to aerially deploy 2,4-D in the Hydesville and Rio Dell areas of Humboldt County, which drew opposition from activists based in Arcata, who organized under the banner of the California Coalition for Alternatives to Pesticides (CCAP).<sup>132</sup> Many residents, the City Council, and Mayor of Rio Dell initially protested Barnum’s intent<sup>133</sup>, but were eventually “convinced” by the Humboldt County Agricultural Commissioner’s office that the spraying “posed little danger”.<sup>134</sup> No doubt the fact that businesses interests—including the Fortuna Chamber of Commerce, which represented both Corporate Timber and tourist interests—did what

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<sup>129</sup> Lipmanson, November 7, 1985, op. cit.

<sup>130</sup> “Simpson Does Something Right”, by Ocean Madrone, *Country Activist*, June 1985.

<sup>131</sup> “Murderville”, by Judi Bari, *Anderson Valley Advertiser*, April 22, 1992.

<sup>132</sup> “Hydesville 2,4-D Spraying Protested”, by Mary Barnett, *Humboldt Beacon and Fortuna Advance*, February 18, 1987.

<sup>133</sup> “Rio Dell Mad About 2,4-D Spray Plans”, *Humboldt Beacon and Fortuna Advance*, February 28, 1987; and “Questions on 2,4-D in Rio Dell”, *Humboldt Beacon and Fortuna Advance*, March 7, 1987.

<sup>134</sup> “Rio Dell Relaxes Over 2,4-D”, by Mary Barnett, *Humboldt Beacon and Fortuna Advance*, March 21, 1987.

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<sup>126</sup> “Woods Crews Being Dismantled at G-P”, staff, *Fort Bragg Advocate News*, March 28, 1985 and “G-P Switches to Private Logging”, by Tom Salinas, *Ukiah Dailey Journal*, April 2, 1985.

<sup>127</sup> Bosk, April 1985, op. cit.

<sup>128</sup> “Coastal Waves: An occasional column”, by Ron Guenther, *Mendocino Commentary*, April 18, 1985, and *Country Activist*, May 1985.

they could to blunt opposition to the spraying.<sup>135</sup> No coalition like the one that formed in Mendocino County in response to the spraying of the loggers at Juan Creek happened in response to any of these later sprayings.

To make matters worse, in a calculated move that split environmentalists and the IWA, after years of fights over Sally Bell Grove in the Sinkyone Wilderness, Georgia Pacific offered it to the public in a land swap, without first negotiating with the IWA, very similarly to L-P's and Simpson's exchange the previous decade in Redwood National Park to the north. Some environmentalists counted the acquisition as a victory<sup>136</sup>, but the cost was bad blood between them and the unions.<sup>137</sup> Don Nelson opposed the deal, fearing that it would cost union loggers their jobs, rather than focusing his and IWA Local 3-469s energy on resisting the cutbacks demanded by G-P.<sup>138</sup> Much of the progress made to heal the wounds and divisions that the timber corporations had sown between the environmentalists and the timber workers' unions since the expansion of Redwood National Park was quickly lost. As if this weren't bad enough news, something was afoot just to the north in Humboldt County that would make Harry Merlo's union busting look like child's play.

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<sup>135</sup> "Another Pamphlet May Warn Off Tourists", by John Ponce, *Humboldt Beacon and Fortuna Advance*, August 12, 1986.

<sup>136</sup> Lipmanson, November 7, 1985, op. cit.

<sup>137</sup> "Coastal Waves: An occasional column", by Ron Guenther, *Mendocino Commentary*, April 18, 1985, and *Country Activist*, May 1985.

<sup>138</sup> "Union Angry at G-P Land Swap", *North Coast News*, March 5, 1987; "Union Upset With Sinkyone Exchange", by Richard Johnson, *Mendocino Country*, March 15, 1987; "Union Demands Info on G-P Land Swap", *North Coast News*, March 19, 1987.